

Northern Ireland assembly
Tuesday 22 April 2008

Executive Committee Business

**Commission for Victims and Survivors Bill
Consideration Stage**

Sources: <http://www.niassembly.gov.uk/record/reports2007/080422.htm#4>

The junior Minister (Office of the First Minister and deputy First Minister) (Mr Donaldson): The Consideration Stage of the Commission for Victims and Survivors Bill will not be moved today. The First Minister and deputy First Minister will issue a statement, and junior Minister Kelly and I will brief the Business Committee. Furthermore, we have asked for the opportunity to brief the Committee for the Office of the First Minister and deputy First Minister tomorrow about the current state of play with regard to the Bill.

Mr Deputy Speaker: The Consideration Stage of the Bill will not be moved.

Mrs D Kelly: On a point of order, Mr Deputy Speaker.

Mr Kennedy: On a point of order, Mr Deputy Speaker.

Mr Ford: On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker: Point of order.

Mrs D Kelly: Who to?

Mr Kennedy: As Chairperson of the —

Mr Deputy Speaker: So that I am not accused of being partisan, I call Mr Kennedy.

Mrs D Kelly: I believe that I was first, and not because I am a woman —

Mr Deputy Speaker: Everyone, please sit down. I call Mr Kennedy first.

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister (**Mr Kennedy**): Thank you, Mr Deputy Speaker, and I accept that I have been called first, as Chairperson of the Committee for the Office of the First Minister and deputy First Minister.

I welcome, at least, the indication from the junior Minister that he and junior Minister Kelly intend to address the Committee tomorrow on this important matter. It is vital that the matter is clarified as quickly as possible.

As a Member of the House — and not in my capacity of Chairperson of the Committee for the Office of the First Minister and deputy First Minister — my point of order is: given that accelerated passage should be used only as an emergency measure in exceptional circumstances, given that the House was previously informed by the Office of the First Minister and deputy First Minister (OFMDFM) that accelerated passage was essential to the early progress of the Bill, and given that this is the second occasion on which this piece of Government legislation has been withdrawn at the last possible moment, are you, Mr Deputy Speaker, able to confirm, or give an opinion as to whether such actions are an abuse of the accelerated passage procedure, and what steps will you take to protect the House from such an abuse? Furthermore, in light of today's events, will a statement be made to the House in order to explain the reasons for the delay and to

inform members of the Business Committee, whose job it is to arrange the business of this House?

Mr Deputy Speaker: That is not a matter for the Speaker; as the Member has already said, it is a matter for the Executive to bring before the Business Committee for consideration in due course.

Mr Kennedy: Further to that point of order, Mr Deputy Speaker. The important point is whether the abuse of the accelerated passage process in these instances can be tolerated by you as Deputy Speaker of this House.

Mr Deputy Speaker: That is not a point of order.

Mrs D Kelly: On a point of order, Mr Deputy Speaker. We have witnessed what is known in common parlance as “an absolute Horlicks” in relation to the Commission for Victims and Survivors Bill. Further to the point of order made by Mr Kennedy, will the Deputy Speaker now give a direction to the Executive that this is an abuse of the House, and also, more importantly, an abuse of the victims and survivors?

Mr Deputy Speaker: Once again, that is not a matter for the Speaker, but for the Executive and the Business Committee.

Mr Ford: On a point of order, Mr Deputy Speaker. I appreciate that Mr Kelly gave us some warning of this statement, and that Mr Donaldson is in the Chamber, but is it not an abuse of the procedures of this House that the two responsible Ministers — who are failing to take action to deal with the urgent needs of victims over a long period of time — are not in the Chamber? We have heard from Mr Donaldson that they are proposing to make a statement. Is it not your role, as Deputy Speaker, to insist that they come to the House to make a statement to the people of Northern Ireland through their elected representatives, and not allow them to sneak something out to the press, when they have patently failed to give victims the priority that they said that they would?

Some Members: Hear, hear.

Mr Deputy Speaker: I do not have the power to do that.

Mr Ford: Further to that point or order, Mr Deputy Speaker. May I ask that you make that request to them, whether or not you have the power?

Mr Deputy Speaker: Mr Ford will be aware that the Business Committee is meeting at 1.00 pm, and I suggest that that issue can be raised there. That leads me on to the next point —

Mr McNarry: Further to that point of order, Mr Deputy Speaker. Following your rulings, which I respect and understand, will you give the House a sense of what the matter is that you say will be referred to the Business Committee, and how it will progress through that Committee. We have no sense whatsoever of what you are talking about.

Mr Deputy Speaker: As I am not the Chairperson of the Business Committee, I can give no undertaking to anyone. If there are no other legitimate —

Mr Ford: Further to that point of order, Mr Deputy Speaker. I understand that it is the practice in Westminster that the Speaker makes it clear to Ministers that their role is to relate to the House in the first instance, and the press on a secondary basis. Is it not possible for you to remind Ministers in this place that they have a duty to report to this House and not to the press?

Some Members: Hear, hear.

Mr Deputy Speaker: Mr Ford, I believe that you have made your point. If it is possible, I will move on.

Mr McNarry: On a further point of order, Mr Deputy Speaker. Again, respecting your rulings and your decision, noting the point that you are not the Chairperson of the Business Committee, and understanding who the Chairperson of that Committee is, can you indicate to the House that, following the meeting of the Business Committee, the Chairperson of that Committee will make a statement to this House as to what transpired at that meeting?

Mr Deputy Speaker: The Member is an experienced Member of this House, and knows very well that I cannot do that. I have tried several times to say that the Business Committee has arranged to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The sitting was suspended at 1.09 pm.

On resuming (Mr Speaker in the Chair) —

2.00 pm