

Northern Ireland Affairs Committee

Oral evidence: The effectiveness of the institutions of the Belfast/Good Friday Agreement, HC 781

Tuesday 21 March 2023

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[Watch the meeting](#)

Members present: Simon Hoare (Chair); Sir Robert Buckland; Stephen Farry; Mary Kelly Foy; Claire Hanna.

Questions 186 - 208

Witnesses

[II](#): Emma DeSouza; David Holloway, Director, Community Dialogue; Dr Gráinne Kelly, Lecturer, School of Applied Social and Policy Science, Ulster University.

Written evidence from witnesses:

– ([GFA0029](#)) – Emma DeSouza

Examination of witnesses

Witnesses: David Holloway, Emma DeSouza and Dr Gráinne Kelly.

Q186 **Chair:** I welcome back to the Committee Emma DeSouza, David Holloway and Dr Kelly. Good morning. You may wish to remove your visitor badges; otherwise, in any photographic stuff, you will look like you have been to the dentist and have been a good boy who did not cry or whatever. I do not know whether they still hand out that sort of sticker at the dentist. Anyway, welcome. We are grateful to you for finding the time to see us at Stormont this morning.

Those of you who were in the room will have heard my first question to the first panel. In a sentence or two, please, to act as a scene-setter—this can be a spiritual or emotional answer as much as it can be an intellectual one—what does the Good Friday Agreement mean to you? Does it mean as much to you today as it did 25 years ago? Not everybody will be able to answer that question.

David Holloway: I will kick off, if I may.

Chair: Please.

David Holloway: I have a strong gut reaction, as somebody who perceives himself to have been a child of the Troubles, born into conflict and as a baby receiving political, sectarian conflict, violence, exclusion and sectarianism as a birthright handed to me by my parents. Having grown up in Lurgan, I had my first in-depth conversation with a Catholic person from the other community when I escaped my small-town background and got to college. The guy in the room next to me, with whom I went for a pint in the pub, came from the same town, had lived there for the same 19 years and we had never met. We shopped in different shops, attended different sporting games and went to different schools. I had my first conversation with another person in my town of 17,000 people at the age of 19. That had a huge impact on me, an extremely negative impact. It puts the hairs up on the back of my neck now. My children do not have that experience, and their children will never have that experience.

The Belfast Agreement, which I voted for, meant to me hope for a shared, agreed future; a shared sense of belonging in this place; equality in rights and opportunity; and inclusion of all. That is what it meant to me personally. That is my gut reaction.

Q187 **Chair:** Thank you. As a final question, when did you tell your parents that you had had that conversation with that Catholic fellow student?

David Holloway: That was not an issue to them as God-fearing, upstanding British citizens. It was a factor of the sectarian division of the time.

Dr Kelly: I grew up four miles from the border, to the South. For me, the Good Friday Agreement means that, when I go to visit my parents, my

kids do not know when we have crossed the border because it is now so insignificant.

Emma DeSouza: I was 10 when the Good Friday Agreement was signed, so I cannot say that I have much living memory of 1998. I certainly do not think that, then, I could ever have imagined a future in which the agreement would become such an integral part of my identity and work. For me, it is about embedding a rights-based society of equals by building reconciliation and social cohesion between communities. The agreement is the best vehicle to do that. All my work is about the fact that most of it has not been implemented. As a young person who grew up under the Good Friday Agreement, I benefit from being in a society that is largely free from conflict, but it still suffers from the same division and segregation, and it is not seeing the full fulfilment of what people voted for in 1998, and that strikes me as deeply disappointing. There is a lot of work to be done in this year of the 25th anniversary to deliver on what was promised in 1998.

Q188 Chair: I have a final follow-up question before I bring in Sir Robert. We all recognise that the huge potential of the Good Friday Agreement is obvious, but a lot of it has been undelivered, for reasons that we do not necessarily need to rehearse. How frustrated are you that the narrative of Northern Irish exceptionalism, which seems to allow or tolerate certain things that, elsewhere in the UK and, indeed, other places, post conflict and within a shorter period, would not be tolerated, comes into play as a way of holding back the full gamut of progress?

Emma DeSouza: I find it deeply frustrating. I also see it from the perspective and through the lens of my husband's eyes. He is an American who has been living here for seven or eight years. He cannot fathom how, as a society, we tolerate the existence of paramilitaries: we watch adverts on TV as though they were safe driving ads—as though it were totally normalised—and we have instances of deep sectarian hatred that is tolerated almost daily in a post-conflict society 25 years since peace. There is certainly deep frustration, particularly within younger demographics, that this continues to be tolerated. It would not be tolerated in London or Dublin, and I do not understand why it is tolerated to the extent that it is here in Northern Ireland.

You talked about the lack of implementation and lack of fulfilment of some of the aspirations in the agreement. Part of the challenge that we face is that we lack an implementation strategy and plan. We know that peace agreements falter through a lack of implementation. Although the Good Friday Agreement is cited as being a model for other countries, the reality is that it has faltered in the same way as many peace agreements have. We should really look at how to take action in various areas. The way to do that is by action, not words. That can be done by establishing, for example, an implementation committee that has British, Irish and US stakeholders. It could develop an implementation strategy, and an external third party could monitor its implementation. That is how we can

start to move things forward. We need to start looking at how to take action in those areas to address some of the systemic problems with policing, justice, paramilitaries and the other issues that we have.

Dr Kelly: We are in danger of having some kind of cognitive dissonance if we do not accept the fact that there is exceptionalism here, given our historical background. We should not rush to assume that we live in a normal society when we have lived through abnormal times. I sometimes get concerned about the rush towards normality, because we have to acknowledge that we have to bring people with us—people who have suffered deeply as a result of the conflict—through quite complicated historical baggage. There is always a balance, but the idea that we should now behave as though we were another western European country without having the baggage of the past addressed and unpacked probably does a disservice to what is quite a complicated historical background.

Q189 Chair: Nobody will doubt the complexity. Some will say, “My political views were founded on what Cromwell did”, or what happened then or whatever it happens to be. Of course, we have to have an understanding of that.

The paramilitaries have been mentioned. The Committee is doing a piece of work on that. The narrative that underpins their continued existence is not, “Tolerate us because we’re very successful drug dealers”. Rather, they say, “You must tolerate us in this community because we keep Dublin out”, or, “You must tolerate us because we’re trying to drive the Brits out”. The settlement states that the constitutional status of Northern Ireland will be resolved in a border poll and by a metric that is set by a Secretary of State at some future point. Against that, having answered the question of how, if at all, the constitutional integrity of Northern Ireland needs to be tested or resolved, depending on which view one takes, the need for the paramilitaries to exist under the flag of convenience of political activity is no longer relevant. Is that not just tolerance ad absurdum when it comes to Northern Irish exceptionalism?

Dr Kelly: I do not disagree with anything that you are saying. We have to recognise that there are cultures in our wider society that need to be addressed fundamentally. One of them is something that a colleague and I have written about: the tolerance of a culture of violence in this society. That is part of a wider reconciliation process, where we call that out and move beyond those structures and also the cognitive structures in our mind that need to be unpacked. There is concern when there is a sense of silence around those issues, but we also need to recognise that everything is in flux and, in trying to reach a balance, we will have to have some patience as we move out of this transitional period.

Emma DeSouza: May I quickly add to that?

Q190 Chair: I want to make some progress. Mr Holloway, what about the exceptionalism point? If you do not have a word on it, do not worry.



David Holloway: The culture of paramilitarism is the perfect example of exceptionalism. It is very important to distinguish clearly between the origin of the paramilitary organisations and the culture, status and ideology within which they operate today. It is fair to say that the majority of the paramilitary organisations on both sides are simply criminal, money-making and power and control base-pursuing organisations that prey on a base of communities as parasites. The communities that they prey on are marginalised and voiceless, and they cannot speak out. The absence of political will is the key problem. The absence of a wider civic society voice perhaps to empower or enable that development of will is caused by the constraint that every single issue in Northern Ireland, including shared social issues and the shared blight of paramilitarism on the wider community, is reflected through a sectarian lens. That feeds into what you refer to as a culture of exceptionalism or tolerance. Nobody wants those monsters in our society.

Q191 **Sir Robert Buckland:** I have been reflecting on what all of you have said, including what you, David, said about what the Good Friday Agreement means to you. We in this room have quite a high level of knowledge, but do we think that, in society generally in Northern Ireland, there is enough of a knowledge about not just the fact of the agreement but what it was intended to deliver and what the institutions that were created by it were intended to do?

David Holloway: May I butt in again? My response is based on the fact that, since 1997, my organisation, Community Dialogue, has delivered approximately 150 contentious-issue dialogues annually with approximately 1,500 primarily marginalised and almost always polarised citizens. In this 25th anniversary year, we have been delivering dialogue after dialogue after dialogue with, for want of a better word, the grassroots and attempting to assess what it means to them, how it has worked for them, what it has failed to achieve for them, and what, in their opinion, needs to be done to address their issues—not necessarily wider society's issues, but their issues.

The level of ignorance about the contents of the Belfast agreement amongst wider society shocks and horrifies me. I have facilitated many dialogues in which participants who voted at that time have stated, "I did not even read it; I simply voted yes to stop the violence". Stopping the killing was the priority. People did not read the small print unless they had profound moral, political or ideological objections or had been profoundly misinformed by the multiple cynical actors at that time who were advising that this form of peace was not in their best interests.

Emma DeSouza: There is just not enough education around this. I find it quite depressing that the agreement is not embedded fully in the curriculum. In 1998, children as young as 11 years old were reading the full text of the agreement because it was such a huge moment for society. It is written in accessible language. It can, of course, be covered in the

curriculum, but it has been watered down to a couple of pages in books, so young people are not learning about the agreement properly.

There is also evidence that we have two different history curricula being taught here. Just two or three years ago, Parallel Histories did a survey that examined the history curricula and found that the majority of state schools are teaching an earlier history period of 1942 to 1960 or so, whereas the majority of Catholic schools are teaching the period from 1972 to 1998. We wonder why our children are growing up not fully understanding each other when they are being taught two different versions of our shared history.

There is a pressing need to embed the full text of the agreement in our education system. The agreement is what is sustaining peace in this place: how can it be that young people are not really reading that document? It should also be done in such a way that you can have a conversation with young people to see how they see themselves in the agreement; how it impacts on their lives and affects them, and what they see in that agreement for themselves. Then, you have to look at the history curriculum and ensure that they are being taught the same history periods. It is really basic stuff, but we do not have that at the moment.

The challenge that we have is that young people are also growing up in this period of constant political crises, where we have no functioning Executive. That creates an environment where young people feel disenfranchised and disengaged from the political system. A disproportionately high number of young people continue to leave Northern Ireland, and the majority opt not to return. When asked why that is, they often say that it comes down to the segregation, division and lack of reconciliation. They are also growing up without the socioeconomic benefits of the agreement, because the peace dividend has not been delivered effectively. Lots of the communities that were most impacted on by the Troubles continue to be steeped in deprivation. That also needs to be addressed in order to create a society where the next generation can take this work forward.

Dr Kelly: I agree with everybody. Of course, I have the pleasure of teaching 18 to 21-year-old politics students. They tend to be very engaged, so I would not want to make a blanket comment about all young people. Certainly, many of them are very exercised by this.

When we teach our young people about the agreement, it is important that it is looked at through the lens of the declaration of support, which was mentioned before, and particularly what that means for reconciliation. We can make that really concrete by looking at, if we were moving towards being a society that is at peace with its past, what that looks like, what it entails and what mechanisms are required to assist that. It is not just about the political institutions; it is about the Equality Commission, the Human Rights Commission and reform of the police. All those aspects are part of that. We can really reconciliation-proof our discussions by



asking, "If the agreement was for this intention, how are we moving forward?". The rubber hits the road when you talk about socioeconomic issues. We should not divorce reconciliation discourse from the socioeconomic issues, which are the bread-and-butter issues that people are really concerned about.

Q192 Sir Robert Buckland: Do you want to come back in, David?

David Holloway: I do very briefly, to follow on from Gráinne's point. Her reference to the declaration of support is of the utmost importance. On page 1 of the Belfast Agreement, the signatories—from polarised positions, reflecting people who had been killing each other for generations—committed to "the achievement of reconciliation, tolerance, and mutual trust, and the protection and vindication of the human rights of all."

That is what the agreement committed us to when we voted, and that, in particular and specifically, is the first, biggest and ongoing failing of the agreement's implementation process. It is the foundation stone upon which the entire structure rests, and it is riddled and crumbling.

Q193 Sir Robert Buckland: There is no shared sense of human rights here, is there? That is the problem.

David Holloway: We have no shared vision for our future. No peace process will ever achieve its ultimate objectives until the citizens have a shared vision of where they want to get to. It is fundamental.

Q194 Chair: Dr Kelly talked about her students. I will be, some might say uncharacteristically, careful in my language. There is a shared view. I slightly disagree with Mr Holloway. It is shared by a certain type of nationalist, a certain type of unionist and a certain type of "other" who, predominantly but not exclusively, demonstrate some of these characteristics: well educated, privately owning a house, in a good job and with a good quality of life. They share the benefits of that global world view.

The excluded, voiceless nationalist working class and the excluded, voiceless unionist-loyalist working class also share a view, which is, "What has the Good Friday Agreement ever done for us? We do not see a demonstrable, tangible change in our lives, our outcomes or our opportunities". So we have this rather peculiar foundation stone that has one layer very firmly embedded. The crumbly bit is, "Twenty-five years on, it has made no difference to us", so the language of bitterness and hostility and the unshared vision is the default position. Is the elephant in the room that there has not been enough focus on the "prosperity for all" bit of the agenda that is the second side of the Good Friday coin, peace being the other side?

David Holloway: Very briefly, in our dialogues over 20 years on contentious issues with, primarily, marginalised, ill-educated, misinformed, deprived-of-opportunity citizens, the absence of the elusive "peace



dividend” is and continues to be a recurring theme and a source of resentment, which is to say, “We did the fighting; we did the suffering; we agreed the deal; and you got the benefits”. I doubt that anybody would disagree that there has been an absolute failure to formally and seriously address the needs of marginalised communities as part of shared, reconciled, peaceful future-building. When you have little left to lose, as you perceive it, what is the big deal about what you may or may not be prepared to do? It is simple human nature: if we have less to lose, why should we bother?

Q195 Chair: Does that point to a drive to turbo-charge integrated education in—I am loth to use the term but we all know what I mean—working-class areas? The middle classes meet professionally and socially.

David Holloway: Segregating housing, interface barriers/peace walls and segregating education are, today, obscene. They are inappropriate for a modern, western European democracy that is kind of liberal and very affluent by world standards. They are no longer appropriate. Nevertheless, we live in a democracy: desegregating housing and education cannot be forced. Peace walls should come down only after consultation with and the consent of the communities on either side. The political will and the failure to develop and deliver a clear, timed action plan steering in that direction, encouraging wider society and offering various forms of benefit to consent, is woefully absent.

Q196 Claire Hanna: This inquiry has been a mixture of political and expert evidence and public engagement. The latter included a sort of town hall meeting online, with about 300 people, and a more qualitative roundtable, with a cross-section of people. We met an almost overwhelming desire for institutional reform, with about 97% of people voting. When you dig in, that is people wanting a change of outcomes, feeling that Stormont is not delivering and not being squeamish about how we make changes to address that.

From expert and political intervention with people who have had more intimate engagement over the years in the development of the structures or the operation of them, we get a lot more reluctance, for understandable political reasons. They do not want to just fling it out, all on the table, in this political context. Also, there is an understanding that sometimes you can pull the threads and there is more behind.

What thoughts have you on balancing those things? How do we approach changes to the institutions but maintain understanding and a set of protections around the fact that we are still a relatively freshly post-conflict society? There is still a major question over our constitutional status, and we are still dominated by two political traditions. Perhaps you will want to go into stuff like unpicking designation and mandatory coalition. It is about approach. How do we marry up that overwhelming public desire for change with understandable caution about slicing and dicing this thing?



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Emma DeSouza: We have to recognise that the system is not working. For a third of its lifetime, it has been down. As a society, we have to be mature enough to recognise that what might have been necessary in 1998 might not be necessary today. We have changed. The Good Friday Agreement is a living document and review is built in. Change is not only necessary but part and parcel of being a progressive society. It is not controversial to have these conversations. I have been hearing significant levels of calls for reform. The genie is out of the bottle when it comes to this. At some point there is going to have to be some kind of change: there is a desire for it.

How do we achieve that, given that we have to strike a delicate political balance at the moment? We need a wider consultation with society. Having closed multi-party talks is not going to be beneficial. People do not want that any more. You should have that, but it must be in tandem with a wider consultation with society. The divisive political system here, and the fact that we are dealing with decades of socioeconomic challenges and people feeling that they have been left out of the peace process in many ways, mean that you need to be able to re-engage communities and people so that they have agency in the peace process and they have a role to play.

You should be looking at having a Northern Ireland citizens' assembly on Stormont reform. There is a commitment in "New Decade, New Approach" to hold one citizens' assembly every year, but we still have not had one. It would be an ideal vehicle for that wider consultation with society. Yes, it would only be, maybe, 100 citizens, but it would send a message to wider society that we are engaging with citizens and that we understand that citizens have a voice, that they should have a voice and that that is important.

How do you get consensus with political parties, considering that it is likely that one party, or two maybe, will probably not be fully behind the idea of change when they have that position of power? You need to find consensus. Consensus does not have to mean everybody; it can mean 80% or 75%. I operate in different spaces where that is how we define consensus. You can look at how you define consensus.

You can also look at the role of the Irish and British Governments here. If you action a citizens' assembly on Stormont reform, it should, perhaps, be actioned with an understanding between both Governments that the results of that citizens' assembly will be respected and actioned. If you put that into this space, you will find that people are ahead of the politics, as is often the case, and that there will probably be a shift in wider society, because people just want good governance. One idea that has been floated quite a lot—it is a recommendation from the Alliance Party—is that if a party opts out, that is their choice and the place should go to the next one down the line. That seems common sense to a lot of people on the ground. You need to move into that space of having wider civic engagement.



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There is another model that you could use; it is a system that we are operating in at the minute: the civic initiative model. We are examining the agreement's "Declaration of support" and section 6 on "Rights, Safeguards and Equality of Opportunity". It is a new civic society-led project that is aimed at filling the void that has been left in the absence of our civic forum. We have six regional forums across Northern Ireland, with local community-based organisations and citizens, to engage on the headings of "Socioeconomic challenges" and "Rights, safeguards and equality of opportunity". We will then receive submissions from individuals, organisations and political parties, and, as a third stage, we will have a citizens' assembly. We see that as a full process towards trying to get as much engagement, participation and consensus in society as possible. You have multiple models, but deliberative and participatory processes are fundamental to strengthening social cohesion and social fabric, and we are missing that in Northern Ireland. We do not have the civic forum, and we have very little space for civic society to work as a collective. That needs to be embedded at this point.

Dr Kelly: I will not rehearse what the previous panel said in some of its discussion around the mechanisms. My sense is that the public wants reform that means that the institutions cannot keep being pulled down by the various political parties, as they have been over the past 25 years. We need good governance, as Emma has said. We also need structures that are robust enough to manage the stresses that will inevitably come—stresses that we did not even imagine, such as Brexit—and rock the institutions.

I would challenge, a little bit, the question around people not feeling a sense of any peace dividend. We are not connecting the dots. Over the past year, I have been conducting research for which I have gone into communities, some of which are communities that we assume do not feel any peace dividend, and asked, "What is an everyday indicator of peace for you?". People's lives have changed significantly in the past 25 years, but we are not connecting that very clearly to the mechanisms and structures that the agreement has established. I have been in communities that are deprived and under the influence of dissident republicanism, but they are saying, "Our relationship with the police looks nothing like it did 20 years ago. If there's a domestic violence issue, they will be called in a way in which they weren't in the past". I have been in communities where they are saying that much greater mixing is going on, even between former combatants. They are working together and collaborating. A lot of that has been the result of not only the agreement but shoring up by the European Union's peace and reconciliation programmes and a lot of the other resourcing that has been provided.

As a society, we should be able to at least connect those dots a little bit better, because people's lives have changed in the past 25 years. By no means am I rejecting the inequalities and the disparities between communities and the fact that some have moved much further along than others, but people's lives have significantly changed as a result. We can do

much better at articulating what that change has meant and how we can use that as a springboard for greater change.

Q197 **Claire Hanna:** I agree entirely with both of you. That is a useful reminder. Some of it is to do with repeated wisdom as well. If people are told over and over again that the Good Friday Agreement has failed them, and sometimes it is easier to say that than, "We've failed you"—those of us who are operating and delivering it—they will start to believe it. Those are very strong points around how we tie up the twin tracks of political and public engagement and make it a meaningful exercise in change that is driven by the people. We have had experience where changes to the agreement were made over the heads of the people and some of the parties.

David, do you have any thoughts about community-based delivery and engagement? Furthermore, how do we reconnect and recommit people, particularly the demographics that the Chair and others have spoken about, who do not feel the same emotional attachment to the agreement, maybe because they have been told over and over again that it is pernicious and subjugating or whatever? How do we reconnect people with the agreement and buy them into change and progress through it?

David Holloway: The participants in area-based citizens' assemblies or some derivation of them will be drawn from specifically marginalised communities across the region—across the whole of Northern Ireland—with perhaps one marginalised community citizens' assembly-type engagement process making recommendations on what to do.

Sitting through the first panel, I was quite literally chewing my tongue.

Chair: I saw you. *[Laughter.]*

David Holloway: I am sorry. I did not entirely agree with some of what I was hearing from the other panellists. I was quite surprised at some of the findings that were not being articulated from the peace summit conference that, I felt, I heard as a facilitator of one of the groups.

Very quickly, I want to suggest that there is widespread public appetite across the community to end political designation. For ordinary citizens, it has become hugely frustrating, although many of them may understand that there was a clear rationale for it at the time. It is not working, and it is holding us back. I believe that that is a clearly-held view across civic society.

Consent has been misused. There is not a widespread, clear sense of what needs to be done about the petition of concern. Many people fear that its removal will remove a key safeguard that, they feel, protects their community as they continue, distrustfully, to emerge from the peace process. I would, however, say that there is clear, cross-community, on-the-ground approval for the idea of somehow amending the petition of concern, so that no political party can ever again, cynically and wilfully, misuse it against the clearly expressed democratic will of the majority. I



think that we in this room are aware of examples, from not too many years ago, where that was cynically done against our will.

I would like to clarify that, from my perspective, the agreement has copper-fastened sectarian politics. That was not its intention, but we did not visualise the moving in from the edges and the outflowing of the moderates to the edges. The copper-fastening of sectarian politics denies citizens their voice.

It is clear to me, through my dialogue and engagement, that the majority of citizens have shared social needs but are unable to express those shared social needs through the ballot box, because the politics of identity rules all. Many think, "I am impelled to vote to keep you out for fear of what will happen to my ongoing sense of belonging in this place". Everybody, knowing that, votes with increasing frustration.

There are mechanisms that we can look at to address this: politically, that is about the structures; and then there is the alternative that Emma articulated. I want to reinforce, as strongly as I can, the fact that the community and voluntary sector amplifies a single, clear, unified citizen voice in a way that the ballot box has never been able to and, perhaps, never will. That sector amplifies that voice on all the issues that are vital in enabling us to build that equal, inclusive, participative and just society.

How do we make use of that amplified, unified voice? First, give me back my civic forum. I voted for a civic forum. By what right was it removed from me? That civic forum could be a channel—powerless, maybe, but a channel nevertheless—for that community and voluntary sector articulation of our civic voice.

Secondly, give me citizens' assemblies. Line them up, one after another. Yes, the first one—

Claire Hanna: The first three.

David Holloway: When it comes to the first one to cross the starting line, deal with the agreement, review, recommendations for amendment and adaptation of all or parts of it, as yet to be decided. Nevertheless, let us get started on that, with the Governments, North and South, and Stormont, somehow, miraculously committing to taking those recommendations seriously.

Please do not underestimate the power of marginalised, ill-educated, deprived and polarised citizens when they are given an environment within which they can safely explore what really matters to them, in their guts, and are provided with an impartial analysis of information to enable them to make their decisions. They have the capacity to reach agreement on all the contentious issues on which our political systems cannot.

Q198 **Claire Hanna:** That is why we are taking this piece of work so seriously. If you were to lay out something like a citizens' assembly, a civic forum and



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deliberative work like this, it would contrast very sharply.

You have largely articulated my view, on and off the record, since I was elected to the Assembly in 2015, which is that it embeds structures and that it embeds and mainlines division. It is fair to say that nobody has come up with a way that would have ended the bloodshed in 1998 without designing these structures. There is a danger of people going, "It was a terrible idea. Whose idea was this?" when it stopped the murder of hundreds of people a year.

I suppose that some of the concern is around things like there being knock-on effects if you start to pull out designation. You could not, then, have a petition of concern-type outcome. For example, what would be the rationale for continuing to have two First Ministers? What might be an indicator or trigger for future constitutional change, which is still a legitimate aspiration that is held by many people?

Some of the devil is in the detail, and that is what we are trying to get to. At the moment, however, it is about finding out at what point a guard rail starts becoming a cage.

That is what some of the concern has been. We might not solve it today.

Emma DeSouza: If I may—

Claire Hanna: You are going to have a crack at it. Good.

Emma DeSouza: I will come in briefly on the designations. Evidence demonstrates that the majority amongst younger demographics do not identify as unionist or nationalist.

Q199 **Claire Hanna:** That is some of the nuance that is lost. I agree that there is a difference. I am one of those people, even if I am not "younger", who would never identify as one or the other. That is not to say that people do not have a constitutional opinion. There is a danger of conflating the two. People do not want to say, "I am that thing. I am going to slot into that box, and that box only", but that is not to say that they do not have an identity or an aspiration to maintain the Union or to create a new Ireland.

Emma DeSouza: The thing about removing the designations is that it would create some concern in the nationalist community if you did not, for example, outline the criteria for a border poll. That is one concern that would come from that perspective. It is a matter of identifying what concerns communities might have around the removal of designations, and then it is about bringing in experts to establish the knock-on effect. Is it going to be that there will be no petition of concern or that there will be no need for a First Minister and a deputy First Minister?

We have to look at how we remove identity politics from our political system. It starts with the designations. That is the first step to removing identity politics from this place. You would be surprised at how quickly things might change once you start doing that. It is not an easy fix, but there has to be serious examination of how to achieve that, and I do not



think that we have to wait for Stormont to come back to do that. I heard the first panel say that it would be preferable if there were a functioning Assembly, but this conversation cannot wait for a functioning Assembly. There is a risk that, as the Chair mentioned, if the Assembly does get back up and running, there will be a desire not to do anything to rock the boat. That is very real as well. The conversation has to happen regardless of whether the institutions are back up and running. With this being the 25th anniversary, it is an ideal time for us to start looking at how we move things forward.

Q200 Claire Hana: I am going to let colleagues come in, but as well as that concern about how we potentially activate constitutional change, there is a legitimate concern, and I picked this up from many unionists, that the ladder is now being kicked on some protections that were available for the minority, but now that unionists may have minority concerns, rational or irrational—.

Chair: I am just conscious of the time.

Claire Hanna: Okay; hopefully it can be wedged into a subsequent answer.

David Holloway: Very briefly, the agreement was made to resolve political, sectarian conflict between a PUL/CNR bloc, with a minority of perhaps 5%, 6% or 7% at that time who were something different. Some 25 years on, that is not the case. The agreement therefore cannot be set in stone. It needs to evolve as society is evolving. We are a region of minorities now. We do not have a PUL bloc and a CNR bloc any more. What I am suggesting is that that is increasingly freeing us up.

Q201 Mary Kelly Foy: You have made clear the crucial role of civic society in moving forward, not just with any constitutional reform but by fostering that shared vision to move forward. I completely agree about the role of the voluntary and community sector. It needs to be there. It is closest to people on the fringes. It knows the situations in which people are living and what support they need. What about Church leader and trade union involvement in the conversation? Trade unions are traditionally non-sectarian and represent hundreds of thousands of people. How do you view their role in the whole conversation?

Dr Kelly: It is really important. I have been around long enough that I assisted the Civic Forum when it was established for a number of years. It was looking at an anti-poverty strategy at the time. It is really important when we talk about civil society that we look at it in its broadest terms. It is not the community and voluntary sector, and I would challenge somewhat the idea that we have a community and voluntary sector that is speaking on behalf of everybody, because we have sectarian lines within the community and voluntary sector as well that we need to acknowledge as part of the overall landscape. That is not to say that people are not speaking about common issues, but the landscape is not that we are

entirely mixed, although the funding and the mechanisms of funding have certainly encouraged much greater mixing across the sector.

We are living in an increasingly secular society, broadly speaking, but our Churches are still hugely important, given their input into the education system. Certain people, from birth to grave, are socialised within those processes. They are not non-political either. There absolutely is a role for the Churches to play.

Our trade unions previously played a very important, pivotal role in getting people on the streets. Something that people have found quite frustrating over the past decade is this: when are things going to get so bad that we take to the streets? We have not really seen that happening to the same extent as before. There is something going on there because of disillusionment and apathy. That is not to say that it is the role of trade unions to mobilise: we need to think about civil society in broader terms. If we look at the history of when people have mobilised, we see that, unfortunately, it is often because some horrific act of violence has occurred, and that has been the tipping point at which people have said, "No more". We saw that with the Quinn brothers and in a number of different cases over the years. We need to look at civic society in broad terms.

To go back to the issue of mechanisms such as citizens' assemblies, I absolutely support the idea behind them all. Of the citizens' assemblies that have worked, the ones in the Republic of Ireland are typically pointed to as having had very significant input into constitutional change. A citizens' assembly requires citizens to speak to somebody and to be listened to, and that is the missing piece. We can have lots of conversations and dialogues here, but when people go to a citizens' assembly in the Republic of Ireland, they know that they will be writing a report to the Government and that the Government will then have to either take some action or publicly say, "We are not listening". There has to be some process either way. Again, it is about ensuring that we join all those dots. We absolutely support civic engagement in every shape and form, but unless it is actually speaking to an audience that is listening, is in listening mode and is respectful of people's views, we are in danger of exerting a huge amount of energy without a tangible goal.

Emma De Souza: If I may, I will come in on that as well. The Civic Initiative fills the void that was left behind by the Civic Forum. From examining the Civic Forum, we have learnt a lot about deliberative processes over the past 25 years. The original model is perhaps not the best model that we could use today; it requires reform. Some of the criticisms about how the forum was structured included the fact that there was too much political influence and interference in who was nominated and appointed to sit on it and that it was perceived as comprising the great and the good of civic society. You will see that that is valid if you look at how it was set up.



You need to take a much more inclusive approach to that kind of space. There are lots of models. The Republic of Ireland model—the citizens’ assembly—is often cited, but there are global models to look at. Denmark has been doing consensus conferences since the 1980s. There have been 30 deliberative processes, forums and spaces actioned in the UK in the past three years alone, on issues from climate change to covid-19. There really are tons of global models to look at. The citizens’ assembly model in the Republic is just one of those.

As for trade union and Church involvement, the challenge can be defining civic society. It is really important to recognise the fundamental areas and hubs in different communities and regions that people go to. For the Civic Initiative, the Churches, as does the GAA, provide a significant community hub in, for example, Fermanagh, where I live. We are engaging specifically with the Churches on the Civic Initiative project, because they have great influence and link into the community there. It is about how you incorporate them into that space.

There are tons of models that you can use to create a structure that incorporates trade unionists, the business community and wider civic society in terms of community and development. It is about getting that structure right. The key is not always to have it the same. If you are going to take an issue and put it into a space that is a forum, an assembly or whatever you want to call it, you need to be able to change that on a yearly or bi-yearly basis in order to have different membership that changes depending on what the issue is. By doing so, there is not always going to be an appointment system whereby all the CEOs and directors of the civic society organisations are appointed.

Chair: Is that okay, Mary? Do you have anything else to ask?

Q202 **Mary Kelly Foy:** I was just going to ask David whether he had anything extra to say.

David Holloway: Rather than hog any more time, I am happy to reinforce what I have heard. That is pretty much in line with what I would have said.

Q203 **Chair:** We all recognise the importance of the Churches, but there is a bit of reticence. I am perfectly happy to stand corrected, but I cannot readily bring to mind a call for evidence from this Committee that elicited a response from any of the Church groups or Church leaders in recent times.

Notwithstanding the increasing secularisation of all society—evidenced in part by the data from the census—it took the powerful words of a priest in a funeral homily for Lyra McKee to shock local political leaders into getting back up and working. Do they underprice themselves? Twenty-five or 30 years ago, one could rattle off the names of the serious senior Church leaders of all denominations in Northern Ireland. It is harder now to do.

Emma DeSouza: They are disengaged because of how contentious politics is at the moment. Civic society, from my perspective as someone

who is more new to this area of work, is a bit siloed and is quiet. I look back to 1998 and I see just how much energy and mobilisation there was across the Churches, the trade unionist movement, across civic society, community and development, how much movement there was, and we have lost that a little bit.

Chair: Yes, I agree.

Emma DeSouza: It comes from a lot of different challenges. One is how the media represent issues. If the Churches do come out and make a statement, how will the media report that? It is the challenge of saying anything in a space where it will be politicised. Civic engagement in general has been highly politicised, and these kinds of structures, forums, spaces and assemblies are perceived here as being a threat to representative democracy when, in reality, they are fundamental to having a strengthened democracy. They are complementary to representative democracy, but we have a real challenge in civic society at large to tackle how politicised this has become and to normalise this kind of engagement.

That is the key challenge that we have here, and trying to re-engage those who are quiet—the Churches, trade unionists and other civic society organisations—to say, “You know what, you can come out and make a statement. You have agency. You have power.” There is a job of work to be done now to get that message across to wider society.

Q204 **Chair:** We have taken evidence from Tony Blair, John Major and Bertie Ahern, all of whom seemed to say that, if social media had existed in 1998, the Good Friday Agreement would not have happened, and if social media had existed in 1992, those very early, tentative conversations with the Major Government certainly would not have taken place. Those sort of dog-whistle echo chambers that just call a pack to the whistle are deeply harmful, are they not, to progressive, reforming, consensual, respectful doing of politics? How the hell do we get around that?

David Holloway: I know that you are quite correct. The agreement would not have—

Chair: I knew I liked you, David—I need somebody to write that down at least once.

David Holloway: In brackets: “In this specific regard”.

Chair: No, I do not want any caveats or codicils. Just keep it as it is.

David Holloway: I have 30 years of conflict reconciliation and transformation experience, along with dialogue facilitation to enable and empower people to engage in contentious issues that they cannot talk about to each other because they would fall out—and to get a good outcome from it.

It is clear to me that, in the past 10 years—probably earlier, but noticeably in the past decade—the capacity of citizens to manage conflict, difference,



diversity and opposing positions effectively and with meaning, and maintain relationships through it, is deteriorating bit by bit, year on year. I see that capacity diminish in our dialogue engagements, I see it on social media and I see it washing across not just us but the Western World. It is married to the growing culture of populism. I do not know what to do about it. I do not have an answer.

Emma DeSouza: I have one suggestion. Embedding digital literacy into the education system is one key thing. Finland has done it very effectively, and that teaches our young people how to recognise disinformation on social media platforms. That is really important, but we have to think about older demographics too, because evidence demonstrates that they also struggle with recognising disinformation and fake news, as they call it, on social media platforms. As well as that, yes, they are all right: if the Good Friday Agreement was happening in the era of Twitter, you would certainly struggle to get it across the line, but the way to get around that is by ensuring that every citizen has the information required. You can send out information packs to the electorate that give citizens factual information. That is just one way that you can try to counteract it, because social media is not going to go away, and we have to try to find a way to navigate with it.

Chair: We will go to Robert Buckland for what, I think, may be the final question of the session.

Q205 **Sir Robert Buckland:** A lot of my question has been answered. Dr Kelly talked about the need for citizens' assemblies and citizens' forums to have somebody to answer to and someone to answer to them. We have talked a lot about form and the process, but the content of citizens' assemblies seems to me to be as important as anything else. Are we trying to run before we can walk by asking them to deliberate on the big crunchy constitutional questions of our time as opposed to perhaps trying to do something with what we already have? I am thinking about local government in Northern Ireland and local issues. You can get people to fill a village hall if there is a big housing development issue, a school closure or a health issue. It is a bit more difficult to get people to come out on a wet Wednesday night if we are going to ask them about the d'Hondt mechanism, for example. What do we think about that as the germ of doing something constructive with residents?

David Holloway: You can do both. You can do the stuff that is easier to get your teeth into, such as the local area and local authority stuff, with participative budgeting rolled out as the norm, underpinning all budgeting systems for local councils from such-and-such a date onward, and people apply to participate. You can do that at the same time as you do the big ones. I believe that it is abundantly clear that our citizens have the capacity to reach decisions on irreconcilable issues that the political process cannot or will not address.

I will briefly throw in the example of the Republic of Ireland and article 8 of its constitution. Depending on your view, we have to accept that, when



it comes to bodily autonomy for women and to what extent there are rights to abort unborn fetuses, no matter what the decision, it will be a decision that causes harm and hurt. You cannot make a right or wrong decision; it is shades of grey. Citizens in that state were empowered to make recommendations to the Government on an issue that they cannot discuss with each other, their parents, their partners or their children, never mind politicians. They cannot engage on the issue. If they express an opinion, they are gone. That is an intractable social ill that the Government cannot reconcile. One hundred-odd citizens over x number of months and at a cost of €x billion offered recommendations that empowered their Government to put the matter to a referendum, and the Irish people made a decision that changed the Irish constitution.

Changing your constitution is a huge thing to do. Whether you like the way it went or not, the issue is that they had the power to change the constitution and the culture of the Irish nation, and they had the power, in that vote, to change the way women and those who love, live with, care for and work with them experience life in this nation. That is huge. You cannot find a messier or dirtier issue than that. Constitutional issues in Northern Ireland, I suspect, are a bit simpler and more clearcut than the varying rights and equalities in that issue. I am saying that we can do the big stuff and the small, pragmatic, local area stuff at the same time.

Emma DeSouza: I echo that and the point about not underestimating the capacity of citizens to tackle contentious issues and find solutions. There have always been solutions in wider civic society and within communities. What we lack is the structure and framework to adequately harness those solutions. Change always comes from the ground up. We just need to be able to provide citizens with the vehicle and the ability to action that change. I implore you to action a citizens' assembly or some kind of structure or space to look at Stormont reform, not next year but this year, because there is a clear, urgent appetite and need for citizens to feel that they have a say about what happens here. It has to start with Stormont reform because that is the biggest challenge. It is impacting the health service, poverty levels, our economic outlook and opportunities for the education system. That is the first thing that needs to be addressed. Once you get that right, you can look at the other issues.

Dr Kelly: I will add a slightly more cynical note. Another thing that citizens' assemblies can do—and it is not a bad thing—is give political cover to decision making. For example, it was not just that there was a sea change in political thinking on abortion as a result of citizens' assembly, but that it gave political cover whereby politicians were able to say, in some way, "We have a mandate". That is a slightly more cynical way of looking at it, but, if they will lead to different outcomes, let us use the mechanisms that are available to us.

Q206 Sir Robert Buckland: Fundamentally, Chair, we are dealing with what you would regard as a crisis in representative democracy; are we not? We are trying to fill that gap. I am a huge believer in representative



democracy, by the way. I suppose that we are the embodiment of it here, as representative Members, not delegates. We are here to use our best judgment on behalf of the people whom we represent, even if they do not agree with us all the time. That is, fundamentally, the gap that you are trying to fill, is it not?

Emma DeSouza: We are trying to support representative democracy. That is what you are trying to achieve. It is a good point about the legitimacy and cover that can come from those kinds of spaces. Once we get the balance right between recognising the importance of the civic voice, how it complements representative democracy and how it can be quite beneficial for politicians to have a space into which they can kick a contentious issue and leave it there for others to figure out, which will help them to move it forward, it will be beneficial. It is not so much about filling the space of representative democracy but about supporting it. Those structures will lead to more stable governance in Northern Ireland.

David Holloway: May I briefly throw in an example?

Q207 **Chair:** Do you mind if we do not take it? I want to try to cover one final wrap-up issue, which we dealt with in the session with panel one, before we draw this to a close. I hope that it is important enough to have said no to you, David, on that point.

All of us, as a Committee, are always hugely impressed and motivated, and often moved, by our engagements with representatives of groups across Northern Ireland, irrespective of the tradition, area of expertise or sector in which they operate. A huge amount is going on, and quite of lot of the rest of the United Kingdom could learn from that hands-on civic engagement. People are often having to do more because politicians are refusing to do anything, in shorthand terms.

We are where we are with the Good Friday Agreement principally because a UK Prime Minister, in concert with an Irish Taoiseach, said, "Enough is enough. We have to try to move stuff forward and convene and cajole". You heard my earlier question. All those meetings are going on, whether they are citizens' panels, citizens' assemblies or groups of people getting together to discuss the thorny issues of the day and usually coming up with common-sense solutions to everyday problems, leading to what they hope to be improvements in their everyday life. Would it be desirable for the Prime Minister, the Taoiseach, the Secretary of State for Northern Ireland, the First Minister and the deputy First Minister to do more active convening? I just have an anxiety that lots of good stuff comes out, a good meeting note is taken and everybody says, "We have cracked that", but the siloisation of the dialogues means that no improvement is delivered.

I cannot remember who said it—it might have been someone on the first panel—but my experience now is that the populace are, on so many issues, eight, 10 or 12 years ahead of politicians in what they think is acceptable, doable or desirable. Would you like to see more energy, rather than just the Secretary of State's stated position on behalf of HMG, which



is, "We will respond"? That is very different from "convene".

David Holloway: The two Governments are guarantors of the Belfast/Good Friday Agreement. My son is at university; he is a student and a tenant. He pays rent. I am his guarantor; I signed the document. When he fails to pay his rent, the buck stops with me. My—

Chair: You know that you have just told him that on primetime telly?
[Laughter.]

David Holloway: It ain't working, so the guarantors need to step in. When the political process, systems and structures are broken, ineffective or misused, and there is ample evidence that civic society has engagement capacity in the issues and can figure stuff out and recommend solutions, it would be wonderful if that alternative mechanism were used more frequently and publicly by the Governments and the heads of the Governments. That would help.

Q208 **Chair:** In the interests of time, do either of you disagree with that position?

Emma DeSouza: Not at all.

Chair: Thank you; that is very kind.

I will draw this session to a close. I thank the three of you very much indeed for your attendance today and taking our questions. I close by reiterating the Committee's thanks to the Speaker for allowing us to be here this morning. Thank you.