

Resolved

This for an applicant the need to have evidence in favour of the proposed research project is essential. The applicant must show that the project is of interest to the community and that it is feasible. The applicant must also show that they have the necessary resources to carry out the project.

The Project Committee will consider the application and make a decision on whether to fund the project. The committee will also consider the applicant's proposal for the management of the project and the way in which the project will be monitored and evaluated.

The meeting was adjourned at 1.15 pm.

The meeting was held in the main hall of the Royal Society of Medicine. The meeting was attended by a large number of members of the society and by a number of guests. The meeting was a very successful one and it was a pleasure to be able to discuss the project with so many people.

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NORTHERN IRELAND FORUM FOR POLITICAL DIALOGUE

Friday 1 November 1996

The meeting was called to order at 10.02 am (Mr R J Gorman in the Chair).

Members observed two minutes' silence.

The Chairman: Welcome to the 16th plenary meeting of the Forum. I am very glad to be back among you. I was delighted to hear how well Mr Ivan Davis and Mr Gregory Campbell had stood in for me during my absence. I understand that they performed their duties brilliantly, and I have written to both to thank them. I am not sure if my letter to Mr Campbell will have reached him yet, because I wrote it only about 10 minutes ago.

FORUM: STANDING COMMITTEES

The Chairman: While I was away, I understand, the Forum took the decision to form an additional Committee to look at matters affecting the economy. If I may say so, that was a very wise decision.

You have before you a motion which will formally create that Committee, add to the work programme of the Committee on education issues and remove the time constraints against which Committees have been operating.

Resolved:

That (a), in accordance with Rule 14(1), the Forum appoints a Committee with the following designation, remit, terms of reference, composition and quorum —

Designation:	Standing Committee E
Remit:	The Northern Ireland economy
Terms of reference:	To examine issues relevant to the performance of the Northern Ireland economy and report to the Forum at periodic intervals
Composition:	4 UUP, 4 DUP, 4 SDLP, 2 Alliance, 1 UKUP, 1 Labour, 1 NIWC, 1 PUP, 1 UDP
Quorum:	5;

(b) Standing Committee B shall have its terms of reference amended to read

“To examine (a) the contribution which education services and structures make to the promotion of dialogue and understanding within Northern Ireland, (b) nursery education and the pre-school voucher scheme, and (c) the link between education and employment, and report to the Forum”;

and (c) the words "by 31 December 1996" shall be deleted where they appear in the terms of reference for Standing Committees B, C and D.

The Chairman: The first meeting of the new Committee will take place at 11.00 am on Thursday 7 November.

BEEF INDUSTRY CRISIS (BSE)

The Chairman: We now turn to the presentation of the interim report from Standing Committee D on the BSE crisis. This is an important matter, and I am sure the Forum will want to afford the Committee sufficient time to do justice to its report. However, we do have a full agenda today, and, while I am prepared to set aside an hour and a half, I should like members of the Committee who wish to speak to be brief.

Mr David Campbell: I beg to move the following motion:

That the Forum

adopts the interim report on the review of the beef industry crisis in Northern Ireland prepared by Standing Committee D (Agriculture and Fisheries Issues);

asks the Chairman, as a first step, to forward the interim report to the Minister responsible for agriculture in Northern Ireland, Baroness Denton, with a request that she give serious consideration to all the recommendations.

It is my privilege, on behalf of the Standing Committee responsible for agriculture and fisheries issues, to present the interim report on the BSE crisis and its effects on our beef industry.

I wish at the outset to record the Committee's thanks to and appreciation of all who submitted evidence or assisted our deliberations, and I pay tribute to the Forum Secretariat, particularly Mr Barnes and Mrs Barclay, for their hard work and dedicated commitment in preparing this report with a tight time frame. As Chairman, I wish also to record my thanks to the Vice-Chairman and Committee members for their valuable contributions and wise counsel.

On 13 September 1996 the Forum debated the BSE crisis at some length. All Members are by now well versed in the background to the crisis and its effects on our largest industry and the wider Northern Ireland economy. The first three sections of this review provide background information and highlight evidence taken from all sectors of the industry. I do not intend to elaborate on these sections, except to correct two minor typographical errors on page 21. Members may wish to refer to paragraph 3.1.26 with regard to the banks. The first line should read

"bank borrowing increased by £104m from 1992 to £391m in 1996".

The second small error is in the second paragraph. The words "gross based enterprises" should be "grass-based enterprises". These corrections will be made in the final version.

I urge Members to study the background and the evidence. Let them not underestimate the effects of this crisis on Northern Ireland. The disaster that has visited itself upon our farms, through no fault of farmers, is exactly that — a disaster. To stress this point I quote two submissions in particular. Firstly, John Murray, then Permanent Secretary of the Department of Agriculture, said

“I think there is an argument that there has been nothing like this since the famine.”

And Dr Paisley said

“This is the biggest crisis in Ulster’s economy that I have ever experienced in my political career.”

I can make no better impression of the seriousness of this situation than those comments.

In reviewing the evidence submitted, I wish to express the Committee’s admiration for the commitment of all members of the industry in seeking a resolution. This crisis has united all shades of political opinion in Ulster — as it should, for it knows no political or religious distinctions. Would that the Government shared the same unity of purpose in seeking a resolution. Would that the Government were prepared to act in the best interests of the whole kingdom, recognizing the region that can lead it out of this crisis. Would that the Government were prepared to honour national commitments made in the House of Commons and international commitments made in Florence, rather than welsh on those commitments in an attempt to save Tory seats in Scotland and England — in particular, the seat of the Scottish Secretary himself.

The beef — if Members will excuse the pun — in this report is its recommendations. I propose to present a general summary, and other Committee members will expand on individual recommendations. Our leading recommendation highlights our opinion that Northern Ireland should be allowed by the Government to fulfil the terms of the Florence Agreement to the satisfaction of the European Standing Veterinary Committee. In simple terms, we should proceed with the accelerated selective cull, implement herd certification (Northern Ireland is the only definable region in the United Kingdom that can achieve this quickly), ask the European Commission to lift the export ban on United Kingdom beef that can fulfil this criterion (in other words, Ulster beef in the short term) and continue to support our industry until the situation is normalized. Northern Ireland can lead the way for the United Kingdom. We demand to be allowed to do so. Why are we being penalized when our industry and our Department had the efficiency and far-sightedness to introduce traceability criteria many years ago? We commend them for so doing.

We have eight recommendations aimed at addressing short-term and longer-term difficulties being faced by farmers. My Colleagues will elaborate on situations resulting from the 30-month cattle cull backlog, such as milk over-production. We are especially concerned about the situation affecting farmers whose holdings are flagged. We are determined that their case will not be forgotten, and I give that categoric assurance today.

As a first step, the Committee specifically recommends that all calves born from 1 August this year be deemed BSE-free, even if from a flagged holding, as there will have been no chance of infection through consumption of meat-and-bone meal. This can at least

provide some hope of future clean beef production for those farmers who at present have no hope.

It is the Committee's intention to progress three recommendations further. First, we are floating the idea of an agriculture hardship fund. This would be a fund of last resort, financed largely by the industry itself, to provide relief for agricultural businesses facing severe financial difficulty as a result of natural disasters like the BSE crisis.

Secondly, the Committee will progress the establishment of a marketing initiative involving all sections of the industry to market prime Ulster beef aggressively and to restore consumer confidence at home and abroad. A key recommendation is that the Ministry of Agriculture, Fisheries and Food bring forward the development of a reliable, scientifically proven and accepted ante-mortem BSE test. Such a test could restore consumer confidence, eliminate BSE completely in all our herds and offer a permanent solution for flagged farmers.

Thirdly, the Committee is concerned about the administration of agriculture in Northern Ireland and the effects that successive agri-health scares have had and continue to have on our industry. We see the need for a direct interface between primary producer, processor, retailer and consumer and accordingly we intend to examine administration and assess the potential merits of instituting a Ministry of Food.

This is a reasoned, sensible report providing an analysis of the crisis and offering a practical way forward. It is our intention to have a public launch of it in this Chamber on Monday morning in the presence of representatives of the agriculture industry and the Department. We intend to present our recommendations to the local Minister, Baroness Denton, and, with the assistance of our three MEPs, directly to Commissioner Fischler and the European Parliament. It is our intention then directly to petition the Agriculture Minister, Douglas Hogg.

10.15 am

In the Book of Job we read

"there came a messenger unto Job, and said, The oxen were plowing, and the asses feeding ...

And the Sabeans fell *upon them*, and took them away".

And Job said

"the Lord gave, and the Lord hath taken away; blessed be the name of the Lord."

On 20 March 1996 the Sabeans fell upon our oxen and took our largest agricultural industry away. Like Job, I believe, we have more to suffer before our situation improves, but, like Job, we will come through this crisis. We will restore our industry because 25,000 of our people are directly dependent on its restoration for their very existence and because we have faith in our product — Northern Ireland beef — as the cleanest, purest, most prime beef to be found anywhere in the world.

I commend the report to the Forum.

Mr Poots: May I commence by commending Mr Campbell for his chairmanship of the Committee and his steady stewardship. I concur with his comments as regards the Secretariat, who worked so hard and were always so pleasant, easy to deal with and helpful. I cannot speak well enough of them. I was greatly impressed by their efforts. As leader of the DUP group on the Agriculture Committee I would also like to commend my own members, who attended meetings 100%. They were always there, and I thank them for that.

I am going to deal with the over-30-months question, which I believe is the single biggest problem of the current crisis. The spectre of the Minister standing up in Parliament and making a statement that all cattle over 30 months will be slaughtered and the producers adequately compensated, without properly having looked into how that would be carried out and financed, defies logic. The way to deal with the problem of consumer confidence was to cull all progeny and cohorts of BSE-affected cows, as was eventually agreed at Florence. Why the Government are not going ahead with the Florence Agreement to cull 147,000 cows is difficult to understand when 55,000 cattle are being slaughtered on a weekly basis — half of them healthy beef animals. Culling perfectly healthy beef cattle which have never had contact with BSE cows and which have never consumed meat or bone meal has caused many farmers serious financial problems, and most people with any degree of knowledge of BSE would agree that it is totally immoral.

In Northern Ireland 170,000 cattle have been registered for the cull. Just over half of these have been slaughtered; more than 80,000 are awaiting slaughter. The Government prevaricated all summer and made it possible to increase the cull only two weeks ago when we were on the edge of winter. Serious animal-welfare problems will ensue because the housing space is just not available.

Let me turn to the financial hardship that farmers are facing. This time last year a U3 steer was making 240p per kilo. Next week, 127p per kilo will be available on the cull scheme, with revaluation of the green pound likely to reduce that to 122p. These steers, on average, would weigh 400 kilos — hence a drop in value of £450 per head. The original price for cull steers was 221p, which dropped to 178p, then 150p and 134p, and will drop to 123p. Stating the reasons for the price reduction, the management committee said that the rate of one ecu per live kilogram has become increasingly generous as beef markets in the United Kingdom have fallen. This is a totally outrageous excuse when it was incompetent management of the crisis that created the market conditions.

Most farmers with over-30-months clean cattle have not been able to get them away because the cull system is inadequate. They are now having to take the price cuts after feeding for six months longer than would normally be viable. It has been suggested to me that many farmers believe that they would have been better to have their livestock shot six months ago and buried and take nothing. The one thing that most people in the industry cannot understand is that cull cows are making 23p per kilo more than clean cattle. In normal market conditions, cull cows would have made 50p per kilo less than clean cattle. The Committee recommends in paragraph 5.2 that this be addressed as a matter of urgency.

Another serious problem is that of milk over-production on dairy farms owing to the fact that cows which would normally have been culled are calving again and having to be

milked. Currently over-production is about 3%, but it is predicted to rise to over 5%. On a typical Northern Ireland dairy farm with 80 cows this would mean having to pay a super-levy of £7,000. The Committee therefore recommends in paragraph 5.3 that those farmers who can prove that over-production was caused by the problems of cull-cow disposal should not have a super-levy imposed. Given the fact that countries such as Italy and Greece, with impunity, ignored farmers who went over milk quota, and did not carry out their obligations to their European Union partners, surely a sympathetic response to those who over-produced through circumstances beyond their control is a reasonable request.

These are not just statistics. Behind every case, on every farm, there is human tragedy. People have families to rear. Others have had farms for generations, and some of them are having to consider selling their land. Others are reducing their livestock. People who had probably 150 cattle have sold off 30 at a poor price, just to keep going. Behind it all is a human tragedy.

I recommend this report to the Forum.

Mr Junkin: The independent television programme 'Emmerdale' brings into our homes a rosy picture of agricultural activities, and it is too easy to think that stock farmers have an idyllic time, spent mostly in the local public house. But that is just an edited image. Livestock farming in Northern Ireland has been completely blasted sideways by the Government's mismanagement of both the infectious agent and the European politics on BSE since its outbreak in 1986.

Other Members will speak on various aspects of the problem referred to in the report. Mr Poots has mentioned the business of welfare — a matter which was raised by several of the groups giving oral evidence. The over-30-months slaughter scheme has, from the farm-gate point of view, been a shambles. The actual rate of slaughter is far from being able to cope with the numbers of cattle over 30 months and of those now reaching that age. As a result, there are cattle left on farms which would, in normal management years, be away. But they are not, and winter is drawing in.

The weather, thank goodness, has been very kind to us in Northern Ireland. Hydrangeas still growing are a sign that it has been a very soft winter so far. But there has been rain just recently, and cattle have to be brought in if pastures are to be any good next year. The cattle are already poaching soft ground in many parts of Ulster. They are destroying the regrowth potential, but they are also depriving themselves gradually of much-needed food. An animal of 30 or more months eats a lot of grass just to maintain itself, and when the grass stops growing, when the first frost comes, the animals will start to grow progressively hungry. Combined with cold, wet days and nights, you can be sure, this will be a recipe for emaciation of varying degrees.

The Government will have to make the slaughter scheme a lot more effective, and time is not on their side. Dairy farms normally sell off their cows as they complete their fourth or fifth lactation, but they are carrying the extra burden of these over-30-months cattle. In many cases the cows are still producing a limited amount of milk, but some have strayed back to the bull and are in calf again. You talk about unplanned pregnancies! Dairy farmers are becoming very familiar with them this year. It all points to a shortage of feed after the

new year for all stocks. The longer these cattle have to be kept, the worse the shortage will become.

I have given a short account of how animals themselves feel an increasing shortage of fodder, but there is another real danger for Ulster farmers and their wives, children, employees and visitors. This was brought home to us by some of the people who gave oral evidence. I refer to the plight of farms which carry their own bull, or perhaps more than one. As he gets older he always gets more crabbed. You know what it is like if you are near a crabbed bull: he gets unpredictable and very liable to gore. And there is always a necessity to bring in a new stock bull to prevent mating with last year's daughters. This might be a bit embarrassing for those who are not *au fait* with agricultural management, but it is a farming fact of life. The bull pen, by law, is a very secure place, but it can hold only one bull at a time, and there will be places where the new bull has too much freedom. Dangerous incidents are bound to occur. There is a real danger to farming personnel, and it would be a great disaster if the danger of suffering, injury and death were greater than that to the financial side of the industry.

I thank the Committee Chairman, Mr Campbell, for his careful, analytical approach and guidance on every facet of our studies. I join with him and Mr Poots in the demand that the Government take the decisive and urgent steps outlined in this report, not only to preserve the financial aspects of the industry and its satellites but also to curtail the chances of real animal and human welfare problems. Wouldn't it be ironic if more people were killed by bulls on farms during the eradication of BSE than have become ill with CJD? We need a much faster resolution of the problem.

I recommend adoption of this interim report.

Mr Shannon: I concur with the comments that have already been made. I congratulate and thank Mr Barnes and Mrs Barclay for their help and kindness, and Mr Campbell for his chairmanship. Mr Campbell conducted business with a fairly strong hand, at the same time giving us an opportunity to express ourselves.

This has been described as the worst crisis ever to hit the agriculture industry. BSE has affected, and indeed will affect, every household and every person in the province. There are two items in the recommendations that I would like to speak about. I refer to paragraphs 5.8 and 5.12.

Paragraph 5.12 recommends that the Department of Agriculture for Northern Ireland negotiate the introduction of a certification stamp which clearly identifies the origin of Northern Ireland beef. This is a very important step as we look forward to lifting of the ban and reopening of the export markets. We need to look at how Ulster beef is presented.

We have a number of points that are in our favour. The first is traceability. Our scheme is years ahead of those in the rest of the United Kingdom and, indeed, the rest of Europe. Secondly, there is our green image. We would like to promote the image of our green fields and grass-fed cattle to the rest of Europe and, indeed, the world. The third point in our favour is the farm quality assurance scheme. This scheme guarantees that all beef sold in shops comes from herds that have had no cases of BSE. It reassures the housewife and

other consumers that what they are buying and, indeed, what they have bought and are using is safe to eat.

10.30 am

The export market is crucial to the survival of our industry. Seventy-seven per cent of our beef is exported, therefore it is very important that borders be opened and markets regained and worked at. The United Kingdom stamp could be a backward step for export sales. Many potential buyers could be put off, although companies to which we exported before the BSE crisis are keen to buy once again — those in Europe.

So how do we address that situation? We need a stamp on the carcass that will clearly show that it is Northern Ireland beef. There may have to be a United Kingdom stamp as well, but it would be better for a Northern Ireland stamp to be present and clearly visible. Europe wants Northern Ireland beef. Its quality is second to none, and this would be a step in the right direction.

The second point I would like to speak upon is contained in paragraph 5.8. The recommendation from the Committee is as follows:

“The Committee appeals to banking and other financial institutions to show sympathy for agricultural businesses experiencing unusual difficulties as a result of the BSE crisis. The Committee recognises that there may be a minority of situations where repayment ‘holidays’ or loan rescheduling may not prove sufficient to save otherwise viable businesses. The Committee recommends that in these situations borrowings might be rescheduled as interest-free for specific periods to enable survival of the businesses.”

This is one of the major factors that need to be addressed in the short term to help the farmers, especially those who are in dire need. As was said earlier — I think the Committee Chairman mentioned it — bank borrowing rose from £104 million in 1992 to £391 million in 1996 (an increase of about 36%). People are going to say “What does that mean?” I believe, and the Committee believes, that it reflects the buoyancy of the agriculture economy prior to 20 March 1996, before the BSE crisis. The banks have intimated that their policy is to work with individual farmers, identifying problems and where possible, adopting a constructive and supportive stance.

The one problem that worries the Committee — certainly it worries me — is that the four major banks, when questioned by the Committee, indicated that any final decision does not lie with them but has to be taken by chief executives and ultimately, perhaps, by the companies that own them, and most of those are from outside the province. We need compassion today for the farmers, who are in dire straits. We need understanding, and we must have it from the people here in the province — let them make the decision.

Would it not be possible for the banks to consider interest-free loans or loan rescheduling? Why not use some of the vast profits that have been made in the last year alone to facilitate farmers who are in dire straits today? As members of the Committee and as elected representatives we have all heard heart-rending accounts, from people with tear-filled eyes, of debts piling up. Some have told us of children worried about their future, of mortgages unpaid, of cattle standing in the fields and sheds, of bills increasing, of stress.

Who can quantify the heartache that people have experienced? The banks could help them to get through these very harsh times.

The night before last I was speaking to a farmer outside Newtownards. She was telling me about another farmer, who, unfortunately, is facing two major problems. One is BSE, and the second is a potato crisis. That gentleman, as a result of all the worry, has had a heart attack. So there is stress out there. While we may not always be able to quantify the effect on someone's health, it is very obvious that there is an effect. The banks could help in their own way. To come out of this crisis we will all have to give a little. Some farmers are on their last legs. The banks hold the power to determine, like the Caesars of old, whether they live or die, whether they survive or go under. It could be a few years before the corner is turned. We implore the banks to make concessions and give special help to people who, through no fault of their own, face an uncertain future and perilous times.

I support the report.

Mr McCartney: I propose to speak relatively briefly on this issue, and I would like to begin by commending Mr Campbell and his Committee for the excellence of the report that they have prepared.

One of the criticisms levied against the Forum is that it has been merely a talking-shop. If that criticism is to some extent true, it is because of the limitations and restrictions upon the power of the body. But this report clearly demonstrates that there are those who, within the powers granted to it, are able to do work of quality that is directly related to the very real needs of the Northern Ireland community. It indicates to all of us — and I hope that, with the benefit of wider publicity, it will demonstrate to the people of Northern Ireland — just how clearly, directly and relevantly the Forum can serve their interests.

The report rightly highlights the distinction, with regard to this crisis, between Northern Ireland and the rest of the United Kingdom. I for my part am always very wary of any distinctions that are drawn between Northern Ireland as a region and the rest of the United Kingdom, of which, of course, it is an integral part. We have to be extremely careful that, in advancing our own interests, we do not forget that we form part of a greater region or country, the integrity of which we are very jealous of. But that having been said, let me say this: there are very sound reasons for giving Northern Ireland the ability to advance its own beef industry. When it comes to treatment, there are valid distinctions between the Northern Ireland beef industry and the beef industry in the kingdom generally.

The findings and recommendations of the report make it clear that in terms of the incidence of BSE and of our record in animal management and hygiene we have always been in a somewhat different category from the rest of the United Kingdom. We are also different, as figures in this report clearly indicate, in that an enormous proportion of the beef we produce is exported both to Great Britain and further afield. Therefore, this part of the kingdom is suffering a doubly grievous blow. It is being excessively punished because of the proportion of its produce that is exported, and it is being punished although its animal hygiene and its provisions for public safety and consumer protection have traditionally been much more stringent than those in the rest of the United Kingdom.

It is an established fact, as has been recognized for some time, that historically Northern Ireland's agriculture industry has been much more stringent with regard to hygiene regulations relating not just to BSE but also to the more traditional diseases, such as anthrax, foot-and-mouth and many other conditions that can affect the quality of animal products.

The Committee is to be congratulated not only on the depth of its investigation but also on the variety of the aspects of this crisis for the farming community with which it has dealt. One need only make the most cursory perusal of this report to realize that it touches not only upon the future of the industry, as far as the special treatment which should be afforded to Northern Ireland is concerned, but also upon a series of measures designed specifically to alleviate the hardship that the crisis has brought to Northern Ireland farmers, their families and those involved in ancillary industries.

I do not propose to expatiate further upon this matter, except to say, on behalf of my party, that the Chairman and his Committee should receive all our thanks and congratulations. I do hope that the Forum will make every effort to see that the contents of the report are published and made available to the widest possible audience.

Mr Clyde: First, I support all that my Colleagues Mr Poots and Mr Shannon said about the Committee Chairman, Mr Campbell, and about Mr Barnes and Mrs Barclay. They did a tremendous job.

I want to say a word or two about BSE flagging. In Northern Ireland some 300 suckler herds and 900 dairy herds have had cases of BSE. The holdings are flagged — not the herds. Our recommendation is that the herds be flagged, instead of the holdings, so that farmers who have had cases of BSE can sell off those cattle and start afresh. Then, when the ban is lifted, they will be in a position to start exporting right away. Suckler men are also facing problems. They may be unable to sell their cattle, for nobody wants animals that are flagged. Our recommendation is that the holdings be de-flagged and the herds flagged.

We are also recommending that all cattle born after August 1996, as Mr Campbell said, should be deemed clear. This would let specialist breeders who have had a case of BSE breed their way out of it. Some of these farmers have special blood-lines which would be very valuable to the beef industry in the future and which cannot be replaced. If from 1 August all cattle were deemed free, they could breed their way out and save the blood-lines.

I commend this report.

Mr Curran: Good morning, Mr Chairman, and welcome back. I hope you had a nice break. May I assure you that your deputies did an excellent job in your absence. The place did not collapse!

May I join in the commendation of Mr Campbell and his Committee for the excellent report they have produced and in the commendation of Mr Barnes and his staff. We are very lucky to have such excellent servants.

Agriculture is a subject that one does not normally associate with Labour politicians. However, as I am the great-grandson and a grandson of farmers, agriculture holds no mysteries for me. Giving evidence to the Agriculture Committee, John Murray said

"This is indeed the worst disaster to happen in Northern Ireland since the famine."

Agriculture is a vital part of the Northern Ireland economy. Indeed, it is our largest industry, employing 16,000 people on farms, 3,500 in processing plants and 3,000 in ancillary businesses. This shows its magnitude and Northern Ireland's dependence on it. Seventy-seven per cent of our beef was exported to Europe and Great Britain prior to March 1995. By September 1996 the figure was zero. The industry needs to export, or it will collapse. It is therefore vital that the ban be lifted as soon as possible — and that cannot be emphasized sufficiently. The Northern Ireland Meat Exporters' Association represents 30 meat processing plants with a work-force of 3,000. The turnover of the industry is £405 million a year. These figures testify to the magnitude of the disaster.

Meat plants are now facing enormous problems: general insecurity, a shorter working week and reduced income. The threat of losing jobs is very real in areas of already high unemployment — for example, the Newry area of southern County Down. Stability in the work-force is threatened. A drift of workers may occur, causing a haemorrhage of corporate knowledge that has taken many years to acquire.

Many of the skills required are not transferable to other types of work. An abattoir may kill a large number of cattle marked for the BSE cull, but these animals are not processed and, therefore, do not generate employment beyond the slaughter stage. The possibility of closure adds to the sense of total despair.

10.45 am

The spill-over effects of the BSE crisis will cost jobs. The transport of beef to Europe has diminished dramatically. People making return trips with fruit and vegetables now face a substantial rise in costs. There will be victims in the food processing industry, such as Bloomfield Meats. It is absolutely imperative that the Government act in the interests of the beef industry lest the infrastructure collapse entirely.

Northern Ireland's agriculture, like its fishing industry, needs a regional policy to regulate its economy. Our economic interests are constantly being made subservient to agriculture policies driven from Great Britain. When we in Northern Ireland have a top-class traceability scheme and farm quality assurance scheme why are we playing second fiddle to what is happening in Great Britain? The interests of Northern Ireland and its agriculture are paramount.

Away from the corridors of power in London and Brussels, it appears that the needs of the ordinary workers in the agriculture industry are forgotten. Is government not about maximizing the benefits for the people it represents? This year, many workers will face the threat of lay-off coming up to Christmas. As farmers face cash-flow problems and find it hard to meet bills for the feeding of cattle awaiting the cull, shorter hours and redundancies will occur as a cost-saving exercise. And what have these unfortunate workers in the meat

plants got to look forward to? Well, we know all about that — we debated the jobseeker's allowance last week.

Labour sees all of this as an attack on the dignity and morale of the work-force. One thing that makes this tragic is that all Northern Ireland meat-exporter plants are EU-approved. This is not the case in Great Britain. Northern Ireland is technically more developed in producer/marketing systems. Despite all this, we are treated in Europe on a par with Great Britain. Once again we have evidence of the need for a clear regional policy for Northern Ireland agriculture and fisheries and certainly of the need for a regional beef stamp.

The Amalgamated Transport and General Workers' Union and the Northern Ireland Public Service Alliance made oral submissions to the Committee. These will appear in the final report. They express the strong solidarity throughout agriculture on the need for sharp and positive Government support for our threatened industry.

Labour commends the interim report from the Agriculture Committee. We look forward to the final report, which, I know, will have the unanimous backing of political parties from both communities in Northern Ireland.

Mr McCarthy: I rise to seek the support of Forum Members for the Committee's report.

As the Alliance Party's representative on the Committee, I would like to pay tribute to every member for knuckling down to the task. We all worked extremely well together — not a wrong word, a wrong sentence or a wrong comment during our deliberations. That says something. Indeed, it would be fair to say that we valued each other's company, and it was with the array of experience among all the participants that we were able to produce the report. I suppose that by working together in this way we are going some way towards fulfilling the role of the Forum, which was set up to promote dialogue and understanding. Let us hope that we can make similar progress on all other issues that come before us.

Having heard all the evidence, we realize that the problems created by the BSE scourge know no barriers, as the Committee Chairman, Mr Campbell, has already said. We are all in this terrible situation together, and together we must, and will, work to overcome its consequences — sooner, I hope, rather than later.

Other members of the Committee have spoken about the contents of the report. I wish to say only a few words on what I consider to be an extremely important issue — the recommendation in paragraph 5.11:

"The Committee recommends the establishment and funding of a special marketing initiative to promote Northern Ireland beef to consumers in Northern Ireland and in traditional export markets, including 'third world' markets — such an initiative to involve all interest groups in the beef industry and to highlight the many positive selling points including: —

- extensive green-field production;
- unique traceability and identification;
- highest standards of veterinary and processing inspection;

- Farm Quality Assurance Scheme."

Who could deny that these excellent attributes are the best in the world?

We all know that our beef is the best in the world, and we had a good and expanding market world-wide before this ban was introduced. I recall a radio interview I heard early on in the crisis. The speaker was one of our large overseas wholesale customers. How deeply distressing it was to hear him say loud and clear that Northern Ireland beef was the best — his customers were saying exactly the same — but that he was forbidden by his own Government to take it, simply because of the ban. It is so important to have this ban lifted as soon as ever possible. Producers will suffer while it remains.

The recommendation concerning a dynamic marketing initiative is of paramount importance, and I hope that it will be put into action — possibly right away. It is our hope that qualified personnel in the industry and marketing experts are already working on this vital aspect of the business, so that when the all-clear is given, Northern Irish beef, with its superior quality, will once again be in demand throughout the world.

How gratifying it was to find that local supermarkets Wellworths and Stewarts have total commitment to Ulster beef. Wellworths informed us that all its beef is of local origin, while 98% of beef sold by Stewarts comes from its factory in Northern Ireland. Both companies are playing their part to reassure customers that our beef is the best, and good value for money.

One disappointing factor is that Marks and Spencer does not stock Northern Ireland beef. The reason, probably understandable, is that it has a supplier of long standing whom it is loath to change. That, I suggest, is a job for our marketing people: get in there and convince Marks and Spencer of what it is missing by not stocking our beef. Can we hope that these other stores that we hear are coming to our shores will give preference to good-quality Ulster beef? Again, I suggest, a job for our marketing people.

I conclude by expressing the hope that our entire industry will very soon get a free hand to take its high-quality product to every corner of the world. I hope that our report will get the attention it deserves and will be fully taken on board by all the relevant authorities.

Ms McWilliams: We too would like to acknowledge the work undertaken by the Standing Committee on the beef industry crisis. We recognize the harm that it has done to farmers and the industry in Northern Ireland. We also acknowledge the huge importance of farming to the economy of the province.

Others have commented on various aspects of the interim report. We shall restrict our remarks to one important issue — the needs of the consumer. Many uncertainties about BSE and CJD remain. It is not surprising that consumers are concerned and confused. We believe that the real cause of the crisis is the system of food regulation. We are not saying this to apportion blame but, rather, to prevent further such situations. We are pleased, therefore, that the report, in paragraph 5.14, recognizes the need to examine the administration of agriculture in Northern Ireland. A new approach is needed to address the current conflict of interests

between producers and consumers. This would be best done by the creation of an independent food agency, rather than a new Ministry of Food, and we urge the Committee to give that suggestion some serious thought as it moves towards its final report.

Rational, informed public debate needs to be built into the food regulatory system to ensure that consumer interests, including public-health concerns, do not lose out to political and economic influences.

We support the interim report.

Rev Dr Ian Paisley: I would like to associate myself with the remarks of other Members on the good work that the Chairman and his Committee have been enabled to do on this very important matter — a crisis in our economy.

Farmers in the rest of the United Kingdom can wear this crisis because they have a home market for their produce. We do not have a home market. That is the important difference. We need an export market, and if we do not have one we will go down the river for ever. That is the big issue.

I am very unhappy with the way Lady Denton has handled this matter — very unhappy indeed. At the very beginning the Secretary of State, before he even looked at the subject, and Baroness Denton said that Northern Ireland would not be and could not be a special case. Our industry was hoist with a petard of their making, and all that I find coming from the Lady's lips at the present time is very disconcerting indeed because Europe has made it perfectly clear that the rest of the United Kingdom has a very long way to go before this ban is lifted. Farmers in Great Britain could soldier on until the millennium because they are doing very well.

I was talking to farmers in England the other day. They said "We can wear it. We are doing not too badly. We are getting our compensation, and we are also getting our meat sold. We are not doing as well as we would like, but we are doing all right. We can wear it." But our farmers cannot wear this. In any case, £8 million is a very miserable amount of compensation to offer. I hope that when this money is distributed, the farmers who need it most will get it, and it will not be given to those who can soldier on without it.

It is interesting to note from the 'Farmers' Guardian' (a Scottish paper) that the Exchequer — our Exchequer — is pouring money into a three-year £10 million promotion scheme for Scottish beef. There is no such money for our beef industry. This is very serious indeed. Scotland, as I have already said, has its own market.

11.00 am

Mr Jim Nicholson and I have discussed this report, and I have to contact the Leader of the SDLP, Mr John Hume. We would like to have the Chairman and Vice-Chairman of the Committee come to Europe to meet Mr Fischler and present the report directly to him. I feel that it is a very important report. We have heard today of the good work of the Chairman, and a member of the Alliance Party has told us how well and ecumenically they all worked together on this farming difficulty. This is a very good report to take to Europe, and I trust

that it will be possible to have a meeting with Northern Ireland's three representatives there. The matter will be resolved first of all in Europe. We have got to win the battle there.

When we met Mr Fischler a year ago I said to him "What must the farmers of Northern Ireland and the farming industry do to get on a level with the rest of Europe?" He made a remarkable statement. He said that in many ways the farming industry of Northern Ireland was beyond that. So here we are, banned from Europe although we have higher standards than other parts of the Union.

Lord Plumb has been the big stumbling-block with regard to having Northern Ireland made a special case. At a meeting of all MEPs interested in farming — Members across the board, from all the countries — he resisted my proposal that Northern Ireland could be the means of breaking the log-jam: we could carry a flag for the whole United Kingdom, and if we got our beef into Europe, then Scotland and other parts of the United Kingdom could follow, slowly but surely. But the British Government have set themselves against this, so we must, in some way, get more encouragement from Europe.

It is well known that the present Chairman of the Council of Agriculture Ministers, Mr Yates, is favourable towards this. He will complete his term in December, but it is known that his successor from the Netherlands is very supportive of Northern Ireland. The Dutch have said they will receive Northern Ireland beef at any time — they are only waiting for Europe to move. So we have another friend coming into that chair, and he will be very useful to us in pushing our case.

Reference has been made to marketing, but we need to remember that when the door opens we will have to start at the bottom again and work up. That is going to be a very difficult task because our competitors have stolen our market. We will have to get our customers back.

There are very difficult days ahead for the agriculture industry, but this report will be of great benefit to farmers. It also shows that the Forum has done its work. It will encourage our friends in Europe and show that we have an unanswerable case. We should have this ban lifted so that the good people of Europe can get back to eating the best beef in the world.

Mr Nesbitt: I support the adoption of this report and, like all other Members, congratulate the Chairman, Vice-chairman and other members of the Committee for the work they have done.

I want briefly to draw attention to a few points. Paragraph 3.1.2. refers to the fact that 6% of Northern Ireland workers are employed in the agriculture industry. The Women's Coalition spokesperson said that the needs of consumers must be protected. I wish to address the matter from the producer's point of view and from the point of view of employment. One of the key aspects of any economy is the employment, income and well-being that it generates. Agriculture, as Dr Paisley said a few moments ago, faces a tremendous crisis. But it is not just an immediate crisis. The industry is facing a long, on-going crisis. Throughout the past 25 years employment in agriculture — along with manufacturing — has been declining. Compared to the 6% mentioned in the report, 20 years ago 11% of people in Northern Ireland were employed in agriculture and all the indications are that the decline is

going to continue. The sustained nature of the crisis makes more immediate the need for a resolution.

I often mention international law when I speak here, and I wish to do so briefly today. This time it is international trade law. The Uruguay round of the General Agreement on Tariffs and Trade said that we must look at agricultural protection. Indeed, when that body meets again in a few years' time, before the new millennium, it will be homing in precisely on agricultural protection. That sounds warning bells for agriculture in Northern Ireland.

I take another aspect of the European Union — subsidies. I have no doubt that the Union, for what I would call geopolitical reasons, wishes to see Poland, Hungary, the Czech Republic and Slovakia included — never mind the NATO dimension. If those countries join, and if the common agricultural policy remains as it is, they will have a horrendous bearing on the funding required. Those four countries would make an increase of about 25% in the size of the European Union. Going on this year's prices, that would lead to nearly 40% of funds going to agriculture support. That, I feel, the European Union could not sustain. Not only that, but our own Government are seeking a review of the common agricultural policy.

So what I am saying in supporting the adoption of this report is that Northern Ireland agriculture is suffering a severe crisis and that the underlying pattern is even worse. Given what is going to happen, the employment that agriculture generates will be even further reduced. It is imperative that we support the report and that something be done because of the underlying trends that the agriculture community will have to confront in the not-too-distant future. This crisis must be put behind us as soon as possible because the industry has to deal with more long-term, substantive issues.

I support the motion.

Question put and agreed to.

Resolved:

That the Forum

adopts the interim report on the review of the beef industry crisis in Northern Ireland prepared by Standing Committee D (Agriculture and Fisheries Issues);

asks the Chairman, as a first step, to forward the interim report to the Minister responsible for agriculture in Northern Ireland, Baroness Denton, with a request that she give serious consideration to all the recommendations.

The Chairman: I have the task of forwarding the interim report to the Minister responsible for agriculture in Northern Ireland, the Baroness Denton, with the request that she give serious consideration to all its recommendations. I shall be very happy to do that, not only because I myself believe very much in this but also because it is an extremely good example of the positive work of the Forum. I think we will rightly be judged on how many efforts of this type we make — a group of people, as Mr McCarthy and Dr Paisley said, acting ecumenically for the benefit of the whole province. I am most grateful to Mr Campbell and all the other members of the Committee for an outstanding piece of work.

The meeting was suspended at 11.10 am and resumed at 11.20 am.

NEIL LATIMER

The Chairman: I call Mr Ian Paisley to move the motion.

Mr Ian Paisley Jnr: Thank you, Mr Chairman. Welcome back. I am sure you are pleased to know that your seat was kept warm by your two contenders.

The Chairman: I do not quite see them as contenders, but never mind.

Mr Ian Paisley Jnr: I welcome the decision by the Forum to debate this important matter, and I ask Members to welcome to the Forum one of the members of the "UDR four", Mr James Hegan, who is in the Public Gallery. I am very pleased to see that Neil Latimer's solicitor is also here.

Our thoughts — my thoughts in particular — are with the family of Neil Latimer and with Neil himself. His father and mother, both of whom hoped to be here, are unfortunately ill. They do, however, send their best wishes. They are very pleased that this motion is being debated.

There has been some toing and froing, but I am very pleased to say that I think we have managed to secure the agreement of all party Leaders here today.

I beg to move the following motion:

The Forum calls for the immediate release of Neil Latimer, the remaining member of the "UDR four". He is being held for a crime on highly questionable evidence.

The insurmountable evidence in his defence has been brushed aside.

We therefore call for his immediate release, a retrial or a referral of his case to the criminal case review body and substantial compensation for 13 years of unwarranted incarceration.

It is essential that this motion have unanimous support because the Forum can be a very good platform to promote a case that has grabbed headlines in the past and will, I believe, grab headlines in the future.

This matter concerns us all. It rises above party politics because it is a matter of justice. The strength of the "Free the UDR four" campaign was that it galvanized such a wide body of opinion in favour of Winston Allen, Noel Bell, Neil Latimer and James Hegan. Most Members will have received the promotional literature that was published at the time of the campaign. Reading the snippets of quotations from various public figures from such a wide spectrum of political involvement, people can see that the campaign to free Neil Latimer and the other members of the "UDR four" galvanized a wide body of support. Prominent people

were so utterly convinced that a miscarriage of justice had taken place that they put their weight behind the effort and forced a political and judicial reassessment.

I should like to set the scene for the "UDR four" case and the case for Neil Latimer. In 1992, at the Appeal Court hearing, the judges made what I believe was a titanic blunder: they presented a verdict without precedent and without logic. Four men, convicted of a murder, presented fresh evidence to the Court. All had been convicted on the strength of their own confessions — confessions that were subsequently discredited by tests which proved that the statements had been rewritten. The police had lied. They had contaminated the evidence. There was gross corruption. On the penultimate day of the appeal hearing, Lord Justice Higgins said that there was a shadow over all the police evidence as a result of what had been discovered. Knowing that the evidence was so contaminated that it could not validate the convictions, the Appeal Court had to uphold three of the appeals.

However, in the case of Neil Latimer, whose confession statement had something like 32 rewritten extracts, the court decided that another piece of evidence — an eyewitness statement from a woman, who refused to be identified and later retracted her statement on an RTE radio programme — was of sufficient credibility to uphold the conviction. Undoubtedly, eyewitness evidence is incredibly important in any trial, especially when it places a suspect at the scene of the crime. In the Latimer case, the eyewitness statement by Witness A, as she came to be called, did not place him anywhere near the scene of the murder. In fact, it placed him almost two miles away.

It is also alleged that four Land-Rovers and a platoon of UDR soldiers acted out a pantomime of the false arrest of Neil Latimer. The Appeal Court's endorsement of this eyewitness statement means, in effect, that the entire 13-man platoon is guilty of conspiracy. But the Appeal Court quashed the convictions of Hegan, Bell and Allen and, in doing so, accepted that there was no such conspiracy and no such pantomime.

Another eyewitness — an altogether more credible one — came forward. She was at the scene of the murder of Adrian Carroll. She identified the gunman, went immediately to the RUC and, under oath in court, said that she was positive that Latimer was not the gunman. Yet the courts refused to uphold her evidence.

11.30 am

In my view, Witness A is a Walter Mitty character if ever there was one. She has remained anonymous. She did not make her statement immediately. In fact, she did not even go to the police at the time of the murder. She went to the home of two priests. She said in court, under oath, that she had never actually seen the final version of her statement. She signed seven blank sheets of paper, and left it to her friends. Under oath, the same person said that Latimer could not have committed the murder. She has retracted her fantasy — the fantasy of seeing a mock arrest — on a number of occasions, all of which have been well documented, over the last five years. A prominent psychiatrist who had access to her medical history said

"If the question is asked 'Would such a patient be a reliable witness?' I would have to give the opinion that, on the evidence of these notes, one would be advised to be extremely cautious in setting too much store by a

witness with such a personality and history. Such a patient could be given to fantasies and stories that are more to do with her own wishes than with objective reality."

That is a statement by a leading psychiatrist who examined this witness's medical notes, and it alone places her credibility in perspective. Her medical history demonstrates that she is not a reliable character and that she is prone to delusions. We must ask why the Appeal Court placed such faith in her. Probably we will never know, but the effect of the decision to rob Northern Ireland of justice in this matter has been to deprive Neil Latimer of his liberty and to cast a shadow of doubt over his friends — Mr Hegan, Mr Allen and Mr Bell.

On the matter of Latimer's confession, the court relied upon one phrase to infer guilt. During excessive questioning, Latimer said "Things are looking bad for me, I know." The Appeal Court is convinced that those words are tantamount to a confession of guilt and that they alone sustain Latimer's conviction. A leading expert who studied that extract from the so-called confession said

"I would say that any child of average intelligence in the fourth form, if presented with the said remarks by Latimer in a comprehension test and asked whether they amounted to a confession of guilt, would unhesitatingly say that they did not."

No other case has provoked such widespread concern about the standards of justice, so Neil Latimer has been discriminated against. Other cases have become legal monuments and have been treated very differently. I am thinking in particular of the Winston Silcott case. I shall not go into the details, but in that case it was proved that the police had rewritten the confession. They made one change — one change. Neil Latimer's confession had 32 instances of rewriting. That was proved and accepted by the court, yet the Appeal Court would not throw the confession out.

With regard to eyewitness evidence another case was treated totally differently. It too was heard in the Appeal Court, under the same judge. A Mr Duffy was recently released on the basis that evidence presented by an eyewitness was no longer credible. I am saying that in this case there is no doubt that the evidence of an eyewitness is no longer credible.

We should also consider the matter of Paul Hill, one of the members of the "Guildford four", also released. After his release, he was brought before the courts on a further charge of murder. He was not held in custody pending the outcome of that case. In fact, he was free to travel the world, and he did so. In the Latimer case, we are calling for similar leniency.

The motion calls for Mr Latimer's immediate release. There is considerable doubt about the veracity of his conviction. (That is legal terminology.) In fact, I am quite happy to say, and prominent members of the community at large have been prepared to say, that Neil Latimer is innocent. He could not have committed the crime. There is no evidence to support any suggestion that he committed the crime. I say so unashamedly. There is no evidence to support any accusation that he was involved in any crime whatsoever.

About two years ago, a respected retired judge from England, Sir Frederick Lawton, said in a BBC interview

"Personally, if I had been sitting in the Court of Appeal in Belfast I would have taken the same view. The RUC team was investigating all four cases. If they were misbehaving in three cases, as they were, there is clearly an argument to say that their evidence in the fourth case was tainted."

He went on to say

"I personally think that the inference was that they belonged to a tainted group — a corrupt team."

Latimer has already spent over 13 years in prison. This Christmas will be his fourteenth behind bars. His life sentence review has been knocked back to 1997. The authorities would have nothing to lose by releasing him immediately, on the basis that his case will be considered again by the Court of Appeal or by the Criminal Cases Review Commission, or by both.

What is the Criminal Cases Review Commission? It is a new forum to examine alleged miscarriages of justice. In answer to a recent parliamentary question, Sir John Wheeler said that it had been established to investigate alleged miscarriages of justice and, if necessary, refer them back to the Court of Appeal. The Home Secretary and the Secretary of State for Northern Ireland, who are currently responsible for considering such cases, will no longer have this responsibility once the Commission is established, as will happen soon. This matter is of such importance that when that body meets for the first time an extra-special effort will have to be made to ensure that the first case through the door is that of Neil Latimer. The Commission will recommend what actions are appropriate under the circumstances. When it sees the evidence, I believe, it will make the objective decision that the conviction is unsustainable and will send the case back to the Court of Appeal.

Neil Latimer is depending on such a body to be objective and to send his case back to the courts. He, like many others, is dismayed by the attitude and the subjective approach taken by the Secretary of State, who has not only failed Neil Latimer but has allowed his personal prejudice to be a stumbling-block to justice.

The UDR Four Committee has been very active over the five years since the failed appeal. We have concentrated on gathering all the evidence together so that it can be put before the Criminal Cases Review Commission. Collation of the material and gathering together of subsequent evidence, such as new evidence about the character of Witness A and the nature of the confession, is a painstakingly slow process. Some, unaware of the delicate nature of these activities, could be forgiven for thinking that little is actually being done. They are wrong. The UDR Four Committee decided to build up an insurmountable dossier on Latimer. That work, I am pleased to say, is almost complete. What is more, we have deliberately taken the matter to England for a fresh legal opinion. The person concerned will be responsible for launching the case into the review procedure when the mechanism is finally established.

Some have asked us to get new evidence. This case is not about finding a golden nugget of previously undiscovered evidence. In my view, the evidence is there. In my view, the courts made a massive blunder. In my view, it is about time the courts put their blunder right. They got it terribly wrong — terribly wrong for Neil Latimer, terribly wrong for his colleagues in the "UDR four" campaign, but abominably wrong for justice in Northern Ireland.

Yesterday, I met with Neil Latimer in Maghaberry Prison. He gave me this statement to read to the Forum:

"I am very grateful that the Northern Ireland Forum has brought forward a motion calling for justice to be done in my case. I want all the delegates to know of my continuing resolve to fight for justice. I realize that I have become a thorn in the side of the authorities. I have no intention of giving up at this point. I wish to send out a plea to all those who have campaigned for me in the past to take up that challenge again and not let my name be forgotten until justice is finally done.

This year will be my fourteenth Christmas behind bars. I must be one of the longer life-sentence prisoners in Northern Ireland. I resent the fact that the authorities are constantly knocking back my time for release. Given the large doubt about my conviction, one would have thought the authorities would be more considerate about my life sentence. They are, quite obviously, exercising a vendetta against me. I will never permit them to wear down my spirit. I am so grateful for the support I have had to date, and know that a sea of goodwill exists for me outside.

When the Criminal Cases Review Commission is established, my case must be the first test case from Northern Ireland to be considered by it. I wish to be a priority concern. The current system of Northern Ireland has failed me. This long-awaited reform to the criminal justice system is my hope for justice and freedom. The present Secretary of State has been a disaster for me. His predecessor, Peter Brooke MP, was willing to listen to my case objectively. This man, Mayhew, is the stumbling-block for me. The sooner he goes, the sooner I will see justice done.

I am not guilty of the crime I have been incarcerated for. I did not commit any murder, and have never been associated with any such evil act in my life. My three colleagues got some kind of justice. They were with me on the day of the murder. How can they be free and I remain behind bars? It is incredibly wrong. This sort of justice pleases no one. It makes a mockery of justice, and I resent it deeply. Please use the platform at the Forum well. Give my case the boost it requires. I am not going to settle for anything less than total justice."

The motion before us spells out a number of actions that can be taken, collectively and singly, to convince us that justice is being done. Neil Latimer is not guilty of murder. Neil Latimer did not shoot Adrian Carroll. The man who shot Adrian Carroll has already been convicted of another crime. He is already behind bars, but the police refuse to open up the test papers again because, by doing so, they would expose themselves and their own frailty. This is not about rewarding a prisoner; it is about doing the just and honourable thing.

Mr Trimble: May I begin by congratulating Mr Paisley on having secured this debate, and also on the way in which he has opened it.

I agree with what he has said. I agree particularly with his comments about the innocence of Neil Latimer. Neil Latimer should never have been convicted, and I associate myself also with the criticisms of the second Appeal Court hearing. The basic problem is that the courts made a mistake. That is the difficulty we have had right from the outset. The mistake was made at the original trial, and Mr Latimer was convicted against the weight of the evidence. Since then our difficulty has been that the legal system has operated on the assumption that the original trial and its verdict were correct. The basic operating assumption of our criminal-law system is that once a court has reached a verdict and pronounced guilt, that is the correct decision.

That is why, up until now, when one wished to get a case reopened one had to produce fresh evidence. The reason the system has focused on fresh evidence is that it operates on the assumption that conviction on the original evidence was the right decision. Therefore, if one wanted a case reopened, one had to produce fresh evidence. Up until now, the system has not been prepared to acknowledge the concept of mistake. By seeking fresh evidence, you are excluding the possibility of mistake. You do not recognize that a mistake might have been made. The basic fact about the "UDR four" case is that a mistake was made in the original determination.

11.45 am

I am happy about one thing that was achieved during the passage of the Criminal Appeal Act — the legislation which establishes the Criminal Cases Review Commission. We noticed at the outset that it would carry into law the Home Office principle of fresh evidence. As a result of amendments, both in the Commons and in the Lords, the Criminal Cases Review Commission will not be limited to fresh-evidence cases. Within its operating rules, there will be the possibility of having a case reopened simply on the grounds that a mistake was made. The sooner that body is established, the better. I am not quite sure what the reasons for the delay are. The legislation is on the statute book. Steps, I know, have been taken to establish the Commission. The name of the chairman designate has been announced, but unfortunately the body has not yet been set up.

One other good thing about the Commission is that it will not be limited to Northern Ireland. The other difficulty we have had in Northern Ireland — Dr Paisley has spoken about this — is that by virtue of its being a small community, inevitably everybody in the criminal justice system knows everybody else, and people are reluctant to admit the possibility that their friends and colleagues were wrong. You get this phenomenon in all small communities and in all small professions. We have it in the legal profession, but in other areas also. Everybody knows everybody else, and there is a reluctance to admit that a close colleague made a mistake. I think that right at the heart of the mistaken decisions of the Court of Appeal in Northern Ireland on the two appeals by the "UDR four" is the reluctance of the judiciary to admit that a close colleague and friend got it wrong.

Thank goodness the Criminal Cases Review Commission will not operate just on a Northern Ireland basis. It will cover England, Wales and Northern Ireland. There will be a Northern Ireland member on the body, but most members will be from outside. That is a good thing because what we need in this case is for people to approach the matter with an open mind and fresh eyes — people who are not hidebound by the narrow loyalties that exist here. The sooner the Commission is up and running and the sooner this case gets to it, the better.

The motion calls for a retrial or referral of the case to the Criminal Cases Review Commission. Of course, we do not need referral. Anybody can bring a case before the Commission, and that is what the UDR Four Committee will do as soon as the body is established. As Mr Paisley Jnr has said, work is at an advanced stage to have the submission ready to go straight to the Commission once it is established. The Commission can then examine the case and conduct, as it were, its own investigation or inquiry. The sooner that happens, the better.

I also agree with the first element of the motion, in which we call for Mr Latimer's immediate release. But he should be released irrespective of the circumstances. We should not have to wait for the Commission to be established or for its decision on any application that is made. I reiterate the calls on the Secretary of State to release Neil Latimer. It is past time for this injustice to be remedied.

Mr McBride: I welcome the revisions which have made it possible for Alliance Members to support the motion.

We need to acknowledge that the judicial system in Northern Ireland has done very well in extraordinarily difficult circumstances over the last 25 years. Most people who are honest will acknowledge that that is the case. In the context of intimidation, the murder of judges and the most difficult circumstances, the reality is that the court system has functioned in a way which has been just, fair and reasonable in most cases. That has to be taken on board.

But it is not to say that the system is perfect, that no mistakes are ever made. The system is not perfect. Many things could do with changing. Mistakes and misjudgements are made from time to time, and that is the case in respect of this matter. Concerns have already been discussed. We share those concerns. As many Members know, my party Leader, Lord Alderdice, has raised some matters at the highest levels. There have unquestionably been problems about this case, as about others.

There is, for example, the case of what are now called the "Casement three" — Patrick Kane, Sean Kelly and Michael Timmins. It is a case which, most independent observers would now acknowledge, amounted to a miscarriage of justice, and a very disturbing one. We contemplated amending the motion to try to broaden it, but, in the interests of unity in spirit, chose not to do so. I hope that people will take a broad approach and will join with us in embracing the case of the "Casement three". Perhaps we will come back to it at another time. I do not want to go into the details of any of these cases. This is not the time or the place.

Some matters about the Latimer case have been dealt with very well already today. In the final analysis a political body is a place where you can raise issues but can never make a decision on matters which require a judicial process. We have recognized for many years that there is a gap in the system, a failure along the lines that Mr Trimble has spoken about. There are cases in which the court system seems reluctant to acknowledge mistakes, yet there is widespread concern and there are legitimate questions about the collecting of evidence and the handling of material in the courts. The need for a mechanism to deal with such cases is recognized, and we press for that. We very much welcome the Criminal Appeal Act 1995, which introduced a new body to deal with miscarriages of justice.

I must differ from Mr Trimble in respect of the review body. We had some regret that the decision was to set up a body covering England and Wales, with Northern Ireland as a third part. I recognize Mr Trimble's arguments about the dangers of parochialism and reluctance to admit mistakes, but it has to be said that with a body in whose remit Northern Ireland is only a relatively small part there is a very great danger that Northern Ireland

cases — which, by their nature, are somewhat different, more controversial or more political — will not be given the importance and priority that we would want to see them given. We would have argued for a specific Northern Ireland body. But that is by the by. The decision was taken. The law is in force.

The point I want to make strongly is that it is quite incredible, a year after the law was passed, that the body is not yet up and running. The chairman has apparently been appointed in the recent past, but other members have yet to be appointed, and there is no mechanism for submissions. Inevitably, a body like this will take some time to get on its feet.

Mr Ian Paisley Jnr: The chairman has indeed been appointed. I am aware of a number of applications to bring people on board, including people from Northern Ireland. According to the most recent information, the Commission will be up and functioning before the end of January.

Mr McBride: That is in keeping with my thoughts.

The point I am making is that it is now a year since the legislation was passed. The matter has not been progressed with anything like the speed or vigour that one would have liked. This has inevitably meant delay. People are saying “Well, we now have somewhere to take these cases”, only to be told, for bureaucratic reasons, that there is nowhere to go. I am glad to hear that the Commission will be set up by the end of January, but inevitably it will take some time to start to deal with cases. The delay is very regrettable. The Commission would have gone a long way towards taking the sting out of some of these situations. What we want is a mechanism that is seen to be effective. The Government have dragged their feet.

I do not want to say more. The case has been stated well and clearly. We will be supporting the motion, and we want to see the review body set up as soon as possible.

Mr McCartney: I endorse and fully support the contents of this motion, which has been revised by agreement. It is couched in terms which should engender the support of all of those present who value the ideal of justice.

I can bring to this discussion two matters which are perhaps of some weight. First, in relation to collateral litigation, I had an opportunity to read in detail all the judgements — both at first instance and in the Court of Appeal — relating to this case. Secondly, as a practising lawyer for 35 years and a Queen’s Counsel for over 20, I am in perhaps a unique position in the Forum to assess the opinion of the legal profession — especially the Bar — on this issue, with particular reference to the judgement of the Court of Appeal when three members of the group of four were released and Neil Latimer’s appeal was unsuccessful.

My experience tells me that it was the universal opinion of all those who had considered the matter that that judgement was wrong. That assessment was very much in keeping with the views expressed by Lord Justice Sir Frederick Lawton. It was difficult for practising lawyers to see how any logical distinction could be made between the three members of the group who were released on appeal — released on the basis that there had been patent and clear irregularities in the taking of their evidence, in the writing up of their

statements, and on a number of other matters which caused the evidence to be viewed as tainted — and Neil Latimer.

There was also legal precedent for establishing the principle that where it could be clearly evidenced that there was a degree of taint or wrongdoing in relation to the presentation and collation of evidence, there was no possible way in which a court of appeal could determine where the taint or corruption ended, and all those whose convictions might have been influenced by such taint should be acquitted on appeal. That is the accepted position. I, for my part, believe that the judgement of the Court of Appeal in this case, insofar as it affected Neil Latimer, was wrong, and that opinion would be supported by a very large body of respected lawyers.

I will turn briefly to Mr Trimble's point about what one might call the concept of parochialism. There is undoubtedly much substance in that idea, though it can be overstated. One of the difficulties relating to the law is the policy decision taken by the politicians to, as it were, criminalize the law's attitude to terrorists by regarding it as necessary to remove the jury. I, for one, accept that, in the circumstances prevailing, that was necessary. But removing the jury — which was an independent aspect — did tend to emphasize the concept of parochialism, of looking after each other. This was brought about not in any determined or sinister way but by the fact that if you are cheek by jowl with someone in the back corridor of the Law Courts you cannot but be influenced, as all human beings are, by the proximity of people whom you like or work with — or, in some cases, do not like.

12.00

But as I read through the papers, particularly of the trial at first instance, it became clear to me that judgements and assessments were being made by the trial judge that would never ever have been made by 12 Ulster men or women sitting as a jury, irrespective of what strata or side of the population they came from. It was very clear that the trial judge made one blatant error in assessing human nature. That was to suggest that because these gentlemen — to use his description, though I have not read the papers for a number of years — were trained soldiers, their confessions ought to be given a great deal of weight. The basis was that these were not ordinary members of the public that were being examined by the police, but trained professional soldiers capable of resisting any pressures put upon them.

In my view, that was a complete misconception. These were ordinary UDR men doing their best, offering a service, but they were not trained soldiers. They were not trained in the sense that they would no longer be intimidated by being confronted by expert police interrogators and charged with the most serious offence known to the law — murder. I believe that in those circumstances their demeanour and attitude would have partaken of those of an ordinary citizen and not a trained soldier. Yet this was a concept that figured large, not only in the judgement of the judge of first instance but also in the assessment of the Court of Appeal, because a decision having been taken, there is a great tendency to stay with it, even in an upper court.

Once that bedrock of belief in their guilt had been established, it was going to take very stringent and powerful evidence to reject it. Of course, that evidence came forward on the basis of the detailed ESDA and other tests, which showed that some of the confessions

gave clear evidence of having been rewritten. These put some of the investigating policemen, including detectives, in the position where their evidence could not conceivably be true, and it was therefore questioned and tainted. But when it came to dealing with the case of Neil Latimer, because he had made an early and apparently comprehensive confession the bedrock principle still pervaded. He was distinguished from the other three appellants in a way that should never have happened. The decision of the Court of Appeal ought to have been to quash the convictions of all four men.

I believe that the original conviction was made not only on the basis of erroneous judgements and human assessments which a jury would never have made but on the basis of evidence such as that of Witness A being accepted, while the evidence of another witness who had none of the deficiencies of Witness A was not accepted. The latter actually described in great detail the physical demeanour — height and so on — of the assailant, which did not in any way match the description of Neil Latimer. So I believe that there was a combination of assessments at the court of first instance that were wrong and that the assessments of the Court of Appeal did nothing to improve the ideal of justice in the attitude taken to Neil Latimer.

I would like to endorse what Mr McBride has said. Even Homer may nod, and even judges of the Court of Appeal may make errors and wrong assessments, but it would be wrong to attribute any base motive to any of our judiciary, who have distinguished themselves over the last 25 years by the quality of their justice and by their determined efforts to do justice in the face of personal danger and, in some cases, death. But, like everyone else, they can make mistakes — which is why we have a Court of Appeal and ultimately a House of Lords. I believe they made an error in this case, and the sooner that error is corrected and justice done, the better for this province.

I hope that everyone here will endorse this motion.

The Chairman: I propose to call Mr Peter Robinson and Mrs Sagar and then to break at 12.30.

Mr Hugh Smyth: Mr Chairman, I thought that it was understood that you would call one Member from each party before going to the second Member from any party.

The Chairman: I am not aware of such a rule.

Mr Hugh Smyth: Well, it has been operational since you came to the Chair.

Mr Peter Robinson: May I congratulate my colleague Mr Paisley, not only for being successful in introducing this motion but also for the manner in which he did so and for the very broad measure of agreement that the proposal is receiving in the Chamber.

The continued incarceration of Neil Latimer is an indictment of the judiciary, the police and politicians. It is an indictment not on the basis that people cannot make mistakes — of course they can — but because of the refusal to acknowledge the error.

The basic principle of British justice is that a case has to be proved beyond reasonable doubt. Anybody studying the transcripts of this case could not walk away from it without recognizing that there was more than a reasonable doubt. Mr Paisley, in outlining some of the elements of the case, referred to the fact that Witness A had signed seven blank sheets of paper, which were filled in later by two priests and then submitted to the RUC. If my Friend had had more time he would have gone on to indicate that something very sinister happened after she signed those blank sheets. The two priests involved refused to hand them over to the local police commander after they had written the statement on them on Witness A's behalf. Instead, they came to Belfast. They met with a Minister, whose own reputation now could be said to be in the gutter, and then that Minister went to the Chief Constable of the RUC, and the two priests refused to hand over the statement unless certain conditions were met. The conditions were, first, that the whole UDR group would be taken and interrogated and, secondly, that this would be done in Castlereagh and not in Gough Barracks in their own area. Reasonable, you might say, but the consequence was a train of events that ultimately could not have been other than they turned out to be.

The impact of the RUC's lifting 13 UDR men was inevitable. They had to justify lifting a whole group. It was not simply a case of chatting to them, questioning them, finding out what they knew, and letting them go. The impact was so great in Northern Ireland that the RUC had to justify the action they had taken, and the only way they could do that was to throw the book at those men.

They had two witnesses. One of these was an eyewitness who had been close to where the killing took place — a young girl then single but now married. She knew Neil Latimer, and she said that the person whom she saw going to the house of the man who was killed was 5ft 2in, whereas Neil Latimer is much taller — much, much taller. She said that it was not Neil Latimer, but her evidence was set to the side. Instead, the court of first instance said that it relied on the evidence of Witness A, not knowing at that time that Witness A was mentally unstable, as medical records which ultimately came into the possession of Mr Maginnis would have shown. I am absolutely certain that if the courts had had before them the medical evidence relating to Witness A, they would never have relied as they did on that person in the first instance.

Then the case went to appeal. If Neil Latimer is guilty, so too are Winston Allen, Noel Bell and James Hegan. If he is guilty, so are they.

Mr Ken Maginnis: And nine others.

Mr Peter Robinson: And the others because the group of 13 gave all their answers on the basis that they were together as a company on that day. All the evidence suggests that the four individuals who ended up in court — there were actually five, but one was released at a very early stage — would have stood together, whatever the judgement had been.

So what distinguishes the three from Neil Latimer? The only distinguishing factors that the courts could point to were, first, that Witness A — not at the scene of the killing but elsewhere — had identified Neil Latimer dressed in clothes that the witness who had been on the scene had identified to the police; secondly, the so-called admission "Things look bad for

me.” Well, I can think of any number of circumstances where someone would say “Things look bad for me” without its being an admission of guilt.

Mr Ken Maginnis: With regard to the description of the clothes, Witness A said that the person was wearing a dark brown anorak — which coincided with a report that had been carried in the local press — whereas in reality the killer was wearing a light blue coat.

Mr Peter Robinson: The eyewitness gave the detail of the blue anorak. The ‘Belfast Telegraph’ inaccurately described it as being brown, and in her evidence Witness A referred to it as brown. Clearly, her evidence came more from the ‘Belfast Telegraph’ than from anything else. Again, this is all on the basis of whether something has been established beyond a reasonable doubt.

Has anyone stopped to think, while we deal with all the evidence and factors in this case, what it must be like to be incarcerated for over 13 years for a crime that you did not commit? Many of us in our everyday lives — some more than others — feel that we are unjustly accused, and we do not like it. But to be put in a prison cell and to remain there year after year, in the knowledge that you did not commit the crime, is bound to have a major impact on your mind. To see colleagues you are with being freed and ultimately getting justice while you remain incarcerated is bound to burn at your very soul.

Each one of us, when considering how to vote on this motion, should remember that the British judicial system is praised throughout the world. Indeed, it is thought of so highly than even the Prime Minister of a foreign state, Albert Reynolds, when deciding whether to take a case before a British court or an Irish court, chooses British justice. He has shown faith in our British system — a system that has stood the test of time and requires us to be certain of someone’s guilt beyond a reasonable doubt. There are so many doubts in this case that Neil Latimer should be released immediately.

12.15 pm

I hope that the Forum will support this motion. I hope that Neil Latimer’s case will be the first through the door when the Review Commission commences its work. I hope that, ultimately, justice will be done for Neil Latimer.

Ms Sagar: The basis of any civil society must surely be a justice system which offers fair and equal treatment to all and which, when it makes mistakes, allows for these to be addressed. There have been a number of cases in Britain and Northern Ireland which call this into question. A system which is unable to evolve is doomed to discredit, just as an injustice visited upon one person diminishes all of us.

The case of Neil Latimer and, indeed, those of the other three raise a number of questions about long police interrogations, denial of access to solicitors, unresolved allegations of ill-treatment of detainees, police perjury and the reluctance of the legal establishment to consider evidence from witnesses whose testimony conflicts with the police version of events. There are two questions here. Is Neil Latimer guilty or innocent? Is his conviction unsafe and unsatisfactory? Regardless of the details of the case, it appears to be

clear that the conviction is unsafe, and on that basis alone there is justification for saying that this man should be released and his case referred to the Criminal Cases Review Commission.

This case, with a number of others, including that of the Casement defendants, highlights a number of problems with regard to the justice system. We urge a proper procedure for dealing with all the highlighted miscarriages of justice. We also call for speeding up of the review of all cases from Northern Ireland under the Criminal Cases Review Commission.

We support the motion.

Mr Casey *rose.*

The Chairman: The first person who got up to look for a chance to speak was Mr Hugh Smyth. So, if you do not mind, I will call him.

Mr Casey: May I beg your indulgence, Mr Chairman. My colleague and I have to leave after lunch, and I would like to speak on the subject.

The Chairman: Mr Smyth, what do you think about that? Can you accommodate Mr Casey?

Mr Hugh Smyth: Yes.

Mr Casey: I will not take up much time.

I speak in favour of the motion as a layman. In respect of legal matters, there are many Members who are more qualified to comment than I am, but natural justice does not require training in the law. The evidence placed before us this morning is compelling, and, irrespective of the community or political party to which we belong, we must endorse the concept that justice for any individual is an inalienable right.

There is no doubt that many people have been incarcerated unjustly on the basis of questionable evidence. This, in many instances, has discredited police methods of obtaining and presenting evidence and has called the judicial system into question, as evidenced, we all know, by cases like those of the "Birmingham six" and the "Guildford four" and, as Mr Paisley Jnr has said, the recent case of Colin Duffy, who was released on appeal.

My party has no hesitation in supporting any process that will right the wrong done to individuals or groups of people who have been mistakenly imprisoned, irrespective of which community or religious or political persuasion they are identified with.

Labour has no hesitation in supporting the motion.

The Chairman: It is only 12.21. Would you like to speak now, Mr Smyth?

Mr Hugh Smyth: There seem to be a lot of hungry men here, so I will be very brief.

May I, first of all, congratulate Mr Paisley Jnr on bringing this motion to the Forum. He presented it very well, and we all appreciate that. I have not been as deeply involved as he, but I have known about the case for many years. It was first brought to my attention by Mr Jim Watson, who held the first protest on the Shankill Road to highlight it.

There are two victims here. There is, of course, Neil Latimer, as well as his family, but there is also another victim whom we should not forget about — Adrian Carroll. So, while our thoughts are, of course, with Neil in his attempts to obtain justice, they should be with the family of Adrian Carroll also.

There is something very strange about this case, to say the least. I have been involved in quite a few cases in Loyalist circles. Most people are caught, go to court — some plead innocent — and take their punishment. Of all the cases that I have known, this one stands out, and it stands out because it stinks.

Mr Trimble has said that a mistake was made. I do not accept that a mistake was made. What happened — and I hate to have to say this — is that the police in the area decided that they needed a result. At that time, things were bad down there, but that did not give anyone the right to force his justice on society. If a mistake was made, it was made by the police. They are the ones who, as Mr Robinson pointed out, decided what would be done with certain statements. They are the ones who interfered. They are the ones who brought this situation about — and, as one who supports the RUC, I hate to say it.

Let us put it on record that this is not typical of the RUC. But our task is made difficult right across the world when such cases stand out. When we apply to get people extradited from America, or even from the South, the authorities there can say “No, we do not think he would get a fair trial.” We all know that that is wrong, but, unfortunately, cases like this make it easy for people to make such statements.

I am not going to deal with all the ins and outs of the case. It has been well presented. Anyone, even if he had never heard about it, would know. As Mr McCartney said, there is simply no way a jury would have convicted, even at the first trial — and that was before everything else came out. There was always going to be a reasonable doubt, as Mr Robinson has pointed out. Our system is about proving beyond a reasonable doubt that a person is guilty. I fail to see — Mr McCartney is right again — how the first trial ever convicted anyone on the evidence that was presented to the court.

What makes this case even worse is looking at cases in Great Britain, such as Broadwater Farm, which has been mentioned, Guildford and Birmingham. I do not want in any way to take away from those cases, but I suggest that there was probably more evidence there than in the one we are considering. Anyway, because there was reasonable doubt they were thrown out.

It does not happen here because, as Mr Robinson says, the police have to justify their actions. This reminds me in many ways of the Stephenson inquiry. Hundreds of thousands of pounds was spent on that exercise, and it had to be justified. A young boy in the UDR was fined £500 for having six bullets that the UDR gave him because his life was in danger. He did not get an opportunity to put the other six back. Having to justify themselves — that is

what this case is about. It is about police corruption. You cannot disguise it. The sooner someone releases Neil Latimer the better for everyone and for society.

But there are a couple of things that I fear. I fear that Neil could be released just as other lifers are released. They would say "You are no longer a threat to society. Therefore we are going to release you." Of course, I would welcome his release, but his case cannot — and shall not, so far as I am concerned — end there. His release will not end the injustice which has been done. The authorities would love him to be released that way. They would be able to say "That's it." He and the other three must continue to fight and expose this for what it was.

Witness A has been referred to by everyone. She was described as a Walter Mitty. That is an insult to Walter. Her evidence was absolutely deplorable, and it gives rise to all the things that we hear other people saying about our justice system.

I cannot see why the Secretary of State seems so hell-bent on doing nothing about this case. I have spoken to him about it. I have written to him about it. It seems that, for whatever reason — probably to justify the cost of the exercise — he wants one of this group. We cannot allow that to happen, because it puts a question mark over everything that is good about our society. I agree with the Alliance Party and Mr McCartney that our system has to be admired. Much as I am opposed to the Diplock courts, they have made the best of a bad job.

Some people may find it hard to accept that the police can do these things. Unfortunately, I don't. Having been involved — and I know that Mr Robinson took an interest at the time — in the "supergrass" system, I know what can and does happen behind closed doors. That cannot be good for society at a time when we are here together to try to move the political situation forward, to forget those things which are in the past and look ahead to the things that we hope are in the future.

The time is right for the Secretary of State and the Government to admit the mistake which was made, to release this man and to ensure that all four people get the compensation they so richly deserve.

The Chairman: Thank you, Mr Smyth. Your timing is impeccable.

May I ask Members please to be back in their seats at 1.45 pm. A number of Members have still to speak on this matter, and we have a very important motion about Europe, which we will want to complete today.

The meeting was suspended at 12.30 pm and resumed at 1.48 pm.

Mr Gibson: I support the motion, and I want to mention some background information about this case.

First of all, I want to pay tribute to the various families involved. They have found themselves in a terrible position. For years, the finger of suspicion has been pointed at innocent people. We are all aware that at the time of this incident there was a tremendous clamour. The RUC came under public and political pressure to get results. There were escalating, unreasonable demands from various politicians, and people were unjustly charged.

I have a lot of sympathy with the Allen family, the Bell family, the Hegan family and the Latimer family. I once found myself in exactly the same position. I had to stand in the High Court. I know about peer pressure in the immediate family and in the extended family. It was not until the third day of the case, when the IRA lies collapsed, that I knew that my future was secure. I remember one very startling event before the case came to trial. One of the leading QCs in Northern Ireland told me "It does not matter that you and your colleagues are as innocent as lambs. If another court in Chichester Street, on the same occasion, sends down an IRA man for six months or six years, you will get the same." In other words, the system of justice was coming under immense political pressure. For someone like myself, who looked upon British justice as being totally fair, objective and beyond reproach, it was a shock to hear a person as expert as a QC giving this warning.

At that time, too, there was a clamour against the Ulster Defence Regiment. It endured a period of intense vilification, which, it should be remembered, was orchestrated. It was almost playing the political barrel, and a head, or heads, had to be sacrificed to satisfy the clamour.

Rev Dr Ian Paisley: I think Mr Gibson will agree that there is one man who picked out the UDR specially and condemned and vilified it. That man is the Deputy Leader of the SDLP, Mr Mallon. To protest against the way he picked men out, and practically set them up by doing so, some of us left when he got up to speak.

Mr Gibson: There is one other case that comes to mind. At that time I had in my UDR patrol a sergeant who was a bus driver. On a Tuesday night he took ill. The following morning a well-known IRA activist shot the relief driver. The perpetrator of that crime has now served his time and is out and free. How is it that Neil Latimer has served more than a normal life sentence? There is something about this case that certainly calls for more than a simple glance at the possibility of a miscarriage of justice. There is much more behind it.

We in the Forum may not always agree with Amnesty International reports, but that international group is looking at this case. Those lawyers have made certain recommendations. It is interesting that they have mentioned that the ESDA tests on the police notes of the interviews showed that James Hegan's and Noel Bell's requests to consult with a solicitor, while in custody at Castlereagh, were deleted from the notes presented at the original trial. Witness A and Mrs Dunn have already been dealt with. Amnesty International not only agreed on the witnesses involved but also said

"Amnesty International believes that the Government should start a wider investigation into the full circumstances of the killing of Adrian Carroll."

In other words, international legal opinion is that there is much more to this case than the trial and the review that resulted in the releases.

Amnesty International also believes that uncorroborated confessions should not be the sole basis of a prosecution. Convictions based solely on uncorroborated and uncontested confessions obtained under duress raise doubts about adherence to international standards guaranteeing presumption of innocence.

We heard the evidence that Mr Paisley produced in such an excellent manner. People from the Ulster Unionist Party and the Leader of the United Kingdom Unionist Party gave local expert opinion, and now international legal opinion too is broadly supporting this case. When we look at Amnesty International's final summary we can only conclude that our motion is not only timely but correct. Neil Latimer should be released without delay. Compensation should be paid, not only to Mr Latimer for those 13 years but to other people who have lain and suffered in gaol. I sympathize with them. In my case, it was only three nights. When you have been inside you realize that the outside is a much better place from which to view a prison. And three days is very different from 13 years.

How do you recompense any person, but especially one who was just into his twenties, for losing 13 years of his life? No amount of money could compensate Neil Latimer in particular or the other three men — Allen, Bell and Hegan. For the rest of their lives they and their families will carry the stigma that resulted from that vicious, vilifying campaign against a most respected and honourable regiment.

I support the motion, and I hope that Neil Latimer will soon be a free man.

Mr Jim Rodgers: Most of the things that I wanted to say have already been said. I should, however, like to press home some of the points that Mr Gibson has made.

There is no doubt that the reason these four members of the Ulster Defence Regiment were charged and eventually sentenced was political expediency in Northern Ireland. Dr Paisley mentioned the Deputy Leader of the SDLP. If we cast our minds back to 1983 we will recall the outcry from Mr Mallon and other leading members of the SDLP and the Roman Catholic Church against the UDR. Every single day attacks were being made on that gallant regiment. Some of them were low, despicable, disgraceful and uncalled-for.

I am really concerned at the circumstances in which these four people were charged. We have to remember that they all had clear records, despite the fact that some of them signed statements admitting guilt. Anybody who has been at Castlereagh and has seen the holding centres will know that in those days you were questioned not just for up to 12 hours but throughout the night. There were no cameras either in the 1980s. Such steps were taken recently. It is so easy for someone to say that he is guilty of a crime that he had absolutely nothing to do with, particularly when he is being physically and mentally tortured.

These four UDR men were physically and mentally tortured by members of the RUC, I regret to say. I support and defend the RUC at every opportunity, but there are bad apples in the police force, just as in political parties, the Army and other groups and organizations. These people were clearly sent down to appease certain individuals, and the RUC has never fully investigated the claims of the Protestant Action Force on Belfast's Shankill Road that it was responsible for the terrible murder of Adrian Carroll — a murder which I condemn

unreservedly. There were allegations about Mr Carroll, but no one has the right to take the law into his own hands. I condemn the killing of Adrian Carroll just the same as the killing of Thomas Stewart, who was shot in North Belfast earlier this week and was buried today.

I commend Mr Paisley for putting this motion forward and for the way in which he presented it. He made a very important point when he referred to a person, currently serving a sentence in Northern Ireland, who is allegedly guilty of this crime. We have to establish why the RUC is not prepared to look at that allegation. The four soldiers — Allen, Bell, Latimer and Hegan — all said that they were great supporters of the RUC, but after their experience at Castlereagh holding centre they lost all confidence in the force, like so many people in the province who have been wrongly arrested, questioned, brought before the courts and sentenced. There are innocent people in our prisons today, serving long sentences — both Loyalist and Republican. They were found guilty through association with known terrorists. That is something that the Forum should perhaps look at in the future.

2.00 pm

I fully support the motion, and I sincerely hope that it will not be long until Neil Latimer is free. Senior police officers privately admitted to me, prior to the retrial, that they were unhappy at some of the officers who were involved in the questioning at Castlereagh. We must also remember that some of those policemen were charged because documents had been tampered with — most unfortunate.

Here we have Mr Latimer rotting away. Anybody visiting people who have been in prison for any length of time will realize that those behind bars suffer terribly, both mentally and physically. We hear all sorts of things about what goes on in prisons, but at the end of the day we must remember that people are confined. We have got to send a message, loud and clear, that we want either a retrial or the immediate release of a man who we all firmly believe is totally innocent.

Mr McMichael: I agree with all the comments that have been made already. It has all, more or less, been said.

I want to praise the work of the UDR Four Committee for its diligence in pursuing the cases of the "UDR four" and now that of Neil Latimer. I hope that all parties will give their full support to the continuing work of that committee.

I too am deeply concerned about this case. It is quite clear that there are serious questions about the evidence against Neil Latimer which need to be addressed. These have all been dealt with in some detail. One third of Neil Latimer's written evidence was tampered with, as was proved by the RUC. There is the questionable integrity of Witness A and her medical condition, and there is her acknowledgement to a priest that she believed that Neil Latimer was innocent. Then there are other witnesses whose evidence contradicts the judgement. There are so many questions about the evidence that is before us and was before the courts. There is great concern about how the courts reached the original decision and the decision on appeal. Not least, there is the claim by the Protestant Action Force of responsibility for the murder of Mr Carroll. On two occasions that organization acknowledged that Neil Latimer was not a member and had not been involved in the murder.

Many people will claim that it would say that anyhow, but in the history of Northern Ireland it is unusual for a paramilitary organization to make such a statement.

A great injustice has been done against Neil Latimer, not just by the courts, which refused to take on board the evidence before them and to make the right decision, but also by the RUC, which deliberately lied, coerced and intimidated members and forced confessions which were clearly erroneous. Injustice was also done by the priests to whom Witness A went, who subverted the rule of law in a clearly motivated attempt to sully the name of the UDR generally and these men in particular.

We have to look at what happened at the appeal. As the UDR Four Committee points out in its excellent literature, the court stated that it was impossible to accept that an innocent man would make a false confession, yet released three men on this basis while retaining Neil Latimer. There is absolutely no logic in this situation. It is incredible that the court was able to do such a thing.

When you look at other cases which have arisen over the years throughout the United Kingdom — I do not need to name them all — it is quite clear that the evidence which brought them to appeal and resulted in the release of the individuals involved was far less compelling than that in the case of Neil Latimer. The most unfortunate thing about all of this — and Mr Smyth touched on it — is that in all likelihood the Government, the RUC and everyone else implicated in this conspiracy are hoping that Neil Latimer will go through the process of the Life Sentence Review Board and be released eventually in the normal manner. That would secure his release, but it would also ensure that his integrity was not left intact, that his name was not cleared.

As Mr Rodgers said, other innocent men too are in gaol today. I think of people like Thomas Green. But there is no point going into other individual cases — a day will come for that. Those people face an even more difficult dilemma than we have before us today. They are innocent men serving life sentences, the potential for whose release, through the normal process, is in the hands of the Life Sentence Review Board. That body takes a prisoner's remorse into account. But how can Neil Latimer have remorse for a crime he did not commit? Is Neil Latimer going to serve a longer time in gaol because of his innocence? Is he going to be punished even further because of that innocence? How can Neil Latimer show remorse for the murder of Adrian Carroll? If he were to do so in a tactical way — merely to secure early release — he would ensure that his name would never be cleared. But, of course, he will not do that. How can this be fair?

There is the similar case of a young man from East Belfast who was innocent of the crime for which he was convicted. He served an unnaturally long sentence of life imprisonment because he could not fulfil the conditions for release — he could not show remorse, because he had not committed the crime.

It is quite clear that our objective must be to have Neil Latimer's name cleared, and, as is clear from the letter that Mr Paisley read, that is what is in the depths of his soul. His name has to be cleared. He must be vindicated. We all fully support that.

Oscar Wilde said

"The truth is rarely pure, and never simple."

But there is one pure and simple truth about Neil Latimer, and that is that he is innocent. He must be freed immediately, and he must receive due compensation for the injustice that he has suffered.

Mr Calvert: I would like to thank my Colleague Mr Paisley for the excellent manner in which he brought this motion forward but also for the way he spoke to it.

Given what Mr Rodgers has said, I want to tell him that there are no bad apples in this political party.

There are some Members who can honestly identify with the way Neil Latimer must feel today. Some of us paid the price of serving time in prison over the Anglo-Irish Agreement — in every case a member of the DUP. We did not run. We did not get out of the road. It is certainly an awesome feeling when your privileges are taken away, when you are closed up, to be forgotten about at Her Majesty's pleasure. The case of Neil Latimer — the last remaining member of the "UDR four" to be held in prison — is one of the most grave miscarriages of justice faced by the people of Ulster over the past 27 years.

Neil was a serving soldier of Her Majesty's Forces — a member of the Ulster Defence Regiment, a young man willing to sacrifice his life to bring peace and stability to our beloved land. He was a very young soldier serving at the height of the troubles. In November 1983 he was arrested with five other members of the Ulster Defence Regiment for the murder of Adrian Carroll in Armagh. During interrogation, one of the co-accused said nothing, and walked free. A second man's case was thrown out of court because he had been interrogated to a point where, thinking that he would die, he drew up a will. The judge accepted that undue pressure had been exerted on him. This left four men under investigation, and in 1986 they were tried and convicted of the murder. A campaign was commenced by three women in Lisburn — my wife was one of them — and a petition of 100,000 names was gathered to ask the authorities for a retrial of the men, who were now known as the "UDR four".

On 29 July 1992 a further hearing took place, and the appeal of three of the four soldiers was upheld. The Appeal Court attempted to assassinate the character and personality of Neil Latimer. The establishment was obviously ashamed and embarrassed about the whole case and wanted to salvage something. Neil Latimer became the political pawn. The Court of Appeal cannot be allowed to feel secure in its decision. The public has shown its disquiet about the miscarriage of justice in this case.

Note the judgement of Her Majesty's Court of Appeal in 1982, at page 131:

"It is a matter of great regret that the appellants Bell, Hegan and Allen have served six years in prison in consequence of verdicts of guilty which we consider the trial judge would not have returned if he had known that the police had given untruthful evidence before him and that false authentications had been appended to some interview notes by some senior police officers. It is a matter of great importance that fully effective steps must be taken to make certain that police officers in the future cannot rewrite interview notes and that notes

cannot be falsely authenticated. This is a matter which the highest authorities must address with urgency and determination."

I hope that Members will take note of that and of the fact that all four soldiers signed statements. The evidence proved that substantial rewrites of this material had taken place. Almost one third of Neil Latimer's interview notes showed instances of rewriting. Three men walked free. We know that that was the right decision, but how could the Court separate the fourth man, Neil Latimer?

2.15 pm

During the week I received a letter from Mr Latimer. In it he says

"This Christmas I will have served 14 years in gaol — 14 years for what?"

We must understand how the young man feels. Do these seem to be words of a guilty man? I say not.

"I want my freedom back. I want this chance to get my life back."

I am sure our hearts go out to this young man. He was only doing his job — and doing a good job — in Her Majesty's Forces. There was no reason for him to be treated this way.

I call for the immediate release of Neil Latimer. While I would certainly like his case to go before the Review Commission, I honestly believe that the Government should release him right away, because he is innocent.

I support the motion.

Mr Donaldson: I support the motion, and I add my words of appreciation to those of the people who have, for a long time now, campaigned for justice in this case. I thank Mr Paisley for the opportunity to debate the matter today.

We have heard some very eloquent speeches from people who have a very strong legal background. I am a layman on this issue, but it is important that people like myself have a say. After all, juries are made up not of people with legal expertise but of ordinary men and women. Looking at the evidence that has been presented, both today and in the various pamphlets that have resulted from the campaign, I have no doubt that the conviction of Neil Latimer is unsafe. We have already heard about some of the issues in relation to the unsatisfactory nature of the evidence presented against Latimer at his trial and again during the appeal. We have heard about the ESDA tests and about the police tampering with statements made by Mr Latimer.

We have also heard that there is considerable doubt about the evidence of Witness A, who has been shown to be extremely unreliable. I want to quote from an interview that Witness A gave on RTE Radio on 5 February 1989, when she admitted that her evidence was unsatisfactory. She talked about how the police had tricked her into making the statement identifying Neil Latimer as being at the scene of the murder. She said

"They have tricked me. I see it as tricks — the dirty-tricks department. I don't care how they see it — none of them have approached me — but as far as I can see," —

here she refers to another witness —

"has denied that. She never gave his name. In fact, she said it wasn't him she seen, and I mean who's telling lies?"

She went on to make the point that she felt she had been set up by the investigating officers in the RUC to identify Neil Latimer as being at the scene.

There are other facts, which my Friend Mr Maginnis will touch on later, that also undermine the credibility of Witness A. We would, in time, like to know a little more about the roles of Fr Murray and Fr Faul in all of this, because they were much involved in bringing Witness A into the case. Both gentlemen are well known as critics of the Ulster Defence Regiment. On numerous occasions both have made public statements attacking the UDR. They saw this as an opportunity to discredit the regiment, and they did not care who would be the victims of their actions.

As has already been stated by Mr Robinson, because of their approach and the manner in which they brought forward Witness A there was a degree of compulsion on the police, out of political expediency, to secure convictions. Political expediency was a factor in the unsafe convictions that occurred as a result of the evidence brought forward in this case. When such vigour was applied here why does Northern Ireland have so many unresolved murders?

I want to bring to the attention of the Forum a written reply to my right hon Friend Mr Taylor from Mr Wheeler this week. It concerns conviction rates in Northern Ireland. In respect of murders from July 1969 to 9 October 1996, charges have been brought in only 875 cases whereas in 1,652 cases no charges have yet been brought. That means that in 65% of murder cases since July 1969 there have been no charges — an appalling statistic. It is an indictment of our system of justice that we cannot secure a higher conviction rate, particularly for terrorist murders. I urge, as well as the need to give justice to Neil Latimer, that equal vigour be applied to securing convictions in the 1,652 instances where no charges have been brought.

This week we have heard a lot from the Committee on the Administration of Justice about the events of last summer. It is interesting that this body, which purports to uphold the rights of individuals, has very little to say on the case of Neil Latimer. I wonder why the CAJ has not been involved in highlighting this case. Actually, we know why: because politically it is motivated against anything that would uphold, for example, the integrity of the Ulster Defence Regiment. Unfortunately, it has an agenda which tends towards Republicanism rather than towards anything that would uphold real justice in Northern Ireland. So let the CAJ's voice be heard. I challenge it to give us its opinion on the conviction of Neil Latimer.

As others have said, it is now crucial that the Secretary of State reopen the case of Neil Latimer so that this man may have an opportunity to clear his name. As he is a former member of the Ulster Defence Regiment, it is also important that the integrity of the regiment be upheld, because part of what was going on in the backdrop to this case was an attempt to blacken its name.

Mr Ian Paisley Jnr: On that point, is it not interesting that the "UDR four" case accounts for more than a quarter of the convictions against UDR soldiers for crimes in Northern Ireland? It is very interesting that recognition has not been given to the UDR for being a force practically above reproach.

Mr Donaldson: It is crucial that, as well as clearing the name of Neil Latimer, we ensure that the good name of the Ulster Defence Regiment is upheld, not only in respect of this case but for the manner in which it conducted itself over the 20-plus years it was in existence defending the people of Northern Ireland. It is time this man was given justice. Let me quote again from the interview given to RTE Radio by Witness A:

"I certainly don't bear a grudge with Neil Latimer, because as far as I am concerned he was a good friend of mine. I knew him awfully well, and as far as I am concerned he was a gentleman, not a murderer, and I can stand over that. The whole thing is not right — the whole case has never been right from the start. I don't want them to put the blame on me. I think the police that investigated this have to shoulder the blame as well. The sooner they stand up to it the better. The killers have slipped away, and they know now they can't get them. They have no chance of getting them, so why should this poor fellow go down for it?"

We all hope that this will be Neil Latimer's last Christmas in prison.

Mr McKee: There have been many fine speeches today. They have opened the case up and dealt with the issues. I believe they have proven that Neil Latimer and his colleagues were innocent. Some eminent people have spoken on this matter over the years — and even in the Forum today. Lawyers, people of experience, have taken part in the debate and examined the evidence. There is an element of doubt, and Mr Latimer should get the benefit of that doubt. I would like to thank Mr Paisley for his interest in seeing justice done. He has pushed this case and brought it to the fore. I would also like to thank my Colleague Mr Robinson for the interest that he has shown.

Many years ago we held a rally in Larne in support of the "UDR four". Some of those who had been released took part. Many thousands of people participated. The people of Larne lined the streets as the marchers went by, giving a clear indication of how they felt about the situation — they believed that the four men were innocent.

Life, at best, is very brief — just like a vapour that appears for a little while and then disappears. Think of a young man going to gaol at that early age, losing all those years, being taken away from his home, family, friends and relations. It is terrible. Those years will never be given back to him. He will never be able to recapture them.

Consider the role that RUC officers played in this whole affair. ESDA tests have clearly shown that they tampered with the evidence. As the saying goes, they set these men up. That is deplorable. One tries to find reasons. The majority, if not all, of the people in the Forum support the RUC. There is no doubt that the RUC has paid the price over the years. Many good men have been put below mother earth for taking their stand for Ulster, for the land that they loved. You say to yourself "Why would they tamper with evidence?" I can only think — and this has been discussed today — that at that time there was the shoot-to-kill policy. There was pressure on RUC officers. Was it that they were keen to get results? Was

it that they were keen to show the world that the RUC was impartial? Were they over-eager to get convictions?

It must be very hard on Neil Latimer to languish in gaol and see his colleagues free. I am glad that they were released, but I am sure that their release is not complete because their colleague was left behind. It must be hard on them to have their freedom while this young man is still in gaol.

2.30 pm

I appeal to Patrick Mayhew, who has not done very much for Ulster in his present term. He has told us that he is not going to be back. There are many, particularly on this side of the House, who will cheer at that and say "Amen." We recognize that he is no friend of Ulster. But he could do one last decent thing. He has the power to start proceedings which would see Neil Latimer out of gaol.

As we debate this issue, we ought to think of the mother and father and how they must feel. Members will know, from hearing me speak, that I have no pearls of wisdom. I am no lawyer. But it does not take a Philadelphia lawyer to realize that, as Mr Donaldson has said, Neil Latimer is being sacrificed on the altar of political expediency. He is being held hostage to show the world how fair and impartial the RUC is, how fair and impartial the state is — that it is not down just on the Roman Catholic or Nationalist people but can take action against the Unionist and Protestant community. Shame on a system that allows that to happen. Shame on a judicial system that allows such corruption, such terrible injustice, that has let this young man languish for years in gaol, away from his home and family.

We could get emotional and het up, but that would not change a thing. The Secretary of State and the legal system must look closely at what has been said today by lawyers, like Mr McCartney, by people who have campaigned, like Mr Paisley and others, by Mr Maginnis and by all the others who, over the years, have fought for the release of this young man. They should look at the evidence that has been collected and do the honourable and decent thing. They must ensure that justice is done and is seen to be done and that this young man gets that which he deserves. His case should be looked at again. I believe that if it is, we will see him back home with his loved ones and recompensed for the terrible years that he has spent away from them.

Mr McAlister: I consider it a privilege to lend my support to this motion. I want to thank my Colleague Mr Paisley for bringing it forward. No doubt the whole House is grateful to him for all his interest in the case. He is a foundation member of the committee, and it is right and proper that we should express appreciation to him and the committee for all their hard work and dedication over a considerable number of years.

I am not going to rehearse what has been said so ably on the question of evidence. I want to speak in a more personal manner. As I thought about this debate during the week, the word that kept coming to me was "identification". This afternoon, as individuals, as parties and as a Forum, we are identifying with one of our fellow-countrymen who has been done a great injustice. It is because we love our fellow-countrymen, particularly those who have suffered great injustice, that this debate is so important. As democrats, we would all put

our hands up and say "We love justice." Justice is what we seek for this man in particular and for the country in general.

I agree with Mr Donaldson that some of us have what may be seen as a vested interest. We served in the UDR with pride, and we came to love it too. It was such an important part of our lives. We sought to serve our country. Forum Members who were in the regiment would say that as they sought to serve, their own lives were enriched. The UDR must come out of this with a clean slate.

For many reasons we can identify with this young man. I want to speak on a personal matter. So often, as we seek justice and the like in our debates, the individual can be lost in the technicalities. As we sit here today — free men engaging in free speech — a young man is in prison. What is going through his heart and mind as we debate his future?

I tried during the week to consider what 13, coming up to 14, Christmases of incarceration would be like. I reflected upon my own life and the last 13 or 14 years. I ask Members to reflect briefly, in their own hearts and minds, on how good the last 14 years have been for them. They have enjoyed their freedom. They have enjoyed, I hope, health and strength and the love of their families. They have seen their children growing up. I have seen my own two children through third-level education. They are both in secure jobs. One of them is happily married. We could repeat how many good things have fallen upon us in 13 years, while this young man has languished in gaol.

Under normal circumstances, in his mid-thirties, he might be married with a family. But this dreadful thing befell him. Such is the situation he is in today. We seek justice for him, and compensation, though I do not know how you could compensate for the loss of 14 prime years of life. How do you repay someone for all that time — days that are gone and can never, not ever, be replaced?

Also, when I identify with this young man I am identifying with freedom for all, because there is a principle at stake here. There are many others in gaol who need our support, and I believe that we can get the log-jam broken with this case. That is why it is most important that when the Review Commission meets, Neil Latimer's case be top of the pile. Then justice will flow faster for all.

There is no doubt that there are deep political reasons behind this young man's wrongful conviction and incarceration. I do not want to go much further, because the evidence has been laid out today. There is no doubt that we are talking about an innocent man. We are not talking of someone about whom there is creeping doubt. There is a wide gap of injustice in respect of Neil Latimer.

Our sympathies go out to the Carroll family also. As someone has said, that man did not deserve to be shot. I do not know his background and circumstances, but he did not deserve to die in that way. However, I am sure that if his family are right-thinking people, they would not want Neil Latimer, who is innocent, to be in gaol any longer. It is time he was released.

We could say to ourselves "What is the point in our debating this? We are all convinced. Is our journey really necessary?" Well, I believe that this afternoon is very important, for the following reasons. The Forum is doing that which it was set up to do — discuss the real issues of life and find common ground. Also, if this afternoon brings one little ray of hope to Neil Latimer in prison — and I hope that it will — all our speeches will have been worth while. When we look back we will say "We are glad we were there and took part in that." If, in some way, the debate adds a little to the already-massive weight of evidence of this man's innocence, it will have been of benefit.

I hope that those in authority will take note of what has been said here, of our passion about this case, of our love for justice and for an innocent fellow-countryman. May we soon see him free from this terrible, wrongful incarceration.

I support the motion with all my heart.

Mr Ken Maginnis: One could ask "How can this injustice have occurred?" That question could probably be answered, but here is an exceedingly difficult one: "How can this injustice have been perpetuated for 14 years given the weight of evidence produced over that period that neither Neil Latimer nor any of the other 12 soldiers on duty that day was involved in the awful murder of Adrian Carroll?"

The murder took place with people, allegedly, moving through the centre of the city of Armagh in the middle of the afternoon, when children were coming from school, when parents were meeting their children, when there was a great deal of activity. Yet no eyewitness has substantiated a single iota of what Witness A gave in evidence. No gun has turned up that can be connected. No clothes have been found that can be connected. There is no connection between the car that was used to take the murderer from the scene and any of the 13 men. There has been not a quiver in the assertion by the four who have served time in prison of their innocence of Adrian Carroll's murder.

We have to look at three particular aspects this afternoon: the confession; the activities of the police and why they were such; and, most of all, the credibility or otherwise of Witness A.

I want to deal in the very short time available with a point to which Mr McCartney referred — the matter of the confession. There is a need for interrogation processes when you are in the midst of a terrorist campaign. Terrorists are people conditioned to withstand attempts by the forces of law and order. They are conditioned; they are trained. They need to be detained for a number of days if the authorities are to find out what really happened. But soldiers are the exact opposite. They are conditioned to jump when somebody says "Jump." Nobody knows this better than you, Mr Chairman. You know that the conditioning of a soldier is imperative, so that under fire he reacts automatically. That is the type of person Neil Latimer was — somebody who had been taught not just to respect authority but, when authority spoke, to move immediately. Imagine him being taken to his friends in the RUC — the people who were in authority, the people whom he had been conditioned to obey — and imagine the questioning. "But we have got an eyewitness, Mr Latimer. What do you say to that?" "Well, it does not look very good for me, but ...".

I do not want to go into this in much greater detail, but I have to say that the most vulnerable people you can take into a police station are those who have been trained to respect and honour the police — policemen themselves or soldiers, like members of the Ulster Defence Regiment. And why would the police act as they did? Police corruption, I think Mr Smyth said. I think there was a degree of political expediency. All who live in Northern Ireland are touched by the politics of this place, and the politics are dictated, to some extent, by the terrorism that we have endured. There was murder after murder in that mid-Ulster area. There was a clamour to get Loyalists who had killed innocent Catholics. The police will have been told “We have got a couple of priests who have brought us an eyewitness. Get those fellows in and make sure you have a statement from them before they are released.” That is the pressure there will have been.

Certain demands were made by those two priests as to who the police should be. They were not to be people from the area. That might seem to be a good thing, but if you have police who are not from the area, they do not know the facts. They do not know the type of activity that has been going on in the area, and they are at a disadvantage.

2.45 pm

I point that out because I have grave doubts about Witness A — doubts that arose when her medical records came into my possession. Here is what Lord Justice Kelly said:

“The evidence of Mrs ‘A’ is of the greatest importance to the Crown case against Latimer

Mrs ‘A’ did reveal inconsistencies in her evidence, mistakes, some faulty recollection, some contradictions, some inconsistencies between her evidence in court and what she said in her statements to Fr Murray and to the police. Many of these were labelled ‘lies’ by defence counsel. I need not set them out exhaustively. Here are some. She undoubtedly hedged about admitting a conviction for larceny of a pound of butter in 1967. She was wrong as to when she came forward for the first time to Fr Murray and the police — not 6 or 7 and 10 days, but 14 and 24 days respectively. She did not make her statement to Fr Murray in the Parochial House, but in her own home. She did try more than once to telephone him. She was quite wrong in denying that she sought help from directory enquiries as to Fr Faul’s telephone number. The BBC 9.00 pm news contained no mention of the Carroll murder that evening, and certainly not a description of the gunman or anyone running from the shooting. She was confused as to how many soldiers in Lonsdale Street were about to get or got into the Land-Rovers. She only assumed but did not see Latimer and the others getting into the back of the Land-Rover. She showed contradiction as to whether the Land-Rovers at the time had headlights on. She said they had back doors, but admitted that she could not see the back.”

Well, the Land-Rovers did not have back doors.

“Mrs ‘A’ said the events occurred in Lonsdale Street in daylight, fairly bright, clearly visible, although the lights in the college were on and the headlights of the Land-Rovers, in one of her accounts, were on I have noted all the discrepancies, mistakes, inconsistencies referred to as ‘lies’ by the defence. I must say that these are all peripheral.”

Then the Lord Justice said

“Why should Mrs ‘A’ invent her story? I have asked myself this many times during the course of this trial.”

He could not have known the answer — I have to give him that — but the answers were known at the time of the appeal.

Witness A had a mental problem. She had been receiving treatment for mental instability. Dr MacCallum, her doctor, said that she had had an unstable upbringing and that this must have had an effect on her future stability. Witness A was so given to fantasy when telling her side of the story that it was hard to sort out the truth. We keep hearing that she imagined things. She claimed, on occasions, to have taken two bottles of aspirin, when in fact it was very clear that she had not. She was described as emotionally unstable and varying from depression to aggression. All these things were brought out in evidence.

It was said that she told lies, including lies about her husband, who was described as being an honest person. She said that she and her husband were going to move into town, though her husband said that they had no intention of living in town. But that sort of thing was typical of her.

Here is a woman who is known to have attacked her own husband with a bread knife without any justification. Here is a woman who sought publicity because she had what her doctor described as “a psychopathic personality”. This woman is to be pitied. She had to get out of the tangle, the situation in which she had become embroiled, when she went to Brendan Wright of RTE and admitted that Neil Latimer was innocent. But, like so many people in Northern Ireland, she lives within a narrow little tradition. She has to be justified, and she will not be justified amongst that tradition — that Nationalist, Republican tradition — if she withdraws her allegation against Neil Latimer. That is the problem. The difficulty that we have to face up to is that the judiciary and the Secretary of State will not take note of it.

I have two questions. If the death penalty had still existed, would any judge have sent Neil Latimer to the gallows on the basis of the evidence given by Witness A? Is the fact that we as Unionists are fighting for Neil Latimer’s release the kiss of death? Unionists must not be seen to be right when it comes to an incident like this.

The Home Office has set a target date of January 1997 for the Criminal Cases Review Commission to come into being. That body has an obligation to tackle Neil Latimer’s case as its first.

Rev Dr Ian Paisley: I associate myself with the remarks of all who have spoken in this debate.

We are talking about a young man who is behind bars, about the wasting of 13 years of his life and the probable wasting of more years if we are not successful in having justice done and seen to be done. What amazes me about this case is that there is so much evidence crying out to be looked at and looked at again, and one man in Northern Ireland — the Secretary of State — stands in the way of reconsideration. We must put the blame where it belongs.

After some Republican prisoners had their cases looked at again, I boned the former Secretary of State behind the Speaker’s Chair. I said to him “Now is the time for you to get

the 'UDR four' case back to the courts." He hummed and hawed, as most Secretaries of State do, but I had him by the lapel of his coat, and I said "I am not leaving you today until I have a promise that you are going to consider seriously putting this case to appeal. It is no skin off your nose. If you put it back and the Appeal Court says no, it is no harm to you. If it says yes, people will say that at least you are a fair man prepared to let the thing be tested in court." He did send the case to the Appeal Court, and we know the result. As Mr Maginnis knows very well — some of the things he has said here he said direct to the Secretary of State in the House of Commons — the Secretary of State is adamant that it will not go back again. So long as he holds office in Northern Ireland, that will not happen.

I was in the court when the decisions were made on appeal. I was interested to hear that the police had been informed beforehand that there would be a ruction in the court and were saying that it was perhaps inadvisable for people to go that day. I said "I am going anyway." When I got to court I found out why they were worried. If ever an injustice was perpetrated, one was perpetrated that day. The evidence that led the judges to let off three of the men was turned on its head to keep Neil Latimer incarcerated. It was absolutely ridiculous. All aspects of this case, when you examine them, seem to run on the same track.

At that time there was bitter enmity against the Ulster Defence Regiment. The atmosphere was such that the regiment was being maligned and attacked. It reminded me of the early attacks on the Royal Ulster Constabulary. Everything was being aimed against the regiment. I am not going to catalogue some of the things that were said by leading politicians, especially Mr Mallon. I have confronted him on these very issues in the House of Commons. The atmosphere was against men who wore the UDR uniform. If these men had been Republicans they would never have been found guilty. Or if they had been Republicans and had been found guilty, they would all — all four of them — have got off on appeal.

I lay the blame for this on the Government, who at that time were playing one section of the community off against the other and trying to balance cases. That happened in the Crown Prosecutor's office. A friend of mine who worked there but has now left said that in a certain place, well out of the road, they had a chart. On that chart were Loyalist cases and Republican cases, and they balanced them out. That is no way to do justice in any country. You should not be brought to court because of your religion, your politics, the colour of your skin or what you believe; you should be brought to court on the basis of justice. We have had a cry from the Protestant community, which has been laughed at in many cases. Many people have aided the operation of two laws in Northern Ireland. There have been two laws operating — let no one make any mistake about that.

I am not an enemy of the RUC, as everybody knows. I alone defended them in the European Parliament at a time when they were under savage attack. I am not an enemy of the judiciary, but there were those in the judiciary, in the Government and in the RUC who did not want justice to be done in this case, and still do not want justice to be done.

Originally, six men were charged. One case was not brought to court. Colin Warton's case was brought, but the judge said he could not go ahead with it, because Warton had been pressurized in interrogation. Who interrogated him? The officers who interrogated Neil Latimer — the very same men. The written evidence showed clearly that Neil Latimer's papers had been overwhelmingly tampered with. The ESDA test proved that.

Here is a judge who says "Mr Warton, you were so interrogated and pressurized that you can go." But a man who had gone through the same ordeal, along with his three companions, had to stand trial. They stood trial and were convicted. The four of them went to prison, and it took a very long time to get their cases back into court.

There is also evidence from another person, who was a member of the Royal Ulster Constabulary, about Witness A. He said that Detective Chief Inspector Neilly had told Witness A that if she were to give evidence it would be invaluable. He also said "The man that you saw — I will tell you who he was. He was Neil Frazer Latimer." There is a degree of evidence that the very person who was interrogating this woman actually put that before her.

3.00 pm

The priests who have been referred to by Mr Donaldson brought a whole dossier. I am told that there were 183 charges against UDR men to be investigated. The priests said to the police in no uncertain terms that in this particular case they must get the people responsible. Now, the police were unable to get people for all the other cases — 65%. Why the release of energy? Why the application of such dedication to get these men to court and to doctor the evidence so that the police could pin charges on them and get them behind bars? The regrettable truth is that they wore the uniform of the UDR and could not be let off. The authorities were prepared to take the wrath of the Unionist people to placate the Roman Catholic priests and the Republican elements. That is exactly what this Government did.

I am glad that three of these men are now out, but the fight must go on until Mr Latimer is released. If this case had been tried in an English Appeal Court, all four would have been released. Everybody knows that — even Republicans. A Republican man in court that day said to me that if they had been in England, all four would have been freed. But that did not happen. This is a most serious matter because it throws grave doubt upon many other cases. We saw across the water that once the door was opened and the light of scrutiny started to fall on how people had been convicted, other doors had to be opened. The Government are afraid that once this process commences they will have to face up to looking at other cases, and those might be even more embarrassing to the powers that be.

The members of the Royal Ulster Constabulary must know that they are not above the law. They have got to abide by the law. I had personal experience of this in my own home. A policeman at the gate, who was supposed to be guarding me, swore that a member of my family had taken out a car and, in a temper, had tried to run over a neighbour, and then had come back and changed his clothes. The whole thing was a fabrication. It went before a Roman Catholic magistrate, and he threw it out. He said that he had never listened to such lies in all his life. I was suffering because that guard had taken umbrage against me. So I have had personal experience of what policemen do. If they do that to a Member of Parliament, what would they not do to anybody else? Those people ought to be rooted out of the RUC. They are the bad apples. They are the people who bring disgrace upon a force that has had to stand up to the greatest of all attacks and vilification, as you, Sir, having worn the uniform of the Royal Ulster Constabulary in my own constituency, know.

The police have got to look to themselves. It is no wonder that there are people in this community who ask "How can the police judge themselves?" That leads to doubts and fears about the police and how they operate, and we must, as politicians, do everything we can to stop it. The RUC must be the police force of this country and must have the respect of everyone. People must know that they will get justice when they go to a police station or when they are taken in for questioning. This is something that must be dealt with.

The Government and the Secretary of State must be forced to get this case back to the Appeal Court. The worst thing that could happen is a pardon for Neil Latimer. He would walk out of prison with that black spot on him for ever because of the skullduggery, lying, cheating, dishonesty and underhand work of the Government, the judiciary and the police. That is the serious issue before us today.

Much has been said in this debate and by people outside this Chamber down through the years. We salute the committee that did this work. We salute every member of it who worked very hard at the task. I hope that all those efforts will be crowned at last and that justice will be done. Truth may be kicked into the gutter, but one day the lie will fall and truth will again ascend the throne. God speed that day.

Question put and agreed to.

Resolved:

This Forum calls for the immediate release of Neil Latimer, the remaining member of the "UDR four". He is being held for a crime on highly questionable evidence.

The insurmountable evidence in his defence has been brushed aside.

We therefore call for his immediate release, a retrial or a referral of his case to the criminal case review body and substantial compensation for 13 years of unwarranted incarceration.

EUROPEAN UNION (POLITICAL INTEGRATION)

Mr Alcock: I beg to move the following motion:

This Forum notes with concern the federalist ambitions of some member states of the European Union. As elected, but powerless, representatives of the people of Northern Ireland we recognize the dangers caused by excluding the governed from government. In light of our province's experience of remote and unaccountable administration under direct rule, we call upon Her Majesty's Government to pledge a referendum on the issue of European political integration in order that the people of the United Kingdom may decide whether or not to cede yet more powers to existing or potential European institutions.

I would like to begin by saying that my party is happy to accept the Democratic Unionist Party's amendment. As only associate members of the European People's Party, we do not need to accept the federalist ambitions of that body.

In 1948 the British Foreign Secretary, Ernest Bevin, and his Labour Party vigorously opposed the attempts of Europe's federalists to turn the Council of Europe into an embryo

federal government of Europe endowed with legislative powers binding on member states without the need for ratification by national Parliaments.

Bevin argued that a federal Europe would require a written constitution and that such would be incompatible with British parliamentary sovereignty. As a result of the United Kingdom's stand, the Assembly of the Council of Europe could only pass resolutions, which, in turn, could only become law in the member states if adopted unanimously by the Committee of Ministers. This was essential, said Bevin, in order to ensure that there was no clash of competence between the international Assembly and national Parliaments.

Fifteen years later, when the United Kingdom first applied to join the European Community, it was vetoed by President de Gaulle on the grounds that it was insular, maritime and

"in all her doings, habits and traditions very marked, very original ... and profoundly different from those on the Continent."

Outraged at his veto, the Europeans thought he was concerned about British ties with the United States and the Commonwealth or with British preference for free trade and subsidized agriculture. All these issues were analysed exhaustively to see if he was right. Far less attention was paid in Europe to the other original "habits and traditions".

British parliamentary tradition stems from Magna Charta of 1215, referred to as the first great public act of the nation after it realized its own identity and as a treaty between the King and his subjects. Over the centuries — seven and a half of them, no less — first the English and then the British parliamentary system and legal system developed as the citizens of the nation desired, uninterrupted by foreign invasion or occupation. English, or British, parliamentary tradition is — was, perhaps I should say now — one of decisive government: that is to say, the objective was one of decision-making by the Government majority party in the House of Commons, rather than the conciliation of differing interests. That is why there is a first-past-the-post system on the British mainland, rather than proportional representation. The British parliamentary system concerns the clash of ideas, the confrontation in battle, victory or defeat. It does not like coalitions, except in emergencies.

The parliamentary traditions of our partners in Europe are utterly different. Their past seven and a half centuries have been of continual conquest and of being conquered, of territories changing hands, and of states being enlarged or diminished. Take France, for example: since the first revolution of 1789 it has had five republics, two empires, two monarchies and the Vichy regime, and — if you like your furniture — the Directory as well.

Germany has been a confederation, then a united imperial federation, followed by a republic, the centralized Nationalist Socialist regime, has been divided in two between communist/socialist and bourgeois federalist republics, and is now reunited in the latter form, 20% less in size than a century ago.

Belgium in 1789 belonged first to Austria, then to France, then to Holland, and, as an independent country, has twice been occupied by Germany. And all these countries on each occasion had a new constitution written specially to suit the changed circumstances. Thus

they have great political experience, but can it be said that they have much of a lasting political tradition? Unsurprisingly, representation, conciliation, compromise and coalition between differing interests is the name of the game in Europe at all political levels — usually by proportional representation. Does it really matter to these countries if they are now governed under the Treaty of Rome and its successors?

But Britain's economic, industrial and social traditions too are different from those in Europe. Because the industrial revolution began in Britain before the Revolutionary and Napoleonic wars it was led by small firms. Trade unions came into existence before socialist political parties to defend the rights of workers. Banks developed separately. The Civil Service administered state and empire. All these organizations fought their corner, with the Government holding the ring and not interfering in the industrial process. In Europe, on the other hand, where the industrial revolution came after the Napoleonic wars, it was Governments that took the lead. It was Governments that set up banks and industrial complexes. Workers' rights tended to be defended by socialist parties, which became more important than trade unions. And there was much more inter-institutional co-operation. In Germany, banks and workers are represented on company boards; in France, high-fliers move easily between Civil Service, company boards and politics.

On 1 January 1973 the United Kingdom became a member of the European Community. It was an inauspicious moment. Ever since the Suez crisis of 1956 Britain had been in decline — politically under the Conservatives and then, with the advent of Labour in 1964, economically. It had not only lost an Empire but not yet found a role, as Dean Acheson claimed, but the spirit of "managed decline" inaugurated by successive pessimistic Governments and civil servants introduced a feeling of pessimism which soon degenerated into a lack of faith in all the traditions and institutions, political and economic, which had made the country great. And these dismal Jimmys would have their fears confirmed when, after British entry, the chickens came home to roost with the economic and social upheaval caused by the increase in oil prices, which saw inflation reach 25.9% and the British manufacturing base destroyed.

3.15 pm

Instead of holding the ring, the Government began intervening, raising taxes to pay more for health and education, master-minding industrial mergers and take-overs and giving authority to the trade unions — sharing power with them, indeed. Alas, the country did not become healthier; it did not become wealthier; it did not become more literate; it did not become more numerate. The trade unions were not appeased. Management was cowed, and unemployment exploded. No wonder, to the Heaths, Wilsons and Callaghans, Europe looked so attractive.

I dare say, Mr Chairman, you and most of the rest of us in the Forum remember the negotiations surrounding British entry into the European Community, the difficulties in getting the detailed clauses of the Accession Treaty through the Commons and then the 1975 referendum on Labour's so-called renegotiated terms. I have to say that a federal united Europe via qualified-majority voting in the Council of Ministers was always there in the text, but in the finest and smallest of print, which few people read. Instead, we remember Prime Minister Heath talking about the British veto which would ensure that nothing could be

imposed on us that we did not like. He was able to make this claim because President de Gaulle forced the European Commission to concede that a state could not be obliged by majority voting to accept anything which ran counter to its vital national interests. However, the *de facto* veto of unanimity of voting in the Council of Ministers was given away by Mrs Thatcher in the 1986 Single European Act's massive programme of European expansion, when decision-making in a large number of sectors reverted to qualified-majority voting.

The effect of this was to threaten all British parliamentary and industrial institutions. Of what use is the sovereignty of the Crown in Parliament if the laws passed by Westminster require not so much the signature of the Queen as the *nihil obstat* of the European Court of Justice that they are not in contradiction of the European Union's *acquis communautaire*? At one stroke of the pen the role of the Queen was seriously diminished. Equally serious is the diminution in the role of the Westminster MP.

Once upon a time Enoch Powell could say that it was a person's highest aspiration to serve his nation in Parliament. Now, what is Parliament but a stepping-stone that looks good on a c.v. when one applies for a job in a quango, an international bank or some other lucrative off-shore company? The Single European Act certainly prepared the way for the parliamentary sleaze that we so often read about, and I feel sorry for those MPs from Northern Ireland, Wales and Scotland who have honourable causes to fight for.

Until 1960 the Europeans wanted Britain in the Community in order to strengthen democracy. Is democracy strengthened when the government of Europe — the Council of Ministers, the institution which takes decisions — cannot be dismissed? We may, at a general election, remove our own representative on the Council of Ministers if we disagree with his or her policies, but we cannot dismiss the governing institution as a whole, as in national politics we can dismiss the Government party and the Cabinet.

The fact is that the Government are being drawn inexorably under the direct rule of Brussels, and face being left eventually with the same powers as local government in Northern Ireland has been left with. There are those who will say that under the principle of subsidiarity national Governments will be left in charge of all those matters where the objectives of the European Union can best be fulfilled at national level. This is problematic. In the Maastricht Treaty and in the Intergovernmental Conference the Commission has clearly indicated a large number of further sectors where it feels that the European Union, rather than the member states, should act. And now there is the prospect of economic and monetary union, when the management of the European and national economies will be taken out of the hands of elected representatives and given to an unelected bench of bankers in the European Central Bank in Frankfurt. The Government may, of course, do their best to opt out, but we have seen how, in the case of hours of work, others are circumventing their "opt-out" by having the issue considered as one of health rather than of economics.

Let us be frank about these matters. If successive British Governments do not or are not able to defend British interests in Europe, if they accept direct rule from Brussels, why should they stand up for the interests of the British and British democracy in Northern Ireland? Why should they reject direct rule, rule by European-type corporatist quangos in Northern Ireland? They have given away so much to Europe — why should they not give

away Northern Ireland as well? What are the framework documents but attempts to impose the same anti-democratic Euro-principles on the population of Northern Ireland?

I do not say that the British political experience is either perfect or better or worse than that of our European partners. There are those whose political philosophy is "My country is always wrong." I number among these the Liberal Democratic Party at Westminster. Embittered at not having been in government for 75 years, it has advocated proportional representation, conveniently forgetting how PR destroys decisive government and the ability to tackle economic and social crises. The Lib-Lab Pact's winter of discontent was only the successor of the PR chaos which prepared the way for Fascism in Italy in 1923 and the Nazis in Germany 10 years later.

And then we have the sleaze that spins off from proportional representation — coalitions, cohabitation, until one reaches the "Tangentopoli" of corruption that led to the collapse of the Italian political system and the corruption in Belgian politics as well. No wonder the new Italy has been trying to abolish PR. Nevertheless, for such people everything Europe does is wonderful. Every British tradition, by contrast, is to be mocked. For those people, Britain has nothing more to offer.

I do not say that these views are wrong. What I do say is that there is a political and legal principle: that the delegatee cannot in his or her turn delegate. We choose Members to represent us in Parliament. We give them powers to take decisions on our behalf. One thing we have not done is to give them the right to pass on their decision-making powers to other or foreign institutions — some elected, some not.

It may well be that the people of the United Kingdom of Great Britain and Northern Ireland will decide that their institutions are *passés*, that former values will not correspond to their economic, political and social needs in the twenty-first century. But the decision is theirs and theirs alone, and certainly not that of a group of people who, in the last 25 years, have abandoned all political traditions, have abandoned every single principle of good government, have destroyed local and regional democracy, and have refused to take the sternest action against the state that claims its territory and the terrorists who act in that state's name — appeasement to such a degree that even Neville Chamberlain would have blanched.

There is a famous cartoon of 1938 in which Hitler, escorting Chamberlain to the airport after the Munich conference at which the dismemberment of Czechoslovakia was agreed, asks whether, as a souvenir of that great occasion, Chamberlain would give him his umbrella. The British Prime Minister, in the cartoon, replies "No, Herr Hitler. you see, it's mine."

Britain does not belong to Parliament for its representatives to bargain away as they choose. It belongs to its people: in Northern Ireland, in Finchley, in Huntingdon, in Darlington, in Somerset — wherever the Union Jack floats by their will. Let us here in Northern Ireland not betray the trust of seven and a half centuries of English and British political tradition, that when the time has come for institutions to change — or not to change — the people will decide, via their representatives but not by their representatives. Let that be maintained.

Mr Cedric Wilson: May I ask for my name to be removed from the list because, as Mr Rodgers would say, I agree with everything that has just been said.

The following amendment stood on the Order Paper in the name of the Democratic Unionist Party: At the end of the first sentence of the motion, after "Union", add

" , the European Commission and the two largest political groups in the European Parliament"

and in the third sentence, after "political", insert "or economic".

Mr Dodds: I was waiting for something to be added to Mr Alcock's speech — a ringing declaration that from now on his party would have nothing to do with the very party in Europe that advocates everything to which he is opposed and about which he has spoken so eloquently today. Unfortunately, that was missing.

It is quite right that we should be pointing out our concern about the federalist ambitions of some member states of the European Union. At present an intergovernmental conference is being held comprising the Governments of all the member states of the Union. Its purpose is to review the working of the Maastricht Treaty. As we know, every one of the previous six intergovernmental conferences led to greater European federalism. We remember the Single European Act which has been referred to — the Maastricht Treaty, which came into operation in November 1993.

I am glad that Mr Alcock has indicated his readiness to accept the DUP amendment. What is missing is recognition that the drive towards federalism and the creation of a united states of Europe is not just coming from member states, though it is certainly coming from quite a number of them, but also being driven by the European Commission. It is not so long ago that Jacques Delors, the then President of the Commission, made it clear that he hoped that very soon 80% of all decisions would be made in Brussels and not in the national Parliaments. And it must be recognized that a great deal of the driving force for European integration on a federalist basis is coming from within the European Parliament — most notably from the two largest groups. Together, these groups have a controlling vote in the Parliament, which, as people will know, needs the votes of more than half of all its members, and not just of those present, in order to pass anything that has to do with constitutional change.

The European People's Party, with which the Ulster Unionist Party is associated — and more about that when we come to deal with the amendment — and the Socialist Party, with which Mr Hume is associated, can push constitutional changes through the European Parliament. It is extremely important, therefore, that the Forum's concern about those two institutions should be noted.

Also, when we call for a referendum it is a referendum not just on the issue of political integration but on economic and monetary union as well. There can be no doubt that any country which willingly gives up the power to set its own monetary and fiscal policy is doing something which strikes at the very heart of its sovereignty. We cannot say we are going to agree to an independent bank and hand over the right to make monetary and fiscal

policy and at the same time argue that we are an independent nation state. The reality is that we would be subject to whatever a group of faceless bankers in Frankfurt, or wherever, said interest rates or monetary policy should be, and that might not be appropriate for our country at all, given the differences between its economy and those of other European nations. So that too must be resolved.

The reality is, of course, that the European institutions already control a great deal of what is happening in our nation. You have only to look at what we were debating this morning — the BSE crisis and the ban on the export of United Kingdom beef, not only to Europe but world-wide, implemented by Europe. They have taken unto themselves the power to remove the right of the United Kingdom to export beef, not just within Europe but anywhere else in the world. That is the reality of the European regime and the system that we are working under.

3.30 pm

Look at the common fisheries policy, whereby our national waters are given over to Spanish fishing fleets. The British taxpayer is paying more than the Spanish taxpayer to subsidize the Spanish trawlermen. Spanish fishermen can come and register their trawlers as British for the purpose of getting hold of British fishing quota. When they are denied that by an Act of Parliament, that Act is struck down by the European Court of Justice — ruled to be non-applicable and invalid — and the Spanish fishermen are given the right to apply to British courts for compensation from British taxpayers. That is the reality of the system that we are living in today so far as Europe is concerned.

Let me spell out very clearly what the DUP's consistent view of Europe has been down through the years — a policy that I am glad to say has been overwhelmingly endorsed in European election after European election in this province. We are against the creation of a European super-state, or anything which strikes at the sovereignty of the United Kingdom. The proposals for the destruction of our national currency which are at the heart of the Maastricht Treaty are ones that we are not prepared to contemplate under any circumstances.

Of course, the entire undemocratic edifice of Maastricht was never put to the British people. France had its referendum, and despite all those who supported ratification — the press, political parties and the whole establishment — the French people voted only very narrowly in favour. The people of the United Kingdom were never given the right to say yes or no to Maastricht, but the people of the United Kingdom must be given the right to decide their political future in Europe.

Mr Alcock: The Gentleman may remember that the people of Denmark voted no to Maastricht but were smacked on the bottom and told to go back and vote again.

Mr Dodds: That is quite right. The heavy hand of the Germans and other nation states more or less forced the Danes to say yes.

We remember another referendum, in Norway. Norway has voted twice against membership of the European Union. My Friend Mr Cedric Wilson knows more about Norway than I do, and no doubt he will want to tell us about the great economic benefits that

it has had from staying outside the European Union but being part of the European Free Trade Association and the European economic area. Norway has had all the benefits of being part of a free-trade area, but none of the disadvantages of being saddled with European Union and European Common Market bureaucracy.

We are for widening the European Union, but not for deepening it or for forcing or coercing a nation state to give up its sovereignty. The argument has been advanced — we have heard it from Mr Hume of the SDLP in particular — that the days of the nation state are gone, that it has passed its sell-by date. The history and reality of Europe today prove that that is not the case. What are the conflicts in Europe today about? They are about peoples asserting their national identity and national rights. People want their country to be recognized. They want to have their own nation.

Mr Hume, of course, likes to advance the argument for his own particular reasons — a none-too-subtle attempt to get rid of the border between Northern Ireland and the Irish Republic. Well, he is going to wait a long time before that happens.

Mr King: Would the Member care to comment on the oft-used words “You cannot eat a flag”?

Mr Dodds: You certainly cannot, but you can fly a flag. And it is going to be the Union Jack, and not the European flag or the Irish tricolour.

I wish to deal now with an issue which no doubt the Alliance Party will bring up. Alliance Members will say that federalism and federation do not mean centralization, that greater devolution is the true meaning of federalism. That is the Liberal Democrat argument: “We are for federalism in its true sense.” The reality is different. As has been pointed out, the proposals that are coming forward all prove a desire to bring more power to the centre — to Brussels. What I have said about the common fisheries policy and agriculture bears that out. Greater devolution is simply not going to happen. The Brussels bureaucrats and the member states of the European Union who are behind this are determined to get more power for Brussels — not to devolve power. That is the reality which the Liberal Democrats and the Alliance Party refuse to face up to.

Some people say that there are benefits in all of this, that we should pool our sovereignty because of all the enormous benefits we are getting out of Europe — particularly in Northern Ireland. But when you look at the facts and figures you see the reality — that Northern Ireland is suffering economically as a result of the United Kingdom’s membership of the Union. Even on a purely financial basis, the reality is that Northern Ireland has never got out of Europe what it has paid in. That needs to be borne in mind. Taxpayers, contributing £2.66 billion per year, even before the rebate goes, certainly know the cost of Europe.

With regard to the amendments, the remarks about the Ulster Unionist Party and its associate membership of the European People’s Party were very interesting. I accept that the Ulster Unionist Party is not a member of the European People’s Party, but it is a member of the European People’s Party Group in the European Parliament — a group described in ‘The Daily Telegraph’ of 15 May as having had as its main characteristic the promotion of

Euro-federalism. Instead of just putting down motions on this subject, the Member should, if the feelings are so deeply held as he has said, make it clear that his party can have no further association with the European People's Party. Article 4B of the European People's Party Group's constitution says that every member — and this deals with associate members — has to subscribe to the basic policies of the group. One of these is to continue the process of unification and the federal integration of Europe that will contribute to the creation of the united states of Europe — the very thing that Mr Alcock was railing against, and quite rightly so — and to economic and monetary union. European unification is being advocated on the basis of federalism. As the Secretary-General of the European People's Party said,

"Between the European People's Party and its parliamentary group there is no difference. We consider the parliamentary group as an active part of the European People's Party, and all the senior officers of the group participate in our business."

We are united on the motion and the DUP amendment. However, if the Ulster Unionist Party really means what it says on this issue, it should tell its Member in Europe and the people of Ulster that it is going to disassociate itself from the European People's Party.

Mr Neeson: I beg to move the following amendment: Delete the first sentence of the motion and insert

"This Forum recognizes the moves towards the development of the principle of federation among most member states of the European Union."

It seems to me that the Ulster Unionists are just like the Ulster Tories, except in respect of Ulster Tory policy. As a part of the EPP Group in Europe, they are prepared to accept anything from that body, except its policy. The purpose of the Alliance Party's amendment is to bring a bit of realism into the situation — to bring Members into the real world and the real Europe. Whether we like it or not, this is the way Europe is moving. You can be either for it or against it, but if you are against it you are on your own.

It is important that the sovereignty of the United Kingdom Government and Parliament be safeguarded. I have no fears about any weakening within a strengthened, federalist Europe. I believe very strongly that one of the problems facing Northern Ireland and the rest of the United Kingdom at present is the ambivalence of the kingdom towards Europe and the European Union. We have only to look at the BSE crisis. Why are Northern Ireland and the rest of the United Kingdom being persecuted? The reason is that the United Kingdom has very few friends in Europe, and the reason for that is its ambivalence towards the Union and its institutions.

On the matter of a single currency, if the Union does move that way, and if the United Kingdom stays out but the Republic of Ireland goes in, that will create major problems for people in Northern Ireland.

Mr Weir: Will the Member give way?

Mr Neeson: No.

It will create major problems for Northern Ireland manufacturers who trade with the Republic of Ireland. Anyone who has read history will know the problems that arose in the last century from Britain's splendid isolation. Well, there will be even greater difficulties if this path is taken by the United Kingdom, given the way Europe is moving.

I agree with the sentiments in the rest of the motion — sentiments that were largely ignored by the other two Members. There is undoubtedly a major democratic deficit in Northern Ireland. Those who took part in the 1991-92 talks will realize the importance we attached then to Northern Ireland's being part of the European Union. Because of the present system, Northern Ireland is at a disadvantage. That is obvious from the current BSE problem. It is important that there be direct lines between Northern Ireland and Brussels. This is not in any way to undermine the excellent work being carried out by the Northern Ireland Centre in Europe. As Northern Ireland is a member of one of the regions of Europe, there should be that direct input.

The prospect of an enlarged European Union should be seen not as a threat but as an opportunity to develop relationships that will enable us to take advantage of what will be one of the largest markets in the world. This is an opportunity. I look forward to the day when an enlarged European Union brings peoples together to work for peace and prosperity for all.

This Forum should be using its influence with regard to Objective 1 status. We know of the problems that will surround 1999 and of the possibility of our losing. With direct links between Northern Ireland and Europe, a major issue like this could be dealt with.

In many ways the role of the Union has been undermined through negative portrayal by many politicians. What is happening in the Forum today certainly will not help Northern Ireland's cause in Europe.

The creation of one of the most lucrative markets in the world will strengthen the potential of Northern Ireland as a location for inward investment from the United States and the Far East. This is an opportunity that we should grasp.

Mr King: Does the Member agree that the success of Northern Ireland and the rest of the United Kingdom in attracting inward investment has as much to do with our opt-out from the social chapter of the Maastricht provisions as with our membership of the European Union?

3.45 pm

Mr Neeson: I do not accept that at all. The significant factor is the incentives being offered by various regions.

I regret very much that the United Kingdom Government have opted out of the social chapter, creating the low-income economy that Northern Ireland has. I do not see that as an advantage when it comes to attracting inward investment.

The bureaucracy of Brussels is something of which those of us who have been dealing with Europe — whether in the European Parliament or in the Committee of the Regions —

are aware. But there is more to be gained than to be lost through our membership of the Union. Therefore, it is important that we embrace Europe enthusiastically.

I do not disagree with Dr Paisley's remarks about the establishment of the European Parliament, the accession of the United Kingdom and the way in which the European cow is being milked dry. But the best way to benefit is to become fully involved and support the changes that are taking place.

One of the biggest problems that I see in the Forum today is that people are afraid of change. The Alliance Party is not afraid of a referendum on the European issue. However, we do not have a level playing-field. There are scaremongers out to misrepresent what the European Union stands for. It is not going to be an "Ulster says no" referendum; it will have to be a kingdom-wide vote.

As I said at the outset, an air of reality is necessary. It is in Northern Ireland's interests to become more involved, and it is very much in the interests of the United Kingdom to take a much more positive approach.

Ms McWilliams: The last time I heard such anti-European Union sentiments, they came from the Communist Party of Ireland, to whose anti-European stance I would never subscribe. When I heard Mr Alcock's speech I was reminded, with some concern, of that stance.

Nonetheless, this is an important motion. The European Union plays a very important and very valuable role for the people of Northern Ireland. It recognizes the importance of diversity and cultural difference — something that we in Northern Ireland are coming to recognize.

We have a tendency to look inward, and the European Union encourages us to look outward, preparing us to take our place in what, owing to global communication, is becoming an increasingly smaller world. The emphasis in the European Union on regionalization has been helpful for Northern Ireland. It has offered us opportunities to build contacts with other regions and to make our own links with Brussels.

The process of devolving power has had important benefits for people in all sectors of society. I would like to pay some attention to the social partnership models which have recently been developed in Northern Ireland. We know that the Conservative Government are opposed to such models. They do not like the idea of politicians sitting down with the voluntary sector, the community sector and the trade-union sector. This is a European model, and extremely important work has been done in developing it here. We recognize the good work also being done in Europe by the Northern Ireland MEPs. We support any greater opportunity for regionally elected Members to exercise increased power in political decision-making in Europe. But there is a difficulty with that. It is an issue that needs to be further explored, and we would welcome further debate on it.

The development of the European Union was a direct result of the appalling tragedy of the world wars. The coming down of European borders can bring economic and social benefits to us all. With regard to federalism, the Women's Coalition acknowledges that each

European Union state is a democracy. As such, it is entitled to its own policy. We recognize the different ambitions of the member states and their right to pursue their own political goals. Federalism is not a European Union goal. It means very different things to different countries. For example, as we have heard, the United Kingdom federalism model means centralization, as some see it. In other countries, such as Germany, federalism is interpreted as something very different — as decentralization.

From the point of view of the Northern Ireland Women's Coalition, Europe has been the single most important influence in bringing equality of opportunity to women in the province. The legislation supporting equality, including equal pay, is a direct result of the Treaty of Rome. This is one reason — but not the only one — we are pro-Europe.

The introduction of a single European currency will happen, whether the United Kingdom decides to join it or not. There will be a significant impact on Northern Ireland, and it is essential that we take steps now to explore the matter. We recognize that a referendum could serve a useful purpose. However, attention needs to be paid to the need for objectivity and to the provision of further information so that people may know about what a single currency could mean for them.

We have very limited information. We hear the ball being batted backwards and forwards between politicians, particularly at Westminster, on the issue of a single currency, but people in the street know little about what it will mean for their lives. The Forum could play an important role in developing a public debate about the potential benefits.

We support the motion and, in particular, the amendment in the name of the Alliance Party.

The debate stood adjourned until Friday 8 November 1996.

The meeting was adjourned at 3.54 pm.

NORTHERN IRELAND FORUM FOR POLITICAL DIALOGUE

Friday 8 November 1996

The meeting was called to order at 10.05 am (Mr J R Gorman in the Chair).

Members observed two minutes' silence.

ACT OF REMEMBRANCE

The Chairman: I have been asked to give the Forum an opportunity to pay its respects to those who fought and died in two world wars for our freedom. I ask you to stand.

Members standing in their places —

The Chairman: "They shall grow not old, as we that are left grow old:
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them."

Members: We will remember them.

HOUSING POLICY REVIEW

The Chairman: I seek the Forum's indulgence to make a personal statement.

The Forum will recall its housing debate of 20 and 27 September, which resulted in a resolution asking the Government to withhold any decision on the implementation of changes to the Housing Executive until after the forthcoming general election. I then wrote to the Secretary of State to put the resolution before him. I received a response from Mr Malcolm Moss, the Minister with responsibility for housing, and I hope that when you have read the letter you will understand why I am reluctant to let the matter rest there.

The tenor of our debate was our contention that the changes in the role of the Housing Executive would have the effect of reducing its ability to provide public-sector housing, in favour of that role being taken on by housing associations. Although Mr Moss's reply to me indicates that there is no intention to diminish the role of the Executive, I am sceptical. Despite his assurance, the Minister's answer argues in favour of giving more responsibilities to the private sector and, most importantly, points to the inability of the Executive to utilize private-sector funding, in an unfavourable comparison with housing associations.