



Northern Ireland
Assembly

**COMMITTEE
FOR THE OFFICE OF THE
FIRST MINISTER AND DEPUTY
FIRST MINISTER**

**OFFICIAL REPORT
(Hansard)**

European Issues

24 February 2010

NORTHERN IRELAND ASSEMBLY

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DEPUTY FIRST MINISTER**

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Members present for all or part of the proceedings:

Mr Danny Kennedy (Chairperson)
Ms Martina Anderson
Mr Barry McElduff
Mr George Robinson
Mr Jim Shannon
Mr Jimmy Spratt

Witnesses:

Mr Maurice Maxwell () European Commission Office in Northern Ireland

The Chairperson (Mr Kennedy):

I welcome Mr Maurice Maxwell, the head of the European Commission Office in Northern Ireland, who is here to brief the Committee on European matters. Today's evidence session is being recorded by Hansard. Please make your opening statement, after which members will have an opportunity to ask questions.

Mr Maurice Maxwell (European Commission Office):

Thank you for inviting me to speak to you today. I appreciate the opportunity to address the Committee as a follow-up to a presentation that I made some time ago.

First, I congratulate the Committee on its report. It strikes a difficult balance between the

Committee's necessary scrutiny role and the resources available. The more ambitious one becomes, the more resource-intensive things become, and a balance has to be struck between achieving worthwhile added value and a better use of resources. The Committee's report has got it just about right at this stage of the process. As its work progresses, the Committee will gain greater knowledge and expertise. That might lead the Committee to modulate its work, but at the moment it has struck a good balance.

Secondly, I have observed that our relationship with the European Union is the primary responsibility of the Office of the First Minister and the deputy First Minister (OFMdFM). There could be a tendency to parallel that in the Committee and second-guess what OFMdFM is doing. That could be resource-intensive as well, and would demand more of the Committee's time than it could afford to devote. I do not presume to tell the Committee its role, but I do not think that members see themselves taking on that responsibility. Anything that I have to say will be made in that context.

Thirdly, the problem that the Committee and OFMdFM will have is one of prioritisation and of identifying the crucial elements of our relationship with the EU that we must address and those that may be of relative unimportance, especially for Northern Ireland, and which we can leave to one side.

That will be a challenge for the Committee just as it is a challenge for OFMdFM in its work.

The Committee can only define its priorities and areas of crucial importance on the basis of information. Therefore, information flow to the Committee will be vital, and I am sure that you have looked into how you might get that information. From your report and from other evidence that you have been given, I see that various bodies and individuals have offered to supply the Committee with different lines of information. That is good. However, the Committee could be overwhelmed by the information that it receives, and much of it may point in different directions. Therefore, as I say, identifying priorities is important. The Committee must be able to sift through information and delineate the lines of communication that are important and those that can be put to one side.

In previous evidence I said that MEPs, members of the European Economic and Social Committee, and members of the newly constituted Committee of the Regions could forward

information to the Committee and could be very useful bodies with which to consult. Their opinions on what is and what is not important would be very valuable to the Committee in its work. I commend that to you, and I have seen that already in the evidence given.

Continuing on the theme of information flow, I wonder whether it would be possible for representatives of the various bodies to collate and compare the information that they have in order to form opinions and make recommendations to the Committee to help it in defining the areas that it should be considering and those that it can leave aside. That does not preclude the Committee from coming to its own opinions, as you may disagree with the information that you receive. However, I think that that may help the Committee in its work.

As part of the UK, a great deal of the main representation to the European Union, and, in particular formal representation at the Council, is the direct responsibility of Westminster; therefore, when the Westminster line has been defined we cannot argue against it. My experience is that in several cases, which I will not enumerate as the Committee is aware of them, the interests of Northern Ireland, and perhaps some of the other devolved Administrations in the UK, differ substantially from the line that Westminster may want to take in Europe. Therefore, the Committee should liaise closely with the Committees of the Welsh Assembly Government and of the Scottish Parliament and perhaps with others who hold similar views. Such co-ordination and co-operation could lend more weight to our representations to Westminster and to Whitehall when building a case to make to Brussels.

The word flexibility comes into my head. Although I have not thought it through from beginning to end, I do not see why Westminster could not take an overall UK position but allow some flexibility for the needs and interests of its regions. That could be something for the Committee to consider.

The Lisbon Treaty, which has come into effect since I last appeared before the Committee, obliges the Commission to consult with national Parliaments, but if Committee members have read the treaty they will know that that consultation is rather limited. It relates to the principle of subsidiarity, which in its own way is very important, but it may not be in our interest whether the European Union takes action in certain fields, as that is more of a national Parliament preoccupation. Therefore, the obligation to consult national Parliaments enshrined in the Lisbon Treaty is not perhaps the most relevant one for the Committee. However, as I pointed out,

President Barroso consulted national Parliaments on both legislation and policy initiatives across the board, and that consultation was not limited to subsidiarity. That provides us with a good opportunity to bring our opinions to bear directly to the Commission, and President Barroso has said that he would continue with that even under the Lisbon Treaty. We should consider how best to take advantage of that.

In the letter that I wrote to the Committee after I appeared before it last, I mentioned the concept of impact assessment in the Commission. For every proposal that comes from the Commission, it must prepare an impact assessment that justifies why it is taking action under the principle of subsidiarity and which contains a cost-benefit analysis. To provide a complete picture, it stipulates what the Commission is trying to achieve, the benefits and associated costs, and considers any possible disadvantages.

The assessments are evaluated by impact assessment boards, which are internal bodies of the Commission made up of very high-level Commission officials not associated with the proposal. They cast a fresh eye on the matter and can be quite critical in their questioning of those who originated the proposal.

I recommend that the Committee get access to the impact assessments as early as possible. They are available on-line; I Googled them a few days ago and obtained the information within 30 seconds. All the impact assessments, past and present, are available, and one can access a mass of information with all the relevant documents. If the Committee gains access to such information and scrutinises it, it will have an independent access to information that is being discussed by the Commission in real time. If members are not familiar with impact assessments, I would advise them to become so as soon as possible.

The Committee said that it was considering putting an officer in the Executive office in Brussels to represent the Assembly. That could be a good idea because such a representative would have a direct remit to the Committee and would not have a primary responsibility to report directly to the Executive. However, if the representative was mandated to duplicate all the information flow to the Committee, it would be overwhelmed by information. The added value would be if that person helped the Committee to identify what is important, the potential impacts for Northern Ireland, what action is needed and when we might be able to take it to address relevant issues

On the other hand, the appointment of a representative would be costly and would be another resource.

We are in difficult economic times. Budgets are limited, and if the Committee were to send a married person to Brussels, not only would his or her salary have to be paid but removal costs, education costs, settlement costs and so on would have to be met. You would need to be convinced that the person's presence was worthwhile and brought added value to the work of the Committee. However, I do not pretend to be able to give you advice on that matter.

So far, I have concentrated mainly on the formal channels of communication with the Commission and other European institutions; however informal communications also apply. Brussels is an open bureaucracy. Many of you have been there and have seen how easy it is to meet Commission officials. My experience and that of the office in Brussels is that much information can be gained early and that details can be gained that may not be readily available in published documents.

Knowing the face of the person who is dealing with a particular policy area is a considerable advantage, and I have always found that to be a great help. It enables one to speak off the record, to chew over matters in a way that cannot be done formally, to get a better understanding of the Commission's position and to present better one's concerns. I suspect that many of the proposals that came out of the Commission were extensively influenced by informal face-to-face consultations with representatives of bodies throughout Europe, including bodies such as this one.

I hope that I am not taking too much of the Committee's time, but I am coming to the end of my presentation. As you know, President Barroso came here in 2007. I will not say that he set up a task force, but he came to Northern Ireland with a unique, one-off offer that has been made nowhere else and which will never be duplicated. The Commission does not normally get involved in the internal matters of member states, but the president did come here. In a nutshell, his offer was that the European Commission was at the disposal of Northern Ireland to help it to take full advantage of its membership of the EU in whatever way it could.

For many reasons, of which the Committee is aware, that initiative has not been as effective and successful as it could have been. We could spend an hour and a half discussing what is

meant by “task force”. Barroso was saying that the Commission has identified officials who can be Northern Ireland’s first point of contact with it.

However, the onus is on us to respond to the president’s unique offer to put the Commission’s resources at our disposal to help us to the best of its ability. I am not convinced that we have taken full advantage of that offer, and I have a feeling that, through no fault of our Administration, we have been tied up in the bureaucracy of the offer rather than responding to the spirit of it. If we identify areas that we believe to be important, we should be able to react immediately to them, take the necessary steps to advance our interest, and not have to wait on the sign-off of Ministers, junior Ministers or the Executive.

At the Commission, we work in a slightly different way. We are not what is usually thought of as the Civil Service, and perhaps the constraints under which the Commission works are less restrictive than those under which civil servants work here. That is how I would react to the president’s invitation.

Other devolved Administrations in the UK and elsewhere face similar problems to ours, in their nature and in their process and involvement.

It would be useful to consult them and to meet them regularly to decide together how best to advance our common interests. If the Scottish, Welsh and Northern Irish made the same case to Whitehall/Westminster, our hope of success might be higher.

I have a few hobby horses of my own, one of which is research and development. In presentations, members of the task force emphasised that we do not take full advantage of research and development. Some initiatives have been taken: the Department of Enterprise, Trade and Investment and Invest NI sent people to work in Brussels. That will be a big help. However, if I were a member of the Committee, I would ask the Chairman whether we could examine the research and development aspects to determine how to advance it more quickly and to our advantage.

A massive budget — members are familiar with it — of €36 billion is waiting for exploitation under research and development; none of it is earmarked for particular member states, as structural funds often, or always, are. We need to get in. I have mentioned that issue a great deal

around town, and the message is well understood. However, I want to repeat it to the Committee: we need to get into the game when the framework programmes are being written to identify the niches in research and development from which our companies, research centres and universities can benefit. That early intervention will also allow us to identify potential partners across Europe and to take much greater advantage of the funds that are available for research and development.

I have a final point. Structural funds have been important to us, but I get the feeling that people expect them to end soon and that therefore they will no longer be able to enjoy their benefits. If I were a politician here — I must be careful about what I say because I am not a politician here — I would not take that as gospel. I would examine, scrutinise, negotiate and discuss to determine how, if possible — and it might not be possible — structural funds can continue here and how they can best help Northern Ireland.

The Chairperson:

Thank you for that comprehensive overview. I assure you that we are in regular co-operation with the devolved Administrations in Scotland and Wales on EU issues. Indeed, as you know, we took evidence from the Oireachtas. What will the new priorities be? Is there any sign of the legislative work programme?

Mr Maxwell:

As members know, the Commission produces an annual policy statement. The last one that I read was written in 2009 and was predicated on the appointment of the new Commission; therefore, it was a holding document. That is my view. I do not know whether it has been officially changed or modified.

It is not difficult to define the big issues in Europe: we need to find an exit strategy from economic crisis, deal with the crisis in the banking system and increase competitiveness in Europe. The Commission has also identified climate change as a major issue. I am not sure that any of those issues are desperately helpful to us. Of course, exiting the financial crisis will help everyone, but such broad statements do not particularly help our Administration or the Committee.

I will have to be careful about what I say about the annual legislative work programme. Is this meeting being recorded by Hansard?

The Chairperson:

Yes. I drew that to your attention at the start of the meeting.

Mr Maxwell:

I am not sure whether the annual legislative work programme document can give us an insight into developments that will impinge on the lives of people here. It looks forward and broadly outlines the Commission's strategies, but it does not go into detail, and that is where I draw the Committee's attention to the impact assessment statements, which have to be completed before a strategy is placed before the Commission. The impact assessment statements are very far upstream in the formal process. They tie in to the annual work programme at some stage, but the annual work programme is written in relatively broad terms, for obvious reasons.

The legislative work programme provides a first level of detail that the Committee can consider and do something with. That is why I emphasised their formal nature and the networking aspect. The Committee will have to decide the directorates-general (DGs) in which it is interested and those in which it is not. Many DGs are not of vital significance for us, and we can ignore them, leaving perhaps five or six on which to concentrate. That is where the Committee needs to make personal contacts and set up networks. There are some matters that my colleagues cannot talk about too much in advance, but, without divulging any confidential information, it is through networking that the Committee can get an insight into what is coming down the line one or two years hence. That is the way to get involved. It is not just about the legislative work programme; the Committee can get information from that and needs to be aware of it, but it is not the tool to help the Committee to do its work.

The Chairperson:

Thank you very much.

Ms Anderson:

I believe that the legislative work programme was due to be published in November 2009. If it is late, it will have helped us, given that we have just finished our inquiry. That said, bearing in mind the need to prioritise issues, do you engage with OFMdFM to provide assistance, advice or opinions on the kinds of priorities that OFMdFM should set from your office's point of view?

I would like to hear more about the impact assessments. You talked about aims, benefits and value for money. Does the panel that examines the impact assessments look at what is most economically advantageous? We hear the term “spend to save” nowadays; the assessments may cost more, but they may be of benefit in the long run.

The Committee was surprised at the European Union’s budget — €36 billion — for research and development. We are keen to find out from you what mechanisms we could put in place to take advantage of that money. In London, Lord Trimble, as he is now called, told us that the structural funds were almost gone; therefore, it is refreshing to hear from you that we should examine how we can continue to access that funding. Lord Trimble said that the House of Lords was about to make a recommendation, and it is a question of determining the weight of that recommendation and what influence, if any, we can have on how to ensure the continuation of the structural funds.

Mr Maxwell:

My office and the Office of the Northern Ireland Executive in Brussels work hand in glove. We have regular meetings, and I go to Brussels once every four or five weeks. The head of the office in Brussels, Evelyn Cummins, whom, I am sure, you know very well, visits Belfast regularly. Paul Geddis and I meet regularly. I would not say that I give advice to them; however, we have conversations about the themes of the day. Having worked in the Commission for so long, I may have some insights that they do not, and, because they are in Brussels and meet with Commission officials much more regularly than I do, they will have information that I do not. Therefore, it is cross-fertilisation, which, in my opinion, works very well, and I hope that the Brussels office would agree with that.

The impact assessment covers two main things. First, as you said, value for money. Sometimes, one has to spend money to gain money, and, nearly always, an investment has to be made first. It is not only about cost — although that is always important — rather, it is about what we are going to get from a proposal and why it is being made. Secondly, as I have scribbled down, is the principle of subsidiarity, which is very important. I mentioned that earlier in the context of the Lisbon Treaty, under which the official investigation is taking place. However, sometimes, and often for our own good, it is true that things can be achieved better and at less cost, not at a European level, but at a lower level. That is what the impact assessment is for.

Impact assessments are scrutinised in detail by MEPs and by the Council of Ministers in respect of the internal workings of the Commission. That is why we have to carry out robust analyses on proposals. You are parliamentarians, so I need to be careful about what I say. However, we know that, if possible, proposals will be torn apart by parliamentarians who like nothing better than tearing apart Civil Service proposals. Therefore, the process has to be robust.

I worked in R&D for eight to 10 years and know the processes very well; at least, I thought I did. Since I came here, I have spoken about it several times around town, and, therefore, decided to check with one of my colleagues in Brussels that it was still done in the way that I thought it was. Luckily enough, he said yes, and that what I had said was correct. If the Committee wants to take a bit of time over that, I can go into it in detail.

The Chairperson:

It may be helpful if you could produce a paper for us.

Mr Maxwell:

Absolutely. It will be a rather succinct paper that sets out the way in which I think we should be working. I am very happy to do that.

I have read the House of Lords report and, if memory serves me, it takes a much stronger line on structural funds than the Government report that came before it. The UK is a net contributor to the EU budget, and, of course, structural funds take a lot of that money. The Treasury thinks that the less we spend on structural funds, the less the EU budget will be; and the less the EU budget is, the less our contribution will be. When I first came here, I took the line that, as a net contributor, we should be getting something back. Although structural funds are part of the budget, the more that we get back from that means, in Northern Ireland's case, that things can be balanced up a little. I took the line that, having given £100, getting £5 back is better than nothing and, therefore, the UK is a net winner. However, I have since learned the cost to the Treasury of giving us the £5, as there a lot of other £5 beneficiaries throughout the 27 member states. That could cost the Treasury £100. Therefore, contributing £100 to the EU budget to gain £5 for Northern Ireland is seen as a bad deal by the Treasury.

My view is that there should be flexibility, because we are a disadvantaged region coming out of conflict, with a lot of social deprivation and a lot of other issues at stake. Surely the wit of

man does not preclude us from, in that context, continuing to get some benefit from Europe. That is where I would start.

I would not dispute the issue of the UK's contribution to the EU with the Treasury, because they know it a thousand times better than I do. However, that contribution is fixed, it has been forecasted — it used to be £3 billion each year, it rose to £6 billion and it will rise again to £9 billion. Therefore, I am back to my intuitive first approach that if that contribution is fixed, and Northern Ireland were to get more, it would cost the Treasury nothing.

I am not a politician and it is none of my business, but, if I were, I would adopt a multi-pronged approach to Europe. Do we need it? Does it bring added value? Is it helpful? Will we miss it? Suppose we did not have it any more? We must look at everything the structural funds do here, particularly through the competitiveness and employment programme. Indeed, I have not addressed the good that the peace and reconciliation fund does here, and I will not discuss it if the Committee does not want me to.

That money is doing a lot of good here, and if it stopped we must ask who is going to do that good? Will the block grant from London increase to recompense us for any loss of structural funds? The Committee can make its own mind up about that. I would not dare to comment; not in this room anyway.

Those are the lines along which I would go down. I know that the message from London is to forget about it and not to talk about it any more. However, if I were a politician, I would not accept that.

The Chairperson:

Mr Shannon has asked to be brought forward in the list of the members who wish to ask questions.

Mr Spratt:

This is becoming a bit of a habit.

The Chairperson:

He is making it a rather bad habit, but I will allow his question if it is a very quick one.

Mr Shannon:

I will be very quick. My question relates to the £36 billion. Is that money earmarked directly for Northern Ireland, or does it go through the Treasury first, meaning that it is much less by the time it gets here and the potential for it cannot be delivered?

Furthermore, what discussions has the witness had with the Assembly and the Departments here? He has highlighted the issues of the £36 billion and the structural funds, and I am keen to know what reaction he has had from the Departments in taking up that funding, and in ensuring that there is continuity of funding in the future.

I thank the Chairperson and Committee members for allowing me to ask those questions.

The Chairperson:

There is an indulgence that is being expected of Committee members. It is slightly unfair.

Mr Maxwell:

The £36 billion relates to R&D expenditure, and is not earmarked for Northern Ireland. If it were, we would be throwing our hats in the air and celebrating. The £36 billion is for Europe as a whole over a period of five years. It is a competition and individuals must make proposals that fit into it, and I promise to send the Committee a very short paper, which explains how that works.

My advice is for individuals to get in early and get to know the expert scientists who are writing the papers. The sooner individuals find out who those scientists are, the sooner they will get to know them and the niches that they might fit into. That will achieve several things: individuals will know that something is coming up; they will have identified the niches that they might fit into; they will have identified potential partners; and they will have made themselves known to those potential partners and demonstrated what their capabilities are. That early action will mean that those individuals are not waiting two or three years until a call for proposals is called for in the Official Journal of the European Union, because by the time that happens, the game has been played and lost, and the opportunity will have gone.

I am not quite sure if I remember what your question was on the structural funds.

Mr Shannon:

What discussions have you had with the Departments here to ensure that there is continuity of the structural funds? You have outlined how important they are.

Mr Maxwell:

To be honest, I take a risk with this Committee, even though it is being recorded by Hansard, to speak as frankly as I can. If I did not, I would take away from it. I would not pretend to give Departments advice on what to do. I have raised the issue informally with them along with my view that the structural funds are very important for our society. They have brought a lot of good here. I know that everything can be criticised in various areas, but, if I were a Northern Ireland politician, I would not necessarily take as gospel the UK line that that route will not be taken. I would put up a hell of a fight before I would give in.

The Chairperson:

Mr Spratt is next to ask a question.

Mr Spratt:

No. I am not asking any questions now. It is not on that a member can join the meeting when a presentation is nearly over but be allowed to ask questions before other members who had indicated that they wished to do so.

Mr McElduff:

Mr Maxwell, can you talk about the Barroso offer, which has not been taken up in the spirit and with the urgency that was required? What potential remains for the Assembly and the Executive to take up the Barroso offer of having the European Commission at our disposal?

Yesterday, at the British-Irish Parliamentary Assembly, we discussed infrastructure in the north-west such as rail network provision and the possibility of going to Europe for a feasibility study for funding that. I am disappointed that Maurice's presentation did not make any mention of co-ordination and co-operation of a North/South nature. I was a little bit surprised that that was omitted.

Mr Maxwell:

I must confess that I have not been involved in discussions on North/South issues. I see such

matters not quite as being outside my remit, but I have tried to follow the subjects. However, given its sensitive political nature, I have tried to steer away from getting too involved in that matter. Perhaps I did not pay enough attention to it, and perhaps I should have, but I have not seen much of a European aspect to it. I know that there are proposals for motorways to cut through Northern Ireland into the Republic, that money is on the table, and that guarantees have been made.

I saw the issue as very sensitive and political, and something about which I had never been informed officially. I have never been invited to North/South discussions, and I have never been asked to give any input on them. The Commission has a representation office in Dublin. Given the fact that I thought that I could not see many EU aspects to the issue of North/South co-operation, I did not devote much of my time to it. Perhaps I should have done, and, if so, I take that criticism. If the Committee in general thinks that I should do better on that, I am happy to take that on board and try to follow the issue better.

If I were invited to attend such discussions as an observer, it might help my understanding and help me to be able to contribute better to North/South aspects. The same would have to apply to my counterpart in Dublin, so two representatives from Commission representation offices would sit in as observers. I do not know whether that would be considered overkill, but it would be up to the Committee to give its view.

The issue of the offer that Barroso made is interesting. I tried to give a flavour of that without going into too much detail, because that issue is also rather sensitive. I tried to talk about it generically when I said that he came to Northern Ireland, produced a report and waited for reactions from our side to see how we might best take up the offer.

The concept of the task force is a little misunderstood. In the Commission, a task force is set up when a task is required to be done. Relevant officials are nominated from throughout the Commission to accomplish the task. Often, the result is a report. In this case, it was a report. The report was written and communicated and, to a large extent, the task force's work is, from the Commission's point of view, accomplished. The unaccomplished part is that the people involved in it do not disappear. In fact, they do disappear because they move from Department to Department and are allocated new duties, and so on. They move on, and the Commission encourages that flow. Having said that, many of them are still in place. I have contacted them

and they are still there. However, they are merely points of contact into the Commission. One does not have to be a member of a so-called task force to have contact with the Commission.

The other aspect is how we, in Northern Ireland, interpret the Barroso initiatives. Again, it is about prioritisation, and the onus is on us to determine how best to get the benefit from that relationship. The task force report, which was written in 2007 and published in 2008, identified possibilities. In the meantime, the world has turned upside down. Although some of the economic analysis in the report is still relevant, much of it is out of date. Although I have not read the report for quite a while, I suggest that many of the prescriptions in it are not up to what we should be doing today. For me, the essence is that we should not consider each line of the task force's report — I underline that I am speaking as a person who does not represent the task force — and tick boxes. We should use the invitation to our benefit as much as possible.

Although it may be difficult in the context of how we work, my main message and recommendation is to get out of the bureaucratic straitjacket. We did not reply to the Barroso task force report because, for reasons that we all know about, the Executive did not meet for approximately six months at the end of 2008. Therefore, there was no reply to Brussels. Quite frankly, that is shocking. It is shocking that the Northern Ireland Administration do not have the ability to work from Department to Department and to grab an opportunity in Europe and to go for it. Why should I need the behest of anybody to do that? I do not understand why we cannot do that. If we want to focus on R&D, we should go for R&D. If we find that R&D works, we should send people there and advance that. I do not need a tick from anybody. That is how the Commission works.

I have not been a civil servant here. I respect the civil servants here; they are of a very high calibre. My comments are not a criticism of civil servants here. The Commission thinks and reacts differently. The President makes an invitation and asks representatives to pick the initiatives. Furthermore, I do not think that Barroso came here to talk about bureaucracy. He came here to speak to the Northern Irish society, small and large businesses, trade unions, civil society groups and NGOs. He said that Europe is open for business and that there are opportunities everywhere to identify the initiatives and go for them. In my opinion, we should not be constrained by a document that we will, or will not, present to whomever.

Mr Elliott:

Thanks for that, Maurice. I apologise for missing the start of your presentation. I have a couple of quick questions about the Barroso task force. You said that we did not take full advantage of the Barroso project. Will you elaborate on practical ways in which we could have taken more advantage of it? Secondly, you mentioned the importance of informal discussions and maintaining contact with people in and relevant to Europe. Do you accept that, to do that, we need an ongoing presence there? As we know from dealing with our constituents, maintaining that level of contact is very time consuming, so one needs to be on the ground all the time. Finally, what difference will the codecision powers in the Lisbon Treaty make to Northern Ireland?

Mr Maxwell:

That is a lot of to deal with. I tried to describe in detail how we did not take full advantage of the Barroso task force's proposals, particularly with respect to the flexibility and speed of our approach. The task force's report was produced in 2008, but it took us nine months or more to reply. The delay was caused by bureaucracy, rather than by a lack of dynamism, which meant that we did not take as much advantage of the project as we could have. As I said, as a result of focusing on the President's invitation to identify crucial areas in which we might participate, such as the research and development project, which I keep harping on about, we failed to take full advantage. The task force's report invited us to do that, and the availability of money and the fact that that there was competition for it was a major feature of the report.

I do not want to give the impression that Northern Ireland does not participate in the research and development project; our universities and some of our bigger companies do, and I have seen some of the results of their research. Without giving away any confidential information, they are generating big money, not from picking up research money, but from what they have learned and been able to put into practice as a result of their research. For example, a big company in Belfast has had massive success as result of doing that. Therefore, I do not want to give the impression that we do not do anything in that area; it is just that we could do massively more and take better advantage of the project.

Rather than treating our response to the Barroso task force's proposals as a box-ticking, bureaucracy-to-bureaucracy exercise, we should take a more dynamic, fluid and flexible approach. That is my main observation. To say that that is a criticism would be going too far,

but that is how bureaucracies relate to each other; it is a fact of life. Barroso was not speaking from one bureaucracy to another; he was attempting to speak to Northern Ireland society in general and to invite everybody to participate. Some mechanisms and initiatives might be required — things do not just happen — but unless someone takes up the baton and starts to think like that, nothing will happen.

With respect to the informal negotiations, you are right; they demand a full-time presence on the ground in Brussels. Depending on how many priority areas one has identified, maintaining contact is very time consuming. To get to know people, to become known around town, to understand how the Commission works and thinks and its procedures etc, one needs to be on the ground. We have people in Brussels who already do a good job. However, it is up to the Committee to decide whether changing those people's mandate slightly to involve the Committee would be sufficient or, as suggested in the report, someone else needs to be there to concentrate on making sure that the Committee's concerns are addressed. Nevertheless, achieving the desired level of contact is resource intensive. It should not require more than one person, but, given that budgets are constrained, maintaining even one person there is costly.

I believe that the final issue that you raised was Lisbon Treaty codecision measures. The obvious example is agriculture and fisheries, which, previously, were not part of the codecision procedure, but are now. That is a big change. To be honest, whether it actually changes what comes out of discussions on the future of agriculture and fisheries post 2013 is a moot point.

The fact that MEPs now have a role in codecision increases tremendously their prestige and influence. I recommend that MEPs speak not only to commissioners but to officials. I am sure that they do — I do not follow what they do exactly. I know that they speak to commissioners regularly. I recommend that they also speak to officials down the line. I do not mean junior officials; I am talking about directors general. I cannot believe that they do not already speak to them. MEPs should also speak to directors in various directorates who deal with particular areas in which they have an interest.

When I came here, I found that MEPs were out of the loop. They worked in a vacuum of information and influence. They raised points on agriculture and fisheries, because those were the main issues on which they were lobbied. To a large extent, they were not included in the information process — the flow of thinking that was going on in government and elsewhere to

enable them to perform better in Brussels. That is not to say that they did not do well in Brussels; they did. However, that was my view.

I note in your report that MEPs should be much more integrated into information flows and decision-making processes, such as decisions that you take in the Committee. That is positive. It applies to members of the European Economic and Social Committee equally. They, too, are not in the loop. If I may say so, with all modesty, I would like to be in the loop as well. If I could bring added value, I would be only too happy to do so.

As I have said, the challenge is not to have too many diverse opinions and information coming from diverse sources. We must be able to manage it properly. That covers the main change to the Lisbon Treaty.

In the European Parliament, as in any Parliament, MEPs, to a large extent, vote en bloc. Conservatives; Labour members; Liberals; members of the European People's Party; and the Greens will all vote with their own parties. That is the way it is. However, there is much scope for Committee scrutiny and for opinions to be written. Also, with regard to networking, MEPs' role is to go to the Commission when policies are being devised and to influence them at that stage. I cannot emphasise that enough.

It is like R&D being upstream. If you want to effect changes in Brussels, do not forget that the European Commission decides nothing. It is a non-decision-making body. However, nothing is decided in the Parliament or the Council that does not come from the Commission. Therefore, the key is to influence as early as possible the Commission's thinking on any particular subject. As long as you focus on your particular concerns, you can influence what comes out of the Commission to your advantage. It does not necessarily impinge on the overall thrust. You can raise issues that have come from your lobbying and networking, which you can pick up and use to your advantage.

Mr G Robinson:

Earlier, you mentioned closer working with the Welsh Assembly and the Scottish Parliament. Do they have officers in Brussels? Can we take a lead from their role there?

Mr Maxwell:

I must express ignorance with regard to their equivalents to this Assembly Committee. I believe that the Scots have officers in Brussels. I would be surprised if they did not. Some members may know better than I do. They are active there.

I would be surprised if the Welsh Assembly did, but I do not rule out the possibility that it may have someone on the ground. You met the equivalent from the Dáil, and I think that it has someone there. As you know, the Irish have an extensive network in Brussels at all levels, including in the Commission. The Scottish are good at networking in Brussels and influencing the thinking there. The Scottish and Irish Parliaments do that extensively, but I confess ignorance about the Welsh Assembly. From the little that I have read, I think that the Welsh Assembly does a good job, but I am not sure whether its equivalent of your Assembly Committee has a representative on the ground.

The Chairperson:

I understand that the Welsh Assembly does have someone there.

Mr Maxwell:

That might well be the case.

Mr G Robinson:

That results in closer co-operation between the Welsh Assembly and the Commission.

Mr Maxwell:

Yes, if that is the case, as Danny said, it brings added value. If we were to put someone there, he or she would not be acting on his or her own. He or she would have a ready constituency with which to co-operate and with which to bring common issues to bear. If four representatives were all putting the same case to the Commission, it would lend weight, and there would be more behind it than a pleading exercise.

The Chairperson:

That completes the session. Thank you for your contribution, Mr Maxwell.

Mr Maxwell:

It was a pleasure.

The Chairperson:

The Committee will be in ongoing contact with you.