



Northern Ireland Affairs Committee

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

Wednesday 28 June 2023

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[Watch the meeting](#)

Members present: Sir Robert Goodwill (Chair); Stephen Farry; Claire Hanna; Carla Lockhart; Jim Shannon; Bob Stewart; Mr Robin Walker.

Questions 316- 339

Witnesses

[II](#): Naomi Long MLA, Leader of the Alliance Party.

Written evidence from witnesses:

– [\[GFA0023\]](#) – The Alliance Party



Examination of Witness

Witness: Naomi Long MLA.

Q316 **Chair:** We will now move on to our second session. We have Naomi Long joining us remotely. Good morning, Naomi. You are very welcome indeed. You are a long-term friend of this Committee and, of course, a former colleague of ours here in the House of Commons.

You are a member of the Alliance Party, which played a significant role in the talks that led to the Belfast/Good Friday agreement. Can you outline to this Committee how your party sees the legacy of the agreement in its 25th year?

Naomi Long: First of all, thank you for the opportunity to come along and address the Committee today and to be able to do so remotely.

In terms of the legacy of the agreement, it is really one of more sustained peace than we have had for a very long time prior to the agreement. The ending of the major conflict that we lived through, and that I lived through as a young person, has perhaps been the most significant out-working of the agreement.

We have also seen increasing democratisation of our society, which is a positive that has flowed from the agreement. In that stability, we have been able to reform institutions in a way that will make them more inclusive in terms of our police service, our justice system and, indeed, other institutions of state, which is all very important.

However, I temper that with a degree of frustration. We have seen huge transformation, but, had we been consistent in our delivery of the strand 1 institutions in particular, that transformation may have moved on much further.

Although there has been an uneasy peace, in Northern Ireland we have not benefited from the kind of reconciliation we would have hoped for in the perhaps more optimistic times of 1998. Understandably, there was huge elation at the time. People were very pleased that we were moving away from conflict and towards a more peaceful and stable society. There are opportunities, for example around prosperity and building our economy, that have flowed from that, but there are issues remaining around the paramilitarism embedded in our community, mental health issues arising from legacy issues, and a whole series of other things that have perhaps not been addressed as we would have hoped and aspired to address at that time. In some ways, that has limited the progress we have been able to make as a society and the political progress we have been able to sustain.

The public find that frustrating. Twenty five years after the agreement, we have an increasingly unstable Stormont. That is certainly an area of



frustration and disappointment to those of us who supported the Good Friday agreement and, I would suspect, many who did not.

Chair: Indeed, this Committee is currently conducting an inquiry into the continuation of paramilitarism and paramilitaries' engagement with organised crime and the continuation of their business, although maybe not in the same way as in the past.

Q317 **Jim Shannon:** It is nice to see you on the screen, Naomi, if not in person. It is always a pleasure. I have a quick one in relation to strand 1 institutions. I asked a similar question to Sir Jeffrey and I would like to ask you the same question, if you do not mind, please.

We had some concerns with the agreement of 1998. We felt that the St Andrews agreement of 2006 moved things on, though maybe not entirely in the way we hoped for. I would perhaps like to get your opinion on how you see the St Andrews agreement. Do you see changes that perhaps might be beneficial for everyone? If there were developments since 2006 that would be helpful, in your opinion, would Alliance prefer to see that happening?

Naomi Long: First of all, there were changes made in 2006. It is good to have the opportunity to clarify. I listened to the last session, and there was a lot of talk about the difference between majority rule and consensus. It is important to acknowledge that we have never been in favour of majority rule in Northern Ireland in that straightforward sense, but we are also not in favour of minority veto, which is what the St Andrews agreement has delivered in practice. That is a form of minority rule, which is not effective at delivering stable Government either.

At the time of St Andrews, the test was not unanimity. Consensus did not mean unanimity. The test was sufficient consensus. We were not, for example, signed up to the St Andrews agreement as a party. We did not support the changes that were being made at that time. We felt they were premature and potentially damaging to the future of the institutions.

There were some elements of what happened in St Andrews that we agreed with. Trying to facilitate more collectivity around the Executive table was a good move, for example, but in fact some barriers to progress were put in place. A lot of issues were referred through the Office of the First Minister and Deputy First Minister, which became a checking house for everything that happened in the Executive. That has impeded progress on many issues. In terms of the operation of the North/South Ministerial Council, impediments were introduced in terms of being able to have that proactive co-operation between the Assembly and the Irish Government. Some of those changes that may have been well intentioned did not necessarily deliver what was intended by them.

In terms of changing the Good Friday agreement, however, we were clear in 1998 that, while we supported the principles of the agreement and we



voted for the Good Friday agreement, we had serious concerns about the architecture that surrounded the agreement.

Dr Farry, your colleague on the Committee, and Seán Neeson, our then party leader, co-authored an article in the *Fordham Law Review* in 1998-99 that referred to the potential weaknesses in the form of Government that was being instituted with its very rigid consociationalism. Much of that has come true. I did jokingly say—I know it is not your bag, Jim—that, if you wanted to get some tips on the horses, Stephen is probably not a bad man to ask. Twenty five years on, much of what he predicted in 1998 has come to pass.

We could foresee the difficulties, but the choice that lay in front of most of us in Northern Ireland in 1998 was whether we wanted to move forward on the basis of those principles, with devolution as the core piece that we wanted and with power sharing as part of that. Our answer to that was yes. Did we agree with every jot and tittle, to use a phrase, of what was in the agreement? Most people would argue probably not. We certainly have proposed and sustained an argument in favour of the reform of the institutions.

In some ways, our end goal is not so different to that set out by Sir Jeffrey. We would prefer a more normalised Government and Opposition system in Northern Ireland with a better ability to flex and change Government. That would be the end goal, but we recognise that we need to do that incrementally by building trust and confidence within the community. The changes we are proposing are a step towards that, but they do not remove the checks and balances that we still need as a community because of the political history of this place.

Some of what happened in St Andrews was positive; some of it has been negative. The lesson learned is that it is not accurate to say that we need total consensus or unanimity to make change. There was certainly not total consensus from the SDLP, the Ulster Unionists or ourselves around St Andrews.

Q318 Claire Hanna: A couple of weeks ago, we had Mark Durkan and John Alderdice here talking about the context and some of the trade-offs in the short period of negotiations in 1998. The consensus was that some of it was about not letting the perfect be the enemy of the good; the impetus was to end the violence and the centuries-old conflict that hinged around an imbalance and a difference between unionism and nationalism in different forms of identity and sovereignty.

Would you agree with that? Was there another way to get the Good Friday agreement signed that did not involve designation and what you could legitimately see as mainstreaming sectarian division?

Naomi Long: We could debate that for a long time because what ifs are really hard to measure. It would have been my preference that we had gone for something that was less rigid in terms of consociationalism.



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Mark Durkan called it the “ugly scaffolding” of the Good Friday agreement, and I agree with him. It is ugly because it is very sectarian.

At that time there was also a perception that Northern Ireland would forever be locked in a battle between unionism and nationalism, with those being the predominant views of everyone in Northern Ireland, and that those of us who had for years carved out a third way would disappear like snow off a ditch once there was an agreement. We were there as a peacebuilding mechanism rather than as an alternative ideology for how Northern Ireland could work.

That has been debunked fairly robustly over recent years, as we have seen the growth of that centre ground, for want of a better description, or that non-aligned grouping. That group now represents 20% of all of those elected to the Assembly as opposed to, in 1998, eight out of 108.

There is a genuine challenge around how we accommodate difference and diversity. Northern Ireland, like every other part of the UK and these islands more generally, is becoming an increasingly diverse society. People are migrating to Northern Ireland. We want that to happen. We want new people to come, to share their experiences, talent and culture with us and to enrich our society. In order to do that, we have to create space for them to participate as active members of our community. It is very hard to do that if they are not aligned along unionist or nationalist lines.

There are also many people in our community, even those who hold broadly unionist or nationalist views, whose primary identification is not as a unionist or a nationalist. Their real identification, the thing they want most, the thing that drives their politics, is that desire to build a shared and reconciled future for the people of Northern Ireland.

I accept that there were constraints on the Good Friday agreement. I do not underestimate the challenges of negotiating in multi-party talks, given that we are back in that scenario again. I understand the challenges it presents, but it has left a legacy. In 1998 we were an optimistic people. We were on a trajectory out of what had been 30 years of fairly sustained horror in Northern Ireland. We hoped, above all hope, that the goodwill that got us the Good Friday agreement would persist. If there were rough edges or awkward scaffolding, we hoped we would be in a position, with the same goodwill and generosity, to resolve those issues collectively together. Sadly, that never happened. People, in particular the next wave of politicians who came in after the changes at St Andrews, recognised the power of a veto. Unfortunately, if you are offered a veto, that is much easier than saying, “We would like you to find consensus through collaboration, co-operation and negotiation”. We incentivised the idea that you could sit back and say no as opposed to stepping up and saying yes.

That has been the biggest failing of the political institutions. They did not incentivise co-operation. The fundamental change we are seeking in our



proposed reforms is to use weighted majority votes for the key issues that are currently subject to what are called cross-community votes but exclude the only cross-community parties in the Assembly. We would like to see those replaced with weighted majority votes. That would incentivise the building of cross-community consensus within the Assembly. It would be much more productive as a way of doing business. That would flow into the other business that we do as an Assembly and an Executive.

Q319 Claire Hanna: The latter point you made was more like the consensus we heard about from Mark and John; that makes it sound a bit biblical. It was not that nobody envisaged there would be people who have no constitutional view. That was envisaged. It was about getting us over the issue of finding a way to get people into a non-violent structure. That structure would not and should not last forever, and there is a consensus that the time has more than come to address that.

The impression they gave was that it is absolutely possible for people who hold constitutional views and who designate as unionist or nationalist to be entirely committed to getting the best for Northern Ireland and building a shared and united community. Those people can be cross-community, and I am sure you would agree with that.

Naomi Long: Ultimately, the only cross-community designation in the Assembly is "other".

Q320 Claire Hanna: Do you accept that there are unionists and nationalists who are cross-community, non-sectarian and who want the best for Northern Ireland?

Naomi Long: If I could finish my answer, the only truly cross-community designation in the Assembly is when you do not designate as unionist or nationalist. When you say you are nationalist or unionist, you are representing that community in the Assembly.

However, I accept that there are politicians within those blocs who, when they are making their decisions, are driven by a desire to build a better future. I would certainly not suggest that every politician who designates as unionist or nationalist is sectarian. The challenge is how we move away from those designations so we are not locked into the kind of unionist versus nationalist conflict all of the time.

I will give you a classic example of why the current structures are fundamentally flawed. At the very first setting of the current Assembly after the elections in May 2022, 72% of sitting Assembly Members voted in favour of Patsy McGlone to be Speaker of the Assembly. Only 71% of the population of Northern Ireland voted for the Good Friday agreement.

If that weighted majority was sufficient to carry the Good Friday agreement and the constitutional change that flowed from that under an international agreement, it seems to me unconscionable that we cannot constitute the Assembly with a Speaker on the basis of a higher vote, and



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yet we were unable to do so because a minority of the Assembly opposed it. That to me is a fundamental challenge.

Q321 **Claire Hanna:** You will be aware that the SDLP wrote to all the parties and the Governments highlighting exactly that point. We have huge common ground on the alternative structures. You will know we had amendments down about qualified majority voting and Alliance voted for them. Indeed, we also had positive soundings from the DUP. There is no disagreement about the necessity of change. Quite simply, you, me and many others can see that those structures are not delivering in the way that was envisaged. I am glad that there is consensus that the people who do hold constitutional views can absolutely be cross-community and non-sectarian. As we go forward, it is important not to put people into boxes that are too narrow.

Naomi Long: If I may say, it would be helpful if putting people into boxes was not the first thing we did when we walk in through the door to the Assembly.

Claire Hanna: Absolutely, yes. We have discussed exactly that.

Naomi Long: As Assembly Members, the first thing we have to do is queue up and register whether we are unionist, nationalist or other. In our case we say "united community". We should try to get away from that. As a former Member of the Assembly, Claire, you will know that most of the issues we deal with do not divide along sectarian lines in terms of how they impact on communities.

Q322 **Claire Hanna:** You have really good ideas around some of the solutions. I completely agree. The three times I signed in it was as "social democrat, nationalist", because they are both parts of my political identity. We have talked about some of this and we have explored how you start to unpick designation with the core aim of, first, not overly putting people into boxes and, secondly, removing some of the vetoes.

In the sitting from the start of 2020 to the collapse, how many votes were subject to a cross-community veto?

Naomi Long: I have not counted them, to be honest, but there were a significant number that would have affected me. Every budget has to be subject to a cross-community vote. Some parts of legislation were vetoed. There were occasions when I brought Bills to the Chamber as a Minister, and my vote was discounted as part of the parallel consent mechanism. It is not a cross-community vote.

Let us be really clear. It is parallel consent. You need an overall majority of members voting and then a majority of unionists and a majority of nationalists. There is no consideration given to those of us who do not align. My vote counts for less in those votes than other Members of the Assembly, and I do not believe that is justifiable.

Claire Hanna: We absolutely want to remove that.



Naomi Long: I believe it is potentially challengeable. However, in terms of the number of votes, there are a number of other circumstances in which there are cross-community votes. It has changed to two parties, but any time 30 Members of the Assembly from two parties or more sign a petition of concern a cross-community vote can be triggered. There is no other stricture on that.

Whilst cross-community voting or parallel consent voting was initially expected to be only applicable in areas where there was historic concern—things like identity, constitutional issues and so on—that was never laid down in a justiciable form. There was no way to challenge it in law when it was used. In the previous mandate, in the run-up to 2016, petitions of concern floated around the Assembly Chamber like confetti. It became absolutely destructive.

The other form of cross-community voting, as it is called, or parallel consent operates within the Executive itself. Ministers bringing proposals to the Executive for discussion can be refused access to the Executive by the First Minister and Deputy First Minister. A cross-community vote within the Executive can also be triggered, which can block proposals going forward. Both of those parallel consent votes have an impact, both formally in the Chamber and informally in the Executive.

Q323 **Claire Hanna:** Yes, absolutely. As I say, there is consensus around trying to unpick some of these issues. We are talking about some of the thornier problems we can come up with. The electorate have taken away some of the veto. It is much more difficult to get a petition of concern. As you know, many parties have tried to clarify the grounds. I know we have used them on things like welfare reform because we do think there can be disproportionate impacts on certain communities.

When it comes to things like the First Minister and Deputy First Minister, how would that work if we did not have designation? Should we still try to represent different communities at the top tier of the Executive?

Naomi Long: We would do it by party size. That is how it would work in most coalition Governments. It would be based on party size.

Q324 **Claire Hanna:** There would be a First Minister but then not a Deputy First Minister or a joint First Minister.

Naomi Long: We believe there should be joint First Ministers because in effect that is what they are. I would not change it in this mandate because that would be unfair, because people fought the election on the basis that there would be a First Minister and a Deputy First Minister. It is important that we respect the vote on that basis.

It is also important that we have an opportunity to be more collaborative in terms of what we do as an Executive and Assembly. Our proposals are often misrepresented as trying to be a fix for the issues around the protocol. These proposals pre-exist the current hiatus. We made these arguments in the last hiatus when Sinn Féin had collapsed the



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institutions. This is not new. We engaged with your own party in negotiating what the terms and conditions around petitions of concern might be and how we could specify and limit the use of petitions of concern in the Chamber because they were being abused.

We also have developed proposals that we believe are an incentive for people to participate. The issue here is not about seeking to exclude any party. I do not want the DUP to be outside the Executive. I want the DUP to be inside the Executive. I believe that is important, but, as long as they are able to keep everybody else outside the Executive, I believe there is no incentive for them to go in. If they thought we were going to move on to Government without them, they would be back at the table doing their jobs. That is evidenced by the fact that, even when the First Minister withdrew from office, his ministerial colleagues remained in office operating their Departments.

We need to incentivise the creation of the Executive. We need to do away with the designation system progressively over time, which is already being done in this mandate. When we bring people in, the first thing we do is focus on historic divisions rather than on future opportunities. That is the wrong starting point for any set of institutions that wants to be future-focused and deliver progressive policy.

Q325 **Bob Stewart:** Hello, Naomi. It is nice to see you. Good morning. My question is quite simple. I already have a slight idea of what you will answer. As they are currently constituted, if they were to be allowed to function, would the Assembly and the Executive provide a decent Government for Northern Ireland?

Naomi Long: That is a more complex question than you give yourself credit for.

Bob Stewart: I am sorry. I am trying to be short because we are short of time.

Naomi Long: Undoubtedly, you can achieve things as a Minister. Some of you will see the frames that are hanging behind me. Those are five pieces of major legislation that I passed in the two and a half years I was Minister of Justice. There was largely consensus around what we were trying to achieve in those major pieces of legislation. You can govern and you can make a difference. Undoubtedly that is the case.

With the right attitude, I believe you can continue to do that. However, there are fundamental weaknesses and instabilities. I always go back to my engineering analogies because that is where I started my career. There are instabilities in the foundations of the institutions. There are two parties that have disproportionate control over what happens within the Executive. It is not collective.

I sat in a recent meeting and was told about the importance of compromise and negotiation. As a Minister, I know that. The only way a



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single Alliance Minister could get anything through an Executive made up of a majority of DUP and Sinn Féin members was to negotiate and compromise with them in order to get through what I could. Those two parties, provided they agreed, did not have to negotiate or compromise with me.

There is a disparity in terms of power, and either of those two parties has the ability simply to walk away, if they wish to do so, and end the Executive. That is a part that no other party has. That disparity in terms of the power dynamic makes it very difficult to have true collectivity.

There are structural things, management things and governance issues that we can change that are fairly straightforward—those would probably be standing order-type changes—but there is also more fundamental change that needs to be made. If I could perhaps just give an example, at the moment we are in severe financial difficulties in Northern Ireland. Our budget is incredibly stretched and some very difficult and challenging decisions around reform, transformation and changes to our finances will need to be made by any incoming Executive.

That might be something Ministers would be willing to step up and do, knowing they have four or five years of a term to deliver and that, by the time they return to the electorate, the outworkings of that and the positive benefits from that change, which may be publicly controversial, will have been experienced.

It is a lot for us, particularly the smaller parties in the Executive, to step forward and take those risks if at any time either of the two main parties can pull the rug from under our feet, collapse the Executive and force a snap election.

Q326 **Bob Stewart:** The short answer is that you are not hopeful that it would work.

Naomi Long: It can work, but the only way to have stable Government on a continuous basis is to implement the reforms as we have suggested. These are fairly modest reforms, I have to say. They still reflect the right to be in Government based on your mandate. They simply remove the right to prevent Government being formed.

Q327 **Carla Lockhart:** It is nice to see you, Naomi, on screen. I just have three very quick questions. Within its paper, Alliance talks about reforming the petition of concern to three key areas, one of which is identity-based issues. What confidence can you give to unionists, given that you do not accept that the trade and constitutional impact of the protocol strikes at the very heart of unionist and British identity?

Naomi Long: The first thing to say is that I have never argued that these are not significant issues for unionism. Equally, I have been clear that I do not believe they are matters for the Assembly. They are matters of international trade, development and international relations, which are not devolved matters. Therefore, to apply the tests of consensus and



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cross-community support to those would be as ridiculous as if we had asked for cross-community support for Brexit to be a prerequisite for the UK Government being able to implement that policy.

I was told a number of times by colleagues of yours to, "Suck it up, buttercup", and move on over Brexit because the UK had decided. If I had a pound for every one of them, I would be a millionaire. The reality is that there was no consensus. In fact, the vast majority of people in Northern Ireland opposed Brexit.

It is what it is. We are now outside the EU, and the consequences of that are the protocol, the Windsor framework and all that has flowed from that. They have to be held to the same test as the original decision, not to a different and higher test. Had we had to have cross-community consent for Brexit, it would be reasonable to say there should also be cross-community consent for the arrangements post Brexit. It is not reasonable to say that no cross-community consent was required for Brexit, but the post-Brexit arrangements need to be held to this higher threshold.

I recognise the importance of this to unionism. It is sad that unionism did not recognise the significance of the decision they were taking when they campaigned for Brexit and the implications of that. I did raise it at the time. I sat in the studio with one of your colleagues, Ian Paisley, at a time when we were not sure we would even be able to maintain free movement. I asked him how he would feel. He took his passport out and said, "I am quite happy to show my British passport anywhere anytime, even if it is going to Westminster every week".

This was denied as an issue at the time Brexit was being debated. Those of us who raised it raised our concerns because we recognised it would be challenging for unionists if there were some friction over the Irish Sea. To be clear, the reason the focus at that time was on the Irish Sea was not, as Sir Jeffrey suggested, to placate nationalism. It was a recognition of the practicalities of trade.

There are seven ports and airports between GB and Northern Ireland. There are over 200 border crossings along about 300 miles of border between the Irish Republic and Northern Ireland. As a matter of pure and simple pragmatism and practicality, it was always obvious that the easier way to deal with checks was going to be at those established ports and airports where there were already SPS checks and a number of other facilities. That would be the obvious place. To be frank, I raised this with unionist colleagues at the time because of my concerns. It is not fair to say we are not concerned about it.

In terms of reassurance, the fact you would be able to sign a petition of concern on issues of identity, under our suggested proposals, demonstrates that it is our intent to protect unionism and nationalism and, with respect, to protect those people in Northern Ireland who are



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not unionists or nationalists and have every bit as much of a stake in the future of this place as anyone else.

It is absolutely right to rebalance that and avoid ending up in a situation where petitions of concern are abused simply to obstruct good governance. That is the purpose of our proposals. They do offer the protections that were originally envisaged in the Good Friday agreement. It talks about using petitions for issues of particular concern to Northern Ireland.

Q328 Carla Lockhart: The proposals ultimately do not give enough detail around the validity of these issues, how they would be determined and what would be acceptable under a petition of concern.

Naomi Long: Just on that particular issue, in a previous paper during the NDNA negotiations, which was shared with your colleagues at the time, we set out much more detailed proposals about the call-off panel of legal advisers, how that would be constituted and how they would reach a determination on whether the threshold for a petition of concern had been met.

What you have there is a summary of our three main asks, but there is a much more detailed paper on the petition of concern reform, which would potentially be helpful for you to read. It gives you the background as to how it would operate and sets out how it would be operated independently by legal experts. We would set in legislation the threshold that needed to be met so that was justiciable and people would have recourse if their petition were to be rejected or accepted for the wrong reasons.

Q329 Carla Lockhart: We will see. A number of political representatives from your party have argued that, if the DUP refuses to join the Assembly, the train will leave the station with or without them. In my opinion, that is quite similar to the themes proposed in terms of immediate measures around Executive formation that are in your party's submission to the inquiry. Are you advocating an Executive without the largest unionist party? In such a scenario, would that Executive command any form of acceptability or validity on a cross-community basis?

Since the DUP exited the Executive for reasons relating to the protocol, the Alliance has been extremely exercised. You say this is not new. I would disagree with that. When the Assembly was collapsed for three years, we heard little or nothing from the Alliance Party about Sinn Féin and their demands or their reasons for collapsing the Assembly, which were much less significant than what the protocol is doing to Northern Ireland by undermining its place within the United Kingdom.

Could you walk us through your thinking, particularly around that train leaving the station with or without the largest unionist party?

Naomi Long: First and foremost, I have to challenge your perception that we did not speak out in the three years when the Assembly was



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down before. You may hear us a lot more vocally now, but then we were seven and now we are 17. Perhaps that is the reason for the amplification of our voice. We are now the third-largest party in Northern Ireland, not the fifth. As a result of that, we get considerably more attention when we do make a statement or have something to say.

If you want to rewind the clock to the previous issues around the Assembly collapse, you will know that I did say that we should get back into Government with or without the largest nationalist party back then. This is not news. At the time, your own party leader made that very point. She wanted to go straight back into Government with or without Sinn Féin. It seems odd that it would be a criticism of us that we would be agreeing with your former party leader.

To be clear, these are proposals we have had for some time. We have debated and discussed them with both Governments and other parties during the NDNA negotiations. This is actually about trying to create a more stable basis where no single party—I say “no single party”—can withdraw its consent for Government and collapse the Government.

If no unionist party, no nationalist party or, perhaps, no cross-community party is willing to go into Government, we have an issue. We should aim to be broadly representative. The Good Friday agreement vote was taken to be broadly representative of unionists, nationalists and others, despite your own party not consenting to it. We moved forward with sufficient consensus then, and we should be able to do that in terms of the institutions. Had we waited for the DUP in 1998, this would all be a moot conversation.

We moved on, and eventually the DUP joined us, as I expect would happen if there were these reforms. If the institutions moved on without them, the DUP or Sinn Féin, depending on who was currently threatening collapse, would come and join us. There is no way in which I see the DUP not wanting to be in Government or me not wanting them to be there and to be represented. What I object to is the ability of Sinn Féin and the DUP to be able to collapse the Executive unilaterally without any consideration of the lack of consent for that from the majority of other participants in the democracy and the structures here.

I would also just like to draw your attention to something else. A few years ago, Sir Jeffrey spoke a number of times about the fact that in 2016, the other parties—us, the SDLP and the Ulster Unionists—had what he described as the luxury of being able to walk away from Government and into Opposition. He said that there was a disadvantage to Sinn Féin and the DUP because they had to be in Government for Government to be formed.

What we have proposed would level the playing field. The entitlement of Sinn Féin and the DUP to be in Government would be unchanged. That would be as of right in law. If either party decided, for whatever reason, they wanted a turn in Opposition—either because they were objecting or



protesting an issue or because they wanted to realign, to refresh their ideas or to develop new people—they would have the same freedom that Alliance, the SDLP and the Ulster Unionists enjoyed in 2016 to decline a place in an Executive.

That right not to be in Government in a coalition is pretty fundamental. A party should not be obligated to be in coalition. The coalition in Northern Ireland is mandatory only in the sense that it is based on mandate. It is not compulsory, not at least for those other parties outside the Office of the First Minister and Deputy First Minister. I do not believe it should be compulsory for those within that structure.

Q330 **Carla Lockhart:** You are continually speaking of sufficient consensus rather than unanimity. Do you honestly believe that agreements that do not command the support of the majority of unionists are plausible in a divided society?

Naomi Long: Carla, do you believe that agreements that do not command the support of a party that has 17 MLAs and 68 councillors are plausible in our society? If the third largest party does not agree with an agreement, do you believe it is plausible?

Your party believed it was plausible to have Government without nationalism involved; then it was plausible to have Government without Sinn Féin involved, when they were the largest nationalist party. The truth is you have only become concerned about the issue of consensus since it has impacted your own party.

The issue here for me is about consistency across the piece. We have always operated on the basis of sufficient consensus. It has never been unanimity. We did not sign up to the Stormont House agreement back in the day. We had reservations then. We did not sign up fully to St Andrews. There have been many other times in this process when many of the parties have not agreed but Sinn Féin and the DUP have and so things have been carried with sufficient consensus. To say that the bar must be higher now because you want particular things out of the institutions is inconsistent with your approach to date.

I would like to see maximum consensus. To be absolutely clear, I would prefer to see all of the parties entitled to be in Government in Government and in Government now. What I am arguing for in terms of reform is a mechanism to ensure that those parties that are willing to be in Government are not prevented from being in Government when one party objects to forming a Government. To me, that is really important in terms of stability. More importantly, when one party withdraws its consent for that Government, it should not simply collapse it instantaneously.

That is the right choice to make. It is the fair way to approach this. It does not affect unionism or disadvantage unionism in any way, shape or form more than any other grouping in the Assembly.



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Q331 **Carla Lockhart:** I would say you are maybe not best placed to tell unionism what it is getting or not getting from your proposals. A lot of unionists do not feel it is—

Naomi Long: I am objective in terms of the proposals and what they offer, and they would apply equally to nationalists, unionists and others.

Q332 **Carla Lockhart:** You are content for the train to leave the station without the largest unionist party. You are willing to exclude the largest unionist party.

Naomi Long: I have not said either of those things.

Q333 **Carla Lockhart:** There is no need for you to dictate to unionism. In relation to the inconsistency—

Naomi Long: I would like to answer that point.

Chair: Carla, could you let Naomi answer that point?

Naomi Long: I would like to answer that specific point because it is very important. At no point did I say would be content for the train to leave the station without unionists. I was very clear: I said I want the largest unionist party in the Executive. I want to incentivise the largest unionist party to get back into the Executive. I want to ensure that neither of the two main parties retains the power to upend the Executive and its institutions at will. That is a very different conversation from the one you just portrayed.

The other thing to say, in terms of your wider point about being happy to move on without unionism or to exclude it, is that nowhere in our proposals is there a recommendation to exclude any party from Government. It is a choice for each individual party whether or not to go into Government.

We made the decision in 2011 to go into Government as Justice Minister. We made a decision in 2016 not to go into Government. We made decisions in 2017 and in 2020 to go into Government. We have made that choice on different occasions by ourselves. We were not excluded. We made the choice. We would offer that same choice to the DUP, to Sinn Féin and to whichever party ends up being the largest or second largest party in Northern Ireland.

We have certainly not put forward any proposals—I would defy anyone to point to one—that would exclude anyone from Government. We are enabling and protecting people's mandatory right to be in coalition. It is for them to decide whether they take it up or not.

Q334 **Chair:** It is a mandatory obligation at the moment.

Naomi Long: There is an obligation on the two main parties but not on anyone else. That disparity needs to be corrected.

Carla Lockhart: I would just make a point—it is not a question—about



inconsistency. You have talked about inconsistency within our own party. At the end of the day, your party signed up to the Good Friday agreement. Our party did not. Within that was consensus. It is just unfortunate that you are now taking that in a different direction.

Chair: That is a point Sir Jeffrey made.

Naomi Long: I have answered that point. It was sufficient consensus. 71% of the people in Northern Ireland was deemed sufficient consensus on which to move forward. Your own party objected to the Good Friday agreement yet operated the institutions under it. There was not consensus at that time. It would be a fallacy of massive proportions now to pretend that the DUP were in some way in consensus about the Good Friday agreement, yet we managed to deliver progress regardless.

Chair: I will now go to Stephen Farry. I somehow suspect that this part of the session might be a bit friendlier.

Naomi Long: Do not always be certain about these things.

Q335 **Stephen Farry:** Good morning, Naomi. Moving swiftly on from that one, I have two questions, first of all, on mechanics. Naomi, could you very briefly explain for the benefit of the Committee exactly how your/our proposal for tweaking the rules would work in practice if one party that is currently entitled does not take up that offer?

Secondly, could you also just briefly talk us through the current anomaly in the system? You have talked about Alliance now being the third-largest party. Perhaps one day Alliance could be the largest or the second-largest party. How do the rules currently work against a cross-community party in the context where they are the second-largest party?

Naomi Long: The first thing to say—I hope it has been clear—is that our proposals are not about trying to prevent any of the parties that are entitled to a position in Government from being able to take that up. In fact, it would be my desire in the long term to have voluntary coalition, but I do not believe we have matured sufficiently as a society at this point to do that.

In 2016, we saw how quickly Government unravelled when only Sinn Féin and the DUP were in Government, when the smaller parties, as we were then, were not in a position to act, at times, as the meat in the sandwich, the filling or whatever it might be, to create a buffer between the parties. It is important that we have as inclusive an Executive as possible. That is good for Northern Ireland, and it could be good for decision-making, if stability goes along with it.

Our proposals would be that, as is currently the case, the largest party would be offered the post of First Minister and could accept or reject it. The next largest party would be offered the post of Deputy First Minister and could accept or reject it. If neither of those parties want to take up their post, we are in a difficult position. One of those two parties would



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need to be in Government for it to be sustained. If one of those parties would go into Government and the other one would not, you would simply move to the next-largest party and offer them a post as you do in the current system of allocation of Ministers.

We would also like to make the entire Executive subject to a truly cross-community vote in which it is endorsed by the Assembly as a whole in order to be able to take forward the work it needs to do.

In terms of the anomaly that arises with the growth of the centre ground and those who are non-aligned, as we read the legislation currently, there are a number of questions that need to be clarified about what is in legislation and what is not. As we read the legislation, if Alliance were to be the largest party, not under the Good Friday agreement legislation but under the changes that St Andrews made, Alliance would qualify to be First Minister.

The talk about what would happen if one of the main two communities were not represented in the Office of the First Minister and Deputy First Minister is somewhat bizarre. Were we to be the largest party, even if we were smaller as an overall designation, we would be entitled to be First Minister. However, if we were to be the second-largest party, unless the other designation was also the second-largest designation, we do not believe we would be entitled to be Deputy First Minister.

Further, we do not know whether "other" is the designation at all or whether what we sign the register as is the designation. For example, Gerry Carroll of People Before Profit also signs the register as "other than unionist or nationalist". As a result, he is unaligned. If there were more unaligned members from other parties who signed the register using a different format to Alliance, we do not know whether they would collectively count as the designation "other" and be treated as such, which is how it works in voting. We do not know whether that is how it would work in the appointment of First Ministers and Deputy First Ministers.

There are anomalies that are arising now. Society has moved on. It should be a great encouragement that, as a result of the Good Friday agreement, more and more people feel free to designate and define themselves differently from the divisions of the past and feel able to break free of those shackles and designate themselves as "other". The growth of that centre, the growth of that momentum towards a more united and community approach to how we do our politics, is a positive thing for Northern Ireland's society.

That was always the intention of the architects of the agreement: that we would find more consensus as a community, that we would grow in confidence in our identity and that we would feel less inhibited about being able to do things on an openly cross-community basis. Unfortunately, the institutions of the Good Friday agreement have set our historic divisions in aspic. They do not really give us the flexibility to be



able to reflect that in our institutions. That is why reform of the institutions is essential.

Sir Jeffrey mentioned the Assembly and Executive Review Committee. They reached the same conclusion. At the end of the last mandate, they also reached the conclusion that we needed reform. They took evidence that narrowed in on the three areas our proposals address. The committee looked at things like how we would deal with voting. There is a recognition that discounting the votes of 18 members of the Assembly on key issues is not a sustainable position, either morally or legally. They also looked at how we identify people within the Assembly Chamber and whether or not the designation system and the sign-in system are constructive.

The Assembly and Executive Review Committee, whilst not having arrived at a position on all of those things, has identified exactly the same challenges that we as a party have identified. Collectively, there have been proposals. Claire mentioned the move to weighted majority voting for the election of a Speaker. If you do it for the Speaker, why should you not do it for the Budget or for the other key votes in the Assembly rather than disregarding one section of our community, which happens to be the section I represent, in that final round of voting? I would argue that very strongly.

This is about trying to make our society more equal, but it is also about recognising its increasing diversity. In practice, there are ways this could happen, as set out in our proposals.

Q336 Stephen Farry: Speaking of reform more generally, the Committee has heard some evidence about people supporting reform in principle but saying it should happen after restoration. We also understand that that is the position of both the UK Government and the Irish Government at present. We are talking about reform being an option before that. What is your reaction to those who say yes to reform but that we have to wait until we get the institutions restored?

Naomi Long: I have spent most of my political career meeting with Governments and being told, "Jam tomorrow". We have been told as a party, "Go off, get bigger and come back. We will deal with it then". When we went off, got bigger and came back, they said, "It is awkward now".

Let us be really clear. If you are one of the two main parties and you behave badly—you throw your toys out of the pram, walk out of the Executive and cause a crisis—people are falling over themselves to accommodate your demands. We have never been in that position. We have never tried to disrupt the institutions. Carla is right. There are things about the institutions that we disagree with, despite supporting the Good Friday agreement. I explained at the outset the logic behind that. I saw it as a process of transformation, not as a final destination.



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From our perspective, when we bring constructive proposals that would prevent crises and prevent collapse, they are put to the side in favour of addressing the demands of parties that are causing disruption. I understand why that is the case, but it is a bit like Pavlov's dog. If you keep doing the same thing, you will keep getting the same reaction. If parties know they will get more reward by behaving badly, they will behave badly to get that reward and to get attention.

Sir Jeffrey rightly pointed out that he reached the conclusion that by being in Government, being sensible and trying to pursue his objectives from within Government, which I believe was the right strategy, he was not getting heard. As soon as he walked out of Government, Government seemed to listen. I would argue there is a slightly different reason for that, given the context of the UK, Brexit, EU relations and everything else, but that is the perception, and the perception matters.

From our perspective, it is important that we are clear in this Committee. We have not said reform is a red line. We have not said that without reform we will not go back into the Executive. We are saying that, without reform, the Executive will not be sustained. In 2020, I said to Julian Smith and to Simon Coveney that I believed the Executive would be restored for a limited time only. In the end, I was proven correct. Had it not been for Covid, it would have been much more limited. That compelled people to remain in Government, but things were very rocky in the Executive.

If we restore the Executive now, there is absolutely no longevity to the institutions as they are. They are fundamentally unstable. We are not making demands for our own interests. We are saying very clearly that, irrespective of whether the DUP decides to come back into Government or not, this conversation about reform will not go away.

We need stability to be able to give people in Northern Ireland confidence in their political institutions, to be able to deliver the transformation and reform of our public services and public finances, and to be able to grow our economy. When people come to Northern Ireland to invest or when businesses are making choices about growth and expansion, they need to know that there is political certainty underpinning all of that. We cannot offer that at the moment because we have this cycle of ransom politics and stop-go Government.

It is really important. We are not saying it is a red line to go back into Government. We are saying that it is a red line for Government if they want stable institutions. I see no reason why preparatory work around reform cannot go hand in hand with the work to restore the Executive and Assembly under its current format.

However, as time goes on, the implications of the continued failure to restore the Executive become more and more serious. Stephen, I know you have been participating in the negotiations with the Civil Service and others around our financial challenges and you know the depths of the



crisis that we face. By November this year we will be in a crisis that is, certainly in this year and possibly in the next three, irrecoverable. It gets worse with every passing month.

There comes a point where you ask, "How many complex arrangements will the Secretary of State consider using to maintain the hiatus before he considers relatively simple proposals to reform the institutions and enable good Government?" We are now at that tipping point. We are not making it a precondition, but, if we want to have good and stable Government, it has to be part of the mix in terms of going back into the Executive and Assembly for all of the parties' sake.

Q337 Robin Walker: In your party's written evidence to the inquiry, the impression given about the north-south and east-west bodies is one of unfulfilled potential. It was interesting hearing from Sir Jeffrey that he felt there was more that could be done on an east-west basis. What would you like to see done to strengthen their ability to deliver effective co-operation on an all-island basis? In doing that, how can you reassure unionists that this is pragmatic and practical co-operation and not anything that undermines their position in the UK?

Naomi Long: First and foremost, the east-west elements of that co-operation are essential. Since 2016, part of the reason the institutions in Northern Ireland have struggled is because of the fractious relationships between London and Dublin. That has been profoundly unhelpful. The institutions of the Good Friday agreement are there to promote co-operation, collaboration and the kind of independence from Northern Ireland politics that was envisaged in the Good Friday agreement, where people are scrupulously independent of the local parties. It is really important that we return to that.

In the absence of the opportunity to have discussions around the European Commission and all of those other bodies we were previously engaged with, these bodies become more important as a point of contact between the British Government and the Irish Government and as a way for the UK Government to be able to raise issues, which may be happening within the EU but may be particularly acutely felt within these islands, with the Irish Government. That is another route by which our voice can be heard.

These bodies are potentially very powerful, but I have to say they have often been performative in how they have been delivered. I would like to see much more depth to those relationships because ultimately the London-Dublin relationship is one that underpins everything else. It is the one that started this process, whether that was through the Anglo-Irish agreement or the Downing Street declaration. All of that coming together was really important.

In terms of the north-south bodies, there is huge potential. The economy in the south of Ireland at the moment is in danger of overheating. There are opportunities for Northern Ireland to benefit hugely from alignment



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with that. The Irish Government have money to invest in infrastructure, and some of that key infrastructure could impact very directly on Northern Ireland.

That could involve road connections between Dublin and Donegal, for example, which could pass through Northern Ireland and lead to better road connections between some of our major towns; things like the North South Interconnector; or their interest in building offshore wind. At the minute, we have the only licensed place for the construction of a facility for offshore wind on this island. The opportunities for us to benefit from those north-south arrangements are enormous.

From a completely practical and pragmatic point of view, we need to continue to develop those relationships and do so in an agile way. Again, the North/South Ministerial Council and some of the north-south meetings can tend to be a bit stagnant in terms of how they are delivered and less agile than they perhaps need to be to deliver real co-operation. You reassure unionists about that by ensuring that the east-west bit is working, that the internal institutions are working and that the north-south piece is working as well.

If I could just perhaps reflect on this further, the north-south institutions have tended to be the canary in the mine for the institutions as a whole. When things are going badly in the Assembly and Executive, the north-south institutions tend to be the first casualty, with, for example, unionist Ministers refusing to accompany nationalist Ministers to meetings or refusing to attend meetings. People attend in pairs, which is a rather bizarre arrangement but nevertheless is the arrangement we have.

With the exception of justice, where we have our own arrangements—the Justice Minister has an agreement with the Irish Government—we all report back to the Assembly. That is the first thing. Every Minister who has a north-south ministerial meeting reports back to the Assembly about the content of that and the programme and can be questioned on that in a Ministerial Statement.

The second thing is that they are accompanied, so there will always be somebody else at the table to hear what the discussions are and what is happening. You need to look at all the institutions in the Good Friday agreement in the round. It is about us working together internally in Northern Ireland in the best interests of the people we represent and working collaboratively on a cross-border basis where it is in all of our interests to do so.

There are many economies of scale we would be able to benefit from if we were willing to do that more proactively. It is also about the UK Government and the Irish Government working together to underpin that so it does not become in any way a conflict in terms of people's national identity.



It is about trying to disentangle people's sense of identity from practicalities. Most people in Northern Ireland do not feel their sense of identity is threatened because, for example, the Department of Foreign Affairs might fund events, training courses or community organisations in their local area. They should not feel threatened if, by the same token, we get some investment in Northern Ireland as a result of wanting to expand the railway network into the west, if Northern Ireland benefits in some way from that.

The important thing is that all of our objectives are aligned. That is the programme for Government. We need to work closely with the UK Government and Irish Government, but the Northern Ireland Assembly must drive the direction of travel, not London or Dublin. They will align with what Northern Ireland is trying to achieve. Where there is good overlap and good alignment, we can benefit from the extra that we get from those relationships. I do not see it as in any way a challenge or a threat to people's identity, if we do that in a constructive, balanced and transparent way.

Q338 Robin Walker: Beyond making them less performative—I accept that valid criticism of certainly some of the BIC meetings I attended—what other changes would you suggest to the east-west institutions to make them more effective or more in-depth? Is it partly about the commitment that Ministers and, dare I say it, Prime Ministers put into preparing for them? Is it about the seniority of the attendees? What would you like to see in terms of how that moves forward?

Naomi Long: It is all of those things. Uniquely, in these islands we have very similar challenges, very similar opportunities and in many ways are aligned around many of our objectives and what we want to be able to achieve. We have a very similar history. We have a large diaspora, who have gone to the US, Canada, Australia, New Zealand and so on. There is lots of commonality in our objectives.

Having senior-level representation and having substantive issues for discussion are both important, but there is one other thing I would say. The focus tends to turn on to the BIC when things are failing. In between times, if it happens at all, it happens at a very superficial level. At least that is the feeling.

Queen's University hosted a conference around the Good Friday agreement called Agreement 25. One of the things we drew out of that conference—this was a point I made during the discussions—is that at times Northern Ireland benefits from a huge amount of input in terms of energy support, encouragement and collaboration, but that tends to be at points of crisis, to get us over the hump. When we go back into Government, everyone disappears. We are left to our own devices.

Government is the hard bit. For parties that have their politics aligned along institutional and ideological divisions, which do not necessarily align with how we want to deliver education, healthcare or other things, day-



to-day governance can be challenging. We need more support from both Governments collectively, not to interfere with the decisions we make, but to ensure that we see the early warning signs of challenge and conflict, and try to de-escalate that and find solutions to that. That is a really important part of creating the stability that our reforms would aim to deliver. It has to be a bit of both.

Q339 Chair: You have talked about your aspirations for the reform of these institutions, which you described as being set in aspic. You outlined a number of areas where that could happen, such as allowing one of the major parties to go into Opposition or changing the way the Speaker is elected, looking at the way some of those mechanisms work.

If you want to bring forward major constitutional change like that in a country like the United Kingdom, one of the parties puts it in their manifesto. We left the European Union because the Conservative Party called for a referendum. Keir Starmer is calling for a reform of the House of Lords. In coalition, we had the referendum on AV.

I am at a loss to see how the people in Northern Ireland can, through the way they cast their ballots, bring forward such a change. We have two big parties that do not support some of those changes. Therefore, is it practical to expect that some of these changes could happen?

Naomi Long: First and foremost, yes, it is practical. Secondly, these are not constitutional changes. To be clear, I am not an advocate for and I am not here to advocate for constitutional change. The constitutional position was settled in the Good Friday agreement. It is a matter for the people of Northern Ireland to decide whether they are in the UK or whether they are part of a united Ireland. That will be a discussion and debate that will continue and a decision that will be taken by the people of Northern Ireland and indeed the people of Ireland as a whole. It is not something I am here to advocate for and it is not something that drives my politics.

What we are talking here about is reform of institutions, institutional improvements. It is not about reform of the fundamental principles of the Good Friday agreement, nor is it about reform of the constitutional position of the institutions. It is simply about making them functional. It was always envisaged that there would be change. There was meant to be a review of the Good Friday agreement after five years and it never happened in a meaningful way. We had a series of diversionary talks and different things that happened, but we did not have that fundamental review.

In all fairness, the Assembly and Executive Review Committee, which is an all-party committee of the Assembly, has reached the same conclusion: we need to change these particular aspects of the agreement in order to make the Assembly work better. There is consensus about the point that change is required.



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Where consensus starts to break down slightly is when that change would happen and what that change would look like. We have put forward very clear proposals, from our perspective, and we have sought to engage with other parties around their views.

For example, the Ulster Unionist Party has said that they believe a commitment to look at those proposals should form part of any restoration package in terms of the Assembly and Executive. They have said they would be happy to sign up to that. The SDLP has its own proposals. At some level there is some commonality, and then in other parts they diverge. There are areas around that with which we can find agreement.

Ultimately, in terms of the public, every poll shows that the public want reform so that no single party can collapse the institutions. It would be hard to describe to people in Westminster the extent of public disaffection, frustration and anger with the current suspension. This has come so quickly on the back of previous suspensions.

If we do not proactively reform the Good Friday agreement, there is a danger that we will allow it to die a thousand deaths simply by repeated collapse. It will become so trivialised in the minds of the public that it will no longer have any credibility left.

It is much better for us to be open and honest, to say, "We want reform", and to talk about how that reform sits, as we believe our proposals do, within the context of the parameters of the Good Friday agreement. This is not a complete throwing out of coalition Government, not a complete throwing out of some form of mandatory coalition and not a complete throwing out of the protections for communities when it comes to voting. It is an alteration of the mechanisms.

For example, parallel consent is not mentioned in the Good Friday agreement itself, but it is in the legislation. It was one of a number of mechanisms that was envisaged for votes in the Assembly, but it was the one that was used; it was the only one that was used. There is no reason why you could not have cross-community votes, which were mentioned in the agreement, as weighted majority votes.

That is minor reform, as opposed to a throwing out of the Good Friday agreement. It is a much more minimalist reform than we had in 2007 with St Andrews. In many ways, it would create a stability that St Andrews, although that might have been the intention, failed to do.

We also have to look to both Governments. There is a need for leadership in this. Sometimes the Northern Ireland parties need Government to show some leadership around what Government want. Remember that this is an international treaty. It is not a plaything for the Northern Ireland political parties. It is an international agreement between the UK Government and the Irish Government. They are the co-guarantors of that agreement.



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It is also partly their responsibility to ensure that, where it needs to be refreshed and reformed to recognise democratic change and the development and progress in society, that can be accommodated.

Chair: Thank you very much indeed. Certainly, you may be right that people on this side of the water do not understand the frustrations and problems thrown up by the lack of a functioning Executive. Certainly, this Committee very much understands those frustrations.

Thank you very much indeed for your time, Naomi. You have always been a good friend of this Committee. We will look forward to meeting you face to face, maybe, next time.

Naomi Long: Absolutely, yes. It was a pleasure to speak to you this morning. Thank you very much, Sir Robert.