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Submission on:

Draft Programme for Government 2008-2011,

Draft Budget 2008-2011,

Draft Investment Strategy 2008-2018

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1. Introduction

As an elected Member of the European Parliament for Northern Ireland, I take this opportunity to respond to the draft Programme for Government and Budget for 2008-2011, as well as the Draft Investment Strategy 2008-2018.

These are essentially non-documents, which are extremely light -both in volume and in content.

A Programme for Government should be a document brimming full of ambition for what can be achieved for Northern Ireland through good Government. The reality couldn't be much different, in a 17 page smattering of political compromise and inaction, demonstrating just how unworkable a mandatory coalition Government is proving to be in practice.

The nature in which the consultation exercise is being carried out reflects the reality of DUP/Sinn Fein headship –that Departmental Equality Impact Assessments are being carried out on 'Draft' documents restricts any opportunity for real alterations to be made.

While the Programme for Government is scant, the Budget equates to little more than a history lesson of underinvestment during 30 years of Direct Rule Government. Undoubtedly, Northern Ireland has suffered from underinvestment in major infrastructure such as roads and water, but there is little evidence that much will change under devolution. There is little sign of our Politicians having achieved any new money under a so called 'Peace Dividend'. It would appear the outcome of the first Varney Review has also left Northern Ireland high and dry, despite great promises having been made.

The underlining theme within the Budget appears to be cash releasing efficiencies, which sounds very much like selling off the family silver to provide an immediate cash boost, in lieu of the failure to negotiate a significant financial package from HM Exchequer. I fear the Executive decision to dispose of a World Class Research facility at Crossnacreevy, at great cost to the agricultural industry in order to fund a Budget shortfall for DARD's Farm Nutrient Management Scheme will be the sign of things to come, under this approach.

The tone of the Budget is extremely negative, and at one point we are told that because of the cost of offsetting water charges, there is 'very limited overall room to manoeuvre in terms of allocating disproportionate increases to any particular area of expenditure.' The people of Northern Ireland will quite rightly ask what happened to the promised financial package, and therefore, to the false expectations that devolved Government would be somehow synonymous with Good Government. This is clearly not the case.

If open and transparent Government really existed, the people of Northern Ireland would expect a Budget to itemise much more clearly exactly the types of projects which will attract public funds. While the Programme for Government contains ideals, these are not translated into easily identifiable and accessible areas of spend.

Behind the pretence of fine words, there is clearly a vacuum in the decision-making process, illustrated by debacles such as where to site the new multi-sports stadium, and who will build the new visitor centre at the Causeway.

It would appear the Budget and PFG represent Policy documents without the policies, in short aspirations without a roadmap, or any real notion of practical action which will ensure the people of Northern Ireland have their needs met over the next 3 years and beyond.

These documents exude a failure of the main Political parties to arrive at a common direction in terms of policy, and a failure of any real meaningful actions which will lead Northern Ireland into the 21st Century.

2. Absence of a Financial Package

Prior to devolution all the parties who presently make up the Executive argued that a significant financial package was necessary for devolution to succeed -most vocal was the Democratic Unionist Party. Page 30 of the DUP manifesto was headed 'Securing a Financial Package for Devolution'. It stated:

*"Devolution is not an end in itself. It must be capable of succeeding. When devolution returns, it is essential that an incoming Executive has the necessary resources to make a difference to people's lives. **This will require a financial package for Northern Ireland.**"*

*"We have made it clear that resolution of this issue is **a precondition for establishing devolution.**"*

"Northern Ireland will never have a better opportunity to make up for the decades of under-investment during the Troubles or to help us compete economically with the Republic of Ireland."

*"**Without such a package, Northern Ireland will face the prospect of massive local taxes, being economically uncompetitive and lacking the funding for essential infrastructure. This is not a welcome prospect for any incoming Executive.**"*

*"**While other parties have talked about a financial package, we were the first party to put it on the agenda and the only one to make it a precondition for devolution.**"*

*"Establishing an Executive without this issue being resolved would undoubtedly threaten the long term viability of devolution in Northern Ireland. **An Executive would be impotent to deal with the challenges which lie ahead and would be left at the mercy of events.**"*

"This matter was overlooked at the time of the Belfast Agreement in 1998 and as a result Northern Ireland is suffering today. The massive UK wide spending increases over the first two terms of the Labour Government obscured the problems that were being stored up for the future."

*"Negotiations have already taken place on this issue **but it is vital that the matter is resolved in advance of devolution. If a satisfactory financial package is not secured now, it is unlikely to be obtained after devolution returns when the pressure is off the Government.**"*

Given that the DUP made such an issue of securing a significant financial package prior to devolution, it is ironic that it is a DUP Minister presenting a Draft Budget after the election who candidly admits that not only did Northern Ireland not obtain a cash injection from Westminster, but, as a result of the Comprehensive Spending Review "the increase in resources available to the Northern Ireland Executive over the next three years **will be less than in recent Spending Reviews**" (1.5 pages 1 and 2, Draft Budget 2008-2011).

The Draft Budget goes on to state that the extent to which the Executive can bring about enhanced economic growth is '*constrained by the lack of fiscal policy instruments made available by HM Treasury*' (2.6. page 5, Draft Budget).

However, the Draft Investment Strategy states that over the next three years the Executive will seek '*to address a legacy of under-investment in the past*' (page 1). Surely these two comments are contradictory?

The DIS goes on to say '*our infrastructure has suffered many years of underinvestment. Much needs to be done to improve our transport networks*' (page 2) and '*high quality transport, communication and energy networks are the vital arteries of today's most successful economies*' (page 8).

Since the publication of the Draft PFG, Draft Investment Strategy and Draft Budget, it has been revealed that some rural roads in Northern Ireland will only be resurfaced **once every 104 years**.¹ Therefore in spite of the fact there has been an above average increase in the DRD budget over the 2008 – 2011 period there is clearly a huge shortfall in the amount required.

Varney Review

Despite all the hype about a reduced local rate of corporation tax, the reality under devolution is proving very different. The Draft Budget only states that '*no tangible benefit has yet been delivered from the Varney Review process*' (2.7, page 8) - hardly surprising as the outcome was not public at that stage. When Sir David published his findings on Monday 17th December the Finance Minister described them as '*disappointing*'.

An Executive strapped for cash – a result of the mad rush to power

Throughout the draft Budget, draft PFG and draft Investment Strategy one gets the very clear impression that the Executive is severely strapped for cash. Every Department is being pushed to deliver huge cash releasing efficiencies. DARD has a target to deliver cash releasing efficiencies of £6.2 million, £12.2 million and £18.1 million respectively over the period 2008-09 and 2010-11 (DB, 56). Education aims to achieve efficiencies of £63.2 million, £124.5 million and £184.0 million over the same period (DB, 65) while for DHSSPS the targets are £118.2 million, £232.8 million and £344.0 million (DB, 85).

What are the reasons for the Executive's failure to secure a financial package? Both Messrs Blair and Brown knew that Northern Ireland's politicians were bursting to obtain high office. Why, therefore, would they believe all the hot air about an enormous cash injection for Northern Ireland being a 'precondition' for the return of devolution? Patently they did not, and called the parties' bluff.

While the documents repeatedly talk about a legacy of direct rule underinvestment in the Province, **nothing** is said of the fact that money which could have gone over those years to frontline services was instead spent on security as a direct result of the terrorist campaign of Republican and "Loyalist" paramilitaries.

It would seem that the Executive would like to blame all of Northern Ireland's economic ills on the "Brits", while ignoring the primary cause of historic under investment in Northern Ireland – the terrorist campaign in which at least two members of the Executive played an active part.

3. North/South Integration

The Programme for Government and Budget offer little by way of respect for the Constitutional position of Northern Ireland as an integral part of the United Kingdom. North/South integration is clearly being pursued through every major policy area, and this approach is branded within the aforementioned documents. Furthermore, the enthusiasm of Sinn Fein/IRA Executive Ministers of aligning all major policy decisions with the Republic clearly demonstrates the constitutional agenda those Ministers are pursuing.

The Draft Programme for Government refers extensively to working ever closer with the Republic of Ireland administration through 'day to day contact'. Despite claiming North/South and East/West should have equal status –itself objectionable for an integral part of the UK –the predominant focus is in fact North/South.

Within the Executive's priorities for Government, the so called East/West dimension hardly merits a mention, while the North/South relationship is seemingly becoming more formalised and institutionalised, no longer solely through North/South bodies, but now with integration into Northern Ireland's internal departmental affairs.

In the first six months, the lust of Sinn Fein/IRA Executive Ministers towards integrating Northern Ireland policies with those of the South, motivated by political aspirations and not for the benefit of the people of Northern Ireland has been clear to see. The type of North/South 'day to day contact' referred to in the Draft PFG has thus far equated to proposals by the Education Minister for a complete overhaul of our established and hugely successful education system in line with that of the Republic of Ireland; and the Agriculture Minister acting as though Northern Ireland is a satellite state of the Republic of Ireland, through consorting her Southern Ministerial counterpart on every area of policy, to mention but a few examples. There is a complete failure in the Budget and Programme for Government to strive towards adding to the strong historical, cultural and constitutional ties Northern Ireland shares with Scotland, England and Wales, and to instilling pride in our British citizenship, and this at a time when the UK Government is acknowledging the need to promote 'Britishness'.

What appears in these Draft documents is more akin to Joint Sovereignty than about two separate administrations co-operating on a voluntary basis where it is in both parties mutual interest to do so. I detect a sinister and, if these documents remain unchanged, an Institutionalised commitment to strive towards an integrationist 'United Ireland' agenda. Such an agenda is against the wishes of the majority of the people of Northern Ireland, and therefore I utterly object to it being pursued.

North-South favoured, East-West neglected

While the Draft Investment Strategy contains a section headed “Benefits of North/South Co-operation” and “Co-operation in Border Areas”(5) there is **no** section dealing with the benefits of East–West co-operation. This in itself demonstrates the relative importance of the two as far as the Executive is concerned.

Under “Benefits of North/South Co-operation”, the Executive states that “co-operation in developing infrastructure, where appropriate, will help ensure more effective and joined-up delivery of key projects” (DIS, 5). This statement underscores the fact that the Border is becoming less and less relevant as the all-Ireland agenda of the Belfast/St. Andrews Agreement is pursued.

Again, under “Co-operation in Border Areas” the Draft Investment Strategy states that there will be “*a particular focus on cross-border links*” (DIS, 5).

It goes on to state that the ‘upgrading’ of transport links ‘*along the Dublin-Belfast corridor will ensure that this corridor forms a major axis for economic development on the island*’ (DIS, 5). **Nowhere in any of the documents which form part of this consultation is there a commitment to further develop East-West transport links, despite their deficiency. Why is there no talk of working with the Scottish Executive on such practical issues?**

It is noteworthy that funding is specifically being provided from both HM Government in Westminster and the Irish Republic’s Government to, ‘*support this co-operation*’ (DIS, 5). **Neither the London nor the Dublin administration – either jointly or independently make any commitment to support East-West co-operation.**

This is in spite of the DUP boast in their 2007 Assembly election manifesto that:

‘The DUP has succeeded in rewriting the 1998 Belfast Agreement and making fundamental changes in the way in which we would be governed in Northern Ireland.’
‘In our manifesto for the previous Assembly election in 2003, we set out what we believed were the fundamental flaws in the Belfast Agreement: ...
‘All of these issues have been addressed in the changes to the legislation that the DUP has secured, regarding the governance of Northern Ireland’ (DUP Getting It Right 2007 Assembly election manifesto, 16).

Expenditure on North South bodies

The most obvious example of North-South links being nurtured while the East-West dimension is neglected is in the huge increases in the budgets for North-South bodies.

DARD

Foyle, Carlingford and Irish Lights

Expenditure on this body is proposed to rise by a **massive 27.3%** in 2008-09 and by 2010-11 expenditure is set to rise to £ 2.5 million from its current level of £1.8 million – **a rise of almost 39%** (DB, 58).

DCAL

During the debate on the Programme for Government on 24th October 2000 Edwin Poots put the following to then First Minister David Trimble:

*'The Programme for Government has a lot of meaningless statements in it, and once one removes a lot of the verbiage and refines the details, one finds that the First Minister's scriptwriters have failed to cover up the all-Ireland nature of the current process. I see one North/South body after another, whether it be language,...'*²

This statement would suggest that Mr Poots was opposed to the very existence of a North/South body to deal with language.

How ironic, therefore, that in 2008 he should preside over a Department which oversees that same body and, indeed, allocates a **12.3% increase in 2008-09** (DB, 62).

DETI

Tourism Ireland

During questions to the then Minister of Finance – Mark Durkan - in 2000 Nigel Doods asked:

'Will the Minister detail the amount of money to be spent on the North/South tourism company? He indicated in his speech that the funds for that would increase substantially as part of the budget for the Department of Enterprise, Trade and Investment. Will he also state the amount from the budget for the Office of the First Minister and the Deputy First Minister that will be contributed to the North/South Ministerial Council secretariat?'

'There has been a substantial increase in the money allocated to the all-Ireland North/South implementation bodies — some of their budgets have increased by 100%, some by 46% and others by 34%. In view of the pressures on education, health, housing, urban regeneration, roads, water services, and so on, does the Minister not agree that that money would be better spent on improving services in Northern Ireland, rather than on the servicing and administration of all-Ireland bodies set up to forward the political agenda of the Belfast Agreement?'

In his reply Mr Durkan informed Mr Doods that £5.8 million was provided to Tourism Ireland.³

Eight years later it is Mr Doods who holds the DETI portfolio. DETI has earmarked £14.3 million for Tourism Ireland in 2008 – 09 **rising** to £17.2 million in 2010 – 11 (DB, 76). This contrasts with a **fall** in the proposed expenditure on the development of tourism in Northern Ireland from 16.1 million to 15.1 million over the same period.

Throughout its existence, Tourism Ireland has failed to take account of the distinctiveness of Northern Ireland by marketing both parts of Ireland as a single destination. By this approach, Tourism Ireland peddles the republican myth of a single

Irish nation to the world. One has only to view the adverts on the Tourism Ireland website to see that they promote a view of the island which is exclusively nationalist, not taking into account any of the celebrations of Unionist culture and tradition.

Inter-Trade Ireland

It is also interesting to note that the proposed budget allocation Inter-Trade Ireland is due to receive (that organisation which supposedly exists to '*promote the value of growth sectors to make the Island more competitive in a global economy*') is a nonsense as the Republic is tied to the Euro zone with its interests rates set by the European Central Bank, while Northern Ireland is part of the UK economy) is set to rise by a **huge 38.1% in 2009-10**. There is a **further rise** of 7.6% proposed in 2010-11, meaning that over the period covered by the Draft Budget **the allocation for Inter Trade Ireland rises by 45.7%** (DB, 76).

DFP

North /South Special EU Body

While almost every area of DFP witnesses cuts – the Draft Budget proposes that expenditure on Civil Service Personnel Services be cut from £11.8 million in 2007-08 to £6.6 million in 2009 – 10 a cut of over 44%, it is proposed that expenditure on the North/South Special EU Body remains static (DB, 80).

DHSSPS

The situation is similar in relation to DHSSPS and the Food Safety Promotion Board. The minister for Health has made no secret of the fact that he regards the Draft Budget allocation to his department as inadequate, yet it is proposed that the Food Safety Promotion Board's allocation of funds remain static at £ 2.0 million in 2008-09, rising to £2.2 million by 2010-11 (DB, 87).

Taxation without representation

The DUP policy paper *Towards a New Agreement* published in 2003, made the point that when they had attempted to reallocate funding for implementation bodies they discovered that the funding of these bodies was outside the remit of the Assembly (*Towards a New Agreement*, 17). Neither the St Andrews Agreement nor the St Andrews legislation did anything to rectify this situation.

No Taxation without Representation is a fundamental democratic principle which is flouted in Northern Ireland.

4. Equality

It is unacceptable that despite being the majority community in Northern Ireland, the Protestant/British/Unionist culture does not receive acknowledgement within the Programme for Government. In order to curb the numerous attacks on property belonging to this tradition, including Orange Halls, much effort is required to educate the Northern Ireland public about the Protestant/British/Unionist culture and traditions.

The term 'Ulster Scots' contained within the documents in question does not sufficiently embrace the identity of the majority community, and would be better replaced by Protestant/Unionist.

It is ludicrous for the Programme for Government to refer to the need to, 'develop the values and attitudes appropriate to citizenship in an inclusive society', when certain Executive Ministers cannot bring themselves to even use the name of our Province, 'Northern Ireland'. Intolerance against all things pro-British will continue so long as Sinn Fein Executive Ministers fail to accept the Constitutional status of Northern Ireland as an integral part of the United Kingdom.

I take issue with the littering throughout the Budget and Programme for Government of references to addressing '*inequality*', inferring that Institutionalised discrimination is the order of the day. Such phrases are utterly without foundation, and are incompatible with instilling citizenship, which is another stated ideal within the Draft Programme for Government. Citizenship, should of course, refer to the legal meaning of Northern Ireland citizens being a part of the United Kingdom.

In the Draft Budget, the section dealing with 'Victims and survivors' is of some concern, because of ambiguity in definition. A victim must only refer to those or their loved ones who have fallen or suffered in some way at the hands of illegal terrorist activity.

The imbalance in funding to date towards 'ex-prisoner' groups versus victims organisations is an utter affront to any democratic society. Under the Peace II Programme, £11m went to terrorist 'ex-prisoner' groups, while victims groups received a mere £250,000. Moreover, 'ex-prisoners' have been deemed as a marginal group, and therefore have been awarded priority status under the new Peace III Programme due to begin shortly. Should the Executive fail to reverse this approach, they will be adding great insult to those innocent victims of terrorist violence.

Furthermore, the failure of the First and deputy First Minister to appoint a Victims Commissioner, while not surprising, is an affront to the thousands and their families who suffered at the hands of terrorism in its most evil guise. Reference to establishing a '*Forum*' presumably to deal with victims issue is included, but it is unacceptable that no further explanation on this new concept is given.

Records of past terrorism atrocities form part of our recent and brutal history. These wrongs must not be airbrushed by Government for the sake of political expediency, while lack of funding towards victims interests must be urgently addressed.

5. Sustainable Development

A more holistic approach towards striving for more sustainable development, including environmental, but also taking account of economic and social factors is absolutely necessary in order to arrive at a situation which is sustainable in the truest sense.

The Draft Programme states that Northern Ireland has the lowest levels of renewable energy generation, a far cry from then Secretary of State Peter Hain's intention to make Northern Ireland an exemplar region for renewable energy generation.

Simultaneously, we have among the lowest levels of entrepreneurial activity for a United Kingdom region. The Budget and PFG fail to include practical incentives to engage the private sector to become active in larger scale sustainable energy projects in a meaningful way. This, despite the fact that HM Government's Stern Report was a watershed in highlighting the economic cost of failing to put in place steps to implement a sustainable development strategy in ways which embrace the business community.

The Executive has missed a prime opportunity to stimulate business opportunities for the private sector, including the rural sector becoming involved in the emerging renewable energy sector. Public procurement and grant aid for private sector renewable energy projects in other EU Member States has had a key role in stimulating new, fledgling sectors become firmly established. While these documents refer to the need to promote research and development, many of the technologies have already been developed in other countries, and are suitable for use here. Best practice must be adopted, while providing maximum opportunities for the private sector.

No mention is made of Government buildings at the Stormont Estate converting to locally grown biomass heating, or to public transport converting to home grown biofuels.

The worst excesses of prevarication and delay under Direct Rule appears set to be repeated, in the clear absence of any real roadmap for change within either the Budget or PFG.

I note within the Draft PFG, reference is made to overhauling the Planning regime in Northern Ireland. Planning Policy Statement (PPS) 14, must be revised as a matter of urgency.

PPS 14 is a case study of the wrong way of doing 'sustainable development', as it really only considers environmental factors at the expense of those living in and making the countryside a benefit for all to enjoy. Undoubtedly, we must protect our environment, but I am disappointed that the PFG gives the public no real sense of the type of planning policy considerations that will replace the current system in due course.

It is not only energy which the Executive should be leading on by example, and are failing. The environmental credentials of locally produced food, and the need to support one of Northern Ireland's most important industries through public procurement, does not appear to have even been countenanced by the devolved administration. Practical actions could and should be taken by the local administration which could help stimulate local food initiatives, and create awareness of the merits of

locally produced food, and its true sustainable principles. Unfortunately, the Executive has chosen not to assist our local agri-food sector in this way.

Sustainable development has much to offer, by way of environmental improvement, but also in new economic opportunities for the Northern Ireland economy. It is perhaps an immaturity of awareness of these issues that sustainable development is seen as the preserve of the 'green lobby' to the exclusion of all others. To be successful, Government policy must be about ensuring buy in from a wide range of stakeholders of society, including the private sector, but also down to community level, with Government taking a firm lead. Sustainable development could be a win-win for economic, as well as social and environmental interests. However, under current unimaginative proposals, important interest groups which could be key drivers of change, will remain to be convinced of the benefits.

6. Departments

6.1 DARD

Devolution is not delivering for agriculture, while any initiatives outlined in the Budget are legacies from the Direct Rule era.

Firstly, there is no mention of any Executive support towards procuring more local produce, despite the fact that the Executive does refer to adhering to sustainable development principles.

Practical areas of support could have included the introduction of mandatory beef labelling for the catering and food service sector in Northern Ireland, as requested by industry representatives, yet this is absent from the documents.

The Draft Programme for Government makes much play of the commitment to investing £45 million in improving the competitiveness of the agricultural sector. However, in reality the decision by the Executive to permit voluntary modulation deductions from farmers single farm payments of well over £100 million, at odds with the situation in the majority of other EU Member States, more than cancels out any competitiveness benefit.

Within the Draft Programme for Government, a target to reduce TB in cattle by 27% by 2011 has been set, while cost savings are to be made through greater cost sharing with industry. Again, no clarity is given on how such targets are to be achieved, and in particular, no commitment is given if the Executive will take the decision to actively manage TB within the wildlife reservoir which has been the desire of the farming industry for years. Efficiencies in the area of Animal Health are desirable, but on the basis of an increased threat of exotic diseases such as Foot and Mouth, Avian Flu and Bluetongue, a reduction in the capacity to deal with disease outbreaks would be a very serious retrograde step.

The Draft Budget makes mention of how Northern Ireland falls well behind the EU 15 in its share of renewable electricity generation. However, no mention is made of providing grant aid for key strategic renewable energy projects on behalf of the intensive sectors, which would simultaneously ensure compliance with the EC

Nitrates Directive. This is an issue of grave concern to those who rely on such off farm solutions for managing poultry litter to be able to continue with their livelihoods.

6.2 DCAL – a Department which cannot think of anything to do

When one wonders why the PFG is so scant, DCAL provides a ready answer.

Asked to outline his legislative plans for the next year Mr Poots replied:

*“The implementation of the Libraries Bill to establish a new Library Authority for Northern Ireland is the only planned legislation for the next year.”*¹¹

If, as the parties repeatedly claim, Northern Ireland has been missing out due to inaction by Direct Rule Ministers over the past 30 years, how is it that the DCAL Minister cannot think of anything to do?

The fact that DCAL could provide such a pathetic response perhaps explains why the Draft PFG is structured around five so-called “priority areas” (DPFG, 4) rather than broken down by agreed outcomes for Government Departments. If it had been broken down by Departmental aims, Mr Poots’s section would have concluded in a handful of lines.

While the DCAL section sees fit to inform us about plans for a new 50m swimming pool, it is also noteworthy that none of the documents provide any detail on the siting of the new National Stadium (DB, 59). Small wonder, on the basis that the Minister is at logger heads with his Party colleagues as to where the Stadium should be sited, with Unionists opposed to a proposal to construct beside the H-blocks, which would inevitably become an IRA shrine unless the sensible steps of delisting and demolition are taken.¹²

6.3 Education – a startling omission

The most amazing omission from the Draft Programme for Government, Budget and Investment Strategy is **the lack of any mention of the future of academic selection.** This, surely, was the key issue facing that department.

The Budget does, in its lengthy (largely historical) introduction, however, have interesting things to say about the education system which presently operates in Northern Ireland, making the point that:

‘Northern Ireland has been consistently among the best regions in the UK in terms of educational performance at GCSE and A-level. We also have the lowest proportion of pupils who leave school without any GCSE qualifications’ (DB, 9).

However, just over a month after the publication of the documents which relate to this consultation, the Minister for Education announced that she plans to terminate academic selection and introduce an entirely new system of education to replace the existing successful one.¹³

The Minister has proposed a system which, due to the absurdity of Government by mutual veto means that the important question of how Post-Primary education will work remains unanswered. This issue clearly demonstrates that Devolved Government, as presently constituted is bad Government – unable to deliver for the people of Northern Ireland on the big issues and, in this instance, failing our children.

Some seem not to have noticed, but what is being proposed is motivated by securing an all-Island approach where transfer occurs at 14 with no academic selection. This is the essence of the Minister’s approach; it’s no coincidence that it matches what prevails south of the border and, of course, already she is proposing free movement of pupils north and south.^{16, 17}

6.4 DOE

The Department has nothing to say in relation to the Review of Public Administration. This is in spite of the fact that DOE was able to publish a “Review of Local Government Aspects of the Review of Public Administration – Emerging Findings”.¹⁸

When one looks at the what the document actually says (or rather doesn’t say) one can see why. When asked to detail what progress has been made in relation to (a) the number of councils; and (b) the system of governance within the proposed new councils, in light of the decisions of the Review of Public Administration, Mrs. Foster replied that

“Discussions are continuing in relation to the number of councils and configuration that can best deliver our vision for Local Government. The issues are complex and require the most careful consideration, and there is a considerable volume of material and commissioned research to inform the discussions. While there is a need for, and benefits to be drawn from, reducing some of the existing diversity between councils, at the same time, there is a need for that to be balanced by creating councils of a scale that promotes the abilities of communities to identify and interact with local councils.

“One of the decisions of the previous RPA process was that a system of council governance, with appropriate checks and balances, would be developed and placed on statute. The Executive subcommittee remains committed to that position, and believes that if everyone is to have confidence in the new councils, there must be a statutory system of safeguards. The proposals for the system of governance in the new councils will best be informed by the decisions on the number of councils and the functions to be transferred to local government flowing from the current review. The development and testing of detailed governance models will, therefore, be taken forward as part of the implementation programme to deliver the changes to local government.”¹⁹

This answer clearly suggests that **no** progress has been made in relation to the number of councils. Therefore, as with so many of the difficult decisions still facing the Executive, this is another example of failure to arrive at a firm decision on a matter of great importance.

6.5 OFMDFM

Growing expenditure at a time of cuts

In August 2002, the BBC reported that OFMDFM, then jointly headed by David Trimble and Mark Durkan, had 424 employees on its books – more than double the 205 civil servants who worked in Bertie Ahern’s Taoiseach's Department in Dublin and almost as many as the 500-odd staff in the White House.⁴

This prompted a series of questions from Ian Paisley Jr to the Office of the First and deputy First Minister about staffing levels in that department.⁵

As part of Mr Paisley Jr’s attack upon the Office of the First and deputy First Minister, he criticised the appointment of Junior Ministers to positions in OFMDFM. During a debate in the Assembly on the appointment of Junior ministers in December 1999 Mr Paisley Jr had the following to say:

‘The comments made by the First Minister and the Deputy First Minister have exposed the fact that Northern Ireland is to be over-bureaucratised. For years democrats across Northern Ireland have complained that there is not enough people power, that we do not have democracy and that we need real and accountable democracy and access to the levers of power. Over the past few months there has been an increase in bureaucracy and a decrease in democracy. In the past, three Ministers serviced six Departments. Now we have 10 Departments and 10 Ministers, and we are to have two junior Ministers. That is an increase in bureaucracy, not an increase in democracy, and that is sad.’

‘Who is to pay for these junior Ministers? The answer is that the money will come from the public purse ...’

‘What is the real purpose of these appointments? Is it accountability, transparency, openness and real democracy? The reason for appointing the two junior Ministers - Ministers literally without portfolio who can stick their noses into any business the First Minister and the Deputy First Minister decide - is to prevent proper Assembly scrutiny of the Office of the First Minister and the Deputy First Minister. Their actions will cover over what the First Minister and the Deputy First Minister are doing and prevent the establishment of proper scrutiny Committees to examine and probe.’⁶

The situation re overstaffing in OFMDFM has not improved. In August 2007 it was revealed that OFMDFM employs 415 staff at a cost of some £14.1 million a year - that compares with Downing Street’s staffing levels which are in the region of 200, while the arch critic of junior Ministers now holds the position of a junior Minister!⁷

In August of last year OFMDFM was forced to defend the appointment of special advisors to the two junior ministers – Ian Paisley Jr and convicted IRA bomber Gerry Kelly – against an outcry from the press and other political parties.^{8,9}

Furthermore, I note that **expenditure by OFMDFM has risen by 18% during the period 2004-05 to 2007-08. This is the highest rise for any Government Department other than DHSSPS (DB, 35).**

I further note that **OFMDFM expenditure is to rise from £ 70.9 million in 2007– 08 to £80.7 million in 2010 -11 – a 12% increase over the period (DB, 108).**

OFMDFM and victims

I note from the Draft Budget that OFMDFM pledges to “deliver a new, comprehensive approach to Victims and Survivors, including the appointment of a Victims Commissioner and the establishment of a Forum” (DB, 105).

With regards to the Forum - like so much in the Draft Budget, Draft Programme for Government and Draft Investment Strategy, this is left extremely vague and no detail is given. In spite of the fact that I wrote to the First Minister in early November seeking clarification in relation to this matter, I have not yet received a reply.

Whatever the truth about the makeup of a proposed Victims’ Forum, one can say for certain that OFMDFM has failed to address the needs of the innocent victims’ sector.

Nowhere is this more evident than in the failure of the First and deputy First Minister to appoint a Victims Commissioner. It was only after **six months** of devolution – in October 2007 -that OFMDFM came up with the conclusion that the process of appointing one had been so tainted during Direct Rule that they had to start the procedure from scratch. The First and deputy First Ministers had previously promised an appointment in July, and then September. In October, they promised an appointment before the end of the year – a promise repeated by Dr Paisley on December 10th. 2007 has come and gone and there is still no appointment. ¹⁰

Whether McGuinness exercised his veto over this appointment we may never know, but the fact that a man with McGuinness’s record should have any say in relation to such an appointment, never mind a veto is outrageous.

One really had to pinch one’s self upon hearing Dr Paisley declare that people “may have been deterred from putting themselves forward” when the process started under direct rule only for him to go on to say that **that the new and supposedly improved appointment process will involve an interview with none other than Martin McGuinness and himself.**

Meanwhile, the many issues arising from the interim Victims’ Commissioner’s report still await action.

Recent developments have also revealed that the way OFMDFM funds victims’ organisations is **fundamentally flawed.**

Following the revelation that the Community Relations Council had appointed a woman who acted as an IRA mole in the Housing Executive for 16 years, and has convictions for possession of explosives and attempted murder, I wrote a letter of protest.

I also inquired if the CRC was in receipt of any Government funding and, if so from what Departments did that funding come from. In the reply, I was informed that

OFMDFM funds the CRC to the tune of £3.29m p.a., and that CRC acts as a core funder for victims' organizations on behalf of OFMDFM.

Since then I have written to the First Minister pointing out that **a convicted terrorist, who has displayed no evidence of remorse for her actions, is totally unsuited to have any role in relation to the funding of victims' organizations on behalf of OFMDFM.**

7. CONCLUSION

As you will doubtless have gathered, I am distinctly underwhelmed by these documents.

The parties in the executive have failed to deliver for the people of Northern Ireland. All the great promises of a mega financial package from HM Treasury have amounted to so much hot air and important issues – such as a Victims' Commissioner, the site of the new sports' stadium, the future of post primary education and a visitor centre at the Causeway (most of which do not even merit a mention) – have been mishandled in the most appalling way.

We have also witnessed **huge increases** in the money wasted on cross border bodies while the East-West dimension is virtually ignored. So much for the promise that St Andrews had redressed the imbalance.

To suggest after 30 years of neglect under Direct Rule- that a Programme for Government running to just 17 pages – which cannot even manage a page per department – is sufficient for Northern Ireland is laughable. It would appear that some ministers are quite simply at a loss as to what to do.

It is manifestly obvious that the Executive quite simply **lacks any vision** as to where they want Northern Ireland to go. Important issues have been fudged or simply not delivered on at all, while at least all one minister can muster is **just one bill** over the next year.

In short, the documents put out for this consultation are flimsy and short on any substantive detail.

One final point deserves to be made most forcefully. While the draft PFG states that the Executive is **“committed to open and accountable government”** (17) it is evident that the Executive has **manifestly failed** to deliver this up until now.

On 8th October 2007 the First Minister attacked the Freedom of Information Act for wasting the time of civil servants and called for a review. ¹ Although there is a question mark over how far the Assembly can go in amending the Act, the First Minister's comments reveal a desire to conceal what is going on the Executive.

Having been someone who has asked questions about difficult issues of ministers I can say with some authority that departments have displayed a desire to hide and conceal their actions rather than deliver openness and accountability.

One example will suffice. For five months I pressed the Executive on the issue of publicly-funded special advisers. After a complaint to the Ombudsman, I received a partial reply from the Head of the NI Civil Service.

He made it clear that no checks have been conducted on criminal records and no security-vetting whatever has been carried out. Thus we have Party appointees, with the status of civil servants, running around exempt from the restraints applicable to all other civil servants and immune from having to declare if they are convicted criminals, even convicted terrorists. Bearing in mind the scandal of "*Stormontgate*", what possible justification is there for exempting these individuals from any form of security vetting?

I note that despite me specifically asking as to "the protocols and arrangements" which exist in respect of the appointment of special advisers, OFMDFM tried to conceal the existence of a DFP Code of Practice on the subject, issued in March 2007. Why was this? Surely, this is a most pertinent document, which happily I had discovered in an earlier FOI application.

It is my belief that key requirements of this Code have been breached in several of the appointments, particularly by Sinn Fein/IRA. Among the rigorous requirements of the Code are that Ministers should consider "a wide field of candidates", that a job description should exist, that the process is documented, and that selection is made on sustainable and lawful grounds.

After my reply from Mr Hamilton I lodged FOI requests with all the departments asking them to disclose:

- (1) The documentation covering each stage of the recruitment process
- (2) How was the availability of the job made known
- (3) What was the job description and personal specification for the appointment and when and by whom was it set out
- (4) What requirements did the Minister set out as having to be met by the person appointed
- (5) What reasons did the Minister record for selecting the person appointed and when was the record made
- (6) How many persons were in the pool of candidates, who identified the pool and whom did it contain
- (7) Evidence that regard was had to any potential imbalance of religious belief in the circles from which the Minister was minded to draw someone for appointment and
- (8) A copy of the Minister's written notification to the Permanent Secretary of the choice made.

All 10 government departments replied with carbon copy letters telling me that Section 40 (2) of the Freedom of Information Act allowed them to withhold all the information I requested. Much, if not all, quite manifestly does not fall within the terms of this exemption.

The departments are now carrying out a review of their decision to refuse this request.

This is simply a delaying tactic, **an example of joined up government at its worst – united in its desire to keep the public in the dark and certainly not a government characterized by openness and accountability.**

Similarly, while OFMDFM has a target date of 10 days to respond to letters from MEPs **I have frequently had to wait in excess of three months for a response from this department.**

Notes

¹ *Belfast Telegraph*, 2nd January 2008 “Rural roads in Ulster only resurfaced every 104 years”

<<http://www.belfasttelegraph.co.uk/news/local-national/article3301265.ece>>

² Questions to the First and deputy First Ministers following a statement on the Programme for Government, 24th October 2000

<<http://www.niassembly.gov.uk/record/reports/001024.htm>>

³ Questions to the Minister of Finance following a statement on budget proposals (2001 -2), 17th October 2000 <

<http://www.niassembly.gov.uk/record/reports/001017.htm>>

⁴ *BBC NI*, 10th August 2002 “Staff levels a symptom of NI government”

<http://news.bbc.co.uk/1/low/northern_ireland/2185244.stm>

⁵ Written Answers to Questions, 20th September 2002

< <http://www.niassembly.gov.uk/qanda/writtenans/020920.htm>>

⁶ “That this Assembly approves the determination by the First Minister and the Deputy First Minister of the number of junior ministerial offices, the procedure for appointment and the functions which would be exercisable by the holder of each such office”, 14th December 1999

<<http://www.niassembly.gov.uk/record/reports/991214c.htm>>

⁷ *News Letter*, 27th August 2007 “Stormont staff 'double No 10”

<<http://www.newsletter.co.uk/news/Stormont-staff-39double-No-1039.3144065.jp>>

⁸ *BBC*, undated “IRA gang convicted of London bombings”

<http://news.bbc.co.uk/onthisday/hi/dates/stories/november/14/newsid_4724000/4724181.stm>

⁹ *News Letter*, 30th August 2007 “More staff at OFMDFM”

<<http://www.newsletter.co.uk/politics/More-staff-at-OFMDFM.3159600.jp>>

¹⁰ *Belfast Telegraph*, 3rd January 2007 “McGuinness and Paisley miss another deadline”

<<http://www.belfasttelegraph.co.uk/news/local-national/article3304296.ece>>

¹¹ Written Answers to Questions, 16 November 2007

< <http://www.niassembly.gov.uk/qanda/2007mandate/writtenans/071116.htm#3>>

¹² *BBC NI*, 22nd June 2007 “DUP mixed messages over stadium”

<http://news.bbc.co.uk/1/hi/northern_ireland/6229886.stm>

- ¹³ Department of Education press release, 4th December 2007
< <http://www.northernireland.gov.uk/news/news-de/news-de-041207-minister-ruane-outlines.htm>>
- ¹⁴ Questions to the Minister for Education following a statement “outlining a vision for the education system”, 4th December 2007
<<http://www.niassembly.gov.uk/record/reports2007/071204.htm#1a>>
- ¹⁵ *Belfast Telegraph*, 4th December 2007 “Ulster pupils to transfer aged 14”
<<http://www.belfasttelegraph.co.uk/news/education/article3221503.ece>>
- ¹⁶ Jim Allister press release, 8th December 2007 “All-Ireland fusion is underway”
<<http://www.jimallister.org/default.asp?blogID=830>>
- ¹⁷ *News Letter*, 24th November 2007 “Ruane planning to scrap the border”
<<http://www.newsletter.co.uk/news/Ruane-planning-to-scrap-the.3520455.jp>>
- ¹⁸ *Review of Local Government Aspects of the Review of Public Administration – Emerging Findings*,
<http://www.doeni.gov.uk/emerging_findings_paper_for_executive_meeting_on_18_october_2007_-_final_version.pdf>
- ¹⁹ Questions to the Minister of Environment, 13th November 2007
<<http://www.niassembly.gov.uk/record/reports2007/071119.htm#9>>