Introduction

1. The 37th and final plenary session of the BIIPB in its current form took place at the Marriott Gosforth Park Hotel, Newcastle on Tyne, England, from Sunday 19th to Tuesday 21st October 2008. The Scottish Parliament was represented at the plenary by Alasdair Morgan MSP (Deputy Presiding Officer) and Brian Adam MSP. Apologies were received from Hugh Henry MSP; David McLetchie MSP and Iain Smith MSP. No alternate MSPs were available to attend the plenary. The delegation was accompanied by Seán Wixted from the External Liaison Unit.

Themes

2. The main themes of the 37th plenary session were:
   - The implementation of the reform of the Body into the British Irish Parliamentary Assembly;
   - Energy policy across the BIIPB administrations;
   - Ongoing development in the peace process in Northern Ireland.

Report on the Steering Group meeting

3. The Steering Group (SG) meeting opened on Sunday 19th at 5.30pm and with Mr Niall Blaney TD and the Rt Hon Peter Hain MP (Co-Chairs) in the chair. Also present at the meeting was Margaret Conlon TD (BIIPB Vice-Chair and Chair of Committee C); Mr Seymour Crawford TD (BIIPB Vice-Chair); the Lord (Alf) Dubs (BIIPB Vice-Chair and Chair of Committee D); the Rt Hon Michael Mates MP (BIIPB Vice-Chair); Mr Jim O'Keeffe TD (Chair of Committee A); Mr Robert Walter MP (Chair of Committee B); Rosemary Butler AM (National Assembly for Wales); Mr Alasdair McDonnell MLA (Northern Ireland Assembly); Mr Steve Rodan SHK (Isle of Man/for the Crown Dependencies). Apologies for the meeting were received from Mr Alasdair Morgan MSP (Scottish Parliament).

4. It was formally noted that Mrs Margaret Conlon TD has replaced Mr Seán O'Fearghaill TD, both as a Vice-Chair of the Body and as Chair of Committee C. The SG extended their thanks to Mr O'Fearghaill for his work on the Body.
5. The SG also noted that the Democratic Unionist Party (DUP) and the Ulster Unionist Party (UUP) have now formally taken up their seats in the Body. This was widely welcomed by the members of the SG. As part of the Northern Ireland Assembly delegation Mr Jim Wells MLA, representing the DUP and Mr David McClarty MLA, representing the UUP, have joined the Body. It was also noted that Lord (Ken) Maginnis of Drumglass, who sits as a Crossbencher in the House of Lords as been appointed as part of the UK Parliament delegation. Lord Maginnis was previously the Ulster Unionist Party MP for Fermanagh-South Tyrone in the House of Commons from 1983 to 2001.

6. Mr Hain reported to the SG that the Rt Hon Paul Murphy MP, Secretary of State for Wales was due to attend the plenary however had to cancel at the last minute as he was required to attend a meeting of the UK National Economic Council. Mr Hain also reported that owing to the recent cabinet reshuffle by the Prime Minister, the newly appointed UK Minister of State for Energy, Mike O’Brien MP, couldn’t attend because of a diary conflict. However the Irish Minister for Communications, Energy and Natural Resources, Mr Eamon Ryan TD, would be addressing the plenary and taking questions on energy policy.

7. Mr Hain also confirmed that the Secretary of State for Northern Ireland, Rt Hon Shaun Woodward MP, would address the plenary before dinner on Monday evening about his assessment of the current political situation in Northern Ireland and Paul Goggins MP, Minister for Policing and Security at the Northern Ireland Office, would address the plenary on Tuesday morning and take questions on the current security situation in Northern Ireland.

8. The SG considered Document 136 which set out the new rules for the Body and changed the name of the Body from the British Irish Inter-Parliamentary Body to the British Irish Parliamentary Assembly (BIPA). The SG thanked the sub-committee chaired by Alasdair Morgan MSP, with had redrafted the rules to plan for the establishment of the BIPA and its role as the East-West parliamentary framework tier set out in both the Good Friday and the St Andrews Agreements. It was agreed by the SG that Alasdair Morgan MSP should move and speak to the motion on the establishment of the BIPA and the adoption of its new rules at the start of Monday’s plenary session. The Vice-Chair, Mr Seymour Crawford TD, would close the debate.

9. The SG considered the motion from Mr Andrew MacKinlay MP and Mr Brian Hayse TD calling on Her Majesty’s Government to release any intelligence held by GCHQ relating to surveillance conducted by that agency on the movements of Omagh Bombers, and the allegations that such information was withheld from the RUC investigation. These allegations were the subject of recent BBC Panorama investigation. Mr Hain agreed that if the motion was passed by the Body, he would then write to the UK Foreign Secretary, who has ministerial responsibility for GCHQ,
asking that action be taken. Mr Hain said he would also forward the motion to the Irish Minister for Foreign Affairs for information.

**Committee Chair reports**

10. The Chairs of the Committees gave a brief report on the current work of their committees. Mr Jim O’Keeffe TD reported that Committee A (Sovereign Affairs) would make an interim report to the plenary on the three reports currently under preparation by that Committee, namely on the impact of the proposed introduction in the **UK of ID Cards on the Common Travel Area between the UK and Ireland**; on the **level of North-South Police Co-operation** between the PSNI and An Garda Siochána and on the need for **Co-ordination on Penalty Points Legislation** both between the constituent member nations of the United Kingdom and between the UK and Ireland.

11. Mr Robert Walter MP reported that Committee B (European Affairs) was seeking to conclude its evidence taking sessions on its report into the **EU’s Common Security and Defence Policy**. Meetings were planned with ministers and officials of the Irish Department of Defence in Dublin on 6 November. Unfortunately, the Committee had not been able to secure a date for a similar meeting with ministers from the UK Ministry of Defence.

12. Margaret Conlon TD reported that Committee C (Economic Affairs) would present its report on the development of **Renewable Energy, Excluding Nuclear power** (document 139) at the plenary tomorrow. If agreed the report would go to the UK, Irish and other governments from response. Mrs Conlon state that as she had only recently assumed the chair of the committee, she could not speak to the full report in detail. Mrs Conlon then informed the SG that the committee wished to commence an inquiry on government policy on the provision of apprenticeships and skills development across the BIIPB jurisdictions. The committee would take evidence from the UK and Irish governments as well as one of the devolved administrations. The SG approved this inquiry.

13. Lord Dubs report that the Committee D (Environmental and Social Affairs) report on the **Integration of Recently Arrived Migrants** (document 140) would be considered by the plenary on Monday. If approved the report would be forwarded to the UK and Irish governments for a response. Lord Dubs informed the SG that the next piece of work the committee wished to undertake was an inquiry on the role of renewable energy in relation to climate change. Lord Dubs said that this work would seek to build on the report of Committee C (document 139) and not replicate it. Most of the evidence gathering will be carried out as a piece of desk based research as there was already a wealth of published material on this subject. The inquiry would seek to look at what lessons could be learned for the development of renewables; the level of co-ordination in this policy area by the BIC jurisdictions; and the role public bodies has to play in this area. The SG agreed the terms of the inquiry.

14. Rosemary Butler AM suggested the need for the Body to conduct an urgent inquiry into the issue of flood prevention and management in light of the recent serious flooding across the UK and Ireland. Niall Blaney TD suggested rather than adding this to the remit of the upcoming Committee D inquiry, this might be a subject that an
ad-hoc committee of the SG could look at. The SG undertook to consider this in due course.

15. Steve Rodan SHK, raised the issue of vacancies on committees and the opportunity for new members of the Body to seek to become members of specific committees. Following discussion Mr Hain agreed to inform the plenary about vacancies which exist on committees as a result to changes to the membership of the Body and that members interested in joining a committee should inform the SG.

Other issues

16. In light of the proposed new Rule 39 (document 136) for the BIPA, the SG discussed the clerking and other support need which might be required by the new Assembly. The Co-Clerks informed the SG that the current media adviser to the Body, Mr Mike Burns, wished to step down following the Spring 2009 plenary and that, as a result, a new media contract would need to be agreed. The SG agreed that these wider administrative and support issues were linked and should be considered further at its next meeting.

17. Mr Hain informed the SG that the presentation by the Co-Chairs of the Consultative Group on the Past, Lord Robin Eames and Mr Denis Bradley, on Tuesday will be the first time the Group has discussed the findings of its report. This is a real privilege for the Body given the importance of this work. The SG agreed that this presentation should be held in private session in line with the current Rules 9(c) and 30. Following a discussion about the format for the plenary the SG agreed a revised programme for the sessions on Monday and Tuesday.

18. The SG agreed that the next plenary session, the first of the new Assembly, will be held from Sunday 29th to Tuesday 31st March 2009 at the Solis Lough Eske Castle Hotel, Donegal Town, Co Donegal, Ireland. It was proposed that the next meeting of the SG should be held on 7 or 8 December 2008 in Dublin. The Co-Chairs agreed to confirm this in due course and notify members.

Plenary Session – Monday 20th October, 10am

Items 1 and 2: Business Programme and the British Irish Council

19. The plenary commenced with a welcome from the UK Co-Chair, Peter Hain MP. Mr Hain informed the Body of changes to the membership and the attendance of Associate members at the plenary. Mr Hain also took the opportunity to formally welcome members of the DUP and UUP to the Body, and this was widely echoed by members. The plenary then agreed the draft programme of business.

20. Mr Hain reported to the plenary that neither the Rt Hon Paul Murphy MP, Secretary of State for Wales or Mike O’Brien MP the newly appointed UK Minister of State for Energy, were able to attend the plenary as planned (see paragraph 6). He gave

---

2 The Consultative Group on the Past is an independent group established by the secretary of State for Northern Ireland to consult across the community on the best way to deal with the legacy of the past in Northern Ireland. The Group is working to produce a report by December 2008 which will contain recommendations on ways to support Northern Ireland society in building a shared future.
Item 3: British-Irish Parliamentary Assembly

21. Item three was a debate on motion in the name of the Steering Group (SG): That the Body henceforth be entitled the British-Irish Parliamentary Assembly and be governed by the rules contained in Document 136.

22. Alasdair Morgan MSP opened the debate by outlining the work of the SG sub-committee he chaired on the drawing up of the new rules. He thanked the fellow members of the sub-committee Michael Mates MP; Alasdair McDonnell MLA and Jim O’Keeffe TD for their work. He outlined the background to the work and the need to revamp the Body to make its work relevant to the post Good Friday/St Andrews Agreement landscape. He stated that over the 18 year existence of the BIIPB, it has achieved its primary objective of fostering closer political relationships between the UK and Ireland and adding to the search for peace in Northern Ireland, however since the devolved institutions and Crown Dependencies joined in 2001 the rules of the existing Body have not really changed. There way now a need to look to the future and redefine the role of the Body, this is reflected in the proposed new name, “British-Irish Parliamentary Assembly”. This should be seen as the start of the reform process.

23. Mr Morgan said members needed to consider how to raise the profile of the Assembly in their respective parliaments and make its work relevant to everybody. He stated that the Nordic Council is an example of how a multi-national parliamentary assembly can add real value to the work of a domestic parliament. The BIPA should aim to become the primary forum for interworking and communications between all the parliaments across the UK and Ireland.

24. The Assembly may also wish to make more use of ad-hoc committees and more tightly targeted inquiries so as to address pressing issues (eg: flooding; credit crunch) and thereby sharpen up the focus of its work.

25. The Assembly also need to look to its relationship with the British Irish Council (BIC), perhaps viewing it as the governmental element to its parliamentary role as the Assembly as set out in the East-West framework of the Good Friday /St Andrews Agreements. The Assembly could perhaps consider holding a joint BIPA – British Irish Council (BIC) meeting at a future point and establish a memo of understanding with the BIC on how the working relationship could be taken forward.

26. The Assembly may also need to need to review its budget and funding structures and consider using more IT to improve its internal working. The Assembly should also seek to draw on the existing resources and expertise of its member parliaments. Mr Morgan concluded by moving the motion in the name of the SG.

27. 17 Members spoke during the open debate on the motion. All thanked Mr Morgan and the sub-committee for their work on the new rules. There was strong support in the debate for the Assembly to establish a closer working relationship with the BIC.
and assume a scrutiny role in relation to this work. There was also support for the BIC assuming the position, in due course, of responding to reports and recommendations of the Assembly in pertinent areas.

28. Some of the issues raised by members during the debate which it was felt the Assembly could add value to, in the context of UK/Irish, regional and shared policy development were: agriculture; border security and immigration; drug smuggling and organised crime; animal veterinary and disease control; firearms legislation; fuel smuggling; corporation tax; energy pricing and resources; tourism; transport links and traffic legislation. However a continued focus on Northern Ireland and the development of the peace process will continue to be a core element of the Assembly’s work.

29. Several members felt the Assembly should build on the work of the national/devolved parliaments across the UK and Ireland by becoming the key forum for debate on all issues of importance affecting the lives of all the people of the islands. Members of the Assembly should also seek to raise issues, ask parliamentary questions or sponsor debates in their own parliaments about the work of the Assembly and the issues it is considering.

30. Members also voiced the need to look at the resources and financing of the Assembly to ensure it if fit for purpose. It was suggested that staff of the new devolved parliaments and Crown Dependencies could play a bigger role in supporting the work of the Assembly, as the new rules now allowed for this.

31. Seymour Crawford TD, in closing for the Steering Group, summed to the contributions made and highlighted the need for the Body to develop in order to become relevant to the changing political situation across the UK and Ireland. The focus on the work of the BIC, as well as closer working with the various parliaments, will be key to the role of the new Assembly.

32. Following the debate the question on the motion was put, and unanimously agreed, by the plenary. Accordingly the new rules came into force and the Body officially assumed the role of the East-West parliamentary framework as the British-Irish Parliamentary Assembly.

*Item 4: Intelligence relating to the Omagh Bombing*

33. The plenary debated the following motion in the name of Andrew Mackinlay MP: the British-Irish Inter Parliamentary Body calls on the UK Government to disclose immediately to the legal consul of the families of the victims of the Omagh bombing, details of and information relating to and arising from, the request made by the RUC to GCHQ, for surveillance of those subsequently suspected of preparing and carrying out the atrocity in Omagh a decade ago; including transcripts and timelines.

34. Following a debate on the motion in which several members spoke, which was opened and moved by Andrew Mackinlay MP, the plenary agreed the motion. Mr Hain undertook to write to the UK Foreign Secretary asking for action to be taken on the motion (see paragraph 9) and to report back to the Assembly in due course.
Item 5: Debate on Energy Policy

35. The afternoon sitting of the plenary was addressed by Mr Eamon Ryan TD, Minister for Communications, Energy and Natural Resources in the Government of Ireland. The Co-Chair, Peter Hain MP, gave apologies for newly appointed UK Energy Minister, Mike O'Brien MP, who could not attend the plenary.

36. Minister Ryan began by addressing the plenary on the subject on energy policy as it related to EU, the UK and Ireland and Island of Ireland as a whole. Minister Ryan began by stating that he recently attended the British Irish Council (BIC) summit in Edinburgh, along with ministers from the other BIC administrations. At that summit the BIC considered a Scottish Government proposal for energy to be added as a work stream for the BIC with Scotland taking the lead on the issue. Minister Ryan stated that energy in the context of trade, climate change and security of supply was an issue which greatly impacted all the BIC administrations and would benefit from closer working between the respective governments. The BIC agreed to commission further research on this issue with a view to making a decision at the next BIC summit in Wales in February 2009.

37. Minister Ryan went on to outline the importance that EU policy is, and will, play in the issue of energy and climate change policy for the UK and Ireland. The minister is of the view that, far from decreasing its importance, the recent global financial/credit crisis will make tackling climate change an even higher political priority in the future. The minister said that, even as he spoke, EU environment ministers were meeting in Luxembourg to sign off an agreed EU policy on climate change and carbon emissions reduction policy. This will set out (a) the direction of the EU emissions trading scheme; (b) set targets for Member States in the new trading system and (c) establish a support package for the development of clean carbon storage technology.

38. In October 2008, Avril Doyle MEP (Ireland) secured a three-way agreement between the EU Parliament, the EU Commission and the EU Council of Ministers on the development of a Europe wide trading system to be established by end of March 2009. Negotiations are currently underway between the EU and commercial/industrial sectors across the EU on this. The EU Parliament will also sign off on load sharing arrangements between Member States on the climate change/trading policy. This will prove to be a vital plank in the UK and Ireland’s energy security and trade competition policies in terms a Europe-wide energy market.

39. From an Irish point of view the development of the new Corrib Gas Field, off the coast of Co Mayo in the West of Ireland will be an important development in Irish and UK gas supply security. Ireland is hoping to supply the UK with gas from the Corrib fields in the next few years.

40. In January 2008 an All Ireland grid study by the Government of Ireland and the Northern Ireland Executive showed that the Island of Ireland could produce 40% of its electricity generation needs by 2020 from renewable resources. This, along with the recently announced feasibility study by Ireland, Northern Ireland and Scotland on the development of an offshore renewables and grid potential off the Northern coast.
of Ireland/West coast of Scotland, showed the growing interdependence of BIC administrations in energy/climate change issues.

41. Following his presentation the Minister took questions from the floor. 16 Members put questions to the Minister on a wide variety of energy related issues. While formally speaking on behalf of the Irish Government the Minister did, where possible, address the wider UK/Irish issue and areas of cooperation taking place on energy issues across the BIC administrations.

42. Alasdair Morgan MSP asked the Minister about the importance of the proposed Irish/Northern Irish/Scottish grid development scheme and the current issues of the cost problems of transmission of electricity from remote areas of generation (e.g. seas off the West coast of Scotland) to populated centres of energy consumption due to the pricing system imposed by the regulator. What future grid development will be required to make this efficient? What is the position in Ireland?

43. Minister Ryan pointed to the development of new technology which is aimed at allowing for DC transmission of electricity over a grid with less than 2% energy loss in the form of heat. Such technology will be vital in the successful development of renewables, especially offshore wind and tidal/wave power. The Minister stated that the BIC administrations should look to secure funding from the European Investment Bank to support the development of this technology to get it to a commercially viable state.

44. In Ireland the state owned grid transmission company, EirGrid, has recently announced a €4 billion investment in the development of the national grid transmission system over the next 20 years. This includes the development of an all-island grid system as well as new electricity interconnector from Ireland (south of Dublin) to the UK (North Wales) thereby allowing onward connection to mainland Europe. As a result the development of the grid in areas such as Scotland and Wales will play a vital role in the ability of a country like Ireland to sell its surplus electricity across an EU-wide market.

45. While he couldn’t speak for the development of the BIC in relation to its proposed secretariat and future development, Minister Ryan supported the role if the BIPA as the parliamentary element to the North/South and East/West governmental framework which has evolved across the UK and Ireland over that last 10 years.

46. Brian Adam MSP asked the Minister about the role of local power generation and how to encourage it, not just on the micro generation level, but large scale local generation and how a regulatory system would operate for such generation?

47. The Minister replied that local generation, both on micro scale and larger scale, would become increasingly important in coming years, especially in the face of rising

---

3 Direct Current (DC) or high-voltage direct current (HVDC) is an electric power transmission systems which contrast with the more common alternating current systems as a means for the bulk transmission of electrical power. Direct current transmission of electricity is used for transmission so as to reduce the energy lost in the resistance of the wires, mainly in the form of heat.
energy costs and security of supply. Issues such as the regulatory framework for these systems will be vital issues to consider.

Item 6: Business reports from the Committees

48. The Chairs of the Committee reported to the plenary on current and future work (see paragraphs 10 to 15).

Item 7: Response to Previous Committee Reports

49. On a motion from the Vice Chair of Committee A (Sovereign Affairs), Michael Mates MP, the plenary noted the response of the UK Government (Document 138) to the Committee’s report on entitled “ID Cards in the Common Travel Area” (Document 119). The Chair of the Committee, Jim O’Keeffe TD, undertook to get an update to the response from the Irish Government while the Vice Chair, Michael Mates MP, undertook to seek an update to the response from the UK government.

Items 8, 9 and 10: Reports from Committees A, C and D

50. The plenary took note of an interim report from Committee A, entitled “Cross Border Cooperation Between Police Services”. During the questions on this interim report Alasdair Morgan MSP again raised the issue of co-operation between the Irish and UK governments on the issue of safety and the difficulty posed in investigating HGV accidents in Scotland involving haulage companies based in Ireland employing drivers from other EU jurisdictions. In light of increasing level of freight transportation transiting through Scotland to Ireland, Mr Morgan asked whether the Committee might consider this in the context of its report. 4

51. The Chair of Committee A, Mr Jim O’Keeffe TD, agreed to put this item on the agenda for the next meeting of Committee A and to discuss whether there was merit in the Committee looking at this issue.

52. The plenary considered and agreed reports from Committee C, (Economic Affairs) entitled “Renewable Energy Except Nuclear” (Document 139) and Committee D (Environmental and Social Affairs), entitled “The Integration of Newly Arrived Migrants” (Document 140). The plenary further agreed that both reports be forwarded to the UK and Irish Government for response.

Plenary Session – Tuesday 21st October, 9.30am

Items 1: The Security Situation in Northern Ireland

53. The plenary was addressed by Paul Goggins MP, Minister of State at the Northern Ireland Office for Security and Policing on the current threat to the NI peace process. Mr Goggins reiterated the commitment of the UK and Irish governments to see ministerial responsibility for policing and security devolved to the NI Executive, however this was matter for the NI political parties. This would be an important

---

4 See paragraph 21 of the ELU Report on the 36th BIIPB Plenary session, April 2008, Wexford, Ireland
message to dissidents on both sides that a return to the past for Northern Ireland would not be an option.

54. Mr Goggins went on to state that the greatest threat to security came from dissident republicans who were determined to kill a PSNI officer and have made several attempts to do so in the last year. Loyalist groups also posed a threat, especially as they have yet to engage with the IICD in decommissioning their weapons.

*Item 2: The Consultative Group on the Past (CGP) (In Private – see paragraph 17)*

55. The plenary heard from Lord Robin Eames, former Church of Ireland Archbishop of Armagh and Chair of the CGP and Dennis Bradley, Vice-Chair of the CGP on the findings of their report on the ways of dealing with the legacy of the Troubles. During their presentation to the plenary they stated that their aim was to publish their report before Christmas 2008. The presentation was very warmly received by members and numerous questions were put to the Chair and Vice Chair about their work and the findings of the CGP.

*Item 3: Adjournment*

56. The 37th and final plenary of the British-Irish Inter-Parliamentary Body adjourned at 12.10pm. The 1st full plenary of the British-Irish Parliamentary Assembly will take place from Sunday 29th to Tuesday 31st March 2009 at the Solis Lough Eske Castle Hotel, Donegal Town, Co Donegal, Ireland.

Seán Wixted  
External Liaison Unit  
October 2008

---

5 IICD: International Independent Commission on Decommissioning was established after the Good Friday Agreement to oversee and verify the process of the decommissioning of paramilitary weapons.