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# NORTHERN IRELAND ASSEMBLY

Monday 21 September 2009

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

*Members observed two minutes' silence.*

## ASSEMBLY BUSINESS

**Mr Attwood:** On a point of order, Mr Speaker. You will recall that, before the summer recess, I raised a point of order about the time that Ministers were taking to reply to questions from the Floor, and a useful ruling was made.

I wish to raise a point of order on a separate matter. There is concern about how much time Ministers are taking to reply on issues that have been raised by Committees. For example, on 7 July 2009, the Committee for the Office of the First Minister and deputy First Minister wrote to the Office of the First Minister and deputy First Minister (OFMDFM) about the Child Poverty Bill. The Ministers replied 71 days later, 36 minutes before a Committee meeting began. The late receipt of that 10-page letter gave Committee members little time to consider the issues that had been raised.

Requirements for how quickly Ministers reply to matters that are raised by Committees should be laid down, because replying 71 days after matters have been raised, and 36 minutes before the beginning of a Committee meeting, is ludicrous and unreasonable behaviour that needs to be rectified.

**Mr Speaker:** I hear what the Member said; he raised a number of issues. First, I do not see this as an issue for the Assembly. It is certainly an issue for the appropriate Committee, and the Member's remarks are now on record, so I would like to think that that Committee will take up and deal with that matter. However, at this moment in time, it is not a matter for the Assembly.

**Mr Attwood:** I acknowledge that, Mr Speaker.

Further to that point of order Mr Speaker. If it is necessary for you to safeguard the interests of the Assembly with respect to Ministers replying in good time to matters that have been raised on the Floor of the House, it seems consistent that the same principle should apply to Ministers replying to Committee

issues. I suggest that where there are clearly unreasonable periods of time before matters are replied to, and those replies are made beyond the eleventh hour, that is a matter not only for the Committees, but for you.

**Mr Speaker:** I have some sympathy for what the Member is saying. I suggest that, were he to table a motion to the House, it would further highlight the issue and the problems that relate to that particular Committee.

## MINISTERIAL STATEMENT

### North/South Ministerial Council Agriculture Sectoral Meeting

**Mr Speaker:** I have received notice from the Minister of Agriculture and Rural Development that she wishes to make a statement on the North/South Ministerial Council agriculture sectoral meeting.

**The Minister of Agriculture and Rural Development (Ms Gildernew):** Go raibh maith agat, a Cheann Comhairle. With your permission, I wish to make a statement in compliance with section 52 of the NI Act 1998, regarding the tenth meeting of the North/South Ministerial Council (NSMC) in the agriculture sector, held at the Greenmount Campus of the College of Agriculture, Food and Rural Enterprise (CAFRE) on 21 July 2009.

The Executive were represented by the Minister of the Environment, Edwin Poots, and me. The Irish Government were represented by Brendan Smith TD, Minister for Agriculture, Fisheries and Food, and Éamon Ó Cuív TD, Minister for Community, Rural and Gaeltacht Affairs. This statement has been agreed with Edwin Poots, and I am making it on behalf of us both.

At the meeting, Ministers reviewed developments on EU agriculture matters and welcomed the European Commission's actions in addressing the dairy market situation. Ministers also welcomed the recent concessions secured in Brussels in relation to the implementation of sheep electronic identification and emphasised the importance of ongoing co-operation on the matter.

Ministers noted progress on activities for the delivery of the draft all-island animal health and welfare strategy and welcomed arrangements for a cross-border event in the autumn. That event will bring together key stakeholders to discuss the delivery of the strategy. It will help to build genuine partnerships in the development of policy and will enable stakeholders to discuss a strategic approach and a forward work programme.

The Council noted that the final report from the plant health and pesticides steering group on a joint strategic approach to plant health and pesticides will be presented to a meeting of the North/South Ministerial Council in the autumn.

Ministers welcomed a presentation from the International Centre for Local and Regional Development on its recent study on rural restructuring, which considers the impact and future of rural restructuring policy and practice throughout the island.

The Council welcomed the positive impact of co-operation on the 2000-06 EU programmes for the

cross-border rural economy, including the creation of 80 new rural enterprises and assistance to 600 enterprises through the rural development measure of INTERREG IIIA.

Ministers also welcomed the opening of the rural development sub-theme of the EU INTERREG IVA programme for applications; the approval of a Peace III project that seeks to address issues of sectarianism and racism in a rural context, and the allocation of funding for co-operation projects, including cross-border projects, under the LEADER elements of the rural development programme 2007-2013.

The Council agreed that its next meeting in agriculture sectoral format will take place in November 2009.

**Mr Speaker:** Before I call any other Member to ask a question, I remind the House once again that the convention that the Speaker permits the relevant Committee Chairperson or Deputy Chairperson some latitude to raise more than one matter on behalf of the Committee does not extend to any other Member. I refer the House to my ruling of 26 January 2009 in which I dealt with the matter at some length. If it would be helpful for me to summarise what I said at that time, I will do so.

Questions following a ministerial statement are not an opportunity for speeches or debate; long introductions will not be allowed; and Members who are called may ask one question relating to the statement. If I, or my Deputy Speakers, consider that those simple conventions are being abused, the Member concerned will be asked to resume his or her seat and the next Member will be called.

In the House, I have often said that ministerial statements are important: they give Members an opportunity to ask a question and to hold the Minister and the Department to account. However, they are not an opportunity for debate, nor do they provide an opportunity for Members to make long introductions or ask multiple questions. If any Member abuses convention, my intention is to ask him or her to take his or her seat, and we will move on to the next Member. I hope that that is clear.

**The Chairperson of the Committee for Agriculture and Rural Development (Mr Paisley Jnr):** Thank you, Mr Speaker, for your invitation, generosity and latitude; they are most appreciated.

I welcome the Minister's statement. I think that everyone will welcome the measures that Commissioner Fischer Boel announced last week to help the dairy sector in the short, medium and long term. It is appropriate to pay tribute to the work of Commissioner Fischer Boel as she moves to another role, because she had particular and significant interest in what happened in this part of the European

Community. Given the weakened state of our industry, any help, no matter how little, is more than welcome. My Committee will meet with Commissioner Fischer Boel's cabinet next week, and we will be placing the state of the dairy industry high on the agenda. I am sure that the Minister agrees that price fluctuations create and generate uncertainty in the milk industry, and anything that can help us through that uncertainty will be beneficial to the sector.

Will the Minister advise the House of the outcomes, to date, of the dairy task force, and of what those outcomes mean in a practical sense to the dairy industry in Northern Ireland? Will she also tell the House whether she has succeeded in removing the overbearing bureaucracies in imposing the electronic identification scheme for sheep, which has caused some concern, and on which I would like her update.

Does the Minister agree that the draft all-island animal health and welfare strategy, as mentioned in her statement, has lost considerable credibility, given the dioxin issue? If we do not get access to all of the information all of the time, as was the case with the dioxin incident, any credibility that an all-island animal health and welfare strategy will have will be lessened. My Committee will be reporting very soon on that issue, so we will be following the Minister's comments with interest.

#### **The Minister of Agriculture and Rural**

**Development:** Go raibh maith agat, a Cheann Comhairle. I thank the Chairman of the Committee for Agriculture and Rural Development for his question. I also add my comments to his about the outgoing commissioner Mariann Fischer Boel, because we had a genuine working relationship with her. She understood fully the challenges that we were going through on a wide range of issues. At the September Agriculture Council meeting, she made a presentation on the dairy sector, and she used our example as an industry that was very hard hit by the depressed world market. She had a great grasp of the issues, and she understood fully the challenges of farming in the North. We were glad to welcome her to this year's Balmoral Show, at which she spoke at the Thursday morning breakfast event. In fact, now that she is moving on, we are especially glad that she attended this year's show. We have full admiration and respect for Commissioner Fischer Boel. We wish her well, and we will have to work hard to build up the same level of relationship with her successor.

Mr Paisley Jnr raised a question on the all-island animal health and welfare strategy. In view of the example of the dioxin incident that the Chairman gave, it is more important than ever that we have strong measures and protocols in place and that we work together to ensure that the difficulties that arose from the dioxin issue do not happen again. The likes of the

all-island animal health and welfare strategy will be crucially important in protecting us from difficulties such as those that arose from the dioxin incident last December.

On the day in October on which the auction price for the dairy sector came through, I had a meeting with the Department for Environment, Food and Rural Affairs (DEFRA) Minister, Hilary Benn, on another issue. When we got the auction price, we raised the issue of export refunds with him.

DEFRA's normal position is to stay away from intervention and such measures to support the market. The Department argued very strongly, as it did earlier in the year for the pig sector, that export refunds were required to protect the industry and to create a floor to prevent prices from falling further.

*12.15 pm*

I have just come from a meeting with our three MEPs in which that very issue was discussed. I told the MEPs that the European Commission must be made aware that export refunds are an invaluable tool and that without them many more of our dairy farmers would have gone out of business. Although prices have been slightly more encouraging of late, the Department accepts that there is still a long way to go before the industry returns to its previous levels of sustainability.

On the issue of sheep electronic identification (EID), the Chairperson of the Agriculture Committee will be aware that the Department worked very hard last year to ensure that our keepers were not forced into having to double-tag their sheep. Scotland, Wales and England all moved to double tagging in January 2009. The Department knew that the sheep EID system is to be introduced here by January 2010, and it felt that to put two systems in place in a very short space of time would have been hugely problematic for our sheep keepers. Therefore, it resisted moving to double tagging and is now set to move to the sheep EID system.

The EU has set a compulsory implementation date for sheep EID of 31 December 2009, so we have to have the system in place by the end of the year. The purpose of EID is to enable sheep movements to be recorded on an individual basis. The Department is working closely with the South and Britain to ensure that systems are put in place that will minimise the volume of administrative work and the cost burden that is placed on keepers here. As part of that, the Department published a consultation paper on the new rules for sheep EID on 11 September 2009, and I would encourage all who are involved in the sheep industry to submit their views.

The Department has received some very useful soundings from the industry already, and it has secured a number of very important derogations to help to minimise the risk of introducing sheep EID. It wants to

continue to work with the EU and the sheep industry to ensure that sheep EID does not pose a threat, but rather becomes a valuable tool. Go raibh míle maith agat.

**Mr Doherty:** Go raibh maith agat, a Cheann Comhairle. In some ways, the Chairperson of the Agriculture Committee has already touched on my question. Indeed, that reminds me of a comment that was made that the more we work together as a Committee, the more we become like each other — even politically.

**Mr Paisley Jnr:** You are setting yourself very high standards.

**Mr Doherty:** Absolutely.

My question is perhaps more specific than those posed by the Chairperson, and it is whether there are any plans to hold a stakeholders' conference on an island-wide basis to discuss how to advance the all-island animal health strategy? Furthermore, if such plans do exist, how advanced are they?

#### **The Minister of Agriculture and Rural**

**Development:** At the NSMC meeting in the agriculture sectoral format on 20 March 2009, Ministers agreed to convene a cross-border event later this year. That event will bring together key stakeholders from across the island to discuss the delivery of that strategy and the all-island strategic approach to animal health and welfare. The steering group met in early June, and again last week, to progress the plans for the event, and arrangements are well in hand to hold that meeting this autumn. The two Departments agree that cognisance of stakeholders' views must continue to be taken in the delivery of the strategy.

It is expected that a date for the event will be agreed soon, and the attendance of members of the Committee for Agriculture and Rural Development would be welcomed. Indeed, it would be beneficial if members of the Agriculture Committees on both parts of the island attended that event and made a positive contribution to it.

**Mr Elliott:** I also thank the Minister for her statement to the House today. Does the Minister accept that the operation of the sheep EID system will be unfair, given that a number of other European countries will not be required to implement it as they have smaller numbers of sheep than we do? Has the Minister had any discussion with European Commission members on that issue, because we are being placed at a significant disadvantage?

#### **The Minister of Agriculture and Rural**

**Development:** I have spoken with the relevant Commissioner, Commissioner Vassiliou, on the issue of electronic tagging. During those discussions, I stressed the need for us to have an appropriate system

in place, because I do not believe that a one-size-fits-all approach will work for everyone.

Our industry here has a huge amount of trade with the South. When we discussed the issue of double tagging, we told the commissioner that animals exported across the water would comply with the double tagging regime in Britain but we wanted to keep the trade going on the island, as it is absolutely massive compared with trade anywhere else.

We are still working on a number of issues relevant to us, especially cross-border trade, and we will continue to seek flexibility on that. There is a concern around traceability, as we saw during the outbreak of foot-and-mouth disease in 2001. We want to be able to protect our traceability. The industry has been very good and has worked closely with the Department. It recognises the benefits that EID would bring, especially in light of the derogations that we got, such as individual flock keepers not needing to purchase readers because their flocks can be read at the mart or the abattoir. We are trying to find a system that is as cost effective as possible and that will maximise the benefits of EID. I am co-operating and having discussions with European Commissioners and their officials on an ongoing basis.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. In paragraph 4 her statement, the Minister referred to reviewing developments in relation to EU agricultural matters. Will she expand on what those developments are and how they benefit the local agricultural and rural development sector?

#### **The Minister of Agriculture and Rural**

**Development:** I am not sure what the Member is referring to. Paragraph 4 covers sheep electronic identification and matters to address the dairy market situation. Hopefully, I have covered as much of the sheep EID as is necessary, but if I have not, I will be happy to reply to him in writing. With regard to the dairy market situation, the discussion at the meeting on 21 July was around global milk pricing and the difficulties that we were experiencing. The situation in the South is similar to ours. We also had a discussion about export refunds and the need for those to continue.

**Mr Ford:** I thank the Minister for her statement. She has given some very comprehensive answers regarding the early part of the report. Unfortunately, other aspects of the report are a bit like so many other reports. For example, we were told that Ministers welcomed the presentation on the issue of rural restructuring. Will the Minister explain what that report was? With reference to the report expected on plant health and pesticides, will the Minister give a commitment as to when it will be published, as opposed to it being discussed at the next NSMC?

**The Minister of Agriculture and Rural**

**Development:** A joint strategic approach on the issue of plant health and pesticides will be presented at the next meeting. The report is not ready for publication; I will come back to the Member when it is. The report will be presented to our meeting in the autumn, which I think will be in November.

I am glad that the Member asked the question about the International Centre for Local and Regional Development's (ICLRD) rural restructuring report. I had the privilege of officially launching that report at the Rural College in Draperstown in June this year. I thought that the report's findings were particularly relevant to the issues discussed at the NSMC agriculture and rural development meeting. On that basis, I invited the ICLRDR to come to the Council and make a presentation on the study. The report provides a comprehensive perspective on the challenges facing rural areas and on how we ensure that effective and sustainable solutions are developed through partnership and working with all stakeholders.

The social capital in our rural communities is highlighted as a means of ensuring a strong and vibrant economy. That fits well with the support available through my Department's rural development programme and other rurally focused initiatives, such as the rural aspect of the new INTERREG programme.

Over the next few years, our new anti-poverty and social exclusion programme will offer communities and people in rural areas the opportunity to tackle and address local poverty and exclusion issues in their areas. That will contribute to ensuring a balanced and inclusive rural society, which is so important in the overall challenge of rural restructuring. The presentation by ICLRDR generated interesting discussions between Ministers, and I am confident that that will help to further focus our collective efforts on rural development across the region.

As an aside, the report considered three areas: an area in Cork; Draperstown in County Derry; and the Aughnacloy/Emyvale area on the border between Tyrone and Monaghan. I would be delighted to pass on a copy of the report to the Member so that he can read it himself. Were I to list everything that was discussed at the meeting, Members would be shouting at me for boring them to tears. I try to give a summary and Members can ask questions on that basis.

**Mr Shannon:** I thank the Minister for her statement. The mind boggles when one thinks of electronic ID for sheep and, literally, hundreds of thousands of sheep with chips in their ears. There will be some work to do there.

The Minister mentioned the EU programmes for the cross-border rural economy, specifically 18 new rural enterprises and assistance to 600 enterprises. It seems

to be a massive undertaking. Will the Minister confirm that all parts of the Province will be involved in the rural economy through the rural enterprises and assistance, and, specifically, will that include my constituency of Strangford? It would be remiss of me not to ask. I am sure the Minister will tell me that it will —

**Mr Speaker:** The Member must come to the question; that is a long introduction.

**Mr Shannon:** Will the rural enterprise programme involve the Strangford constituency?

**The Minister of Agriculture and Rural**

**Development:** Absolutely. I hope that it will involve areas right across the Six Counties. I would be disappointed if the Member did not mention Strangford to me at least once a day. The Department's proposals, including a rural White Paper and the enhancement of rural proofing, were agreed by the Executive in July. The White Paper will be key to defining our vision for rural areas. I recognise that it is not an easy task, but one that can be developed only by harnessing the skills and experience of people who know what it is like to live and work in a rural area.

We have the tools in place to help us to ensure that every part of the rural economy can be involved in, and contribute to, the overall economy and can play a role in building a sustainable and vibrant rural community.

**Mr W Clarke:** Go raibh maith agat, a Cheann Comhairle. I too thank the Minister for her statement. What preventative measures has she put in place to deal with the threat of bluetongue?

**The Minister of Agriculture and Rural**

**Development:** At the meeting on 21 July we, thankfully, only touched on the issue of bluetongue. It is obviously an ongoing issue, and we are being very vigilant, but I am grateful that, at this stage, we are not having full-scale meetings about bluetongue and the need to protect our island. The range of preventative measures that we have in place to minimise the risk of bluetongue reaching the island are working. We carry out post-import testing of all imported sheep and cattle from Europe and Britain, and we are taking steps to ensure that importers know the risks and the measures that they can put in place to minimise them. For animals coming from bluetongue zones, pre-import testing is one of the conditions laid down by EU regulations, although is not always necessary if the animals satisfy other conditions. We have worked closely with industry stakeholders, and other measures are not considered necessary at this time.

*(Mr Deputy Speaker [Mr McClarty] in the Chair)*

I have asked the farming community to remain vigilant for bluetongue by inspecting their livestock at

least daily for signs of disease and to report any suspicions immediately. To help farmers to do that, my Department has issued all cattle and sheep owners with a leaflet that outlines the clinical signs and symptoms that they should look out for.

I will use this opportunity to reiterate the message that has been expressed many times in the House and in other forums. If we are to keep bluetongue out of the North, farmers must not import cattle from bluetongue-infected areas. That message was expressed very strongly earlier this year, and I reiterate it now and ask farmers and dealers not to import cattle from bluetongue-infected areas, so as to minimise the risk of our cattle catching the disease. We have been very fortunate so far in keeping it out, but I need the support and co-operation of the farming industry to ensure that that remains the case.

**Mr Savage:** I thank the Minister for her statement. Will she outline the benefits that her discussions with Minister Smith will bring to the agri-food industry here in Northern Ireland?

12.30 pm

#### **The Minister of Agriculture and Rural**

**Development:** My discussions with Minister Smith cover a wide range of work. Obviously, out of necessity, one of the areas that we discuss is disease control. We have to work closely to try to protect the island against infectious diseases. We also co-operate closely on diseases that have already had an impact; for example, we still have a problem with brucellosis, but the South has applied for brucellosis-free status.

Co-operation is important, especially given the nature of the farming industry on the island, as people tend to go to marts to buy stock wherever those marts may be on the island. There is cross-border trade between marts and abattoirs, and, as we saw from the dioxin incident, feed and other products cross the border. This is a small island, and farmers operate across the border every day. We want to ensure that the processes that the two Departments put in place support farmers, enable them to trade across the border and remove some of the burdens and difficulties that they face in keeping their stock levels up and in continuing to farm.

A lot of milk that is produced in the North is processed in the South, which raises issues with the dairy sector. Similarly, a lot of the South's pork is processed in the North. Therefore, co-operation is important. Discussions are ongoing between the Departments, and, as I said, we converse regularly on a wide range of issues.

We still have a long way to go, and a number of difficulties are still being experienced. For example, some Members have written to me about people who have shown cattle in one county but faced difficulties when they tried to show them in a neighbouring county

that happened to be across the border. We want to see an end to some of those difficulties for farmers so that they are able to compete across the island and maximise the profitability from their farming enterprises.

**Mr Burns:** I thank the Minister for her statement. She referred to an all-island animal health strategy. Will the Minister tell us whether there was any discussion about tuberculosis and its eradication on the other side of the border? I know that considerable work is being done on this side of the border, but what work is being done on the other side of the border?

#### **The Minister of Agriculture and Rural**

**Development:** The actions that are being taken in the South on TB vary slightly from the work that we are doing. For example, for a number of years, the South has been involved in a wildlife strategy, which is not necessarily the route that we are taking. We want to improve our figures on TB, and last December, we outlined a new strategic approach for how we will deal with TB, having taken on board the work of the TB core stakeholder working group. Therefore, the approach has been developed with our key stakeholders, and it is an agreed joint industry/Government approach.

Brendan Smith and my counterparts in the South have taken various decisions about TB, and their systems are different from ours. For example, they have a cap on animal disease compensation levels that we do not have. They also have different arrangements for social security benefits for when herds are bought out and farmers cannot reintroduce cattle to their holdings. Although there is a lot of co-operation, we may not necessarily want to go down the same route that they have taken. We will continue to liaise closely with our counterparts, but, in this instance, we do not have a strategy that covers all 32 counties; we have different strategies for tackling TB and brucellosis.

**Mr Molloy:** Go raibh maith agat, a Cheann Comhairle agus a Aire. Will the Minister consider taking a similar approach to that taken in the South, given that it now has brucellosis-free status?

#### **The Minister of Agriculture and Rural**

**Development:** The South has now applied for brucellosis-free status, and we look with envy at that situation. It is a terrible disease, and we have worked hard to try to eradicate it and to try to get us to the same situation that exists in the South. We are considering what further steps we can take to intensify our efforts to push towards achieving official brucellosis-free status in the North.

Obviously, there is nervousness. We were nearly free of brucellosis and the South was still facing difficulties with it. We got reinfected, and now it is back. We want the entire island to be brucellosis-free, and we are one of the very few places left in Europe

that still has a problem with the disease. We can take steps by working together, particularly with the Committee for Agriculture and Rural Development. We may need to continue to be creative and imaginative in how we deal with brucellosis.

It will be important how we deal with the disease at policy level, as well as at farm level. The Department has had very good co-operation from farmers, with three working groups set up in three areas to examine the problems of brucellosis and how to tackle it. More needs to be done, and we must not be found wanting.

## EXECUTIVE COMMITTEE BUSINESS

### Water and Sewerage Services (Amendment) Bill

#### First Stage

**The Minister for Regional Development (Mr Murphy):** I beg to introduce the Water and Sewerage Services (Amendment) Bill [NIA 3/09], which is a Bill to enable the Department for Regional Development to continue to make payments to water and sewerage undertakers for a limited period.

**Mr Deputy Speaker:** That constitutes the Bill's First Stage, and it shall now be printed. The Bill will be put on the list of future business until a date for its Second Stage is determined.

## PRIVATE MEMBERS' BUSINESS

### Financial Support for Sports Clubs

**Mr Deputy Speaker:** The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer 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 speak will have five minutes. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who speak will have five minutes.

**Mr Kennedy:** I beg to move

That this Assembly calls on the Minister of Culture, Arts and Leisure to ensure that no sports club, which facilitates a commemoration or glorification of terrorism, receives financial support through his Department, either directly or indirectly.

I am grateful to have the opportunity to move this important motion. I hope that the tone of the debate will be appropriate. The debate needs to be held in the context of the wider debate on a shared future. Clearly, the GAA will be an important contributor to sporting and cultural life in Northern Ireland.

The motion is not an attempt to close down the GAA or to prohibit it from organising its games, or, indeed, from getting financial support. As a member of Newry and Mourne District Council, I have supported grant applications from GAA clubs in my area. However, the issue that is being raised today is that a leading sporting organisation, the GAA, is being used — and, to some extent, abused — by some elements to glorify terrorism, and thereby promote sectarian attitudes. That was represented at Galbally in early August.

I recognise that there are those in the GAA who are attempting to promote change and a role for the organisation in a shared future. However, Galbally is a sharp reminder that, alongside those elements, some are prepared to use the GAA to promote a very different future: one marked by division, sectarian attitudes and the glorification of terror and violence.

The motion calls on the Minister of Culture, Arts and Leisure to be a persuader for a shared future, and to use the influence and funding available to his Department — if necessary, by using his powers — to ensure that no sporting organisation facilitates the glorification of terrorism. I welcome the Minister's attendance and look forward to what he has to say.

All Members who believe in a genuinely shared future hope that the Minister will set out how he will seek to use his influence, and, if necessary, his powers, to ensure that no sporting organisation will allow its

premises, resources or grounds to be involved in acts that glorify terrorism.

The recent upsurge in republican activity underlines the importance of the motion. In my view, to glorify the terrorists and terrorism of the 1980s is to encourage the terrorists of 2009. To celebrate the cult and ideology of the violence that wreaked havoc in our society since the late 1960s is to encourage the young people of 2009 to again embrace violence and to again bring pain and suffering. For Sinn Féin to issue a document about a shared future after two years of that party delaying the process and being indecisive and to somehow defend the glorification of terrorism and sectarian violence at an event such as that which took place at Galbally only gives succour and encouragement to those in our society who are determined to repeat the history of recent decades.

The rules for administering public funds must be consistent. If public funds are not permitted to be used to support party political activities, how can they be permitted to be used to sponsor and support any organisation that permits its premises to be used for the type of heavily charged political or quasi-political event that occurred on Sunday 10 August 2009 at Galbally? The event in question was hardly even a political event in the normal sense of the term. It was a highly charged political event with strong paramilitary undertones that appeared to glorify violence as a means to achieve political objectives. That flies in the face of the normal politics that all sides of the House are supposed to espouse.

The Galbally GAA club has received some £200,000 of public money from Sport Northern Ireland in support of its sporting activities. That is a substantial sum of money, and with it, it brings a duty for the club to behave responsibly and to permit its premises to be used only for law-abiding events that do not glorify violence as a legitimate means of political expression.

As part and parcel of its letter of offer for the receipt of public money, the GAA club in question should have been made to give an undertaking that it would not permit its premises to be used for the glorification of paramilitary violence. In the days of the old Stormont Parliament, which some people continue to criticise, the terms of the grant aid that that Administration provided always included safety measures to ensure that the glorification of paramilitary activity would not take place.

The mixture of sport and politics can be fairly toxic. Questions still lurk in the background about the GAA's receipt of public money and about how it relates to some of the overtly political connotations of some of its aims and objectives. Those include the objective in rule 2 of its official guide, which states:

"The Association is a National Organisation which has as its basic aim the strengthening of the National Identity in a 32 County Ireland through the preservation and promotion of Gaelic Games and pastimes."

Rule 15 deals with the flying of the Irish flag at grounds where games are played. It is time that the GAA moved into the twenty-first century and addressed the issues around those rules. Post-Belfast Agreement, it must recognise that, under the principle of consent, there is no prospect of a united Ireland or a 32-county all-Ireland republic. It must realise that and change its rules accordingly.

**Mr Boylan:** After the Armagh minor team won the all-Ireland football final yesterday at Croke Park, will the Member agree that the funding that that club received went to good use? Go raibh maith agat.

12.45 pm

**Mr Kennedy:** The Member has fallen immediately into a trap, in that he has ignored the true purpose of the debate. On the basis of sporting achievement, I am happy to congratulate the Armagh team. Let us concentrate on the issues that are before us, which confront and face not only Sinn Féin and the nationalist community, but the GAA as an organisation. Why does it allow itself to be used and abused by a small number of people to promote a particular agenda?

In the past, the GAA has reached out to unionism, and a number of unionist politicians have accepted invitations to attend matches. I have no difficulty with that. However, the Galbally incident indicates clearly that the time has now come for all sports clubs that receive Government funding, either directly or indirectly, to be forced to give an undertaking about the use of their premises.

The motion aims to promote and support a shared future for all Northern Ireland's people. It is designed to ensure that the Minister of Culture, Arts and Leisure will advance the notion of a shared future and will also, if necessary, apply sanctions to those bodies that ignore or seek deliberately to undermine such a policy by their actions.

I note the Alliance Party's amendment. The motion is clear and deserves widespread support, and I commend it to the House.

**Dr Farry:** I beg to move amendment No 1: Leave out all after "ensure" and insert

'that his Department recognises the excellent work done by sports clubs, particularly in providing community facilities, encouraging healthy activity, and promoting a positive lifestyle for young people; further, noting cases of sectarianism and support for terrorism carried out in sports clubs, this Assembly urges the Minister to use his good offices with governing bodies to ensure that sporting facilities provide a welcoming atmosphere for everyone; and while recognising the excellent work that has already been done in this regard, this Assembly believes a withdrawal of funding would be appropriate after repeated and deliberate incidents of sectarianism or glorification of terrorism.'



The Alliance Party's amendment intends to provide a much more rounded view of the motion. I must say that Danny Kennedy made a decent fist of trying to be impartial and reasonable, although as he progressed through his speech, he drifted into a wider criticism of the GAA, rather than discussing the specific case that sparked the motion. I will perhaps deal with that in a few moments.

It is clear that the motion was sparked by the events that occurred in August at the Galbally GAA club in County Tyrone. That demonstration was not just political; that would, in itself, have raised questions about its appropriateness at a sports ground. The demonstration also raised the issue of the glorification of terrorism. To be quite frank, the Alliance Party has a fundamentally different view of the hunger strikes and their place in society than Sinn Féin. However, my party recognises that people have different views of history and want to have their own particular commemorations. In saying that, however, there can be no excuse whatever for any commemoration that has paramilitary or terrorist trappings.

Clearly, that event has given rise to many issues that Sinn Féin and the GAA must address. It has set a bad example, particularly to young people and especially to those who are involved with the club. Not only that, the event has sent a dangerous and sinister message to the rest of society at a time when it is trying to move towards democracy and the rule of law.

That said, it must be acknowledged that concern has been expressed in GAA circles about the incident. Certainly, that is appropriate and welcome. I stress that, in the first instance, it is for sports' governing bodies to address that type of situation. The GAA, as an organisation, is respected greatly in society, as, indeed, it should be. Certainly, I congratulate the Armagh minor team on its victory, albeit through gritted teeth, given that I am from County Down. I also extend our congratulations to Kerry, which is at the opposite end of the island of Ireland.

The GAA is a focus of communities, particularly in rural areas. It provides an important function, especially as it trains and develops young people and takes them away from less productive activities on the streets.

It is important, however, that we, as an Assembly, are not one-sided in the criticisms that we make and that we recognise that there are problems in sport in Northern Ireland as a whole, and in different areas of sporting activity in particular.

In many respects —

**Mr T Clarke:** Will the Member give way?

**Dr Farry:** Yes.

**Mr T Clarke:** You just referred to criticisms. I hope that you do not mind my criticising your amendment, because —

**Mr Deputy Speaker:** Order. All remarks should be made through the Chair, not directly to another Member.

**Mr T Clarke:** I apologise, Mr Deputy Speaker. Through your good office, Mr Deputy Speaker, I wish to say that the Alliance Party's amendment is very weak, because it states:

“a withdrawal of funding would be appropriate after repeated and deliberate incidents of sectarianism or glorification of terrorism.”

If the Alliance Party was being sincere, the whole emphasis of its amendment would have been on trying to stamp out any such incidents, not just “repeated and deliberate incidents”. The incident, whether it is repeated or not, was deliberate. One instance is deplorable enough. Does the Member agree?

**Dr Farry:** I understand from where Mr Clarke is coming. No doubt he is keen to protect certain things and direct his criticism at one aspect of society. The point that I was coming to is that if spectators chant sectarian songs and if paramilitary trappings or signs are on display at any sporting event, it is logical that funding be withdrawn from that club, if it is judged not to be sufficiently forceful in trying to tackle those issues.

We tabled an amendment because the implications of the Ulster Unionist Party's substantive motion are considerable and far-reaching and because we dispute how far the party has thought its motion through. Our amendment is much more reasoned, because it recognises the balance of problems in society and looks to the governing bodies, and to the Minister in particular, to work in a proactive manner to address them. It also recognises the fact that the potential threat of moneys being withdrawn from sports clubs is quite appropriate. It is more important, in the first instance, to use the carrot —

**Mr T Clarke:** Will the Member give way?

**Dr Farry:** No, I have already let the Member make one intervention

It is important that we try to encourage sports clubs to play their role in a shared future. That is the argument for our amendment. Sport is contentious in societies, and that fact is not unique to Northern Ireland. It is also a feature of many societies elsewhere in the world. I recognise the good work that different governing bodies have done, in particular the Irish Football Association (IFA) and the excellent work of its head of community relations, Michael Boyd. Tremendous moves forward have been made in recent years.

We must also recognise the fact that the Northern Ireland Office is carrying out a consultation exercise on legislation for the regulation of spectator sports, which should address problems such as inappropriate chanting and displays at sports grounds. Clearly, a problem exists that is not unique to the GAA but is

far-reaching across society. Clubs and a host of different sectors must face up to the issues. Let us move forward in a balanced way by looking at all the problems and issues and by ensuring that we are proactive in trying to address them.

This issue, and how we address it, will have an important role to play in moving towards a shared future. Sport is a major aspect of people's social lives in Northern Ireland. Several sports are organised on a cross-community basis and played in a genuine cross-community manner, and that is to be welcomed. However, there are aspects of sporting and leisure life in which segregation is implicit, sometimes for historical reasons and sometimes because barriers have been erected.

Sport must be part of the solution to building a shared future. It is important that that be worked into whichever approach we take. On another occasion, we will no doubt talk about the wider problems that the Executive face with their policy on community sharing and integration; however, that is not the topic that we are debating today.

In proposing the motion, Mr Kennedy focused, quite rightly, on the inappropriate political use of sports grounds and the glorification of paramilitarism, which I think that we all abhor.

However, he then stretched his remarks to criticise the GAA for its political aspirations towards a nation and a united Ireland. Neither I nor my party share that aspiration. However, the Good Friday Agreement, which, in case Mr Kennedy forgets, his party was central to, recognises the legitimacy of different aspirations and traditions on the island. Therefore, although the aspiration in question may not be to my taste, I do not see anything inherently wrong with it: it is the association's choice and is included in its rules. When we focus on what is inappropriate, it is important that we maintain the correct focus and do not stretch our remarks to make wider political points about organisations.

A shared future is about people living and working together, but it is also about how people are educated and play together. There is a huge opportunity to get that right through sport. Therefore, it is important that the Assembly sends out the constructive message that it is not out to bash any particular organisation, but that it recognises the problems in sport, which is, in a sense, a microcosm of society. It is important that we address those issues constructively.

**Dr W McCrea:** Let us be frank; the sight of men armed with replica guns and with balaclavas on their heads was an offence to sport and to this community, which has been through 30 years of terrorism. Surely, the Member should condemn that instead of trying to cover it up.

**Dr Farry:** If Dr McCrea had listened to the start of my speech, he would have heard me saying that any paramilitary display was completely inappropriate. I am more than happy to condemn that activity; my party has consistently condemned other similar displays of paramilitarism from loyalists and republicans across Northern Ireland and elsewhere. Our credibility on that issue is not in question.

**Lord Browne:** I support the motion. I am a keen supporter of sport. In many instances, sport has brought together people from all communities. However, events like the one at Galbally in August have had the opposite effect; they further divide our communities.

I have been a member of the Committee for Culture, Arts and Leisure for the past two years. During that time, I have had the opportunity to hear from and engage with officials from the GAA's Ulster Council. Surely, they must be aware of the deep suspicion with which their sports are viewed by people in the unionist community. The martyrdom afforded to a wide variety of terrorists and criminals, spanning well over a century, ensures that the sport remains firmly off limits for those who might otherwise be attracted by the various sporting activities that the GAA conducts.

I recognise that there are members of the GAA's Ulster Council who are motivated purely by sport and are endeavouring to remove the self-constructed barriers that for so long have tarnished Gaelic sports as just another political tool.

**Mr Shannon:** Does the Member agree that there is something obscene about a member of the Dungannon and South Tyrone district policing partnership (DPP) donning a paramilitary uniform and marching to commemorate the suicide of the terrorist hunger strikers? Does he also agree that that kind of behaviour is inappropriate for any member of a public body and does not contribute to good community relations or the celebration of support, which is what it is all about? The use of a sports facility for such a purpose, in this case a GAA club, is a misuse of that facility, which calls into question its real purpose and its place in Northern Ireland. That is the crux of the motion.

**Lord Browne:** I thank the Member for his intervention and agree that the behaviour of that member of the Dungannon and South Tyrone DPP could be considered as divisive. We should all be working together to improve community relations, not to alienate one another.

As I said, the events at Galbally in August can only detract from and destroy the efforts to remove the barriers that I mentioned. Nothing can be more distasteful to the unionist community than the use of GAA stadiums for paramilitary commemorations. As a sporting body, that is something that the GAA should distance itself from unequivocally.

**Mrs Long:** Does the Member agree that it is not just members of the unionist community who find the glorification of terrorism offensive in that context? Many people across the community would also find that offensive.

1.00 pm

**Lord Browne:** I take the point; I am sure that many people from all communities would condemn displays of paramilitarism. The sight of masked men carrying what we presume to be, at best, replica weapons, is not only alarming, but provocative and illegal. It is a destabilising move that has once again shone a bright light of suspicion on Gaelic sport within the Province.

The role of Sinn Féin is even more depressing, if not entirely predictable. In an attempt to justify those actions as role play, the Member for West Tyrone Mr McElduff displayed either a huge level of naivety or, as I suspect, scant regard for the view of the GAA within wider society and the real damage that such actions can do to sport in general. We know that such commemorations are contrary to rules 1.11 and 5.1 of that sporting association's constitution, namely, that the GAA should remain non-political and that all grounds and stadia are to be used solely for sporting purposes.

We can all recall the view of the GAA's ruling body and, indeed, the editorial of 'The Irish News', when, in 2006, Casement Park was to be a venue for a similarly provocative parade. 'The Irish News' said that Sinn Féin had placed the GAA in an unenviable position, and it appears to have done so once again.

Members opposite may try to defend the GAA; however, they are indirectly responsible for the motion coming to the House, and they will be responsible for any consequences. If we link this debate with last week's debacle over the cohesive strategy to tackle sectarianism, it is clear that although Sinn Féin members may talk the talk, they are left severely wanting when it comes to substance.

Sport in society is moving on. Look, for example, at the tremendous work that has been done by the Northern Ireland amalgamated supporters club, and the IFA's effort to give bigotry in football the red card. I believe that Sinn Féin's short-sighted initiatives are greatly damaging to the GAA. Commemorations such as the one at Galbally may play well among some core supporters, but they do nothing to promote Gaelic sports or to enable progress towards the shared and inclusive society that Sinn Féin so often talks about but does nothing to promote. I support the motion.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. I am speaking in a personal capacity, not as Cathaoirleach an Choiste Cultúir, Ealaíon agus Fóillíochta. I am a member of St Colmeille's GAC in Carrickmore, County Tyrone. At the weekend, I attended a series of underage championship matches

— a blitz — a big championship match in Carrickmore, where 6,000 people watched Dromore beat Errigal Ciaran, and, of course, the all-Ireland finals were yesterday.

I will make history as a Tyrone man by commending the Armagh minor team and the Kerry senior team for winning the all-Ireland titles yesterday. I respectfully suggest that, at least for the Armagh minor team, we have a proper Stormont reception for those who carried the Tommy Markham Cup back over the border.

I oppose the proposed amendment. Sinn Féin tried to table an amendment that said that there should not be discrimination against any sports club. To me, the Ulster Unionist Party motion smacks of an old-style unionist desire to show who is boss and to enter into discrimination. Sinn Féin will not tolerate discrimination in this society as regards this matter or any other matter. Discrimination lies beneath the surface of modern-day unionism, and, occasionally, finds expression in a motion such as this.

Definitions of terrorism are always interesting and contested. One man's freedom fighter —

**Mr T Clarke:** You say that our definition of terrorism is limited. What is your interpretation —

**Mr Deputy Speaker:** Order, order. Please make your remarks through the Chair.

**Mr T Clarke:** Sorry. What is the Member's interpretation of a man carrying either an imitation or a real Armalite or someone wearing a balaclava?

**Mr McElduff:** Are you talking about the SAS?

**Mr Deputy Speaker:** Order. My ruling applies to both Members. If you have something to say, you must direct your remarks through the Chair.

**Mr McElduff:** I ask the LeasCheann Comhairle whether the Member is referring to the SAS. One man's freedom fighter is another person's terrorist. One of the proposers of the motion was a member of the Ulster Defence Regiment, which was so good that it had to be disbanded. In our part of the world in rural County Tyrone and in many other places, the question of who is a terrorist is very interesting.

The Galbally community has been mentioned a lot today. That community has an excellent sports club and excellent facilities, as do all other GAA clubs throughout Ireland. It does not have a hand-out mentality and has built up the bulk of the facilities itself. Why would that community not apply to the Government for additional assistance to provide facilities at its heart?

The commemoration has been severely misrepresented. The parade comprised a series of role plays and re-enactments, which fully complied with Parades Commission rules and regulations. It was legal in every sense. The parade was attended by thousands

of people within sight of the home of Martin Hurson, a highly respected, politically motivated hunger striker who died for the cause of Irish freedom.

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

**Mr McElduff:** I will not give way.

He died for the cause of Irish freedom in 1981. Martin Hurson was the president of the local club. Kevin Lynch, another hunger striker, captained Derry's under-16 hurling team to an all-Ireland title. I contest the assertion that those hunger strikers were terrorists; they were not. They were politically motivated and were supported by their community. In fact, another hunger striker, Bobby Sands, secured 31,000 votes and became MP for Fermanagh and South Tyrone during his imprisonment and hunger strike.

All the sports governing bodies are doing their best to reach out into the future and to broaden their appeal. The GAA is not like the Orange Order, and I will tell the House why: GAA membership is open to everyone, unlike the Orange Order. Therefore, comparisons between the two organisations are spurious. When tabling the motion, Danny Kennedy drifted, in the words of Stephen Farry, into sectarian criticism of the Gaelic Athletic Association. Sinn Féin will not tolerate that.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. I declare my membership of St Patrick's Gaelic Athletic Football Club, Carrickcruppen, County Armagh.

**Mr Kennedy:** Are you going for the leadership?

**Mr D Bradley:** It is a bit early for that.

On the day after the biggest event in the Irish sporting calendar, the all-Ireland Gaelic football finals in Croke Park, I want to congratulate a young Ulster team that, in the 125th year of the GAA, is celebrating a famous victory in the minor football final and has brought the trophy back to its native county of Armagh after an absence of 60 years. I extend my congratulations to the Kerry senior team, which has achieved yet another great feat.

I pay tribute to the young players of Armagh who have trained hard all year to achieve the highest honour that they could achieve. That is a cause for joy and celebration, and I urge the House to join in that joy and celebration and to congratulate those young men. I have already written to the Minister of Culture, Arts and Leisure to ask him to host a reception for the team at Parliament Buildings. I hope that he will respond positively.

All our sporting organisations have much to be proud of, much to celebrate and much to offer society. They are, generally, forward-looking organisations that make a huge investment in people across the age spectrum, regardless of race, creed or colour in areas of health and fitness, and in social and cultural life.

They do so in an exemplary and professional manner and with the help of thousands of volunteers who give their time and expertise freely for the good of their communities and society as a whole. The work of those volunteers is supported and extended by a relatively small number of full-time staff. The sporting bodies invest huge amounts of their resources back into their clubs at the grass roots, and they are also funded by Departments here, as is right and proper.

The Ulster Council of the GAA and the Irish Football Association have joined forces to support the Unite Against Hate campaign. The campaign's message is simple:

“Hate crime is violent, wrong and will not be tolerated. There is no room in society for this.”

That campaign will promote leadership, optimism and hope and will offer a practical channel to encourage, empower and support people to express their opposition to hate crime. That is a positive contribution to society under present conditions. I welcome the fact that the sporting bodies also have programmes to promote health and well-being, to include people with a disability or special needs, to welcome new populations, to include all educational sectors in their games and to promote a shared future.

The motion is misdirected: it misses the point. It would be more accurately directed at censuring those who exploit sporting organisations, whether for political or sectarian motives. We must get the message across to them that political or sectarian exploitation is unacceptable. It was not acceptable when it took the form of robberies at Casement Park, at Thurles or at other grounds, nor is it acceptable in any other form.

The way to end political or sectarian exploitation is not by threatening clubs, which are doing sterling work, with the withdrawal of funding, but by harnessing public opinion against such exploitation and by co-operating with the sporting bodies. We have seen the problem of sectarianism at sporting venues being tackled and hugely reduced.

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

**Mr D Bradley:** That was achieved through the influence of public opinion. We can deal with this particular problem in that way. The Alliance Party's amendment —

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

**Mr D Bradley:** The Alliance Party's amendment more accurately supports the views of the SDLP, and we will support that amendment.

**Lord Morrow:** Needless to say, I support the motion. I am sorry that it looks as though it will not get universal support in the House. That is regrettable, because there was a golden opportunity for — to say

“everyone” may be taking it a bit far — most parties, at least, to support the motion as tabled by Mr Kennedy and his colleagues.

We would not expect Sinn Féin to support the motion. No doubt it is playing to the gallery; it must reassure its foot soldiers. *[Interruption.]*

Well, Sinn Féin could have said that it took on board the concerns that were being expressed in the House and that it could see exactly where unionists were coming from. However, Sinn Féin never attempts to stand in the shoes of others; it always wants to stand in its own shoes because, I suspect, it feels more comfortable in them, and it is more difficult for it to take on board the views of those whom it regards as its political opponents.

What happened at Galbally on that particular day fell far short of the expectations of decent and right-thinking people; it was a tragedy beyond degree. I suspect that we will never get the true answer as to whether the GAA allowed its premises to be used or whether they were hijacked. It appears that there was some degree of being less than factual and truthful with Galbally GAA.

I am prepared to give the benefit of the doubt at times, and it is up to Galbally GAA to prove otherwise as time goes on. I understand that Galbally GAA is holding an inquiry into exactly what happened on that dreadful day.

1.15 pm

The PSNI has not covered itself in glory on this occasion. It had a distinct and profound responsibility to move in and take control of a situation that, as Lord Browne said, will doubtless have a destabilising effect on communities across Northern Ireland. It is a challenge for Sinn Féin: where does it stand on law and order? Where does it stand on the future for Northern Ireland? What is it trying to prove to those who do not think as it does?

We are often told that it is time to move on. Sinn Féin repeatedly uses that mantra and says that it has moved on to a new era. Have we moved on? Some of us feel that every time that there is a possibility of moving on, Sinn Féin will use a situation to ensure that its foot soldiers are reassured and kept happy. If Sinn Féin feels that all the risks are going to be taken by the unionist community, it must learn a wee bit quicker. It also has to take some risks. It must be able to bring its community along and say that things have to be done differently from here on in.

In press coverage after the event, one newspaper referred to mass morons — uniformed teenage Provos pointing replica guns at kids.

**Mr McElduff:** Was that ‘The Sun’?

**Lord Morrow:** If anyone thinks for a second that that is the way to move that community on by dressing in combat gear, trying to commemorate the most atrocious activities of the past 30 years —

**Mr McElduff:** Was that ‘The Sun’?

**Mr Deputy Speaker:** Order.

**Lord Morrow:** If Sinn Féin feels that that is the way to move communities forward, it does not get it.

**Mr McElduff:** Was that ‘The Sun’?

**Mr Deputy Speaker:** Order.

**Lord Morrow:** Sinn Féin will have to learn.

If the Member wants to know which newspaper it was, I suspect that there are plenty of people who will run around and get you that press. As a matter of fact, I will see that you get a copy of it; I will put it in your pigeonhole. Will that do? Perhaps that will keep you happy. I assure you that it does not bring any credit to your organisation. Perhaps you would prefer not to receive a copy.

**Mr Deputy Speaker:** Order, order. As I advised colleagues and other Members from across the Chamber earlier, you should direct all your remarks through the Chair. Visual aids are not allowed to be used in your speeches.

**Lord Morrow:** I apologise; I thought that visual aids were allowed when one was making a reference. I understand what you have said.

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

**Lord Morrow:** As I thought I had made clear, I was trying to report back, through the Chair at all times, to Mr McElduff, who seems to either not understand or not be able to hear. Perhaps it is a combination of both.

**Mr Molloy:** Go raibh míle maith agat. It is important to put this event in the right context. The event took place on Sunday 16 August not 10 August. It did not glorify anyone; it simply commemorated the hunger strike of 1980-81. For Irish republicans, that was an important turning point in Irish politics.

The event took place at Galbally Community Centre, which was built by local people at a cost of £600,000, without any grant aid. The event spilled over into the surrounding GAA grounds. Like the GAA club, Galbally Community Centre has provided its facilities itself. The facilities did not come about as a result of a begging bowl held out to the Department, unlike some other bodies that depend on official local authority fields.

I declare membership of Clonmore Robert Emmets GFC. I commend the people of Galbally for commemorating Martin Hurson. As my colleague said,

Martin Hurson was born a short distance — one field — away from where the event took place.

The event was a re-enactment, and others across the Chamber know exactly what re-enactments are about. The re-enactment incorporated the Parachute Regiment, the UDR, the RUC reserve, and the RUC, all in full gear; there were no B-Specials uniforms, so they could not be included. The re-enactment also had IRA imagery, but it was all about imagery. There was imagery of all the events that took place at the time of the hunger strikes, and it was not a glorification of anyone. Indeed, depending on how one looks at it, perhaps the event's inclusion of RUC men and the Parachute Regiment was a glorification of terrorism.

If people are so concerned, perhaps we should look again at all re-enactments. The sham fight at Scarva on 13 July has been going on for hundreds of years, but the same people win no matter how many times it happens. It includes violence, with people going at each other with swords.

We also need to look at the use of council property and other places. The Orange Order, for example, has used public parks in Belfast and elsewhere for the field and assemblies. That is quite right; there is no problem with that, because those places are public property. The DUP uses the council chamber in Castlereagh for party meetings, electing leaders, and so on. We need to look at a number of issues concerning the use of public property and public places.

Local people did not have a problem with the re-enactment. I do not think that the local unionist community had a problem, apart from Tom Elliott and some others.

**A Member:** Were you there?

**Mr Molloy:** I am sure that quite a number of people passed there. About 8,000 people took part in the event, and there was not one incident of disorder in the whole day. Compare that with the millions of pounds that it costs to police Orange Order parades in Ardoyne. The re-enactment did not cost the public sector anything at all.

**Mr Kennedy:** Will the Member specifically address the motion's objection to the glorification of terrorism? It is all very well to lease football fields and other facilities for cultural events. However, we are talking specifically about the glorification of terrorism at Galbally.

**Mr Molloy:** I said at the beginning of my speech that there was no glorification of terrorism. This week's 'Farm Week' includes a piece about a boot camp at Ballykinler army base. The young farmers' clubs, which have connections with Mr Kennedy and other members of his party, are pictured in British Army uniforms and carrying British Army guns. I am

sure that none of those young farmers is a member of the British Army. Across the page is a photograph of the Minister meeting the young farmers' clubs to discuss how his Department can fund their activities. Will the Minister now say that the Department cannot fund them because they have been photographed carrying British Army weapons and wearing British Army uniform?

**Mr McElduff:** On viewing that newspaper article, my colleague could have run to the Business Office and tabled a motion for discussion today. He could have asked for funding to be withdrawn from young farmers' clubs if they are going to glorify British Army terrorism in the way that they are pictured doing in the farming newspaper. It is a disgrace.

**Mr Molloy:** I thank my colleague —

**Mr T Clarke:** Will the Member give way?

**Mr Molloy:** No; I have given way enough already.

The Department funds various events and organisations, and the Ulster-Scots Agency gives funding to loyalist bands. Some of those bands glorify terrorism through depictions on their banners and drums of organisations such as the UVF and the Young Citizen Volunteers. One of the bands that receives funding is the Burntollet Sons of Ulster Flute Band, which is a name that strikes a chord within nationalism. There does not seem to be a problem with those organisations being funded by the Ulster-Scots Agency or the Arts Council.

What is the real complaint? Is it simply that unionism is so against the hunger strikes, having realised the effect that they had and the commitment and dedication of the hunger strikers? I am proud to say that I was part of the organising committee for the event at which the republican community of Galbally commemorated one of its young people who died in tragic circumstances at the hands of Maggie Thatcher.

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

**Mr Molloy:** It is very important to recognise that those young people are being commemorated in their local areas to this day.

**Mr I McCrea:** I thank the Members who tabled the motion for debate in the House today.

Recently in my constituency, we witnessed the ugly side of the GAA when its premises were permitted to be used for a sickening event that glorified terrorism. The Member who spoke previously questioned the fact that that event glorified terrorism. I am not sure what planet he is living on because it certainly did.

*[Interruption.]*

**The Deputy Speaker:** Order.

**Mr T Clarke:** Does the Member agree that it was a bit funny that when the Sinn Féin member spoke about a re-enactment of the hunger strike, he did not refer to empty chip boxes being given out?

**Mr I McCrea:** I thank the Member for his intervention.

The GAA cannot wash its hands of the hunger strike rally that took place in August this year in the grounds of Galbally GAA club. Photographs of that event show masked men carrying firearms and men wearing paramilitary-style uniforms while marching in GAA grounds. That event was nothing other than the sickening glorification —

**Mr Molloy:** I will clarify the situation for the Member: all the re-enactments took place on the county road, not in the GAA grounds.

**Mr I McCrea:** Perhaps it will be in order to speak to Roads Service about that issue. However, men in uniform did walk on grass at that event, and I do not think that there are too many grassy roads in that area.

As my colleague Lord Morrow said, the police have a lot to answer for regarding what took place, and that is certainly the case if it was held on the county road, as has been suggested. I have raised my concerns with the police and am glad that they will investigate the matter. I am also glad that those responsible, who openly broke the law and brandished weapons — I am yet to be informed whether they were actual guns or replicas —

**Mr P Maskey:** On a point of order, Mr Deputy Speaker. We are being told that people have broken the law. I want to know what legislation is being referred to, because that is an important part of this debate. Maybe the Member will point out what laws were broken.

**The Deputy Speaker:** Thank you for that point of order, Mr Maskey. It is not for me to make a ruling on that issue; it is up to the Member to explain his remarks.

**Mr I McCrea:** Members will know exactly what I am talking about. Carrying weapons, whether they are replicas or not, is not legal, nor is wearing balaclavas.

**Dr Farry:** Will the Member give way?

**Mr I McCrea:** No; I have to finish my remarks.

I call on Sinn Féin to unreservedly condemn the activities that took place at Galbally, and I ask its members to come out and strongly state that such events are no longer required in society.

That was not the first time that the GAA allowed its grounds to be used to glorify terrorists. In August 2006 at Casement Park, a hunger strike commemoration rally was held. In July 2008 at Plunkett Park in Pomeroy, events were held to commemorate Seamus

Woods, an IRA terrorist who was killed by his own bomb while he and his fellow terrorists attempted a murderous attack on Pomeroy police station.

**Mr Molloy:** On a point of order, Mr Deputy Speaker. The event in Pomeroy did not take place in GAA grounds. I ask that the Member withdraws that remark.

**The Deputy Speaker:** Again, that is not a point of order. Mr McCrea can respond.

**Mr I McCrea:** It is obvious that a raw nerve has been hit. The Member should listen; I said that events were held to commemorate Seamus Woods, parts of which were on the GAA pitch. Pictures were taken that show what I am talking about.

In August 2008, the Loughmacrory GFC rooms were used by the so-called Drumnakilly Martyrs Commemoration Committee for a lecture, exhibition, parade and football tournament to honour IRA terrorists Gerard Harte, Martin Harte and Brian Mullin.

*1.30 pm*

As well as events being held in GAA grounds, some of the grounds are named after terrorists. The Kevin Lynch Park is named after a terrorist from Dungiven. The Louis Leonard Memorial Park is named after a Fermanagh terrorist. The Lochrie/Campbell Park is named after a south Armagh IRA terrorist. There are also teams that are named after republican terrorists.

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

**Mr I McCrea:** No. In my constituency, we have the Pomeroy Plunketts, which is named after Joseph Plunkett, who was a republican terrorist of the 1916 era. There is Galbally Peares GAC, which is named after Patrick Pearse, who was also a republican terrorist of the 1916 era. There is also Ardboe O'Donovan Rossa, which is named after a prominent republican terrorist of the early 1900s, who was responsible for organising the first-ever Irish republican bombing campaign of English cities, known as the dynamite campaign.

Following the IRA hunger strike event that was held at the GAA grounds in Galbally, I called upon the sponsors of GAA teams to take into consideration the thousands of people across Ulster, both Protestant and Catholic, who were murdered by republican terrorists and the thousands more who suffered as a result of those terrorists' evil and murderous deeds. The GAA must earn the right to be recognised and accepted as a legitimate sporting body by taking decisive steps to address the naked sectarianism that is at its heart and foundation.

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

**Mr I McCrea:** It needs to extend parity of esteem to all sections of the community and to all other sports without exception. I call on this House to ensure that no sports clubs that facilitate the commemoration or glorification of terrorism receives financial support from any Department.

**Mr McNarry:** At a time when deplorable difficulties have arisen when agreeing the definition of “victim”, surely no such party political prevarication will be tolerated in this House when defining a terrorist, particularly the Provo type to which this motion clearly refers and that Mr McElduff sets on a pedestal.

It is abominable that the Provo franchise has been conveniently carried on by those who are now called “dissidents”, which, to unionists, is a crass and meaningless distinction. Some were recently called “traitors” without explanation of their treachery and without stipulation of which cause they had betrayed. That left people to ask what the difference is between the man who made the “traitors” charge and the terrorists to whom his remark was directed.

Is there now some kind of code of honourable hierarchy that exists in the defunct Provo wing of Irish republicanism, which distinguishes between one brand of republican terrorism and another? From what unionists saw of the disturbing proceedings at the Galbally Pearses GAA ground, the bad old days of the past were commemorated and the glorification of past terrorist activities were celebrated.

However, the focus did not shine on the Provo organisers alone; the glare of that obscene event rebounded on the GAA in one provocative act of Provo self-glorification. The skilful PR charm offensive in which the GAA was participating fell apart when the photographs that we saw shattered the professional work that had been carried out by the GAA in what I thought was a genuine effort to engage with unionists.

The GAA had reached highly commendable standards with its community involvement and its explanations about its sporting achievements. In its public presentations, the clear message to unionists was that the GAA is a sporting organisation that is moving on and with the mood that wishes to keep sport apart from the deep-rooted nuances of past beliefs and perceptions. Now, after Galbally, unionists must wrestle with the thinking that their ideas about the GAA were, perhaps, correct all the time. How inglorious the event turned out to be is something that unionists must react to because, from the minute that the Provo event hit the news, the focus on the GAA took on a new complexion.

The GAA's charm offensive was destroyed. For many unionists, that single, predetermined act of Provo militancy was a demonstration of incitement in which the GAA was a willing, culpable supporter. Many

unionists view that defiant act of provocative glorification on a GAA sports ground as a betrayal.

I was one of those willing to look upon the GAA as a sporting organisation and to listen to how the association saw itself in our society. The incident at Galbally swung the door in my face and reversed it shut, closing it to the extent that the sport itself must feel ashamed and abused by what took place in a sporting stadium. Is the GAA embarrassed or remorseful? Is it guaranteeing that such an event will not happen again? Has the GAA unwittingly allowed its sport to be brought into disrepute? Or has what happened at Galbally exposed the real normality of the GAA movement? I do not know, but I would like someone to tell me whether that is GAA normality.

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

**Mr McNarry:** Apart from the Galbally incident, what impact will the answer to that question have on the Minister's outlook on future funding for the GAA?

**The Minister of Culture, Arts and Leisure (Mr McCausland):** I welcome the opportunity to debate the issues raised. I have listened carefully and have noted all the comments on the motion, the amendment and, more directly, the events at Galbally GAA ground in County Tyrone on 16 August.

The issue raised is not new; it has been around for some time. In 2001, there was an IRA colour party at Casement Park as part of that year's commemoration and again in 2006, when a Member of the House, Francie Brolly, was the soloist and another Member, Fra McCann, was dressed as a hunger striker.  
[Laughter.]

I have publicly and clearly expressed my deep concern and alarm about what took place during last month's commemoration at Galbally GAA ground. I have seen photographic evidence of the event, which was, frankly, appalling, and demonstrated the totally inappropriate use of a sports facility. I have already called on the GAA to investigate the matter, and I am pleased to say that an investigation is being conducted. I also understand that the police are making their own inquiries. Since both investigations are under way, I consider it right that we reserve any final judgement on the Galbally event until those investigations are concluded.

However, the motion and the amendment raise broader issues. Both are underpinned by a desire to move Northern Ireland away from the sort of past that was re-enacted at Galbally and forward into a shared and better future that is based firmly on equitability, diversity and interdependency. In that context, the motion and the amendment pose questions about the appropriateness of using sport as a political platform or for the glorification of terrorism.



I will consider that question in the context of the Executive's priorities. The Executive are committed to working to heal divisions in our society and to building a more peaceful and inclusive community. For instance, the Programme for Government is underpinned by two cross-cutting themes, one of which is a shared and better future for all.

That vision, which has at its heart the promotion of good relations among the people of Northern Ireland, should pervade the work of all Departments. Good relations, as defined by the Equality Commission, are relationships that:

“acknowledge the religious, political and racial context of this society, and that seek to promote respect, equity and trust, and embrace diversity in all its forms.”

That good-relations vision applies to all sectors of my Department: culture, arts and leisure. My Department has a particular responsibility to contribute to good relations and to a shared and better future, which is something that I have already made a priority in the Department.

Sport is a major part of culture and leisure. Government recognises the importance of sport and its tremendous potential to contribute to a range of priorities, including health, education, economic development and the improvement of Northern Ireland's image at home and abroad. Sport can also do much to help to bring the community together and to contribute to the promotion of good relations in a way that is consistent with the aims of a shared and better future.

People across Northern Ireland enjoy participating in a wide range of field sports, including football, Gaelic football, rugby, hurling, hockey and cricket, to name but a few, and sport enriches the lives of the participants. The vast majority of the adults and young people participating in such sports do so as sportsmen and sportswomen to achieve the best that they can as members of a team and, in turn, they enjoy the health and social benefits that such sports bring. As Minister for sport, I cannot commend too highly the many organisations and volunteers who freely give up their time and effort to ensure that such activities continue to a high standard.

That however is not the whole picture. Like many other activities, sport reflects the society from which it comes; sadly, therefore, some sports can on occasion be seen to perpetuate community tensions, division and exclusion. The key question is how we overcome that problem. How do we ensure that the benefits of sport are maximised in the interests of all? How do we protect sport from influences that would draw it away from the agenda of a shared and better future?

First, the Government have a responsibility to act for the good of the whole community and to support what is best for that community. Government also has

a responsibility to declare publicly what is acceptable to the wider community and what is not. Government has a further and important responsibility to press and encourage sports to recognise their shortcomings and to support them in doing what is necessary to move from exclusion to inclusion and to become more accessible. My Department, together with its arm's-length body, Sport NI, is already taking active steps in that regard.

The role of sport in helping to deliver the shared and better future has been identified as an important factor in the emerging sports strategy for Northern Ireland. The need to overcome traditional patterns of exclusion and segregation in sport has also been recognised as a key requirement. Improving representation and promoting community cohesion through sport is recognised as a major priority in the strategy.

Responsibility in that area does not rest wholly with me, the Department or Sport NI; there is also a requirement for sports bodies, clubs and associations to demonstrate commitment in that regard. Some do so already. The IFA has a “Football for All” initiative, which is an excellent example of good practice in that respect.

1.45 pm

The GAA, which has been mentioned frequently in the debate, has, in recent years, started to address some long-standing concerns about its ethos, rules and wider relationship with the entire community. I am glad that it has started that process. The association has abolished some of its more contentious rules, particularly the one that prevented members from participating in non-Gaelic games and the one that excluded members of the security forces. One of the leadership programmes that is run on behalf of my Department through Sport Northern Ireland is entitled “Sport for All”, and that is the way that it should be; not sport for nationalists or sport for unionists, but sport for all.

Turning to the local, grass roots level, some GAA clubs have clearly adopted practices that drag us back to the past, instead of taking us forward, including naming clubs, grounds and competitions after Irish republican terrorists. Some examples have been given, and such practices should be totally unacceptable in any sport. I am particularly alarmed that some of the competitions that have been named after Irish republican terrorists are for children under the age of 12. It will seem to most people that that is an attempt by the organisers to use sport for political indoctrination. Let me ask the House: are terrorists good role models for children?

Turning to the Galbally incident, which, as I said, was certainly not the first occasion on which GAA grounds have been used to host Irish republican rallies that are designed to celebrate terrorism. In passing, I note Francie Molloy's comment that all re-enactments took place on the road. It is clear from photographs

that are circulating and that have already been published in some newspapers that a number of things that happened on the pitch were totally unacceptable; ranks of people dressed in paramilitary uniform and, indeed, masked men with guns being photographed in the car park adjacent to the pitch.

Of course, I am aware that the GAA is investigating those circumstances, and I welcome that investigation, but I also hope that it will prompt a broader and urgent debate in the association about particular aspects of its rules and policies and the practices of some constituent members. Many of those things are, no doubt, products of a bygone age. However, in my view, they have no place in a modern, twenty-first century sports body, or in a shared and better future.

Sport Northern Ireland, acting on behalf of DCAL, is responsible for developing sport, including the distribution of funding. In discharging that responsibility, Sport Northern Ireland provides Exchequer grants to voluntary sports clubs. All clubs in receipt of such awards are required to comply with specific terms and conditions of award, including the requirement to operate an equal-opportunities policy and equality of access for membership, facilities etc. Those conditions are entirely in keeping with the principles of a shared and better future.

However, given recent public concerns, I believe that there is a need for the Government and their arm's-length bodies to do more. I have already written to Sport Northern Ireland, which is the body that dispenses funding, and I also intend to engage with the Community Relations Council about those matters. Sports' support and encouragement to question existing practices and to draw away from such activities are an essential part of that process, but equally, so is firm action to impose penalties, where necessary, on those who celebrate terrorism and ignore, or refuse to heed, the call for a shared and better future.

I believe that the Government must look to see what more can be done, particularly in specifying what constitutes the proper and improper use of facilities that have been developed with the assistance of public funds.

In response to what occurred at Galbally, I have asked for an urgent review to be undertaken of existing terms and conditions of public grants to sport. That review will focus specifically on strengthening the requirement to promote a shared and better future. In that way, we can ensure that commemorations of terrorism in any form would not be in keeping with conditions of award. The review has already been raised with Sport NI —

**Mr Molloy:** Will the Minister give way?

**The Minister of Culture, Arts and Leisure:** No, I am running out of time. I have commissioned the work

to be undertaken by Sport NI. I have asked that it be completed and any necessary and practical changes be implemented as soon as possible.

For the most part, sport in Northern Ireland offers a valuable and constructive service to the community. Through the emerging sports strategy for Northern Ireland, sports bodies have shown that they are willing to embrace the principles of a shared and better future and have expressed a wish to play their part in delivering that vision. Progress has been made, but there remains, in some areas, a distance to go. However, all at least publicly recognise the need to promote the role of sport in creating that shared and better future. Any sports body that sincerely strives to move further in that direction can count on my full support.

**Mrs Long:** I thank the Members for bringing this matter to the House for discussion and hope that we will reach an agreed way forward. Along with Danny Kennedy, who proposed the motion, I believe that the emphasis must be on a shared future. That is a theme to which I will return a number of times.

There are issues around the justification of violence and the glorification of a conflict, and people need to be cautious as they discuss this issue because, when Danny referred to the often toxic mix of sport and politics, he was touching on something that runs very deeply in our community. He was raising deeper questions about whether sports and cultural organisations can or, indeed, should express political aspirations; whether doing so, even in a peaceful way, is a problem; and how we recognise that although they are allowing wide participation, organisations may still be grappling with their grass roots. Those questions raise a number of issues that need to be addressed.

As Stephen Farry said when he was proposing our amendment, it is never acceptable to have paramilitary flags and trappings and overtures in any situation in public or private life. For that reason, we utterly condemn the commemoration and are unreserved in that.

There is a particular risk to young people, and I hope that those who are calling for me to give way are listening. Young people are extremely impressionable and that sort of activity can groom them into thinking that the way to get respect in their community is to be a hero of the kind that is commemorated in those events. They are then ripe pickings for those who would continue to recruit into dissident organisations. We need to find ways of recognising our past without perpetuating its damage.

A lot of people in GAA circles also have concerns around the commemorations. That is why we would like, in the first instance, to give governing bodies the opportunity to rectify those situations internally, through working with their memberships, rather than applying punitive measures from external forces. We believe that the message would be much stronger if

conveyed internally. However, our amendment recognises that the Minister should have the opportunity to introduce punitive measures if those corrections are not taking place.

A number of Members raised issues about individuals hijacking events, for example. I think that Trevor Clarke raised that issue and I know that Lord Morrow did. Lord Morrow mentioned giving people the benefit of the doubt. We believe that it is not enough to simply have a knee-jerk reaction to one set of circumstances; we need to look at the wider situation and at how to get organisations to respond. That does not mean that we should be lenient in circumstances in which people are being blatantly offensive, but we should give clubs and others an opportunity to rectify situations. It is important that we do that.

Francie Molloy, in his contribution, referred to the commemoration as only “imagery”. We all know in this society just how potent imagery can be. It has been proven under the Terrorism Act 2006 that imagery can be seen to glorify terrorism. For example, the Terrorism Act 2006 has been used to deal with flags and emblems. There is no question, therefore, that the use of imagery is an important aspect.

Francie Molloy also raised some wide-ranging questions, as did Danny Kennedy. We will not answer those questions in this debate, but they need to be answered at some stage. They asked questions about how we should commemorate, mark and interpret contentious periods in our history; how we develop shared values and protocols for the use of public spaces for such commemorations; and whether sports grounds and other public spaces are appropriate places for such events to take place. That brings me back to the issue of a shared future, because the cohesion, sharing and integration strategy was an opportunity to explore those issues. There has been an abject failure by the Executive to grasp the nettle and deliver collectively on that challenge.

I welcome the Minister’s statement with regard to what he said about his Department, but this issue cannot be advanced in departmental silos, despite the enthusiasm of some Ministers. Nor can it be advanced by independent political parties producing their own documents. It requires joint leadership and vision for which we need collective governance on the issues.

I am glad that we had the opportunity to hold this debate, but the issues that it raises are more fundamental and wider than the scope of the motion. If we want to tackle the issue in any real way, we need the cohesion, sharing and integration strategy to be brought forward jointly by OFMDFM, and we need to see an end to the failure to deliver on that issue.

**Mr Elliott:** I thank Members who took part in the debate. The House will not be surprised to hear that I

agreed with some of the comments that were made and disagreed with others.

The first Member to speak in the debate was my colleague Danny Kennedy, who proposed the motion. He highlighted the reasons underlying the intention of the motion, and the importance of working together towards a shared future — something that the Alliance Party has talked about, and an issue on which I thought that it would have been keen to base support for the Ulster Unionist Party motion, particularly when one looks at the issues around Galbally. Those were highlighted by Mr Kennedy in his opening remarks and by Mr Farry, who tabled the amendment. He deliberately referred to the Galbally rally as well, and that was no surprise. I hope that the Alliance Party will support our substantive motion.

Lord Browne from the DUP was the next Member to speak. I thank him and his colleagues for their support for the motion. He acknowledged that many in the GAA authorities are concentrated solely on the sporting element of the organisation. That is correct. However, he also highlighted the fact that many of those who are involved with the organisation are interested only in its wider cultural and political elements. It is right that we point out that difference.

The debate continued with Mr McElduff from Sinn Féin. It was no surprise that he went back to his old position of the protection and defence of republican terrorists, and he lowered the tone of the debate in that respect. It is obvious that he had written his speech before he heard the tone in which the debate began. We know where he was coming from. He said that the GAA was open to everyone. Will he tell that to young Darren Graham of County Fermanagh? He is a young Protestant whose father was in the UDR and was murdered by IRA terrorists. Darren Graham played GAA games, and he was intimidated so much that he gave up those sports. Perhaps the Member would like to explain to Mr Graham that the organisation is open to everyone.

**Mr Molloy:** Does the Member accept that the GAA authorities made sure that that young man was able to play Gaelic football back in Fermanagh? Perhaps he should tell the whole story. Will he also clarify his role in respect of the motion, which ignores a lot of the issues that are in front of us with regard to funding from DCAL for UVF groups and bands that promote terrorism in its real form?

**Mr Elliott:** The Member is at liberty to take up those issues with the Minister of Culture, Arts and Leisure, if he wishes.

I am trying to deal with the motion that has been tabled, and the fact was that Darren Graham had to go to America to continue his sporting activities. What a shame on this Province that someone, because of his

religion, had to leave his GAA club or sporting organisation and move to America.

2.00 pm

Dominic Bradley spoke next and insinuated that the GAA held the biggest sporting occasions in Ireland. I cannot remember what event he referred to, but I feel that I must remind him of the North West 200, which is one of the biggest sporting events in this Province, and which is clearly non-sectarian and non-political.

Lord Morrow spoke next, and I thank him for supporting the motion. He highlighted the issue of how Galbally GAA club may have been used by the organisers of the event. He also suggested that Sinn Féin has no wish to move forward in this society or to progress to a much better society for us all.

Mr Molloy, who has just intervened, spoke next. He alluded to the fact that the demonstration at Galbally was only about imagery, and other members have agreed with that view. However, we must remember what that imagery was. It concerned those who murdered their fellow citizens in this Province — members of the IRA who skulked about at night and shot and blew up the people of this community, some of whom were their neighbours.

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

**Mr Elliott:** No. The Member has had his say.

Mr Ian McCrea developed the topic of the event at Galbally and gave some significant information.

My colleague David McNarry spoke next, and he described, in some detail, the operation of the “Provo franchise,” which is being carried on by the dissident republicans and which, in my opinion, is being supported by many in the mainstream republican movement. His allusion to a code of republican hierarchy was a nice turn of phrase and one that I must remember to use in the future.

I thank the Minister of Culture, Arts and Leisure for his response to the debate, his deliberations on the matter and for sensibly and sensitively exploring the issues around it. He said that the event at Galbally was nothing new and that similar events have occurred before in Northern Ireland.

The Minister said that the Government must act for the good of all in the community, and those who are involved in sports must recognise that they must do more to incorporate a wider representation. He also said the clubs must take action in that respect and that DCAL is there to assist them with that process. I am pleased that the Minister has taken up the issue with Sport NI and other organisations. We look forward to the result of those deliberations.

Naomi Long made the winding-up speech for the Alliance Party’s amendment. She reminded the House how damaging such events as the Galbally event can be

for our society. She particularly highlighted the effect and influence those events have on our young people, and she made it clear that such matters must be addressed.

Interestingly, a few weeks ago Colm Bradley, the GAA correspondent for my local newspaper, the ‘Fermanagh Herald’, wrote a significant article on the Galbally incident. Colm plays GAA sports, including Gaelic football, and he wrote:

“I was disappointed to see GAA people profess the oft held belief that the GAA is not political and worse still that it was just a sporting organisation ... The GAA is about the promotion of Irish culture and we should all be proud of that fact ... Thank God for the GAA and their promotion of Irish culture. So please, no more pandering to others by claiming the GAA is just a sporting organisation. It’s not. It is much more.”

That is from someone from within the GAA.

Furthermore, he states that rule 2 of the GAA was amended back in the 1970s to read:

“The Association is a National Organisation which has as its basic aim the strengthening of the National Identity in a 32 County Ireland through the preservation and promotion of Gaelic Games and pastimes.”

The wording of that rule was changed and strengthened from the previous, much weaker rule, which simply alluded to preservation of Ireland’s national games and pastimes. Why was there a need to harden that attitude in a time of difficulty in our society in the 1970s? That gives me great concern.

Colm Bradley also wrote in his article that:

“In all honesty the reaction to the event at Galbally has no doubt made it more difficult for the GAA as it tries to extend the hand to the Unionist community.”

There, I am afraid, we have it. There are, unfortunately, people in the GAA who want to use it for their own political and cultural ends.

I do not mind people being involved in the GAA; that is their right, and I am quite happy to accept that. I accept their playing their sport on Sundays and closing off towns and villages when there is a big game on. I am willing to accept that in this society. However, there must also be an acceptance of other people’s culture, which is what many people from that community fail to do. They fail to recognise other people’s culture and tradition, and they want it all for themselves. Unfortunately, that sentiment has been demonstrated at Galbally and other places. It was a charade, and we cannot allow it to be repeated.

The motion asks the Minister and his Department to ensure that such acts are not repeated, otherwise the Province will not move on. I will leave Members with a sentiment that I received from a constituent:

“The GAA does not have to ask Foreign Orange Planter Bigots about flying their colours. The GAA colours will be flown in all of our 32 counties at football matches and nobody cares whether Foreigners are glad or sorry Fermanagh won or lost the match, it’s just none of your business.”

That is the type of people who are in our society — GAA supporters who do not want to give us a say in this community.

*Question, That the amendment be made, put and negatived.*

*Main Question put.*

*The Assembly divided: Ayes 53; Noes 38.*

#### AYES

*Mr Armstrong, Mr Beggs, Mr Bresland, Lord Browne, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mr Cree, Mr Dodds, Mr Donaldson, Mr Elliott, Dr Farry, Mr Ford, Mr Gardiner, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mrs Long, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Dr W McCrea, Mr McFarland, Miss McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Neeson, Mr Newton, Mr Paisley Jnr, Rev Dr Ian Paisley, Mr Poots, Mr G Robinson, Mrs I Robinson, Mr K Robinson, Mr P Robinson, Mr Ross, Mr Savage, Mr Shannon, Mr Simpson, Mr Spratt, Mr Storey, Mr Weir, Mr B Wilson, Mr S Wilson.*

*Tellers for the Ayes: Mr Elliott and Mr Kennedy.*

#### NOES

*Mr Attwood, Mr Boylan, Mr D Bradley, Mrs M Bradley, Mr P J Bradley, Mr Brady, Mr Brolly, Mr Burns, Mr Butler, Mr W Clarke, Mr Durkan, Mr Gallagher, Ms Gildernew, Mrs Hanna, Mrs D Kelly, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr F McCann, Ms J McCann, Mr McCartney, Dr McDonnell, Mr McElduff, Mrs McGill, Mr McGlone, Mr M McGuinness, Mr McKay, Mr McLaughlin, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mr O'Loan, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ritchie, Ms Ruane.*

*Tellers for the Noes: Mr Butler and Mr McCartney.*

*Main Question accordingly agreed to.*

*Resolved:*

That this Assembly calls on the Minister of Culture, Arts and Leisure to ensure that no sports club, which facilitates a commemoration or glorification of terrorism, receives financial support through his Department, either directly or indirectly.

## PRIVATE MEMBERS' BUSINESS

### Civil Service Recruitment

**Mr Deputy Speaker:** In accordance with the Business Committee's agreement to allocate additional time when two or more amendments have been selected, up to one hour and 45 minutes will be allowed for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. Two amendments have been selected and published on the Marshalled List. The proposer of each amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Campbell:** I beg to move

That this Assembly notes the efforts made by the Northern Ireland Civil Service in recent years to address the under-representation of Protestants among those applying for, and being recruited to, occupational groups which have most employees in the Civil Service; and calls for continued monitoring of all the grades, but particularly those grades where thousands of people are employed, in order that those from all community backgrounds can have confidence in the recruitment process.

The subject of the motion is one on which myself and my party have campaigned, advocated and lobbied for a considerable time throughout Northern Ireland, in the House of Commons, in other countries such as the Irish Republic, and in Europe and America.

We carried out that intensive lobbying over a considerable period because of the importance of the issue and because of its resonance for tens of thousands of families in Northern Ireland.

Some progress has been made. We have had meetings with previous Finance Ministers, previous direct rule Ministers and a number of successive Equality Commission chiefs. All of those meetings were designed to restore equity to the Civil Service, particularly in the areas where most civil servants are employed.

The problem is partially that the Equality Commission in particular, and others, keep repeating the mistake of using figures on the overall composition of the Civil Service to try to prove or disprove fair participation and to demonstrate what they say is happening in the Civil Service or with other large employers. They keep doing that despite the fact that we keep telling them that they need to show us the trends in the people joining the Civil Service. Over time, a trend becomes the factual position; if the Protestant community is under-represented in large parts of the Civil Service, which it is, it will become significantly under-represented in the entire Civil Service if the trend is not addressed and changed.

The Assembly's Research Service has provided a very good information pack, but it falls into a similar trap in that it does not refer to the wording of the motion, which addresses recruitment. Recruitment is always the key. Over time, it becomes difficult to change the situation if there has been a problem with recruitment.

There are two main problem areas in the Civil Service, and the motion does not intend to, nor does it, sidestep or put one aside at the expense of the other. One is the under-representation of Protestants in the general service grades, and the other is the under-representation of Roman Catholics in the Senior Civil Service.

Both amendments mention the Senior Civil Service. The problem is not a denial that either problem exists; it appears that some people are determined to put more emphasis on one than on the other. The general service grades, where the under-representation of Protestants occurs, employ 20,000 people; they are a huge area of employment. The Senior Civil Service employs less than 300 people, but some people keep on and on and on about those grades.

I come to the nub of the issue: although there are two main problem areas, the under-representation of Catholics in the Senior Civil Service is declining year on year. The documentation, including that which the Department of Finance and Personnel released during the summer, shows that the number of Roman Catholics in the Senior Civil Service continues to increase each year. The problem of under-representation is, therefore, lessening among the 300 people who work at that grade. On the other hand, a minuscule change has taken place in the grades that employ 20,000 people. In fact, in some cases, there is a lack of any improvement. As I mentioned at the outset, there has been improvement in other cases.

For the information of Members and the wider public, I turn to the '2007 Review of Fair Participation', which was released by the Department of Finance and Personnel during summer 2009. Page 18 has a section entitled 'Progress towards past goals'. It demonstrates that in 2005, when the most recent review of the Civil Service was carried out, there was a lack of fair participation, or under-representation, in four categories.

In one category, the upper grades — grade 5 and above — there was a lack of fair participation by Roman Catholics in 2005. According to that document, the achievement that was required in that category by 2007 has, indeed, been reached. Therefore, the problem that used to exist in the Senior Civil Service is no longer an issue.

In three other categories, there was under-representation of Protestants; at EO2, AO and AA

level. Those categories just happen to employ 20,000 people. Here, we find that the goal of a 10% increase in Protestant applications for EO2 posts by 2007, the year that is covered by the review, has not been achieved. The same occurs at AO level: a 10% increase in Protestant applications has not been achieved. In the final category, AA — administrative assistant level — the 10% increase in Protestant applications has been achieved.

Therefore, Protestant under-representation applied to three of the four categories where there were problems in 2005. Goals have not been achieved in two of the three categories. They have been achieved in only one of those categories. In the one problem area where there was unfair participation by Roman Catholics, goals have been achieved. That is the precise area to which the amendments refer. I would have thought that that would have negated the need for those amendments. Seemingly, it has not.

At present, those ongoing problems remain. I do not criticise the Department of Finance and Personnel at all: as I have said, some progress has been made. That progress has taken a long time. I recall that I met Richard Needham, who people will remember. I also met the late Bob Cooper, who, at that time, was the chairman of the Fair Employment Agency. We raised the issues with them, and with subsequent Ministers.

Therefore, the matter has been ongoing for a long time. Progress is being made very slowly. We need to keep that going. In 20 years' time, I do not want either me or a successor to have to stand in the Chamber and say, "We are nearly there: we have almost achieved fair participation for Protestants in the Northern Ireland Civil Service". That must be achieved much more quickly than has been the case in the past. We have made significant progress towards that. However, it seems to be halting.

Therefore, the motion's purpose is to ensure that civil servants who are involved with the Equality Commission do not take their eyes off the ball, and that the wider public understands that regardless of who else takes their eyes of the ball, the DUP will not. Our campaign is for equality and fair participation in the workplace. We intend to proceed until we get it.

**Mr Deputy Speaker:** Order. As Question Time begins at 2.30 pm, I suggest that the House takes its ease until then. The debate will continue after Question Time, when the next Member to speak will be Mitchel McLaughlin, who will move amendment No 1.

*The debate stood suspended.*

2.30 pm

(Mr Speaker in the Chair)

## Oral Answers to Questions

### OFFICE OF THE FIRST MINISTER AND DEPUTY FIRST MINISTER

#### Shared Future

1. **Mr D Bradley** asked the First Minister and deputy First Minister to explain why undertakings on producing and publishing a shared future strategy have not been honoured. (AQO 46/10)

#### Cohesion, Sharing and Integration Strategy

5. **Mr Kinahan** asked the First Minister and deputy First Minister for an update on the cohesion, sharing and integration strategy. (AQO 50/10)

**The First Minister (Mr P Robinson):** With your permission, Mr Speaker, I will answer questions one and five together. The draft programme for cohesion, sharing and integration was originally meant to have been brought forward before the end of last year. That and subsequent commitments on timing were made in good faith, and it was our expectation that those would be met. It was not possible to meet that date. However, reaching agreement on the cohesion, sharing and integration strategy (CSI) remains one of the top policy priorities of OFMDFM.

While we continue to work intensively towards an agreed strategy that will benefit everyone now and over the longer term, work to promote community relations and good race relations has continued over the past two years, led and supported by the deputy First Minister, me and the whole ministerial team.

There are many examples of that commitment: we have invested £29 million in good relations work in the current comprehensive spending review (CSR) period to build a shared and better future. That, in my view, is not insubstantial. Additionally, we provide match funding to EU funding under the Peace III programme. OFMDFM, as the Department that is accountable for three priorities in the programme, is strategically placed to ensure co-ordination of local activities at the local level.

The junior Ministers continue to chair the north Belfast working group, which focuses on interface issues in Belfast and across Northern Ireland. During

the summer, we have spent £500,000 on resourcing work for summer intervention programmes.

After the death of Mr Kevin McDaid in May, we worked proactively with our key partners, both statutory and non-statutory, in Coleraine, and we are providing an additional £23,000 to Coleraine Borough Council for diversionary work on top of the £86,000 that was awarded to the council for good relations activities. The junior Ministers will meet key partners again on 23 September as part of our ongoing commitment to the area.

Similarly, in Craigavon, the junior Ministers have been chairing meetings with all key partners on the issues and tensions there, and we are supporting and facilitating diversionary work on a multi-agency basis.

Since 2006, the Institute of Irish Studies at Queen's University has undertaken flags monitoring on our behalf. Its last survey will be conducted at the end of this month, and we expect to receive the report by the end of the year.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Chéad Aire as an fhreagra a thug sé. I thank the First Minister for his answer. After last week's farce, when there was a clear demonstration of a divided future, what is being done to resolve the logjam on this issue at the heart of the Government? Will the First Minister give us a definitive date for the strategy's official publication?

**The First Minister:** I do not think that the SDLP has any reason to be smug about the issue, because it and the Ulster Unionists failed to agree such a strategy themselves. Indeed, the strategy being employed is that which was agreed by the direct rule Administration. I understand that the Member probably practised asking his questions in front of the mirror and that he, therefore, did not bother listening to what I had to say. However, as I indicated in my response, a very considerable amount of work has been done on the overall policy for cohesion, sharing and inclusivity.

The Member is smiling, but the strategy is not just the responsibility of OFMDFM. Whether or not the Member agrees with the way in which documents on a shared future strategy were published, there are two such documents in the public arena — the recently published Sinn Féin document and the document on which OFMDFM officials and both my officials and the deputy First Minister's officials had been working.

Therefore, the Committee has the information before it, and it should remember that the Assembly can take decisions and Ministers are legally bound to comply with the decisions of the Assembly. So if the Committee, or indeed any Member of the Assembly, were to bring forward one of those documents or one of those documents as amended and it were to be

passed by the Assembly, we all have a legal obligation to follow through.

I would like the strategy to have a Northern Ireland thumbprint, instead of it being a product of direct rule. However, irrespective of the strategy that we are operating under, the work on the ground will continue. The deputy First Minister and I are committed to that and have both been deeply involved in ensuring that that moves forward.

**Mr Kinahan:** I thank the First Minister for answering part of the question. Documents have been published, but does he accept that there is a continuing failure to have a vision or a will to deliver a cohesion, sharing and integration strategy, particularly in the House? Does he also accept that that in itself is a contributory factor to the ongoing community tensions that manifested themselves in the summer?

**The First Minister:** I accept that the failure of the SDLP and the Ulster Unionists to agree has been followed, thus far, by a failure by others to agree. We want to see that issue resolved. We know what the differences are, and we can discuss them in detail; I am content to go into in detail on the differences between the DUP and Sinn Féin on the matter.

There seems to be a sense of surprise, particularly among the press, that two parties do not agree on a particular issue. I suspect that there is a greater level of agreement on many of the issues that we have faced than there would have been if the Conservative and Labour parties were in Government together at Westminster. The fact that there are some issues on which we take a different approach should not surprise anybody. I emphasise that the Committee now has been provided, in an open way, with the type of documentation on which it can give us its view.

**Mrs Long:** Has taking into the public domain the dispute over the strategy, which it is fair to say most people were aware was ongoing, furthered community cohesion and a shared future, or detracted from it? Will the First Minister provide an assurance that, despite the public nature of the dispute, he and the deputy First Minister will continue to pursue the strategy, because their joint leadership on the matter is of huge importance to its ultimate delivery?

**The First Minister:** Mr Speaker, you would not allow me the words that I want to use in answer to the Member, because they might be considered unparliamentary. The Member has stood up time after time after time to make public the differences on the issue. Perhaps a little more honesty would do us some good — I am not talking about honesty from the Member; I am talking about honesty on our part by having transparency so that people can understand where the differences are.

If the differences are real and not synthetic, the public are more likely to understand them. Incidentally, we have not had the debate on what those differences are in public. I readily agree with the Member; I want to see agreement on those issues. Maybe the Member will tell us in due time, if not now, which of the documents, if any, she can endorse.

**Mr Donaldson:** If a single party continues to resist agreement on an issue as important as this, will the First Minister clarify whether a mechanism is available to the Assembly or Executive to enable us to move on?

**The First Minister:** During Question Time, I am not going to go back over remarks that were made in the Ulster Hall. However, under the Pledge of Office and the ministerial code, the existing rules, regulations and procedures require that every Minister complies with the decisions of the Assembly. If the Assembly takes a decision, it is the responsibility and obligation of Ministers to comply with that decision. That is the present legal position; it shows strength in the system and respect for the Assembly.

If, in the circumstances under discussion, the Assembly took the view that it was worth while for the Committee to bring forward one or other of those documents or, indeed, an amended document, and the Assembly were to support it, my ministerial colleagues and I would have to implement that and carry it out. Those are the rules of the Assembly.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle agus a Aire. Given the recent public statement by the former OFMDFM junior Minister about the relationship between equality and good relations, and given that the Programme for Government was agreed by the Executive, will the Minister remind the former junior Minister and the Assembly of PSA 7, and the aligned objective 5, for which the agreed target is to implement a programme of cohesion and integration?

**The First Minister:** The Member asked that question in a way that I do not quite understand. However, every Minister has a responsibility to act in accordance with the Programme for Government. That document has been agreed not only by the Executive but by the Assembly. All Members are entitled to their own views on any issue. However, in working out Government policy, we are bound by the Programme for Government.

**Mr Speaker:** I warn those Members, on all sides of the House, who are reading out supplementary questions that I will rule them out of order and move on to the next Member.



## Policing and Justice: Budget

2. **Mr K Robinson** asked the First Minister and deputy First Minister for an update on any financial negotiations in respect of the devolution of policing and justice. (AQO 47/10)

4. **Mr O'Loan** asked the First Minister and deputy First Minister for an update on the current negotiations in respect of the budget for policing and justice following devolution. (AQO 49/10)

**The First Minister:** With your permission, Mr Speaker, I will answer questions 2 and 4 together.

Preparations for the devolution of policing and justice powers have progressed in line with the process paper that we made public after our attendance at the Assembly and Executive Review Committee (AERC) on 18 November 2008. Following the Assembly's approval of the AERC's report on the arrangements for the devolution of policing and justice matters on 20 January 2009, the Committee has been working on a second report to deal with a further range of issues, including financial provisions, that need to be resolved before devolution. On 29 June, the deputy First Minister and I attended a briefing by the Committee's specialist adviser on those financial issues. We look forward to the outcome of the Committee's consideration.

On a number of occasions over the past year, the deputy First Minister and I met senior Whitehall Ministers to discuss financing issues in relation to devolution. On Wednesday 16 September, we met the Prime Minister, and we intend to meet him again early this evening at Downing Street.

In addition, our officials, and those from the Department of Finance and Personnel, engaged in detailed discussions with Whitehall Departments, including the Treasury, the NIO and the Northern Ireland Court Service, to establish the financial implications of devolution. A series of meetings has also been held with front line justice and policing agencies to examine the pressures that they will face in delivering services in the coming years.

It is our firm view that devolution should be accompanied by adequate resources to meet the challenge of the new responsibilities and to deal with financial pressures. We remain committed to the achievement of a satisfactory conclusion to the ongoing financial discussions and to working faithfully through the other remaining steps that were identified in the November process paper.

**Mr K Robinson:** I thank the First Minister for that very detailed reply and for setting the issues out chronologically.

Given the sums involved, the potential that exists for derailing the entire process of devolution and the

impact that it will have on the Assembly Budget, have the First Minister and his colleagues, at any stage, engaged in a procedure whereby there could be a process of rolling devolution for policing and justice?

2.45 pm

**The First Minister:** The Member is right; the Assembly and Executive Review Committee identified some considerable additional pressures. Indeed, it even assisted us in dividing those pressures into those that were truly inescapable; that is, those that involved legal or contractual obligations that could not be escaped in any way. Moreover, it helped to identify areas for which there was high pressure to put funding in place although they did not legally or contractually require additional funds. Other elements were clearly discretionary.

When we look through the report, we can see several areas that we might have expected a Department, in any circumstances, to deal with using its own budget. For example, slippage may have been allowed in one area to deal with additional pressure on another. However, the Assembly and Executive Review Committee's report involved some significant big-ticket issues, if I may use that term. In my view, it would be unwise for this Administration to take devolution on while those issues remain in their present form, because it would require those payments to be made. If the funds were not in the initial baseline, it is clear that the money would come from areas such as health, education, housing, agriculture and the environment, and so forth. We have been dealing with those issues seriously.

The Member asked about rolling devolution. The answer to his question is that not much is left to roll. If we look at the responsibilities that the Chief Constable and the police carry out independently and impartially, and if we look at the role of the Policing Board, it is clear that, beyond policy, nothing else is left to be rolled. Similarly, the judiciary is independent, and only policy and legislation would need to be rolled. Therefore, the high-end level remains. I do not see how that can be desegregated further in any way before one final move towards devolution. As we have indicated, that requires us to have other things in place.

**Mr O'Loan:** Members will note that the First Minister is a little tetchy today. Perhaps public criticism of him for the Office of the First Minister and the deputy First Minister's failure to deliver on cohesion, sharing and other matters is getting to him. He is unable to indicate a firm date for the devolution of justice and policing. Will a date not be absolutely necessary before Downing Street commits to its bottom line on funding?

**The First Minister:** I understand why the Member wants to take attention away from his party's problems

— they will see the leader standing down for an older man or woman.

If one accepts the Member's argument, the situation is one of chicken and egg. I argue that if one were to set a date for the devolution of policing and justice, all that the Government would have to do is sit there with their arms folded, do absolutely nothing and wait for the date. That forces us to devolve those powers before the funding issue has been resolved adequately. We all know that it is vital to resolve the funding issue before devolution, because it will not be possible to resolve it thereafter, particularly as financial pressures and restraints continue to press down on the Treasury. That is particularly the case if there is to be a new Government that will talk about even more cuts.

**Mr Kennedy:** I am grateful for the opportunity to ask the First Minister a question. In coming to conclusions, will he take the advice of his party's deputy leader, Mr Dodds, or that of one of his party's Policing Board members, Mr Ian Paisley Jnr? Given recent events, is he prepared to express full confidence in Mr Paisley?

**Mr Speaker:** Order. Once again, the Member is abusing the House's procedures. That question in no way relates to the supplementary question, and the Member knows that quite well.

**Mr A Maskey:** I thank the First Minister for his responses so far. On a general point of principle, the First Minister, aside from all the commentaries made so far, has made the point that further public expenditure cuts will be made in future comprehensive spending reviews. In light of that, is it wise or appropriate that the future financial arrangements for policing and justice here be left in the hands of a British Government Minister?

**The First Minister:** I hope that there is a desire throughout the Chamber for us to have the maximum level of devolution in Northern Ireland, including policing and justice. I am not embarrassed to say that; I follow a long line of unionist leaders who believed that it was an imperative. The founding fathers of this state, Carson and Craigavon, would not have accepted devolution at Stormont without policing and justice powers being devolved. Even Brian Faulkner, in his day, would not allow the continuation of devolution in Northern Ireland because policing and justice powers were taken away. My clear view is that I want to see policing and justice powers come to Northern Ireland. However, we must remember that even if policing and justice powers lie in Northern Ireland, the budgetary arrangements will still lie with the Treasury. Simply having the responsibility here allows the Treasury, to some extent, to have it at arm's length. That is why it is vital that we get the right arrangements from the Treasury before we take the responsibility.

**Mr Hamilton:** Will the First Minister outline to the House what role he envisages that the Assembly and Executive Review Committee might have in considering any package that Her Majesty's Government would propose for the devolution of policing and justice powers?

**The First Minister:** The Assembly appreciates the role that the Assembly and Executive Review Committee has already played. It brought a report to the House on the institutional arrangements that found favour with Members, and I believe that our institutional arrangements will enjoy the confidence of the community. The Committee has moved on to the next stage, which is to examine the funding arrangements. I know that it has done a considerable amount of work and has brought in a specialist adviser to assist it.

The deputy First Minister and I have taken many of the Committee's suggestions on board in our discussions with the Prime Minister and others. I understand that the Committee will want to finalise its report on the financial arrangements. It may want to see the deputy First Minister and me again before it does so, and I am pretty sure that we will be content to meet the Committee once again. The Committee's report is one of the essential elements of the process that we agreed last November: that the Committee would come back to the Assembly with its report on funding and other arrangements.

## Investment Strategy

3. **Mr Irwin** asked the First Minister and deputy First Minister for their assessment on the delivery of the Executive's investment strategy. (AQO 48/10)

**The First Minister:** The investment strategy for Northern Ireland (ISNI) has enabled the Executive to concentrate on the delivery of our capital investment programmes and projects in these most difficult of times, in which the credit crunch has hit our local economy. In 2008-09, gross capital investment in public works totalled almost £1.7 billion, up 20% on the year before, and without significant underspend. In contrast, investment levels in the first part of this decade were typically around £650 million per annum up to 2002-03.

New capital investment is at record levels, and the Executive are determined to continue investing in our future to the maximum extent possible, with the resources that are available to us. We will do that not only because to do so is to support essential services but because it gives our local construction industry an important stimulus in these difficult times. Some examples of the progress that we have made include the completion of the M2 roads project ahead of

schedule at a cost of £20 million; the construction of a new further education campus for Belfast Metropolitan College in the Titanic Quarter, which is now under way; and the commencement of the construction of the new £270 million acute hospital outside Enniskillen, which will sustain 850 jobs, 180 of which will be newly created.

There are 55 projects, worth about £265 million in total, for which the construction contract was recently signed; there are a further 40 projects, worth about £950 million in total, for which procurement is in progress. That includes a £600 million design-and-build contract for the A5 road upgrade. In addition, there are about 40 construction projects across Departments, worth £200 million in total, for which procurement is planned for the near term, but which have not yet commenced.

Our investment programme is making an enormous impact on the local economy, particularly on the construction industry. In many of the cases that I mentioned, there are opportunities for subcontractors and suppliers to bid for work in the supply chain. The bulk of investment strategy for Northern Ireland projects are planned and delivered by local firms using local materials and labour. We are very conscious of the key role that the local construction industry plays in the economy of Northern Ireland, a topic on which Members have frequently raised concerns.

Although the Government cannot substitute for the loss of business in the private sector housing market, we have done all that we can to maximise the implementation of Government spending to support the construction sector. That is evidenced by the record outturns in 2008-09, and by the ongoing work programme.

More public works are being undertaken today in Northern Ireland than at any time in our history. This Executive and their achievements to date in bringing forward their programme of infrastructure investment have been significant, and we are confident — subject to resources — that we will be in a position to build on that success for the benefit of our people in future as we climb out of recession.

**Mr Irwin:** In the past week, both the SDLP and UUP published documents in relation to the Budget, claiming that there is a £2 billion hole. Does the Minister have any comments to make on that?

**The First Minister:** We all know the wonky economics in both those documents. It does this community no service for people deliberately to inflate areas where there is expenditure and to ignore entirely areas where we have been bringing in funds in order to cause concern and fear. I say “deliberately”, as there is always the possibility that they are economically illiterate and do not know any better.

The Executive will be able to fund their Budget like any other Executive. There will be pressures for additional funds; swine flu and water charges will put pressure on the Budget. However, there are always slippages, particularly in the capital budget. Almost £600 million was underspent in the 2006-07 financial year, as opposed to the additional Budget that was supplied for capital. There is always slippage to compensate in a Budget, to some extent, and where it does not compensate, the Executive have to look at their programmes to identify their priorities.

**Dr Farry:** I thank the First Minister for his answer. Although we recognise the scale of the capital investment and its effect on the pump-priming of our economy, will the First Minister outline whether any opportunity has been taken of the scale of capital investment to change the fundamentals of our economy to tackle the structural weaknesses that have been identified and to modernise and rebalance our economy?

**The First Minister:** As I said, we are now investing more than twice as much as in previous CSR periods, with £1.7 billion being spent on housing, roads, education and hospitals. That is a very significant sum. Under the procurement directives, we can examine the social implications of our spend in how we purchase those services and assets.

The Executive have had the growth of our economy as their priority. Many an Executive might have been blown off course by the recession, but because we have always had the growth of the economy as our priority, we have continued on course, although, at times, it has become difficult. The Executive found that it was important that capital spend was made to fulfil the Programme for Government, particularly in relation to the construction industry and the gap that it was feeling through the lack of house building.

Coming out of recession, we are well-positioned to take advantage of all the work that we have done.

3.00 pm

## AGRICULTURE AND RURAL DEVELOPMENT

### Ambulance Service

1. **Mr McCarthy** asked the Minister of Agriculture and Rural Development what discussions she has held with the Minister for Health, Social Services and Public Safety regarding adequate ambulance service cover in rural areas. (AQO 60/10)

**The Minister of Agriculture and Rural Development (Ms Gildernew):** Go raibh maith agat, a Cheann Comhairle. Provision of adequate ambulance cover is obviously a very important issue for rural communities. Being mindful of that, I requested a meeting with the Minister of Health, Social Services and Public Safety when the proposals for the Ambulance Service efficiency savings were published in July 2009. A meeting has been arranged for next week, at which I intend to discuss the Minister's decision to support those proposals. I will also seek assurances that the potential impact of the changes on rural areas has been fully investigated and that there will be ongoing monitoring of those changes.

**Mr McCarthy:** I thank the Minister for her response. She is getting to talk to the Health Minister about ambulance provision earlier than me. The Minister acknowledged the Health Minister's endorsement only last week of a document that will lead to the loss of 70,000 ambulance-staff hours. Does the Minister, who, like me, represents a rural constituency, fear that cutbacks and a lack of ambulance provision will put extra strain on rural communities and put lives at risk?

**The Minister of Agriculture and Rural Development:** I am speaking as a Minister and not as a constituency MP. As the Minister of Agriculture and Rural Development, it is my responsibility to advocate across Government on behalf of rural communities and rural constituencies, such as the Member's. I sought a meeting with Minister McGimpsey to ensure that the issues that the rural community highlighted during consultation have been fully considered and that there is a realisation of the potential impacts on rural areas.

It is of great concern to me that, in the past, rural proofing has been shown not to work. I am keen that that the needs of rural people and rural communities are met by all Departments, which is why I brought my proposals for a rural-wide paper to the Executive. I am pleased that they are supporting me as that project is worked through.

**Mr Shannon:** The Minister will be aware that there is an Assembly all-party group on rural sustainability. Ambulance cover in rural areas is a key issue that has been raised by that all-party group. The Minister said that it is her job, as the Minister of Agriculture and Rural Development, to represent the rural community. We need her to assure us today that her Department will make every effort to ensure that there is sufficient ambulance cover for the rural areas that we represent and that lives will not be lost as a result of road traffic accidents or accidents on the farm. Those are the key issues for representatives of rural communities.

**The Minister of Agriculture and Rural Development:** We must ensure that there is adequate

ambulance provision. There have been reductions in services at some hospitals, and rural dwellers rely on ambulance cover, given that they have to travel further to hospitals. Ambulance cover is one of the issues that I will discuss with Minister McGimpsey. I will be keen to ensure that there is adequate provision in rural areas. We already have to deal with difficult conditions on the roads to some hospitals, so it is more important than ever that rural areas have adequate provision of ambulances and, indeed, all primary care. I hope that we will have a good, constructive discussion about all those matters next week.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle. What rural proofing has been undertaken in the development of the proposal? Has the Minister's Department had a role in the matter?

**The Minister of Agriculture and Rural Development:** As I said, rural proofing did not work in the past, hence the recent announcement for a reinvigorated rural-proofing process. Departments need to take full account of the way in which their policies will be delivered to all communities. My Department's role in rural proofing is to provide support for the process. That role is reinforced by consultation and approved by the Executive. My Department will advise on the how and why of rural proofing, but individual Departments are ultimately responsible for obtaining all the evidence and information that is required to define their priorities and to predict impacts on rural communities.

Through the Executive, I have undertaken actions to deliver and enhance the rural-proofing process and training programme for all of Government.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Go raibh maith agat, a Aire, as ucht an fhreagra sin.

As the Minister represents and lives in a rural area, as I do, she will presumably be aware of some of the concerns about the provision of services in rural areas, particularly to the likes of the Mid-Ulster Hospital at Magherafelt. The Minister revealed that she would meet the Health Minister. Will she provide or put on record the detail of any objections or concerns that she has about the proposals for the rapid-response vehicles and the level of ambulance provision in our rural areas?

**The Minister of Agriculture and Rural Development:** The use of rapid-response vehicles is the responsibility of the Minister of Health, Social Services and Public Safety. Although I recognise the potential benefits of the use of rapid-response vehicles and do not doubt the standard of treatment that individuals will receive, I want to explore further with Minister McGimpsey the use of those vehicles in rural communities. I will happily make the outworkings of that meeting known to the Member.

## Farm Modernisation Programme

3. **Mr Donaldson** asked the Minister of Agriculture and Rural Development to outline the criteria to be used for distributing funds under the next round of the Farm Modernisation Scheme. (AQO 62/10)

10. **Mr McFarland** asked the Minister of Agriculture and Rural Development, in relation to the Farm Modernisation Programme, how many and what percentage of applicants have received letters of offer. (AQO 69/10)

**The Minister of Agriculture and Rural Development:** With your permission, a Cheann Comhairle, I will answer questions 3 and 10 together. In relation to the criteria for distributing funds under the next round of the farm modernisation programme, my officials are still developing the additional criteria for tranche two. I have asked for a paper on that matter by the end of this week. It is my intention to seek the industry's views on the additional criteria for that important and popular programme as soon as I can.

As regards letters of offer, 1,268 farmers received a letter of offer under tranche one of the programme, which is 13.68% of the large number that applied. It is well known that the scheme was hugely oversubscribed, and I am happy to reiterate my intention to work to secure more money for the programme. All applicants under tranche one have now been notified of the outcome of their application.

**Mr Donaldson:** The Minister rightly points to the popularity of the programme. Will the Minister consider widening the criteria for the next round of the programme to enable farms that keep pigs or grow cereals to be included, so that farmers from that kind of background are able to benefit from the scheme?

**The Minister of Agriculture and Rural Development:** It was my hope that all farmers, whatever their focus, would be able to buy into the scheme. We tried to include items in the programme that would be of benefit to a wide range of people, so no sector was purposely left out. However, the programme is for farm modernisation, and the items that a pig farmer needs to modernise are very different from the items that a dairy farmer, for example, needs to modernise. We want to look again at the list, and we will take views from the industry as soon as we can, when the additional work is done on tranche two. We want to include additional criteria so that the programme is as effective as it can be.

**Mr McFarland:** I thank the Minister for her answer. Presumably those who were unsuccessful in the first round will be able to reapply. Do they have to apply again, or will the Department automatically consider their first-round application as their subsequent-round application?

**The Minister of Agriculture and Rural Development:** The short answer is that they will have to apply again. As the Member knows, the application form is very succinct and simple to fill out. We want to go through the process again because a farmer who did not apply the first time because no items on the list pertained to him or her may find that the new list is more appropriate to their needs. We do not want anybody to be disadvantaged, so we are asking farmers to reapply and to look at the new list to see what they need. Farmers can apply for all of the tranches providing that they do not go above the threshold that has been set down. What each individual farmer wants to do is up to them.

**Mr Irwin:** When does the Minister expect the scheme's second tranche to be opened?

**The Minister of Agriculture and Rural Development:** I have said that the second tranche will not open until at least spring 2010; it will be worth in the region of £6 million. As I said earlier, I will do all in my power, in light of other urgent priorities and financial restrictions, to get more money into the programme. There is likely to be an opportunity to move money from one scheme to another, but it will be next spring before tranche 2 opens.

**Mr Savage:** It is interesting to hear the Minister say that the second tranche will be available in 2010. When will people have their applications approved?

**The Minister of Agriculture and Rural Development:** Is the Member asking about approvals for tranche 1 or tranche 2?

**Mr Savage:** Sorry, tranche 2.

**The Minister of Agriculture and Rural Development:** The Department has a great deal of work to do before tranche 2 is finalised and the criteria set. We will talk to the industry, and we want to get the money out as quickly as possible after tranche 2 closes. I cannot yet say, categorically, how long that will take.

## Food Processing

4. **Mr I McCrea** asked the Minister of Agriculture and Rural Development if the Processing and Marketing Grant scheme is the sole capital support for food processing businesses. (AQO 63/10)

**The Minister of Agriculture and Rural Development:** The agrifood and forestry industries in the North account for a significant proportion of economic activity. Therefore, they have a vital role to play in the evolution and restructuring of the local economy and are highly dependent on external markets. The aim of the processing and marketing grant scheme (PMG) is to improve economic performance and international competitiveness in those sectors.

The PMG is my Department's main vehicle to support the food-processing sector. The rural development programme (RDP) that was approved by the European Commission has utilised a provision under article 28 of the programme legislation, which provides easement for funding of annex-1 products otherwise excluded under state-aid rules. Subject to fairly strict conditions, those products can be funded under axis 1 of the rural development programme.

To date, the processing and marketing grant scheme has received 63 applications and issued 16 letters of offer, committing almost £5 million of funding. Added to private funding, that comes to a total investment in the sector of more than £12 million, which is a significant amount in difficult economic times.

A number of food processors of non-annex-1 products is being signposted to axis 3 of the RDP. I know that a small number of cases does not fit comfortably in the processing and marketing grant scheme or access 3, and I have asked my officials to review all the support mechanisms available to the processing and marketing sector. Cross-axes meetings have already been held and I await a report and recommendations. Invest NI also has a range of measures under which food businesses can receive aid. Those complement aid available from my Department and mean that the Executive are providing substantial support to food-processing businesses.

**Mr I McCrea:** I welcome the fact that there will be, hopefully, some clarity on cross-axes issues, because there was some uncertainty about whether businesses could apply. Will support for farm shops under axis 3 include capital grant aid for food-processing equipment?

**The Minister of Agriculture and Rural**

**Development:** I cannot say exactly what will be covered under that grant scheme or whether we will be able to find a mechanism to do anything for farm shops until I see my officials' report and recommendations on those cross-sectoral meetings. I certainly intend to try, but I do not yet have that detail.

**Mr Cree:** Will the Minister clarify the level of funding available for food-processing companies outside the rural development programme?

3.15 pm

**The Minister of Agriculture and Rural**

**Development:** I apologise to the Member; I do not have that information with me, but I will happily write to him with it.

**Mr W Clarke:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline why applicants to the process and marketing grant scheme under axis 1 cannot purchase second-hand equipment?

**The Minister of Agriculture and Rural**

**Development:** Although I accept that it is important for the agrifood industry to be at the cutting edge of new technology and to avail itself of the most efficient equipment, I also acknowledge that being able to purchase second-hand equipment may provide a more cost-effective way forward in these difficult financial times. Therefore, I have asked my officials to carry out a review of the procedures under the processing and marketing grant scheme as quickly as possible, with a remit to examine the options to purchase second-hand equipment that is fit for purpose. I want to assess the outcome of that review before making a final decision.

**Mr Speaker:** The Member is not in his place to ask question 5.

## Community Relations

6. **Mr Neeson** asked the Minister of Agriculture and Rural Development what action she is taking to promote community relations in rural areas.

(AQO 65/10)

**The Minister of Agriculture and Rural**

**Development:** In recent years, my Department has been instrumental in fostering good community relations in rural areas through the rural development programme and other rural initiatives. For example, under axis 3 of the current programme, local action groups are required to reflect the agenda of the shared future triennial action plan in their local development strategies. At the same time, community groups that are funded through the rural community network and sub-networks are cross-community based and work to principles that promote the shared development of rural needs.

Other initiatives include the funding of a programme aimed at supporting the specific needs of isolated Protestant communities in border areas. Furthermore, funding the Rural Women's Network helps to ensure that the rural women's sector is able to embrace many cross-community themes in its rural work programmes. Young people, too, are not overlooked. Through my rural childcare programme, exciting opportunities exist for early-years integration, which can only establish and foster good community relations for generations to come.

**Mr Neeson:** I thank the Minister for her answer. Many people regard community relations as an urban issue, but that is clearly not the case; one need only look at the numerous sectarian attacks on Orange halls and GAA clubs in rural areas. Will the Minister assure me that her Department will make every effort to improve community relations in rural areas, which could be done, in particular, through the rural networks?

**The Minister of Agriculture and Rural**

**Development:** The rural networks are very much a vehicle for doing that, and all parts of the North have had a rural support network for a considerable time. In the current funding round, two networks could not meet the pre-funding conditions, one of which decided to close. However, as a result of that and due to the nature of the sector, neighbouring rural support networks are providing cover across boundaries to ensure that the sector continues to carry out its valuable work in all areas.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom buíochas a ghabháil leis an Aire as an fhreagra sin.

I thank the Minister for her answer. What work has her Department carried out to promote equality and good relations throughout all areas of its work?

**The Minister of Agriculture and Rural**

**Development:** Since I took office in May 2007, the promotion of equality and good relations across the range of my Department's work has been a key objective of mine. In this year's business plan, I outlined that I am committed to ensuring that equality and good relations are at the heart of our business and that we work to achieve measurable outcomes.

An equality steering group, comprising senior officials from across the Department and chaired by the permanent secretary, meets quarterly and reports to me on a regular basis. In addition, my Department is fully represented on all interdepartmental working groups and at equality-related meetings to provide the rural input to various strategies and action plans, such as the anti-poverty strategy, the gender action plan, the children's strategy, the sexual-orientation action plan and the racial equality strategy.

**Mr Kinahan:** In the Minister's efforts to promote community relations, has she abandoned plans to develop the Forkhill army base?

**The Minister of Agriculture and Rural**

**Development:** No, I have not abandoned either the project or the good people of Forkhill, and I believe that that project has the ability to strengthen good community relations, as opposed to the Member's inference that it might diminish them.

**Fertiliser**

7. **Mr P J Bradley** asked the Minister of Agriculture and Rural Development, in light of the poor weather conditions, what consideration she has given to an extension of the dates for (i) the application of nitrogen to grasslands; and (ii) the start of the closed period for slurry spreading. (AQO 66/10)

**The Minister of Agriculture and Rural**

**Development:** The closed period for spreading chemical nitrogen fertiliser is based on sound scientific evidence. Chemical fertiliser that is supplied up to mid-September, together with the mineralisation of nitrogen that is already in the soil and organic manures that can be applied up to 15 October, is sufficient to meet the requirements of reduced grass growth in the autumn. There is no need for the application of chemical nitrogen fertiliser after the cut-off date of 15 September 2009. A three-year research study has been conducted at the Agri-Food and Biosciences Institute (AFBI) Hillsborough, and no scientific evidence was found to support applications of chemical nitrogen fertiliser after mid-September. National fertiliser recommendations RB209 state that there is no economic response to chemical fertiliser application on grassland after mid-September.

Dealing with the second part of the question, I recognise that the poor weather conditions this summer mean that some farmers are experiencing practical difficulties with spreading slurry. The closed period for slurry spreading is a regulatory requirement under the Nitrates Action Programme Regulations. The NI Environment Agency is responsible for the inspection and enforcement of those regulations. Therefore, any regulatory matters are primarily for the Minister of the Environment to consider. I have provided him with details of the advice that my Department has been able to offer farmers recently, and I explained some of the difficulties that farmers are having with managing slurry. I certainly recognise the challenges that exist, and I sympathise with farmers about them.

**Mr P J Bradley:** I thank the Minister for her answer. I want to ask a supplementary question on the first part of my question. It is 15°C outside, and summertime does not end until the end of October. Does the Minister not agree that application of fertiliser through September and even into early October would cut down the use of winter feeding stuffs? There is a valuable saving for the farmer to be made in so doing. Indeed, the cut-off date of 15 September is anti-farming.

**The Minister of Agriculture and Rural**

**Development:** As I said, AFBI's research showed no benefit in applying chemical fertiliser to the soil after 15 September. I am not a scientist, and I would not want to argue with a three-year programme. Given the professionalism and the nature of the team at AFBI, I have no reason to misdoubt the findings of the research.

**Dr W McCrea:** Does the Minister agree that, in the light of the change in weather patterns, she should work with the Department of the Environment to ensure that there is flexibility on slurry spreading and that she should not be tied to an unacceptable timetable? Sense tells us that there should be such flexibility.

### The Minister of Agriculture and Rural

**Development:** The deadline for slurry spreading is 15 October. The Member asked questions that Sinn Féin raised during the consultation process about the fact that the weather can be suitable for spreading slurry during the closed period. However, again, the evidence exists. The Minister of the Environment had a derogation last winter; I understand that that flexibility is not available to him this year. That is not of his or my making; it is a European Commission regulation. I am sure that the Minister of the Environment would be happy to take questions that are directed to him about that.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. Mr Bradley has been encouraging me recently in our local press to take an interest in agricultural affairs, so I thought that I would ask a question. *[Laughter.]*

The closed period for the spreading of chemical fertiliser has been extended in the South. Why has that not happened here?

### The Minister of Agriculture and Rural

**Development:** The growing season, particularly in the south-west of Ireland, is longer than that in the North. Given his extensive agricultural knowledge, the Member will know that there is quite a bit of arable land in that area. Spreading chemical fertilisers for a further short period can help to boost grass growth in the South. As I said, the local scientific research that was conducted at AFBI Hillsborough supports the closed period for the application of chemical nitrogen fertiliser in the North, and there is no scientific evidence to support applications of fertiliser after mid-September.

**Mr K Robinson:** Has the Minister considered carefully the impact that any extension of the slurry period will have on urban dwellers, streams and rivers? If so, what steps will she take to minimise that impact?

### The Minister of Agriculture and Rural

**Development:** I am pleased to report that it is not only urban dwellers who benefit from clean streams and rivers; we in the rural community have an interest in them as well. Spreading slurry in adverse weather conditions is dangerous to our water quality and water courses; that is why we have advisers who advise farmers on when and, more importantly, when not to spread slurry. Farmers are not allowed to spread slurry if heavy rain is imminent or if the ground is waterlogged.

My Department's advisers also work with farmers to provide advice on how to cope if they find that they have a shorter fodder later in the year. Clean water courses are of equal importance to rural and urban dwellers, and we are keen to achieve that. Furthermore, slurry spills or seepage into a river can have a terrible impact on fish, especially when water levels are low.

## Hunting with Dogs

8. **Mr B Wilson** asked the Minister of Agriculture and Rural Development if she would consider introducing legislation to ban hunting with dogs similar to the Hunting Act 2004 for England and Wales and the Protection of Wild Mammals (Scotland) Act 2002. (AQO 67/10)

### The Minister of Agriculture and Rural

**Development:** There has been little political or public debate on hunting in the North. Any decision to introduce a ban on hunting here is not solely a matter for my Department and would have to be taken in conjunction with ministerial colleagues in the Executive. My Department has limited responsibilities towards animals in the wild and it has no powers to prohibit or regulate hunting or coursing with dogs.

Section 15 of the Welfare of Animals Act 1972 exempts from its provision the coursing or hunting of any animal other than a domestic animal. That provision does not legitimise hunting or coursing, but excludes those activities from the offences of cruelty contained in the Act. However, it should be noted that the hunting exemption in the Welfare of Animals Act 1972 does not apply if unnecessary suffering is caused to an animal or if the animal is released in an injured, mutilated or exhausted condition. Similarly, the exemption does not apply if an animal is hunted in an enclosed space from which it has no reasonable chance of escape. Therefore, a prosecution can be made here under existing legislation — unlike in Britain — if sufficient evidence is forthcoming that unnecessary suffering has been caused to an animal during a hunt.

**Mr B Wilson:** I thank the Minister for her response. However, given that the rest of the United Kingdom has banned this barbaric and cruel sport, I am disappointed that the Minister appears to have no powers. She refers to the Welfare of Animals Act 1972, which provides the power to prosecute in instances in which an animal is injured, mutilated or exhausted. Will the Minister use that power? It is obvious that most animals will be in such a state if they are being hunted. Therefore, there are grounds for prosecution under the Welfare of Animals Act 1972.

### The Minister of Agriculture and Rural

**Development:** The Member is right. We can legislate for animals that are released in an exhausted or mutilated state. It is clear that any decision to introduce legislation to ban hunting with dogs is a matter for the Executive. We are introducing some major pieces of legislation. The legislation should be enforced, and the PSNI has the power to enforce the Welfare of Animals Act 1972.

**Mr Shannon:** I love this question. *[Laughter.]* Why would the Minister want to introduce legislation that is



immoral and unwise? Why would she want to alienate large groups of people in the rural communities? That is what happened when such legislation was introduced across the water. Why would she want to introduce legislation that has not even been able to be arrived at through the courts? Why would she bother introducing the legislation that Brian Wilson wants when she knows that it is unworkable?

**The Minister of Agriculture and Rural Development:** I do not want to comment on what the Member says. There is little public appetite for a debate on this matter. However, I would welcome a debate if Brian Wilson chose to bring it to the Floor. I would not be guided in what I do by what Mr Shannon said about alienating people in the rural community; I will be guided by doing the right thing for animal welfare. There is much more in our legislation than was in place in Britain before the ban was introduced.

**Mr Speaker:** That ends today's Question Time.

3.30 pm

## ASSEMBLY BUSINESS

**Mr B McCrea:** On a point of order, Mr Speaker. Earlier today, in response to a question from my colleague Mr Kinahan, the First Minister said:

“the Assembly can take decisions and Ministers are legally bound to comply with the decisions of the Assembly. So, if the Committee, or indeed any Member of the Assembly, were to bring forward one of those documents or one of those documents as amended and it were to be passed by the Assembly, we all have a legal obligation to follow through.”

That is not the first time that the First Minister has made that assertion.

On 10 November 2008, the Assembly passed a motion that stated:

“That this Assembly calls on the Minister of Education to end the uncertainty facing parents and teachers of children in Primary 6 by continuing with the existing post-primary transfer test until a replacement is designed and piloted by CCEA.” — [*Official Report, Vol 35, No 1, p19, col 1*].

Does that resolution of the Assembly have legal standing and is it legally binding on the Minister of Education? If that is not the case, could Members please have some advice about how we should frame future resolutions, so as to meet the assertion made by the First Minister?

**Mr Speaker:** I thank the Member for his point of order. The Member will be aware that his question deals with the complex issue of the powers of the Assembly, including its power to direct Ministers. The Assembly has not, as such, asserted that power; inasmuch as it has, it has not done so in a way that tested the limits and extent of that power. I ask the Member, and any other Members who are concerned about that issue, to speak to me outside the Chamber because, as I have said, those issues are complex. I would be extremely happy to talk to the Member outside the Chamber.

**Mr McLaughlin:** Further to that point of order, Mr Speaker. It was unclear whether Mr McCrea was directing his concerns towards the Minister of Education. It is a matter of record that the Minister had developed firm proposals that she wished to put to the Executive but was prevented from doing so by other Ministers. Therefore, is the Member's concern about those who prevented the debate occurring rather than being about the Minister of Education failing in her duty to put proposals in front of the Executive and the Assembly?

**Mr Speaker:** I hear what the Member has said, although I am not sure that it was a point of order. However, there seems to be a general issue with

respect to the power that the Assembly has in directing Ministers. I have said to the whole House in the past that those are complex issues, and if any Members wish to speak to me about that issue outside the Chamber, I would be happy to do so.

**Mr B McCrea:** Further to that point of order, Mr Speaker.

**Mr Speaker:** Is it a further point of order to the one that has been discussed?

**Mr B McCrea:** Mr Speaker —

**Mr Speaker:** Order. I ask the Member to take his seat. I cannot add anything more to what I have said on that issue. If the Member wishes to discuss a different issue or to make a different point of order, I will be happy to allow him to speak.

## PRIVATE MEMBERS' BUSINESS

### Civil Service Recruitment

*Debated resumed on motion:*

That this Assembly notes the efforts made by the Northern Ireland Civil Service in recent years to address the under-representation of Protestants among those applying for, and being recruited to, occupational groups which have most employees in the Civil Service; and calls for continued monitoring of all the grades, but particularly those grades where thousands of people are employed, in order that those from all community backgrounds can have confidence in the recruitment process. — [*Mr Campbell.*]

**Mr McLaughlin:** I beg to move amendment No 1: Leave out all after the second "Civil Service;" and insert

'notes the continued under-representation of Catholics and women in the most senior grades of the Civil Service; and calls for continued monitoring of all grades, the immediate publication of the ninth Equal Opportunities Unit report which the DFP Equality and Diversity Plan (para. 6.2) stated, in October 2008, would be published by the end of 2008 and the continued publication, in their traditional format, of the major DFP Equal Opportunities Unit reports detailing NICS workforce recruitment, composition and promotion patterns in order that those from all community backgrounds can have confidence in the recruitment and promotion processes.'

Go raibh maith agat, a Cheann Comhairle. It is important to emphasize that the proposed amendment is not an attempt to dilute or divert the concern that exists about under-representation of Protestants in the occupational groups that have the most employees in the Civil Service. I regret that Gregory Campbell is not in the Chamber at the moment. We share a long history of being elected representatives from the city where he, I and the Speaker come from. However, this is the first time — and I really want to get this off my chest — that I have been able to state that I agree with what Gregory Campbell has said on a particular issue. My party also shares that concern and strongly supports effective and legally permissible affirmative action to redress that injustice. Of course, my party wants to apply that scrutiny to every level and structure in the Civil Service, and I expect that all parties would agree that that is a laudable and worthwhile exercise.

I urge all parties, particularly the party whose members proposed the motion, to consider in an open-minded fashion how the Sinn Féin amendment will have the effect of addressing each of the issues that have been identified in the motion. The amendment adds, in a constructive manner and intent, the issues that will deliver the employment and monitoring processes of the Civil Service that will command the confidence of all sections of our community.

We must address the question of why we need special measures, fair employment legislation, anti-discrimination measures, section 75 and ongoing

monitoring. The reason is obvious: our history reflects systematic and institutionalised discrimination. When we accept that that has been the case for generations, that legacy will be with us for some time. There is a need to have an affirmative action programme designed to meet milestones on the way to creating a truly representative workforce. Sinn Féin acknowledges that those issues are being addressed. However, the question is whether they are being addressed in the most effective and the most timely fashion. The report indicates that more needs to be done.

The fact that, in some of the lower grades, we have 50:50 representation — or a figure approaching it — does not in itself indicate a fair reflection of the workforce as a whole. It is the benchmark against which we must test the effectiveness of policies that are developed to ensure an end to discrimination on political or religious allegiance — or perceived allegiance — and to determine whether one would have a career, a job opportunity or a fair opportunity in all circumstances. It behoves us all to develop those robust, stringent and ongoing measures.

The Sinn Féin amendment adds a caveat: it is not a departure; it is an addition to the issues that were addressed by Gregory Campbell in proposing the motion. It argues for the continuation of the publication of the monitoring processes that are already in place. Those monitoring processes are resourced and have been utilised over time. Mr Campbell and I relied on those reports in compiling our contributions to the debate, as, I am sure, did all party spokespersons. Equally, the useful briefing paper, which Gregory also acknowledged, was prepared on the basis of those various monitoring processes and the periodic reports that they have generated.

Information is the key, and the differences or the potential divisions on the issue are more apparent than real when we recognise that we are all relying on the same data and on the objective accumulation of that information. If the information shows that there is Catholic or Protestant under-representation, we should be fearless in pursuing and developing our responses to it, wherever it may be, and we should do that on the basis of negotiated and agreed timetables and targets for redressing such imbalances.

Our unfortunate history means that we will have to address legacy issues for some time; however, that does not justify any perpetuation of those patterns. All new employment should be carried out using rigorous criteria when addressing suitability. If we acknowledge and accept that there has been progress, we can, in a spirit of co-operation, agree that we can develop agreed processes on the way forward.

Sinn Féin's amendment does not take away one iota from the motion; it genuinely adds to the basis on

which we can assess, identify and highlight under-representation, irrespective of which community it reflects.

I ask for support for our amendment, hopefully from the proposers of the motion as well as the rest of the Assembly. It will ensure that the full range of the monitoring processes, which have been developed over a considerable period of time in response to the endemic problems caused by discrimination in the past, will not continue to blight our approach in the future. I ask for support for the Sinn Féin amendment. Go raibh maith agat.

**Mr O'Loan:** I beg to move amendment No 2: Leave out all after "people are employed" and insert:

"to ensure that achievements made to address historic imbalances throughout the Civil Service workforce are sustained; and recognises the continued need for a specific focus on encouraging religious and gender equality and ethnic diversity, not least in the Senior Civil Service, in order that those from all community backgrounds can have confidence in the recruitment and appointment processes."

In one sense I strongly welcome the original motion. I will make some, hopefully measured, criticisms of it, but I welcome the implicit DUP support for the fair employment process and the legislation that underlies it. We know that that party stood very strongly against the whole concept of fair employment legislation — as did its unionist colleagues in the Ulster Unionist Party — and did so until very recent times. I welcome the fact that, in the wording of the motion, the DUP is embracing the mechanisms laid down in the fair employment legislation and urging that they be used in particular ways.

The motion specifically calls for monitoring of the workforce. I recall that, when the concept of monitoring was first proposed, the DUP said that our businesses and organisations would be overwhelmed if they had to do that work. Now that party is obviously totally persuaded of the value of that legislation, and is embracing it to the extent of wishing it to be used in the ways proposed in the motion. However, I am very critical of the DUP's focus on the Protestant workforce exclusively. The proposer, Gregory Campbell, did not clear the decks on that with the words that he said, because the words as printed are as printed. For a party that needs to be demonstrating its fundamental belief in a shared future for us all to bring forward a motion worded in partisan terms does us no good at all. The DUP is failing to exert the leadership that it should when it does that.

I will now make some comments on the factual accuracy of the motion. I take a lot of my information from the most important report issued in June of this year, the '2007 Review of Fair Participation' published by the Department — the article 55 review — which gives the state of play in 2007. It states that, in relation

to the overall Northern Ireland Civil Service workforce, the Protestant component is 51.9% and the Catholic component is 45.6%. Now, all statistics should be used carefully. The report makes comparisons with the 2001 census, and there is obviously a six-year gap. The proportions that we might expect in the workforce, particularly for individual sections of the Civil Service, are not necessarily exactly in accordance with other categories that one can discover in the census.

With all those caveats presented, most people would conclude that there is something like broad, fair participation across the Northern Ireland Civil Service by the two major religious communities in Northern Ireland. That is a very major statement to be able to make. The proportion of females is described as 50.4%, and I presume that the remainder are males. Therefore, once again, there is a remarkable degree of balance. Taken broadly, if there is a variation in favour of, for example, Catholics in one place, there is going to be compensation in favour of Protestants in another place. Therefore, the fundamental premise presented in the original motion is false.

Using the words “grades where thousands of people are employed” creates an utterly false impression, because, taken as a whole, the statistics present a picture of a balanced workforce with regard to gender and religious composition. That did not use to be the case; however, it is now broadly the case. The achievements are that the headline figures, as I stated, show broad fairness in gender and religious participation.

3.45 pm

The second major achievement is that we have religious balance in the Senior Civil Service. The report tells us that, for the first time, there is fair participation for Catholics in the senior levels at grade 5 and above. That is the group of approximately 199 persons generally referred to as the Senior Civil Service. For that reason, I am not quite sure of the factual basis for that element of the Sinn Féin amendment.

That is the report as presented. I can only assume that those facts are accurate, and for them to be reported for the first time is a hugely important achievement that we should mark. When we first embarked on fair employment legislation, the lack of balance in our public service was one of the key areas that needed to be addressed. To find now, for the first time, that Catholics are fairly represented at the highest levels of the Civil Service is an important achievement, and an absolute vindication of the fight to achieve fair employment legislation — a fight that was hard fought and hard won. It is also a vindication of the quality of that legislation, because it is achieving what it is supposed to do. I will not aim at commenting on whether there are nuances in those figures on the

Senior Civil Service. However, certainly on that group, the report says what it says.

What remains to be done? On the religious category, there are significant imbalances in certain sections and grades. I might summarise those as the need to ensure fair participation by Protestants in the administrative assistant, administrative officer and executive officer grades of the general service group, and by Protestants and Catholics in the professional and specialist groups. Therefore, there are weaknesses. There is substantial work to be done and deep analysis of those areas as to why participation is not even, and further methods need to be adopted to address those weaknesses. In AO grades, for example, the report says that the lack of fair participation by Protestants is likely to continue. Such a message should sound alarm bells and make managers look further and more deeply and attempt to find measures that will remedy that situation.

The 2007 report is not specifically about gender; indeed, it identifies the need to do a further in-depth report on gender. However, it presents provisional conclusions, some of which are worrying. I again point out the headline figure, which shows that there is broad equality, but the report says that in the general service group, men are under-represented in the administrative AA and AO grades, in which only 32% of staff are male, and that in the general service group, women are under-represented at senior levels of grade 5 and above, in which 24.1% of staff are female. Women are also under-represented in some professional and specialist occupational groups. The report does not refer to the fact — and I have little doubt that it is true — that women are under-represented in the Senior Civil Service. That is my own observation, and, I think, probably the observation of most people. There is significant work to be done on gender in some areas.

There is also a job to be done on ethnic diversity. In the Programme for Government, PSA 21, objective 2.3, has as its target:

“The NICS is more reflective of the diversity of Northern Ireland’s society by 2011.”

However, it is a very modestly presented target, and all that has been done so far is to set in place a plan to achieve that.

I wish to qualify the following words, which appear in the motion and in both amendments:

“can have confidence in the recruitment ... process”.

My party and I use those words in a different sense to that in which they are used in the motion, which tells the Protestant community that it cannot currently have confidence in the recruitment process. That is not fair to the managers in the Civil Service. The system is broadly fair, but, because of the elements that I have pointed out, further work needs to be done to enhance that.

The Prison Service makes up a small percentage of the Civil Service, but its results are stark. Catholics comprise 9·8% of the workforce, and 17·8% of the workforce is female.

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

**Mr O'Loan:** The serious reports that have been produced recently on Maghaberry prison suggest major cultural problems that may well be associated with those religious and gender issues.

**Mr Kinahan:** I will digress for a second. I feel that this is the time for the people who are in the Building today to test blood pressure to come and test ours.

Due to our circumstances, recruitment to the Civil Service is an issue that we may be destined to debate back and forth for years to come. We must pay attention to two undeniable facts. First, there is a shortage of applications from Protestants for recruitment to the Civil Service, which results in a widening gap between Protestants and Catholics in the junior grades. Secondly, it is also true that Catholics are underrepresented in the senior grades of the Civil Service. Neither of those indicators is desirable; nor is the shortage of women in some grades and men in others. However, we must not get involved in a phoney argument about discrimination. It must be recognised that Northern Ireland has a difficult past that means that it is often correct to take the levels of representation in the public sector workforce into consideration. The motion correctly draws attention to one of those instances. In 1990, twice as many Protestants as Catholics were employed in the Northern Ireland Civil Service. By 2007, that gap had been closed to the point at which the overall figure is at a balance that fits well with the overall demographic picture.

As the motion highlights, a lack of Protestants are applying for positions in the Civil Service, resulting in fewer Protestants at administrative and junior management grades. If that trend were to continue, there would be a danger of reaching a reverse position to that of the 1990s, and all Members will agree that that would not be an ideal outcome.

I remind Members that successive DUP Finance Ministers have been aware of those issues and have assured the House that there is no need to change employment practices. The current First Minister, in his previous job as Minister of Finance and Personnel, said in July 2007:

“The latest statutory review by the Northern Ireland Civil Service shows that employment and selection policies and systems are fair, objective and non-discriminatory. Protestants and Catholics are fairly represented in many grades and good progress has been made in some areas of under-representation.”

By all accounts, that is a fair representation of the situation. There is no systematic or structural

discrimination in recruitment to the Civil Service. Although that may have existed to some extent in the past, there is certainly none today.

It is bordering on the reckless for the motion to imply, if not to state, that there could or should be a lack of confidence in the recruitment process due to discrimination. There is a problem with the number of applications from Protestants to the Civil Service, and there is a range of different reasons for that. The recruitment process is surely not one of them. Just over two years ago, the First Minister said that the process was fair. Is Mr Campbell now saying that it is not fair?

My party wishes to see representative numbers of Catholics and Protestants, men and women and all other groups applying and being appointed to positions in the Civil Service on the basis of merit. We are mindful of the words of the now First Minister, who said in 2007 that the Civil Service's employment practices are “fair, objective and non-discriminatory”. However, there is a problem with other elements of those practices. I am sure that the Finance Minister will inform the House as to how he will deal with those issues.

**Dr Farry:** To follow Mr Kinahan of the Ulster Unionists, I should say that it is only appropriate that we acknowledge the appointment on Friday 18 September 2009 of a former UUP Minister to the Equality Commission. There is no doubt that the House wishes the new commissioners well; they will have an interesting relationship.

The Alliance Party finds itself in the position of being able to support any of the three proposals that have been made. They each address the issue in their own different ways, although I do not believe that any of them is brilliant. Indeed, I would probably say that the SDLP's amendment is the best. However, they are not mutually exclusive. The spirit of the Alliance Party is always to be optimistic, so we are happy to give support. We shall see which way the voting goes at the end of the debate.

That said, I want to make a number of points from my party's perspective on the motion, and perhaps I will discuss a few of the flaws of Members' arguments. At the outset, I stress that I agree that recruitment should always be carried out on the basis of merit — the best person should get the job. That is the only fair way to recruit people. However, it is only right and proper to look at any imbalances that exist in the pool of applicants for positions, to encourage diversity, and to address any barriers that may exist — and I stress the word “may”.

We must also recognise that, in certain respects, the issues may lie beyond what the employer — in this case, the Civil Service — can do and look to what

governance as regards policymaking can do to address underlying imbalances in society.

**Mrs Long:** I thank the Member for giving way. Does he agree that when such debates take place and there is, if you like, political and partial discourse on the matter, that in itself can often create barriers for people who may feel that it is not worth their while applying?

**Mr Speaker:** The Member will have an extra minute added to his time.

**Dr Farry:** That is correct. We must be careful with the language that we use and the approach that we take to such debates, particularly the notion that one side of the House battles for Protestants and the other side battles for Catholics. That does not do justice to the issue.

**Mr O'Loan:** Will the Member care to say who is battling for Protestants and who is battling for Catholics? I certainly would not like to hear it suggested that I was battling for one group more than the other in my speech.

**Dr Farry:** One only has to look at the Order Paper and the Marshalled List. The motion mentions only Protestants, while one of the amendments mentions only Catholics. That makes the point fairly clearly.

My party's concern is the approach that is taken to monitoring in Northern Ireland. The Alliance Party certainly supports the concept of fair employment, with which it has no difficulty; indeed, an Alliance Party member was instrumental in setting up the former Fair Employment Agency in the 1970s. My party has a problem with the approach that is taken to monitoring, in that it misses many of the subtleties that exist in our society.

We must recognise that whenever we use the terms "Protestant" and "Catholic", we are often talking about "unionist" and "nationalist". Those are code words. However, it is fallacious to assume that everyone's identity lines up as neatly as that and that every Protestant is a unionist and is also British and that every Catholic is a nationalist and is also Irish. That does not reflect how people see themselves as individuals; rather, it pigeonholes people and puts them into blocks of voting fodder.

Using those terms does not recognise mixed identities or the fact that someone may have differing political, national and religious identities. It does not take into account the fact that there is a growing number of people who are the product of mixed marriages or who are in mixed marriages or relationships.

It does not take into account the fact that new residents come to Northern Ireland who do not fit into the traditional paradigm that is used. They are cast aside and are not part of the equation when the number

of Protestants is measured against the number of Catholics. The joke is that if the previous Pope had to come to Northern Ireland to look for a job, he would not have been treated as a Catholic.

Whenever we talk about the under-representation of Protestants or Catholics, we may miss some of the dynamics that occur in the different traditions in Northern Ireland.

It is worth pointing out that some in the Protestant population have the highest level of educational attainment in society and some have the lowest. As my colleague pointed out earlier, we are running the risk of polarising the issue and making it extremely contentious.

4.00 pm

*(Mr Deputy Speaker [Mr Molloy] in the Chair)*

We need to be careful not to fall into the trap of assuming that an imbalance means that there is a fundamental problem that must be addressed. An imbalance may be benign or malign, depending on the reasons for it. For example, an imbalance can easily occur within the range of statistical error.

When looking for solutions to the problem, we need to be clear that we are talking about equality of access and treatment. I believe that our procedures are fair and provide for that. Equality of access is a different concept from equality of outcome. Some Members have come very close to demanding the latter by calling for a precise balance of representation throughout every grade in the Civil Service. Equality of treatment and access is where the line should be drawn. That may or may not produce equality of outcome for perfectly good and acceptable reasons. With those reservations, we are happy to support the flow of the debate.

**Mr Hamilton:** The debate has been interesting thus far. Although differing positions have been stated, most contributions have been well researched and well thought out. Hopefully, Members will be able to say that at the end of my contribution.

As a young unionist growing up in Northern Ireland, my contemporaries and I heard the prevailing propaganda that discrimination or under-representation in employment was one-sided in Northern Ireland for many years. We heard that Catholics were under-represented in all walks of life and that Protestants were over-represented. That sort of propaganda was rammed down our throats for decades.

It will be interesting for many people to note the argument that my colleagues Mr Campbell and Mr Weir put forward in respect of under-representation among tens of thousands of civil servants at general service grades. I appreciate that it is impossible to reach exact and fair representation in any walk of life

or any employment sphere; that is well accepted. However, historically and at present, it is right and proper that we should endeavour to address the prevailing problems behind under-representation.

Although I accept the principles or desire behind fair employment — I say that in acknowledgement of Mr O'Loan's point — we need to debate the detrimental impact that the legislation can have on some small businesses, such as a typical two-, three-, four- or five-man company in Northern Ireland. We should debate that issue in a proper and mature way at a later date.

**Dr Farry:** I am grateful to the Member for giving way. He makes a valid point about the burdens that are placed on businesses. I will be happy to engage in that discussion. Does the Member recognise that the thresholds for monitoring apply to only certain sizes of businesses and that there is a danger that a large degree of segregation in the labour market in Northern Ireland will fall under the radar, particularly in very small, one- or two-person companies?

**Mr Hamilton:** I understand the Member's point. My party and I resist the imposition of draconian, far-reaching and expensive monitoring requirements on very small companies in Northern Ireland. That would be a retrograde step for that sector as it tries to increase its competitiveness, particularly in the current situation. That is a debate for another day, and I will not go into that now.

Mr O'Loan criticised the substantive motion for not addressing Catholic under-representation at senior grades. On more careful reading of the motion, he will see that it calls for representation at all grades of the Civil Service, and that includes the problem that we acknowledge exists at senior levels for Catholics and women. Indeed, the amendment that Mr O'Loan and Mr Attwood proposed does not take away from Mr Campbell and Mr Weir's substantive motion in respect of the focus on Protestant under-representation at the general service grades, so they might want to reflect on that.

The make-up of Civil Service staff is more or less where it should be in its reflection of the wider community. However, as Danny Kinahan mentioned, a worrying trend is developing, which could result in the situation being flipped, going from a historical under-representation of Catholics to an under-representation of Protestants.

The concentration on the percentage of Protestants in the general service grades is due to the much bigger numbers involved. Roughly 20,000 people work in the general service grades. There are 3,000 people employed at AO grade alone, compared with 260 people employed at grade 5 and above.

There has been a worrying change where there has been action to address the under-representation of

Catholics at the higher grades. Between 1997 and 2007, the number of Catholics working at grade 5, grade 6 and grade 7 increased from 17% to 35%, 21% to 39% and 26% to 40% respectively. The employment of Catholics at those grades has almost doubled in that 10-year period, yet in the same period the percentage of Protestants working at the AO grade has decreased from 54% to 48%, which reflects the overall general service grades, in which 48.6% of the 19,000 employees are Protestant and 49.8% are Catholic. Therefore, although there has been an improvement in Catholic under-representation at the senior grades, there has been a fallback in the representation of Protestants at the lower grades. That is the problem that we need to get to grips with.

I am not saying that the system is unfair, but we need to look at the prevailing factors behind the issue and find a way for the system and the recruitment process to address them. I welcome the acknowledgement from the Minister's predecessor that there was an increase of some 10% in applications from Protestants in a recent recruitment drive. Part of the problem is that simply not enough Protestants were applying for such positions, so hopefully that increase will yield some positive results.

I do not have time to talk about problems with other aspects of the public service, such as the Housing Executive and the Equality Commission — it is ironic that the body charged with monitoring the issue is so under-representative of Protestants.

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

**Mr Hamilton:** Member must recognise that there is a problem that we need to get to grips with. If we do not, the trend will get worse and a problem that some might have baulked at when the shoe was on the other foot will develop in the Protestant community.

**Mr O'Dowd:** Go raibh maith agat, a LeasCheann Comhairle. Thus far, the debate has been somewhat predictable, but it is unfair, particularly of Dr Farry, to present it as being one that we have heard before and a case of one side being as bad of the other. Dr Farry needs to read the Sinn Féin amendment — it does not exclude the section on Protestant under-representation at the lower grades of the Civil Service. Mr McLaughlin was at pains — and was in pain — to agree with Gregory Campbell on some of the points that he raised about the under-representation of the Protestant community at the lower grades of the Civil Service.

Members on this side of the House are not saying that Catholics are being discriminated against and that we do not need to worry about the Protestant section of the community. If there is a difficulty with that, it should be pointed out. I always find Dr Farry's speeches interesting and I have a lot of respect for him,

but his speech today was all over the place. He was trying so much to walk the middle ground, he fell off the tightrope and missed an opportunity.

The debate should be about equality of opportunity, equality of employment and quality of employment. Regardless of community background, my party believes that people should be employed on merit; both qualifications and experience should be taken into account. If there is a concern about the Civil Service recruitment process, that concern should be expanded on and the process should be examined.

Mr O'Loan said that the senior grades in the Civil Service now have a fair balance. I am paraphrasing him, so I am open to correction. I am not sure of the figures that he is working with to conclude that there is a fair representation of the Catholic and Protestant communities in the Civil Service.

If one looks at the report and lumps a cohort together, one can come to that conclusion. However, on further examination, there is still a discrepancy between employment of Catholics and Protestants among the most senior posts in the Civil Service, with Catholics, and women in particular, losing out. Although there has been work done, and we welcome that work, there is clearly much more to do if we are to reach equality of opportunity and equality of posts, particularly in the Civil Service. I am not sure if I am misquoting the Member on that point.

In debates, facts and figures can be used to support either argument. However, sticking to the heart of the debate and to what the motion should be about, we must ensure that when someone goes for interview they are judged on the merit of their application, experience and qualifications, and not on their community background.

**Mr Spratt:** What about the Police Service?

**Mr O'Dowd:** I will come back to that comment.

**Mr O'Loan:** I was very clear in my remarks. Read the '2007 Review of Fair Participation in the Northern Ireland Civil Service under article 55 of the Fair Employment and Treatment (Northern Ireland) Order 1998'. It states, quite specifically, that in relation to religious composition, there is now fair participation in the Senior Civil Service at grade 5 and above.

I believe that the Member is right about the gender issue, which I referred to. Although no figures are presented, further studies are being done on gender across the Civil Service, and I have little doubt that that will expose gender issues as a major problem at senior levels.

**Mr O'Dowd:** I am dealing with figures from a written answer to a question from March 2008; and, to me, the position is not balanced. We recognise that work has been done, but more work needs to be done

to ensure that there is equality of opportunity and equality in the workforce.

Applications, regardless of the level, must be judged on the basis of qualifications, experience, and the value that the applicant will bring to the post. Judgement should not be based on community background. Where there is evidence of discrimination against any section of the community or any individual, it must be investigated. Robust measures must be taken against the groups or individuals involved in such discrimination.

A Member has just said that it does not work like that when it comes to the Police Service. That was a unique set of circumstances, which has had to be corrected through positive discrimination. Many years ago, the same argument could have been used about the Civil Service; that positive discrimination was necessary to ensure that a state of fair play was reached.

**Dr Farry:** Does the Member accept that there is a potential difficulty with respect to police recruitment? Looking at the Catholic nationalist community in very broad terms could result in the quota being filled by people from a particular background, particularly a middle-class background. It runs the risk, in the Member's own words, of under-representing people from a working-class, republican background. Perhaps that type of bi-national quota misses those subtleties.

**Mr O'Dowd:** I am not sure that I want to get into a debate on policing, but perhaps I will.

Mr O'Loan has a point, and I think that Mr Mandelson, the former British Secretary of State here, has a lot of questions to answer in relation to that. If memory serves me, the Patten report included a reflection of the republican nationalist community. Republicans come in all brands: they are not just working class; there are middle-class republicans too.

I support the amendment and I ask the House to do the same. It is not about Protestant or Catholic; it is about fair employment, equality of opportunity and equality of jobs.

**Mr Paisley Jnr:** I was already in shock about the debate being tabled, and I listened in shock as the Member for Upper Bann extolled the virtues of a merit only employment system. For the past number of years, we have been berated for suggesting that that is applied that to policing and justice and the recruitment of police officers. If police officers were employed on the basis of their ability to do the job and not on the basis of the community that they come from, we would hear a cry that that is not acceptable, will not be allowed, and has to be changed. Today, a marker has been put down. If employment is going to be a meritocracy, Sinn Féin, the SDLP and others should accept that police officers can no longer be employed on a 50:50 recruitment basis: they must be employed on merit alone.



4.15 pm

I will outline why we are having today's debate. At a meeting of the Committee for Finance and Personnel, I remember clearly that Mr O'Loan asked a senior civil servant to outline discrimination in the Civil Service. I remember the shock on that Member's face when he was told about the levels of discrimination against Protestants, because he expected the years-old propaganda that only Roman Catholics are discriminated against in Northern Ireland to be confirmed. The vast majority of people —

**Mrs Long:** Will the Member give way?

**Mr Paisley Jnr:** I will give way in a moment. The vast majority of people discriminated against in the Civil Service are Protestants. That is the point. That matter should be addressed, and that is why we tabled the motion. It is most disappointing that Members on the other side of the House will not join the debate and recognise that the issue must be reconciled and resolved. They could resolve the matter if they join with us and support the motion.

**Mrs Long:** Does the Member accept the difference between under-representation and discrimination? Does he accept that evidence of under-representation is not necessarily evidence of discrimination? The use of the two words interchangeably can create more of a problem than it solves.

**Mr Paisley Jnr:** The Member has obviously fallen for the years-old propaganda used by nationalists on the issue, through which they wrongly describe under-representation as discrimination. The Member's point is well made; if the perception is created about under-representation, a whole generation, class and community are discriminated against. The Protestant community is under-represented in the largest section of the Civil Service. That must be fixed. It can be fixed, and I hope that the House supports the motion, which will give the Minister the encouragement to try to resolve those issues so that under-representation and discrimination against the largest section of the community in Northern Ireland are addressed once and for all. I have considered the amendment —

**Mr O'Loan:** Will the Member give way?

**Mr Paisley Jnr:** No. I have considered the amendment in the name of Mr O'Dowd, Mr McLaughlin and Ms McCann, which mentions under-representation in the most senior grades. Those grades account for only a small proportion — approximately 250 or 260 — of civil servants. It does not consider the 19,000 staff in general Civil Service grades. That is why the matter should be addressed urgently, before our ability to address it runs out. The Government should make a decisive drive to address the issue. The House should unite behind that drive, because any under-representation affects the

confidence of the entire community and the entire House. I support the motion.

**Mr Shannon:** I support the motion. Some Members raised the issue of 50:50 recruitment. I do not, in any way, support that principle. It is wrong, and I believe, as other Members have said, that recruits must be fit for purpose. There is a need for greater monitoring of the process. That was highlighted in July 2007 when Peter Robinson, who was the Minister of Finance and Personnel at the time, released a statement that highlighted under-representation at some levels of Civil Service employment. The DUP previously noted that issue, and, as such, the matter was flagged. A better spread of job allocation has been applied since our time in Administration.

This aw bein saed it cleerly haesnae reeched tha staeg yit whor ther is reel equality an this haes bin brought tae me bi' sim o' tha fowk that A represent, whau hae passed ther entrance exam intae tha Civil Sarvis but er noo waetin tae be placed alang wi' mony ithers.

Whun this metter cums up ther seems tae be a questyin as hoo they er selected an oan whut basis. It seems tae me tae be daft whun fowk whau leev in Portavogie trevel tae Bilfaust whun they cud be soarted oot wi' a joab oan tha saem level in Rathgael in Bangor. Shairly it wud mak maer sense tae keep fowk closer tae whor they wrocht. This needs lukin at again.

However, we have clearly not reached the stage of real equality. The issue has been flagged up to me by constituents who have passed their Civil Service entrance exam but have been waiting for positions longer than many others.

When that issue arises, there are questions about how people are selected and on what basis. It seems absurd to me that there are people who live in Portavogie who travel to Belfast to work in the Civil Service while, at the same time, the Department of Education employs people at the same level who travel from Belfast to work in Rathgael House in Bangor. It would make more sense to keep people in the closest available and suitable posts: that should be considered.

I have every confidence that that issue will be looked into, but it is not the only issue that must be examined. A February 2009 National Audit Office (NAO) report, 'Recruiting civil servants efficiently', found that it costs between £556 and £1,921 to recruit each Civil Service position in central government. The report claimed that those costs could be slashed by 68%, delivering savings across government by up to £35 million a year and:

"without compromising the quality of the candidates recruited."

The NAO report also suggested that having online application forms and contacting only successful

applicants could save the Ministry of Justice in Westminster approximately £250,000 a year. In a related article about the report, the head of the NAO, Tim Burr, said:

“External recruitment is a key component of ensuring that the Civil Service has the right skills and the capacity to deliver. Departments often pay too little attention to how they manage the recruitment process. External recruitment currently takes longer and consumes more internal staff than it should.”

The article went on to say:

“Anticipating recruitment demands, using resources more effectively and, where possible, standardising the recruitment process — which currently takes up to 16 weeks — would help speed up the process, says the report.

Other failings in the Civil Service’s recruitment process included a lack of quality testing of the recruitment process and little information on staff turnover or surveys of candidates. The NAO questioned why managers were not routinely used to identify the successes and failings of the recruitment process.”

I believe that a new process should be implemented in which people from all sections of the community could have confidence. At present, a great many people in the Protestant community do not have that confidence. The fact that the candidate surveys and staff turnover are also issues on the mainland shows that any new-style process will have a positive effect throughout the UK. We can lead the way in implementing a new way of recruitment that will benefit all civil servants and prospective civil servants in the UK.

I am confident that the new Minister of Finance and Personnel, Sammy Wilson, will continue to address those matters, among others, with the Civil Service. Members will agree that monitoring must be put in place to ensure that people who are best equipped to do the job are given employment. However, we must also ensure that the dearth of Protestants in the categories stated in the motion be continuously gauged. We cannot and must not have alienation in the Protestant community or of people in that section of the community who feel that they cannot apply for a job or receive equality.

The wording of the motion is clear. Our Minister continues to work hard, and he will make the Civil Service a more efficient and sensible place for business. I support the motion.

**The Minister of Finance and Personnel (Mr S Wilson):** I notice that the Member for South Antrim Mr Kinahan is not in his seat. He said that perhaps the people who were monitoring blood pressure in the Building today should be doing so in the Assembly this afternoon. That may have been a wise comment on the part of the person who wrote his speech before the debate took place. However, no one could describe the debate as one that has caused blood pressure to rise or faces to redden. I will, perhaps, seek to do that in the next 15 minutes, if I can.

I thank all those who participated in the debate, and I will deal with some of the issues that have been raised. At the outset, however, I will make two or three points. First, as the Minister of Finance and Personnel, I believe that when we recruit people to the Civil Service, the only criteria should be whether they are fit to do the job. There is no point in having a public service that is more concerned about political correctness or being pushed in one direction by one pressure group or the other if we do not get the people who can do the job properly.

I rely on my officials to give me advice. I do not always take it, but I rely on them to do so in the most professional way. I do not care about their name, their background, or what church they go to.

As far as I am concerned, the question is whether the advice is good and whether the person is capable of doing their job. I believe that most Ministers and people who interface with the public service are only interested in that.

Secondly, we now have an equality industry that has grown up around recruitment; an expensive equality industry. That has now permeated, because, as Members have pointed out, people will listen to the monitoring figures that they like and dismiss the ones that they do not like. I sometimes wonder what the use of monitoring is.

The monitoring and accompanying figures do not come about by magic. They require resources, personnel, documentation and databases to produce the figures. That is costly, and monitoring in the Civil Service costs hundreds of thousands of pounds. Some Members have mentioned the costs to industry and small firms.

People will still bring their prejudices to the figures. I will give an example: Mr O’Loan started making a very moderate speech, recognising that Protestants sometimes faced disadvantage, and Catholics faced disadvantage, but that by and large, the Civil Service was an equal employer, and we should not be cherry-picking. However, he could not resist a bit of cherry-picking. In the very last sentence of his speech, he had to mention the Prison Service.

**Mr O’Loan:** There was no cherry-picking. This is a serious debate, and my points deserve to be properly presented. I said that there was overall balance, and I said that there are specific areas and grades where there was imbalance, and that all of those areas need to be addressed.

We need to be grown-up enough to recognise that, if there is overall balance, then if there is compensation for one particular religious grouping in one area, there is bound to be compensation in another way in another area. That must be analysed, and an attempt needs to be made to iron it out. I am totally consistent in my

position. I feel absolutely entitled to point out particular areas that are problematic, including the Prison Service.

**The Minister of Finance and Personnel:** I do not know whether that was an intervention or another speech, but the fact that the Member rose to justify himself in such a long intervention shows that I struck a chord.

The words “cherry-picking” were used by the Member. He did cherry-pick, and his proposed amendment does not even reflect the report to which he referred. Mr O’Dowd made the same points, as did Mr McLaughlin, about the imbalance at Senior Civil Service level. Mr McLaughlin and Mr O’Dowd, who claimed ignorance of the report, could not be blamed for deliberately ignoring some figures, because they had not read the June report. Mr O’Loan, by his own admission, has read the report. In fact, he waved the report in the air. That report makes it clear that there is fair participation at the senior level of the Civil Service.

**Mr O’Loan:** I said so.

**The Minister of Finance and Personnel:** Well, what does the SDLP’s proposed amendment say? It states that there is a need for continued, specific focus, not least at Senior Civil Service level. Either the Member read the report, or he did not. Maybe he read the report and still needed to say something about it, because historically the SDLP has believed that there is an imbalance, so he just ignored that part of the report.

**Mr O’Loan:** Will the Member give way?

**The Minister of Finance and Personnel:** I gave the Member a long intervention last time. Regardless of what monitoring figures are available, people will still believe what they want to about those figures. Mr O’Loan has identified that today.

I will address some of the other points that were made during the debate.

Mr Campbell talked about the importance of looking at trends in the figures. He is right: we should look at trends for the longer-term picture. Indeed, some encouragement can be found in those trends. Appointments of people from a Protestant background to AO level increased from 45% to 58% between 2005 and 2007. Appointments of people from a Protestant background to AA level increased from 47% to 58% between 2006 and 2007. That trend bears out the point, which was made by my predecessor, that action is being taken to make improvements. That action includes visiting schools, advertising on radio, and so on.

4.30 pm

Mr McLaughlin argued the traditional Sinn Féin view that imbalances are a result of systematic discrimination, but I have some difficulty with that.

Since there was neither a unionist Government nor a nationalist Government, the figures must have come about as a result of systematic discrimination on the part of direct rule Ministers. Perhaps the imbalances were brought about by unionists 30 years ago? Is Sinn Féin now so paranoid that it believes that what unionists did, or what it claims that unionists did, was continued by direct rule Ministers? There have been Administrations here periodically since 1998. Therefore, in the past 11 years, have nationalist, unionist, Sinn Féin and DUP Ministers engaged in systematic discrimination? That is the implication of Mr McLaughlin’s words if he is putting the figures down to systematic discrimination.

Mr McLaughlin talked about under-representation at Senior Civil Service levels. I make the case again that the most recent monitoring, which was done in June 2009, indicates that there is fair participation. That finding is based on methodology that was laid down, and accepted, by the Equality Commission, so it cannot be argued that the Civil Service has somehow set its own rules to produce the right figures.

I wish that Mr Kinahan had got the facts right in his contribution. First, he also did not get the figures right on Senior Civil Service grades. Secondly, he claimed that the motion referred to discrimination in recruitment — I do not see that in the motion — and claimed that there must then be discrimination in recruitment in the Civil Service. He ruled that out, but I think that he misread the motion in the first place. I emphasise the fact that action has been taken where monitoring has shown there to be an imbalance. Action has been taken by visiting schools; by advertising on radio; by changing qualification requirements; and by doing a whole host of other things. At a time of very low recruitment, there is a difficulty in trying to make the changes quickly.

Dr Farry talked about the importance of equality in access and treatment, and my earlier comments make it clear that I agree with him. Provided that there is equality of treatment in recruitment and equality of access to encourage people to apply for jobs, it is important that people are chosen on merit. That, of course, brings its own benefits, because the wider the recruitment pool, the better the choice of candidates will be. All employers would want that. That is why the initiative of going into schools to highlight the opportunities in the Civil Service is important.

Mr O’Dowd mixed his metaphors. He said that Dr Farry was walking the middle ground, but falling off the tightrope. I do not know which of the two it is, but either he is on the ground or he is on the tightrope. More importantly, Mr O’Dowd also mixed up the facts. He showed that he had not done his research very well. For a debate such as this, I thought that he would have at least examined the latest figures. Had he

done so, he would have realised that the amendment that was proposed by Sinn Féin — and I emphasise this point — does not bear any relation to the facts regarding the senior grades in the Civil Service. Indeed, an imbalance at the senior grades in the Civil Service was identified, and the proposer of the motion accepted that progress was made on that issue. Furthermore, DFP's own monitoring system shows that progress has been made on that issue and that there are now fair levels of representation. Therefore, as I said, Mr O'Dowd mixed up the facts.

If the position on the grade of AO is as a result of discrimination, I am surprised that Sinn Féin, and maybe even the SDLP, did not suggest 50:50 recruitment. That was what I was waiting for, but they did not do that. I do not advocate 50:50 recruitment and I would not like to see it used for the Civil Service, but, for consistency, I thought that we may have heard some suggestions about that from the nationalist side of the House.

DFP has taken the appropriate actions. Through our monitoring system, we are aware of the issues that have been raised about the Civil Service. Through the actions that have been taken on the senior grades, by the trends that I outlined for AA and AO grades, and by the actions that we have taken to try to widen recruitment and get more applicants, we have shown that the issue has been taken seriously and is being dealt with. Furthermore, we will continue to work at it.

**Mr Attwood:** The essential problem with the Minister's reply is that it reflects a lack of understanding and breadth of knowledge about the issues that need to be addressed, particularly those that are addressed by the SDLP amendment. The Minister stuck to one single theme, namely that the June 2009 figures show fair levels of participation in respect of religion. He beat up Declan O'Loan on that issue, but the SDLP amendment does not simply refer to fair levels of participation based on religious background; it refers to gender and ethnic diversity.

**Mr Campbell:** It does not say that.

**Mr Attwood:** The amendment does say that. The fact that the Minister parked himself on the sole issue of religious representation in the Civil Service, and the fact that he failed to comment on gender and ethnic diversity, and the equality of those groups across the Civil Service, including at the senior grades, suggests that the Minister has missed an opportunity to demonstrate a breadth of understanding and knowledge about the vast array of equality issues that face him and the public services in Northern Ireland generally.

**Mr Campbell:** Does the honourable Member accept the figures that I outlined and that others indicated, which reveal that, in total, there are fewer than 300 people of all genders and ethnic backgrounds in the

Northern Ireland Senior Civil Service, and that there are almost 20,000 in the general service grades? Does he accept those facts?

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

**Mr Attwood:** Of course. That is a matter of fact and public evidence. However, our amendment goes beyond the issue of religious representation and covers the full range of participation in the Civil Service. The broader issues were not taken up at all in Mr Campbell's opening speech or in the Minister's reply. It was the same for all the speeches from the DUP ranks. Not one of them referred to the broader equality issues in the Northern Ireland Civil Service, which was the very essence of the SDLP amendment.

**The Minister of Finance and Personnel:** I thank the Member for giving way. He should recognise that all the speeches concentrated on the religious aspect of Civil Service recruitment. Even though the Member's amendment referred to ethnic diversity and gender equality, those issues accounted for a very small part of any of the speeches that were made. I make it clear that, when it comes to ethnic diversity, the Civil Service in Northern Ireland is broadly in line with the Civil Service in the rest of the United Kingdom, so we have addressed that issue.

**Mr Attwood:** I welcome the fact that the Minister thinks that the issues of ethnic diversity and gender equality in the Northern Ireland Civil Service have been addressed. That will come as a hell of a shock to women and to people from ethnic minorities in the North. The Police Service, for example, has not yet addressed the issue of ethnic minorities and still has not fully addressed the issue of the women's representation. There is an unmet need across a range of employers out there that the Minister only now, when he has been put in the spotlight, suddenly thinks that he has to comment on. That says a lot.

I am also concerned because the Minister referred, in rather contemptuous ways, to the "equality industry". By now nodding his head, the Minister is confirming that he meant it contemptuously. Let me say this to the Minister and to the DUP ranks: if it had not have been for the equality architecture — the powers, legislation and penalties — and the fact that the inequality on the religious side of things was a source of alienation over many decades in our society, that boil would not have been lanced over the past 20 or 30 years and would have remained a rubbing point in our politics.

**Mr Campbell:** That is the case now.

**Mr Attwood:** I will come to that. It is simply not a credible position to beat up on the so-called equality industry if people do not recognise that that industry was essential over 20 or 30 years to move Northern

Ireland to the point at which the Minister can rely on the information that he put before the Assembly today. It is because of that industry, those laws and that architecture that the DUP today can say that there is under-representation of Protestants in certain ranks of the Civil Service. We can all say that equality in the North is at a place where it has never been before.

I will not even reply on the issue of 50:50 recruitment. If it were the case that 8% of the Northern Ireland Civil Service was Protestant and 92% was Catholic, as was the case in 2001 with the police, I would be arguing for 50:50 recruitment in the Northern Ireland Civil Service. We do not object to the principle of 50:50 recruitment; we wanted it for women in the police, but the European Court of Human Rights would not allow it. We do not walk away from any of those issues. The DUP has come to the table late. I welcome that it has come at all.

**Ms J McCann:** This is a very important debate. It is unfortunate that the proposer of the motion referred only to under-representation at the lower levels of the Civil Service. There is huge under-representation of young Protestants at that level. I know that people have already spoken about that. The Minister has said that measures have been taken to try to challenge that under-representation by sending people into schools and by setting entrance criteria at NVQ level, so that working class people who apply to the Civil Service have equality of opportunity.

4.45 pm

Members have touched on two areas of under-representation that were not mentioned by Gregory Campbell when he moved the motion. One of them is in the higher, very senior grades. It was said that fewer than 300 staff occupy those grades, but those staff should still reflect the make-up of wider society. It is unfortunate that the under-representation of women in higher grades of the Civil Service was not included in the debate. I welcome the proposer's campaign to get equality in the workplace, and I hope that that campaign will include people from all backgrounds — ethnic minorities, women and the gay and lesbian community — because equality is important for all those people.

In moving the amendment, my colleague Mitchel McLaughlin supported affirmative action to challenge all forms of under-representation at every level in the Civil Service. It is important that we agree to consider under-representation at all levels and right across the board. He mentioned that legislation and robust measures were needed to proactively challenge institutional discrimination and inequalities in the workplace. That is what our amendment looks to do; it argues for the publication of the report of the equal

opportunities unit so that we can monitor, agree and be proactive about putting measures in place.

Some Members have referred to positive discrimination or action, and I have argued in the Chamber on previous occasions for positive action to be taken to address the lack of female representatives in the Chamber and on public bodies. Our amendment calls for the report from DFP's equal opportunities unit to be published. We must have that type of robust monitoring, and it must be public so that every aspect of it can be considered.

Declan O'Loan welcomed the fact that the DUP is now embracing fair employment measures, including monitoring. I disagree with what Mr O'Loan said about there being fair participation across all the higher grades in the Civil Service. The figure quoted — that 30.4% of the Senior Civil Service are Catholics — does not reflect equality of participation right across the board. I am not citing a whole load of statistics, because, as everybody, including the Minister, has mentioned, we must be aware that statistics can be used to support everybody's arguments. We must take a broader view.

Danny Kinahan from the Ulster Unionist Party felt that the recruitment process was fair, and he was a bit at odds with the DUP's motion. Stephen Farry said that he could support the motion and all the amendments. He also believed in appointing on merit — that the best person for the job should be appointed. I do not think that anybody could disagree with that. However, I do not believe that someone should be denied equality of opportunity in getting the best-paid jobs just for being a Catholic. That is very important.

**Mrs Long:** I thank the Member for giving way, but I am afraid that there is a conflict in her stated position. One cannot accept the principle of merit-based appointments in all cases while at the same time talk about favouring positive discrimination. If merit-based appointment is believed in, the only thing that should matter is the quality of the person and not their background, which can be monitored subsequently. Therefore, some conflict is opening up in what Sinn Féin has said in the debate.

**Ms J McCann:** I do not think that. What I am saying is that the educational qualifications of a person from an area of disadvantage may not be as good as those of someone from a middle-class area. Sometimes there has to be positive action to ensure that all people have equality of opportunity. That is what I am saying. I am not saying that there should necessarily be discrimination against any particular section, but that sometimes we need to look at taking positive action where there are inequalities.

**Mr Deputy Speaker:** The Member's time is up. She should bring her remarks to a close.

**Ms J McCann:** I ask that people support the Sinn Féin amendment. It does not exclude the fact, which has been mentioned by my colleagues, that Protestants are under-represented at the lower levels of the Civil Service; that is wrong. Everyone should have equality of opportunity and the amendment is the best way to take that forward.

**Mr Weir:** As the Minister said, we have had a fairly reasoned debate in which we avoided the temptation — raised as a concern by Mr Kinahan — of raising the blood pressure too much. Nevertheless, we have had a robust debate, and that is to be welcomed. In summing up, I will address a few of the remarks that have been made.

I will deal first with the motion's proposer, Gregory Campbell. Gregory hit the nail on the head with the three key points in the debate. First, the debate is not about Civil Service promotion or composition, but about recruitment and its trends. That goes to the heart of the debate. Mr Campbell, Mr Kinahan and others pointed out that trends in recruitment potentially lead to long-term imbalances in composition if they are not addressed correctly.

Secondly, Mr Campbell dealt with the other key point that we are looking at the vast bulk of the Civil Service. In dealing with those grades, as opposed to the senior grades, we are dealing with roughly 99% of the Civil Service. Numerically, that is where the focus should be. Thirdly, the trends that we are trying to tackle have, until very recently, been getting worse rather than better; gaps in the expected outcome have been widening rather than narrowing. To some extent, that deals with a number of the points that were raised by other Members.

Some Members mentioned under-representation in the Senior Civil Service. Indeed, that is one of the main thrusts of the Sinn Féin amendment. Yet that involves fewer than 300 people. Mr Hamilton highlighted that the trend has led to a narrowing of the gap year on year, to the extent that the number of Catholics in Senior Civil Service posts doubled between 1997 and 2007. Even Mr O'Loan and others acknowledged that we are very close to a balance.

Gender issues were similarly highlighted. There needs to be a clear focus on the important issue of the promotion of women in the Civil Service. Any cursory examination of the trends, even in the Senior Civil Service, will show that there has been a massive improvement over the past 10 years, with the number of women in senior posts virtually trebling during that period. Therefore, although work remains to be done, at least the gaps are closing.

By contrast, as was highlighted by Mr Hamilton, Mr Campbell and others, the under-representation — at least it was the case up to 2007 — of people from the

Protestant community at the lower grades has got worse instead of better. That is why the focus of the motion is as it is. It also highlights why the two amendments offer a degree of diversion from what should be the main focus, despite the best attempts of the Members who tabled them. The main focus should be on where there is a problem; where, despite the efforts that have been made in the past couple of years, a problem remains; where a marker needs to be put down, to which a number of Members referred; and where we need to keep an eye on the ball.

5.00 pm

Mitchel McLaughlin proposed amendment No 1. I do not know whether he or Gregory Campbell should be more worried, because Mr McLaughlin started off by saying that he agreed, to a large extent, with Gregory Campbell. It is fortunate that Mr Campbell was not in the Chamber when that statement was made. Mr McLaughlin went on to say that the key point is that we need to look at the most effective way in which to deal with the problem. I agree with him in that regard: if we are to be effective, we must deal with the main problem. It is clear that the main problem has been the under-representation of the Protestant community at the lower Civil Service grades.

Mr O'Loan, in proposing amendment No 2, said that he was embracing a wider motion. I am not sure whether he read the SDLP amendment, because he indicated that he wanted to create a motion that was not discriminatory and that did not refer to one community only. However, the SDLP amendment leaves in all about the under-representation of the Protestant community and does not mention the Catholic community. I suspect that the amendment that the SDLP tabled was not the amendment that it wished to table, but its Members have gone into it nonetheless.

I wondered whether Mr O'Loan's speech and Mr Attwood's speech were merely speeches or, given the events of the past 24 hours, more an audition for future vacancies that may arise. It was the early stages of an SDLP 'The X Factor'.

**Mr Hamilton:** Mark Durkan is the ex factor.

**Mr Weir:** Indeed.

I was reminded by a colleague that it is perhaps appropriate that the leader of the SDLP is not in the Chamber, given the presence of Mr Shannon, and his penchant for aiming at lame ducks. It is just as well that the SDLP leader was absent from the Chamber during Mr Shannon's contribution.

**Mr Shannon:** I do not aim at lame ducks; I make sure that the ducks that I aim at are flying fast and strong. When I hit them, it is a job well done.

**Mr Weir:** I do not want to question the prowess of Mr Shannon.

Mr Kinahan made a number of important points when he talked about the long-term trend and the widening gap. My only concern about Mr Kinahan's remarks was that the more that he went on, the less clear I became on the position that he was taking on the motion. Despite some of the good remarks that he made, I was not clear by the end of his speech whether the Ulster Unionist Party supported the motion. No other Ulster Unionists took the opportunity to speak in the debate, so I look forward with interest and no little trepidation to see which Lobby its Members go through.

Stephen Farry made a lot of valid points, albeit in an ecumenical manner that was in keeping with the Alliance's Party's position. He indicated that the Alliance Party would support just about everything in the debate in respect of any resolution. I am sure that that generosity, which was spread around the Chamber, was welcomed by all. There can be a situation in which there is a difference between equality of treatment and equality of outcome, as was highlighted. Dr Farry also said that underlying discrimination can occur at low levels. I have a slight concern that if the equality legislation were to be employed to a greater extent on very small firms, it would merely add to their burden.

Mr Paisley Jnr and Mr Shannon highlighted the hypocrisy of some of the parties opposite, particularly the SDLP and Sinn Féin. The watchword is always "equality". They talk about equality of opportunity yet support 50:50 recruitment for policing. It seems that it is all very well to have equality, except in particular circumstances. Long queues of people from the Protestant community have been discriminated against in PSNI recruitment in the past number of years. Fortunately, and thanks to the efforts of my party, an end to 50:50 recruitment has been negotiated. I welcome a time in which recruitment is based purely on merit.

The Minister said that we need something that is fit for purpose, and he highlighted the genuine progress that has been made in the past two years on such issues as advertising and the targeting of particular schools. Such initiatives have started to improve the imbalance in the lower ranks of the Civil Service. That is to be welcomed, and it is acknowledged in the DUP motion.

The motion is to ensure that a level playing field is created for everyone. That means tackling the problems where they exist and allowing progress to continue where it has already been made. We must ensure that the eye is kept on the ball, and that the marker is put down, as several Members have called for today. I call on Members to keep the focus on the problem and to support the motion.

**Mr Deputy Speaker:** Order. Before I put the Question on amendment No 1, I advise Members that if

amendment No 1 is made, amendment No 2 will fall. The Question on the motion, as amended, will then be put.

*Question,* That amendment No 1 be made, *put and negatived.*

*Question,* That amendment No 2 be made, *put and negatived.*

*Main Question put and agreed to.*

*Resolved:*

That this Assembly notes the efforts made by the Northern Ireland Civil Service in recent years to address the under-representation of Protestants among those applying for, and being recruited to, occupational groups which have most employees in the Civil Service; and calls for continued monitoring of all the grades, but particularly those grades where thousands of people are employed, in order that those from all community backgrounds can have confidence in the recruitment process.

*Adjourned at 5.01 pm.*

