



Northern Ireland
Assembly

Committee for Agriculture, Environment and
Rural Affairs

OFFICIAL REPORT (Hansard)

Climate Change Bill: Ms Clare Bailey MLA;
Climate Coalition Northern Ireland

29 April 2021

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Declan McAleer (Chairperson)
Mr Philip McGuigan (Deputy Chairperson)
Mrs Rosemary Barton
Mr John Blair
Mr Maurice Bradley
Mr Harry Harvey
Mr William Irwin
Mr Patsy McGlone
Ms Clare Bailey

Witnesses:

Ms Bailey	MLA - South Belfast
Mr Philip Carson	Climate Coalition Northern Ireland
Mr Anurag Deb	Climate Coalition Northern Ireland
Dr Amanda Slevin	Climate Coalition Northern Ireland

The Chairperson (Mr McAleer): I welcome, via StarLeaf, Clare Bailey MLA; Amanda Slevin, chair of the Climate Coalition NI (CCNI); Anurag Deb, a PhD student at Queen's University Belfast; and Phil Carson, a land use policy officer at the RSPB. I invite the representatives to brief the Committee, after which members will ask questions.

Ms Clare Bailey (Northern Ireland Assembly): Thank you very much, Chair, and good morning, Committee. This is a bit strange; I am not normally in the hot seat. *[Laughter.]* I very much welcome the invitation and opportunity to brief the Committee on the detail in the Climate Change Bill as introduced. As the Chair outlined, the witnesses are present with me to answer any Committee questions. I will give you a bit of background as to how the Bill came about and what is in it as it is currently structured.

The Bill originates from the Climate Coalition Northern Ireland. That is a network of organisations and individuals formed in early 2020, and it represents over 400,000 people across Northern Ireland. As Northern Ireland's largest civic society network for climate action, a priority for CCNI was the development of an ambitious Climate Change Bill for Northern Ireland based on the best available science and for it to be introduced as a matter of urgency.

The Bill seeks to achieve a number of measures. It aims to declare a climate emergency and establish that as a mandate for climate change mitigation and adaptation in Northern Ireland; to ensure that Northern Ireland meets net zero greenhouse gas emissions by 2045; to mandate the Executive, within three years of the Bill being passed, to prepare five-year climate action plans to ensure that Northern Ireland meets net zero by 2045; to make provision for climate governance and advice, including the establishment of a Northern Ireland climate commissioner and climate office; and to guarantee non-regression in NI law from existing climate and environmental protections in EU law as it applied before the end of the Brexit transition period. The Bill was published on 22 March 2021.

The background to the Bill is that there is scientific, public and political consensus on the need to introduce climate change legislation for Northern Ireland. A *[Inaudible owing to poor sound quality]* survey on 15 February showed that 68% of people in Northern Ireland wanted to see a target for NI to reach net zero by 2045.

According to a report by the UN's Intergovernmental Panel on Climate Change (IPCC) in 2018:

"rapid, far-reaching and unprecedented changes in all aspects of society"

are needed in order to limit global warming to 1.5°C. The report added:

"Global net human-caused emissions of carbon dioxide (CO₂) would need to fall by about 45 percent from 2010 levels by 2030, reaching 'net zero' around 2050."

The introduction of a climate Act for Northern Ireland was committed to in New Decade, New Approach, which states:

"The Executive will introduce legislation and targets for reducing carbon emissions in line with the Paris Climate Change Accord."

The agreement adds:

"The Executive should bring forward a Climate Change Act to give environmental targets a strong legal underpinning."

In February 2020, the Assembly voted to declare a climate emergency and called:

"on the Executive to fulfil the climate action and environmental commitments agreed in the New Decade, New Approach agreement". — [Official Report (Hansard), 3 February 2020, p63, col 2].

In July 2020, the Northern Ireland Assembly again passed a motion calling:

"for the urgent introduction of a climate change Act [for Northern Ireland] within three months". — [Official Report (Hansard), 21 July 2020, p12, col 2].

The Minister's response to that was that he would not support the motion and:

"We should not use language such as 'emergency' or 'crisis'." — [Official Report (Hansard), 21 July 2020, p26, col 2].

Following that, this Bill was drafted.

The Bill is primary legislation, so is not prescriptive. It is a framework Bill setting out the legislative basis on which to build climate policy. The Bill sets out a substantive pathway to decarbonisation for Northern Ireland, ensuring that there is transparency and democratic oversight at every stage, and guaranteeing independent monitoring so that that oversight can be effective.

The Bill is divided into three Parts and has 17 clauses and two schedules. A more detailed overview of the key provisions in the Bill, by way of a clause-by-clause explanation, is provided to members at appendix C. I hope that members find it helpful.

I will give a brief overview. Clause 1 provides for the declaration of a climate emergency from the date of Royal Assent. In declaring a climate emergency, we acknowledge that climate change exists and

that the measures taken up to this point have not been enough to address it. We recognise the role that government has to play in introducing measures that will help to tackle climate change.

The state of climate emergency will outlive successive Assembly terms. Its annulment requires Assembly approval and must be on the basis of verifiable proof from a relevant body that the global temperature threshold, defined in the Paris agreement or any subsequent agreement, has been met. The "relevant bodies" are the UK Committee on Climate Change (CCC), the IPCC and the Climate Advisory Council (CAC) in the Republic of Ireland. The three bodies have been listed with a view to ensuring that the Assembly has before it the widest possible information on the state of climate change mitigation efforts on a planet-wide basis. That is because of the interconnected nature of climate change and so that the Assembly can take a holistic view on whether to annul an emergency.

It is important to note that, throughout the rest of the Bill, most duties that take account of expert advice refer only to the UK CCC, which is the only body statutorily mandated under section 38 of the Climate Change Act 2008 to provide assistance sought by devolved authorities. The other two bodies do not self-evidently have such duties, and nor is it within the Assembly's competence to create such duties on those bodies. The Assembly can redeclare a climate emergency at any point.

Clause 2 relates to the creation of climate action plans. Those are policy documents detailing steps that will be taken to address the challenges of climate change in Northern Ireland. The climate action plans must be approved by the Assembly and must achieve the overriding climate objective, which is the establishment in Northern Ireland of a net zero carbon, climate-resilient and environmentally sustainable economy by 2045. The target of 2045 is ambitious but achievable, and it recognises the general legislative trend towards ambitious climate legislation. The net zero year may be altered by order of the Executive Office, but it cannot be amended to a year after 2045. Each climate action plan is prepared by the Executive Office and laid before the Assembly for its approval. The first climate action plan must be laid within three years of the Bill being enacted and every five years thereafter. Clause 2 also defines aspects of the overriding climate objective, such as "net zero" and "climate resilience", and lists the seven greenhouse gases that must be included in the net zero target.

Clause 3 states that the climate action plans will be made up of two parts: targets and measures. Targets will be interim targets for greenhouse gas emissions, biodiversity and water and soil quality. That is because climate change is caused by greenhouse gas emissions but manifests itself in declining water quality, soil quality and biodiversity. Any climate action plan must therefore consider those three key areas as performance indicators.

"Measures" look at how targets will be implemented. Measures include carbon budgets, nitrogen budgets and sectoral plans across the Northern Ireland economy. Clause 3 also sets out what must be taken into account when setting targets. They are set after obtaining advice from the relevant expert body — the UK CCC — and must take certain things into account, including international law, the impact that the target will have on the environment, public health and well-being, and the Northern Ireland-specific economic and social circumstances. That is key to ensuring that the set targets are fair and do not disproportionately impact one group while ensuring that the Bill is effective and achieves its overriding climate objective. The reference to specific economic and social circumstances is important, given that those are not static and that the state of Northern Ireland's economy will be of obvious importance when setting interim targets.

Other provisions in clause 3 include details of what must be taken into account in carbon and nitrogen budgets, including the requirement to take transboundary impacts into account; requirements for DAERA to create a scheme to track carbon usage and purchase of carbon units; the requirement to take transboundary elements into account and details of the sectors that must be included in sectoral plans and the just transition principles to which plans must be subject. The inclusion of the just transition principles is an important part of ensuring that the change to a net zero carbon society will mean a better and fairer society for all. The sectoral plans must support jobs and the growth of jobs that are climate-resilient and environmentally and socially sustainable; support net zero carbon investment and infrastructure; create work that is high value, fair and sustainable; reduce inequality as far as possible; and reduce, with a view to eliminating, poverty and social deprivation.

Clause 4 provides for implementation reports to be laid before the Assembly each year for the duration of the climate action plan. The clause details the layout and content of those reports, including whether the annual target has been met, reasons for the failure to meet targets, and, if they have not been met, progress on each sectoral policy and the likelihood of full policy implementation and the overriding climate objective being achieved.

Clauses 5 to 10 and schedules 1 and 2 establish the Northern Ireland climate office, the Northern Ireland climate commissioner and outline its powers and functions. The climate commissioner will provide independent scrutiny and oversight of the Act in a similar way to the Public Services Ombudsman. The climate commissioner will not be under the direction of any Department or Minister, the Assembly, the Assembly Commission or any local authority.

The appointment of the climate commissioner by the Crown, on nomination by the Assembly, is to allow maximum independence from government. The climate commissioner will not have enforcement powers, but, similarly to independent climate bodies in other jurisdictions, it will have the power to make recommendations and raise issues that the Executive are mandated to address. The climate commissioner has powers to obtain any information necessary to audit the effectiveness of climate action plans, but that power must be balanced against the rights of any individual, pursuant to the Human Rights Act 1998, under clause 10(4)(a)(ii).

The climate commissioner will have two main functions: to monitor the implementation of climate actions plans and to make annual reports to the Assembly on that issue, and to produce at least once per Assembly term an independent review report on the functioning and effectiveness of the Act and recommend any amendments considered necessary to achieve the overriding climate objective. Those functions create an important statutory discourse that allows climate action plans to be flexibly rooted in independent science and democratic accountability.

Clause 11 relates to the alteration of climate action plans following the climate commissioner's annual report. After the annual report has been laid by the climate commissioner, the Executive Office must prepare its response, including any proposed alterations to targets or measures. If altering the cap, the Executive must not either directly or indirectly lower targets or standards. Any alterations must be approved by the Assembly.

Clause 12 provides the principle that there must be no regression on the environmental standards that were in place when Northern Ireland left the European Union. That was already a condition of the European Union (Withdrawal) Act 2018. Nothing in the Bill will override an Act of Parliament or affect the sovereignty of the Crown in Parliament.

That finishes my briefing. I thank the Committee for its time. We welcome any questions that members may have.

The Chairperson (Mr McAleer): Thank you, Clare. It is interesting to see you at the other side of the table. Thank you very much for that detailed overview of the Bill. I want to pick up on a couple of point with you and the team. You mentioned the impact on sectors and that the Bill specifies that there cannot be a disproportionate impact on any particular group. As Committee Chairperson, I have been approached with many concerns about this from the agriculture sector. Indeed, yesterday, I was a speaker at the Ulster Farmers' Union (UFU) AGM, and climate change was probably one of the most prevalent topics. There is fear among the agriculture sector that it could be disproportionately impacted. It would be useful if some of you could address those concerns about that target and the impact that it might have on the sector, bearing in mind that, if the pandemic has highlighted anything, it is the huge importance of the security of supply of locally produced food, food production capacity and, of course, the jobs that come with that in the North.

Ms Bailey: I wholly agree with you, Chair. We have met various farming sector bodies, including some unions. We are listening to their concerns. I put on record that there is nothing in the Bill that will harm the agriculture sector. Agriculture is listed, along with all the other sectors, as an area that needs to see reduced emissions. Nothing in the Bill mandates any immediate changes to the agriculture sector or is in any way prescriptive. The climate action plans are designed with a carbon budget over five years, but no specific reduction targets are allocated to individual sectors. It is really important to note that, because it means that some sectors, such as infrastructure, energy and transport, that are ready to move much more immediately can do the heavy lifting over the first few years so that agriculture can have a more gradual transition. The Bill ensures that fairness will be built into any measures that are introduced. Sectoral plans will have to create high-value, fair work and reduce poverty and inequality.

The UFU, in particular, has been broadly opposed to the Bill. However, we have also met other farming and rural groups that support it and are ready to work with the Department and Members to ensure that farmers are paid to manage land sustainably. We need to look at the economic, social and environmental sustainability of Northern Ireland's farming. The average age of farmers in Northern Ireland is 59. We desperately need a new deal for Northern Ireland's farmers that encourages young

people to take up farming and ensures that a profitable and sustainable industry is there for them in the decades ahead, where they are paid for sustainable land management practices. Since 1997, the total number of farms in Northern Ireland has fallen from just over 32,000 to just under 25,000. It is not climate action that is the threat to farmers; it is "business as usual" and the pursuit of an intensification model.

With your permission, Chair, I will bring in Philip, who will speak to a few of your concerns.

Mr Philip Carson (Climate Coalition Northern Ireland): Thank you, Clare. I completely recognise the potential concerns. It is a stretch to get to where we need to go, but I reiterate Clare's points: it is not climate action that will impact the interests of farming; it is climate change. We have already seen the significant economic costs of climate change in agriculture through severe weather in 2017 and 2018. There has been a cost of around £161 million to Scottish industry because of climate change. There have been global assessments on global productivity loss, which have found that climate change has reduced productivity by 21% since the 1960s.

If we do not move towards a path to sustainable land management and reduce warming by 1.5°C, that will impact future global food security. We need to avoid that. We need to move towards a system of sustainable land management, and I think that it will be a system in which farmers or food producers are not only delivering on climate and for nature but providing those benefits for society. That will provide economic benefits to them, as they will not have all their eggs in one basket. If we can potentially move towards a more agri- *[Inaudible owing to poor sound quality]* food system, that could create more jobs. We want to see more jobs in the countryside. We want farming to have a viable future, and we think that climate change actions are key to that.

The Chairperson (Mr McAleer): Thank you for that answer. Farmers are on the front line when it comes to climate change. A number of years ago, in my part of the world, the Sperrins, we had landslides in the Glenelly and Owenkillew valleys, which devastated over a thousand hectares of land. It totally devastated the farming businesses in that area.

I want to raise another point before we move on, as members want to ask questions as well. You referred to the transboundary issue. There is a transboundary dimension in the Bill, and I think that it is hugely important, given that we share a land border with another jurisdiction. We are on the same island, but we have two jurisdictions. One thing that I want to ask relates to the fact that the Climate Action and Low Carbon Development (Amendment) Bill 2021 in the South is working towards net zero as late as 2050, which is in line with the Paris agreement, but we are working towards a 2045 target.

We need to consider transboundary issues, because, if you live in counties like Fermanagh or Tyrone, or where I am from or Rosemary and others are from, one side of a field could be in Leitrim and the other side could be in Fermanagh. One side of a field could be in Monaghan and the other could be in Tyrone, straddling the border. We could look at things like soil and water quality, and you have two jurisdictions with two different dates. If we are aiming for 2045, and the South is going for 2050, could that not undermine our 2045 target? If we share the same border with the jurisdiction beside us and that border straddles the fields, does that not make it very difficult?

Ms Bailey: Thank you, Chair. You have raised quite a number of issues in that one question. I will ask Anurag to address transboundary issues and maybe bring in Amanda Slevin on the importance of the 2045 target.

Mr Anurag Deb (Climate Coalition Northern Ireland): Thank you for your question, Chair. The transboundary element in the Bill is quite an important part of the climate action plan provisions. Specifically, in clause 3(7) and clause 3(9), there are two transboundary elements. The first is that there is a single energy market on the island of Ireland, and that has to be taken into consideration when you are talking about energy supply and the infrastructure that is necessary to decarbonise.

The second element is the environmental impact on Northern Ireland, including its air, waters and general atmosphere, from activities, whether they are undertaken in the South or in England, Wales or Scotland. Those are important elements to be taken into consideration. There is also a role in the Bill for the North/South bodies, under the Northern Ireland Act, to play a part in providing advice and recommendations. The Bill does not create any duties on those bodies, but it is important that their role in facilitating North/South interaction and the overall approach to climate change is recognised. There is a robust provision for networking on an all-Ireland basis to try to mitigate climate change.

That forms a key part of the climate action plans and considerations will have to go into the climate action plans that will be drafted by the Executive Office.

The Chairperson (Mr McAleer): Thank you for that, Anurag.

Mr Blair: I thank Clare, Anurag and the others on the panel for their work. As a co-sponsor of the Bill, I declare an interest and put that on the record.

Clare mentioned various sectors. It might be useful for the Committee if those who are presenting could give us an indication of the consultation that has already taken place with various sectors and any that are planned in the time ahead.

Ms Bailey: Thank you for that, John. I will bring in Amanda Slevin. Amanda is chair of the Climate Coalition NI, and she will speak well to that point.

Dr Amanda Slevin (Climate Coalition Northern Ireland): Thanks very much, Clare. The first point about the consultation that I would highlight is our work in the Climate Coalition. As Clare pointed out, our network is the largest civic society network for climate action in Northern Ireland, and our member organisations represent over 400,000 people across Northern Ireland. We have done intensive consultation within our member organisations throughout the Bill's development.

We have also taken a wide range of steps to engage with key stakeholders. Clare mentioned that we met various farming groups to hear their concerns and to look at how we can advance a just transition. We have also met civil servants — officials in DAERA and other Departments — and energy companies. We have met a wide range of stakeholders. We have plans to advance our consultation activities as we go forward and as the Bill progresses.

We feel that we have listened to a wide range of perspectives. We are really conscious of the concerns of people across society, but we are also conscious of the exciting opportunities that climate action presents. We believe that the Bill embeds the necessity for further public engagement. We are working on that and advancing our engagement with key stakeholders, but the Bill will mandate that through its climate action plans. Those will require extensive public consultation to ensure that, at every step of the development of the climate action plans, diverse voices are heard and taken into account as we move forward. I hope that that answers your question OK.

Ms Bailey: I will add to that. You will be aware that the Bill has been introduced as a private Member's Bill. Hopefully, the consultation process for a private Member's Bill can happen during Committee Stage. That is another point to note.

While some sectors and people have raised concerns or issues or want more information, it is important to put on record that other sectors and people have been very critical that the Bill does not go fast or far enough. They would like the Bill to be more robust and ambitious. It is about all those competing thoughts and views.

Mr Blair: Thank you for that, all of you.

Mr McGuigan: Clare, Anurag, Amanda and Phil, thank you very much for your contributions so far. As a co-sponsor of the Bill, I also need to declare an interest and put that on record. Obviously, I have also spoken positively in Committee and in the Chamber about the need for the North to have climate legislation, given that we are the only jurisdiction on these islands that thus far does not have that.

In your introduction, Clare, you mentioned the potential resistance from the Minister and some of the things that he said that brought about this Bill. The Minister has now suggested that he intends to bring forward climate legislation. Can you, or one of the other witnesses, outline the key differences between this Bill and the Minister's proposed legislation?

The Chair asked a question about the 2045 target in comparison with the South's 2050 net zero deadline, so perhaps that could be addressed as well.

Ms Bailey: Thank you for that question, Philip. Your first question about the Minister's Bill is impossible to answer because we have not had sight of it. As far as I am aware, it has not yet been drafted, so I cannot speak to what might be coming forward from the Minister: I can speak only to the

Bill that exists, which is the one that has been presented to you today. Until we get sight of anything else, it is a hypothetical conversation. I look forward to seeing the detail, but it is not there at the moment. I hope that that answers your question.

I will ask Amanda to talk about the 2045 target, if that is OK.

Dr Slevin: Thanks very much, Clare. When we talk about the target in the Bill, we need to think about three key areas that underpin it: the evidence that underpins the necessity of multilevel urgent climate action by 2045; the consequences of inaction, locally and globally; and the support that exists for transformative climate action.

Clare mentioned earlier how the Intergovernmental Panel on Climate Change report has underpinned targets globally. Emerging research stresses that we need to go further and faster. Other emerging research critiques current actions by Governments, saying that they are not going far enough. Recent research by the National Oceanic and Atmospheric Administration (NOAA), for example, found that, despite pandemic shutdowns, carbon dioxide and methane continued to grow in 2020 and that CO₂ levels are now higher than at any time in the past 3.6 million years. As the assistant deputy director of the global monitoring lab pointed out, that is because:

"Human activity is driving climate change".

We need to have a deliberate focus on reducing emissions to get to net zero quickly.

The recent multi-organisation United in Science report emphasised that we need to cut emissions dramatically. It said that, if we want to stay within the 1.5°C temperature increase, which is the goal of the Paris agreement, we need reductions of about 7% a year, at least between 2020 and 2030. The forthcoming global methane assessment, which is a United Nations report compiled by an international team of scientists, emphasises that, if we are to start reining in the consequences of greenhouse gas emissions, we need quicker actions. A pre-release article highlights that abating methane in particular will be critical in the short term. It warns that methane emissions must be reduced globally by as much as 45% by 2030 and states that doing so could help to avoid 0.3 degrees of global warming by as early as the 2040s.

I could continue with the science, over and over. Another key point is that we are already on track for at least 1.5 degree increases by 2030. Other science says that we are looking at temperature increases of between 3 and 5 degrees. Recent research says that we need to mobilise net zero emissions by 2030. The message is that what we do now is what matters, not our aspirations for 2045 or 2050. Global scientists are saying that we need cross-cutting action at multiple levels of our societies to bring about change.

That ties in with the second point: the consequences. The actions that we need to take will not happen overnight, but, if we are to help to limit the temperature increases to well below 2°C — preferably, below 1.5°C — we have a very short window of opportunity to take them.

Let us look at local consequences. The Chair talked about some of the consequences of flooding in his constituency. The local climate change projections project estimates that, regardless of the overarching temperature that we reach, we face hotter, drier summers, which will affect all sectors of our society. We are looking at warmer, wetter winters with more extreme weather and rising sea levels. The project highlights that, without sufficient action, in the high emissions scenario, which is the pathway that we are on, by 2070, winters could be up to 3.9°C warmer, and summers could be up to 4.9°C hotter. We are looking at wetter winters and hot summers. The project says that, in Belfast, sea level rises could increase to 94 centimetres by the start of the next century. That is really concerning.

We have to think about the inherent inequalities in the consequences that will face Northern Ireland. The UK's risk assessment highlights that the climate and ecological crisis affects people differently on the basis of their socio-economic and cultural backgrounds. Low-income households are most susceptible to climate breakdown and are likely to have the lowest capacity and fewest resources to adapt. For example, recent reports by Belfast City Council highlight that the highest proportion of properties at risk of flooding are in deprived areas. Some 27% of houses in deprived areas are at risk of flooding.

That is quite small compared with the global consequences. We have talked about the 2019 Intergovernmental Panel on Climate Change special report on 'Global Warming of 1.5°C'. That is the most powerful warning about what we face if we do not take action now. It shows how climate-related

risks to health, livelihoods, food security, water supply, human security and economic growth are projected to increase with global warming of 1.5°C and increase further with warming of 2°C. It highlights how populations at a disproportionately higher risk of adverse consequences of global warming, even warming of 1.5°C, include disadvantaged and vulnerable populations, some indigenous peoples and communities dependent on agriculture or coastal livelihoods. Poverty and disadvantage are expected to increase as global warming increases. If we can limit global warming to 1.5°C, rather than 2°C, we could reduce the number of people exposed to climate-related risks and susceptible to poverty by up to several hundreds of millions by 2050. That is on a global scale,

Let us briefly touch on some of the existing costs of our changing climate. Recent research emphasises that between 2013 and 2018, there were over 4,020 weather-related loss events globally, which had devastating social, economic and ecological consequences. Of the social consequences, there were close to 70,000 deaths because of those events. The economic costs were estimated at US\$ 964 billion. Those are the global consequences of our collectively failing to take action. We know that we have to take action now to mitigate the consequences of climate change. We recognise that we in the global north have a disproportionate responsibility because we are most responsible for the emissions that disproportionately affect people in the global south.

I will wrap up in a second, but my third point is that we know that there is massive support for transformative action. We can see that on our streets, and we hear it from our young people and, I am sure, from your constituents. They are contacting us and saying that they want climate action. Close to 14,000 scientists from 156 countries have declared that we live in a climate emergency and say that we need climate action. As Clare has always pointed out, that demand for action is reflected in Northern Ireland. A recent poll that the RSPB conducted found that two thirds of respondents wanted a target of net zero by 2045. Therefore, the context is pretty clear. We need ambitious climate action. Those forces are driving the case that we make in the Bill. I am not sure whether we have time for Anurag to talk about the legal elements of the 2045 target.

The Committee Clerk: We are tight for time.

Mr Deb: Thank you very much, Amanda. The legal context is pretty short, to say the least. The Bill reflects changing and emerging trends in more ambitious climate change targets, particularly within the UK. We do not need to do a full global comparison for this. In 2019, the UK climate change target was increased to 100% by an amendment to the Climate Change Act of 2008. The Welsh target was increased to 100% net zero in 2021. Scotland changed its target year to 2045 in 2020. Within the UK, there is greater ambition, and the Bill's target of net zero by 2045 simply reflects that trend. That, essentially, is its legislative intent.

Mrs Barton: Thank you very much for what you have said so far. I am a little puzzled by one comment. You said that you consulted "various farming groups". Will you give me a clearer idea of who those farming groups were and whom they represented?

Ms Bailey: We met the Northern Ireland Agricultural Producers Association (NIAPA), Farmers for Action and the UFU. They are the more established groups that cover the majority of, if not all, farmers in Northern Ireland. We also met rural community groups and the Northern Ireland Rural Women's Network (NIRWN). We had good conversations with those groups and went through the Bill with them.

Mrs Barton: Were all those groups very supportive of the Bill?

Ms Bailey: Yes.

Mrs Barton: A number of concerns have been raised with me by people in the agriculture industry about the Climate Change Bill [*Inaudible owing to poor sound quality*] and 2045. You talk about 2045, but that contrasts with the Climate Change Committee document that suggests an 82% reduction in emissions by 2050. Will you comment on that?

Ms Bailey: Before I address that, Rosemary, I want to correct the record. I said that all of those groups were supportive, but that was not correct. The UFU has been very resistant and has big concerns about the Bill. I need to set the record straight. I am sure that you have been receiving emails from the UFU, as I have. Apologies for that.

The CCC's recent report set a minimum target for Northern Ireland of 82%. That has been taken, largely, as a concrete target — a set target. However, it is important to acknowledge that when the Minister recently contacted the CCC for further information, it said, as, I think, the Committee is aware:

"Our recommendations on the UK's Sixth Carbon Budget take into account a set of considerations defined in the Climate Change Act."

That is the UK's 2008 Climate Change Act. It goes on to state:

"As new evidence on climate science, behaviours or low-carbon technologies ... emerges and/or the UK's international climate commitments change, it may be prudent to tighten a 2050 target in Northern Ireland.

Northern Ireland's climate legislation should allow emissions reductions to go beyond our current assessment by requiring at least an 82% reduction" —

they stress an 82% reduction —

"and should contain clear provisions to tighten the target if there is evidence to support such a decision. We have already seen similar provisions used to increase climate targets for the UK, Scotland and Wales since 2019."

That is very clear. Last week, Prime Minister Boris Johnson set much more ambitious target-setting agendas, for example, and we need to wary of that as well. There are also questions about the CCC's proposed model and concerns that it looks to support further intensification of the agri-sector at the expense of smaller farms, which are being forced out of business so that their land can be released.

The CCC has explored very few pathways for changes in land use or future developments in low-carbon farming measures. We all need to look at the assumptions that Northern Ireland cannot reach net zero by 2050 and that the output from agriculture would have to fall so significantly for that to happen. The CCC report says that choices on how to use the additional land that is released from agriculture could include less intensive farming, such as agroecology; measures to deliver deeper emissions reductions, such as tree planting; and the conversion to other uses, such as wild flower meadows or natural regeneration, to deliver wider environmental benefits. The greenhouse gas impacts of those options have not been included in our scenarios because of the lack of robust evidence on the abatement potential. That is absolutely key: if we can look at the whole situation, get baselines, identify the greenhouse gases and start moving forward on that basis, there is the potential for Northern Ireland to do much more and for the agri-sector to remain diverse. I will bring in Philip in to finish on that, if that is OK.

Mr Carson: Of course. Thank you, Clare. I will add to your point on the CCC advice that there are opportunities for further ambition by an earlier date — for example, in peatland restoration — that would help to deliver an avoidance of emissions. There are also opportunities to increase ambition in woodland expansion. That pathway is robust, and it is one scenario, but organisations are looking at other scenarios for land use. As Clare mentioned, agroecology is a potential route. The Food Farming and Countryside Commission has looked into that and tried to assess how we can feed the UK population with a healthy and sustainable diet while freeing up land for nature and moving towards a more sustainable farming system. It looks like that could be possible, but it would require many changes in how we do things.

On ambition, initially, Wales had a 95% recommended target from the CCC, which was based on the importance of livestock in its agriculture sector. Similar to us, that makes up a big proportion of its output. Wales has taken that on board and moved beyond that, looking at the opportunities and working with the CCC to get there. It takes political will to do that.

Mrs Barton: Clare, you are saying that you could see something slightly different set out for agriculture in the sense that you expect agriculture to reach at least 92% by 2050 and would be prepared to work with that through the Bill?

Ms Bailey: Sorry, Rosemary, the 92% figure was for Wales.

Mrs Barton: Yes, it was 82%. The target is to reduce all greenhouse gas emissions by at least 82% by 2050. Knowing that there are exceptions, would you be prepared to work with them to continue reducing emissions after 2050?

Ms Bailey: Of course. The CCC has given the figure of 82% not as a set target but as an achievable ambition. It has also identified that the greenhouse gas impacts of its options are not included in that scenario plan. The CCC is still missing some information because of the lack of robust evidence. There is other stuff out there. Our Bill does not set specific targets on sectors or dates and deadlines; it is a framework Bill to set climate action plans for Northern Ireland. These things will progress, and, as the CCC has said, as new technologies emerge and we see the benefits of other sectors' policies, we will be in an ever-shifting landscape. Last week, Boris Johnson changed the UK's target to 78% by 2035.

Mrs Barton: Yes, Clare, I understand that. However, agriculture in Northern Ireland is starting from a very different base from agriculture in Scotland, Wales and, in particular, England. We are more dependent on animal agriculture, for example. The reason for that is that we do not have the climate to increase our grain growing and our arable agriculture, which would be more conducive to and supportive of taking measures towards climate change. Also, we do not have the land mass of England that allows it to reduce its targets to 20%, 40% or whatever. A number of anomalies specific to Northern Ireland need to be looked into and considered.

Ms Bailey: Absolutely. I agree with you, Rosemary. The Bill provides a framework. In the initial three years, the Executive need to come up with a climate plan. Hopefully, the years when we monitor that plan will be the years when we can start to create baselines and get the real information on the full extent of what we need to be grappling with in Northern Ireland. The sectoral plans and departmental climate action plans that the Bill provides for will be really important in addressing all the issues that you are raising.

Mrs Barton: Right, OK. It is just that there is grave concern about the agri-economy industry. You are talking about land use going down by maybe 50%. You are talking about farmers losing 50% of their method of income. Your Bill needs to look at methods to compensate farmers and the agri-industry.

Ms Bailey: Absolutely.

Mrs Barton: Do not forget the knock-on effect that it would have on the manufacturing economy and the other economies associated with agriculture.

Ms Bailey: That is exactly why the just transition principles are embedded in the Bill. Economic frameworks, the requirement for job creation and the need for proper wages are in there as well. I will hand over to Amanda to speak about the just transition principle in the Bill.

The Chairperson (Mr McAleer): Folks, can we keep the responses a bit more concise, please? Otherwise, we will end up running way over time. More members are looking to ask questions. Go ahead, Amanda.

Ms Bailey: If the Committee needs more evidence on any of the issues, I am happy to provide it.

Mrs Barton: There is just one other thing. Sorry, Amanda.

The Chairperson (Mr McAleer): I did not mean to cut Amanda off. Sorry, Amanda, go ahead.

Dr Slevin: Thanks very much. As Clare pointed out, the Bill is about ensuring that we have a just transition for everybody as we move towards a more socio-economically and ecologically sustainable future.

The concepts of a just transition, deeply embedded in the Paris agreement and subsequent international agreements, are reinforced through the Silesia Declaration, which is about how we ensure a just transition that creates decent work and quality jobs.

Colleagues in the UK-wide COP26 Universities Network have put together an interesting paper on what "just transition" means. They outline four dimensions of justice: procedural justice; distributive justice, which is ensuring that the costs and benefits are shared equally; recognition justice; and

restorative justice. Basically, it is about how we create a space to enable all key stakeholders in our society to have an input into shaping our collective future.

The Bill addresses that in certain ways. Clare has said that the principles of just transition are embedded consistently throughout the Bill. It is concerned with public consultation. It aligns with creating the space for procedural justice so that people are involved in shaping action. There is a focus on distributive justice, where we look at how resourcing and funding can be directed towards ensuring fairness and equality in transition.

Clare and Rosemary talked about how we compensate farmers. That is inherent in a Bill that is about ensuring an equal baseline and a better quality of life for everybody as we move to a just transition. As Clare pointed out, I can provide a more detailed paper on what a just transition looks like and its components. However, the Bill is really about creating that baseline for equality. It aims to reduce inequality, eliminate poverty and social deprivation, support high net zero carbon investment and infrastructure, and create work that is high-value, fair and sustainable.

Mrs Barton: I have one last question. You spoke about the Paris agreement. I suggest that there is maybe a little bit of conflict with that. The Paris agreement recognises the importance of:

"safeguarding food security and ending hunger, and the particular vulnerabilities of food production systems to the adverse impacts of climate change".

Is there not a little bit of conflict in that with your position?

Ms Bailey: Philip, do you want to come in on that?

Mr Carson: Yes, no problem. Thank you for that question, Rosemary. Food security is a highly complex issue. One of the big issues that affects individuals' food security is access to food. We already produce enough food globally to feed the population more than once over. In the future, the biggest threat to food security will be climate change. It will take a change in how we do things to maintain that capacity on the land and our ability to produce food in the long term. That will require a range of different changes. The big, important thing is to ensure that our natural capital, which is that underpinning resource that produces our food and food security, is maintained in the long term. A push to produce more and more to try to overcome issues of food security can actually have negative implications because it undermines that resource base, which is so crucial for us all.

Mrs Barton: Thank you. I just want to declare a sort of interest, which is that one of my party colleagues is a co-sponsor of the Bill.

The Chairperson (Mr McAleer): Thank you. We will move round to Patsy.

Mr McGlone: Thank you, Clare and your colleagues, for coming along and being with us today. It has been really informative. Mark H Durkan is a co-sponsor of the Bill. Thank you for that.

To anybody who needs to wake up to reality, I will say that there is probably not one of us here who has not stood knee-deep in water after flash floods situations in housing estates and, indeed, areas where, historically, there has never been flooding. That is the reality. Chair, you referred to flooding up in the Glenelly valley. Climate change is having a major impact. Anybody who chooses to deny that reality is living in cloud cuckoo land.

As individuals and, in our case, as legislators, we have a responsibility to see that through and to try to mitigate the impacts of climate change for future generations. The onus, responsibility and moral duty is on us for the survival of the human race. There are all sorts of issues to consider, like the migration of populations, forested areas being denuded and changes in land form and shape in areas that once upon a time were green and lovely but are now turning into sand. All those things are happening. Amanda, you referred to sea levels. There is no disputing that something must be done about this.

I want to tease out some aspects of the Bill, please, Clare. As you know, my party, along with yours, has been an advocate and champion for an independent environmental protection agency (EPA). I am interested in the role and function of commissioners elsewhere on language. Rather than just being a person who is there to nudge and encourage, what is the importance of the role of a climate commissioner and of their responsibilities and duties in any function that they might have to ensure that things are done, possibly in conjunction with an independent environmental protection agency?

What is the tie-in there? Clearly, down the line, there is a very obvious one if there is not, indeed, a merging of the two offices. Can you give some insights on that?

Like Rosemary and others here, I represent a rural area where agri-food and farming has, traditionally, been a big sector. Many farmers are scared about your private Member's Bill. Indeed, I got emails from some this morning. There are those of us who take a pragmatic line on that, which is that farming and farmers are the guardians of the earth and that they, too, have a responsibility to fulfil that role as responsibly as they possibly can. Rosemary was taking us in that direction.

Amanda, you briefly mentioned incentivising farmers to do forestation programmes in order to get the balance with land use to improve the environment through positive emissions. As we know, we need much more forestation to create a balance in our land use. In order to reassure farmers and those who are associated with the agri-food sector, do you know of precedents in other countries and jurisdictions where that balance has been got right and the agri-sector and landowners buy in firmly to forestation and environmental enhancement programmes? It is very important to look at that as well.

Ms Bailey: Thank you for splitting that question into two, Patsy. I am going to bring in Anurag on the nature, roles and responsibilities of the commissioner. With your permission, we will go to Philip to address land use management and the economics behind those models.

Mr McGlone: Great. Thank you.

Mr Deb: Thank you for the question, Patsy. The climate commissioner will have two main functions under the Bill. The first is under clause 4 and is about reporting on the implementation of climate action plans for the duration of those plans. The second is under clause 9 and is about reporting on the effectiveness of the Bill once it is enacted and recommending any changes in order to better achieve the net zero target. Those functions are important, because, as Clare mentioned at the start of the session, the Assembly has an incredibly important role to play in the climate action plans. Climate action plans do not take effect without Assembly approval, and the Assembly can also approve changes to those plans.

In order to do that, the Assembly needs an independent source of expert evidence, and it needs to be as well informed as possible so that it can debate as well as it can whether it should approve any changes or climate action plans that are brought forward. The climate commissioner would act as the nodal agency to provide the Assembly with on-the-ground-evidence about what is going right, what is going wrong and what can be improved.

It is also vital for legislation of that kind to be under constant review, because, as we know, climate change is not a static phenomenon given that it keeps fluctuating, science and technology keep evolving and damage may worsen in the future. It is vital that the legislation is kept under review and that the climate commissioner makes recommendations to see how we can improve the pathways that are available to get to net zero and the actions that need to be taken at any point in time.

Under the Bill, the climate commissioner will not have enforcement powers because the Executive and the Assembly working together will provide the key drivers for climate policy in Northern Ireland. As the Assembly has sanctioning powers under the Northern Ireland Act, it is vital that the process is as democratic and transparent as possible. We did not feel that it would be appropriate to have an enforcement authority as a sanctions regime that would stand over the head of the Assembly and the Executive, particularly as the Assembly can sanction if it wishes. That is why the climate commissioner does not have specific enforcement powers. I hope that that answers your question.

Mr McGlone: Thank you.

(The Deputy Chairperson [Mr McGuigan] in the Chair)

The Deputy Chairperson (Mr McGuigan): Thank you. I have taken over as Chair briefly. There are questions from William and Harry. For everyone's benefit, I will say we are already running 25 minutes late. I ask everyone to be as brief as possible.

Mr McGlone: Sorry, Deputy Chair. One or two aspects of my question were not answered. I am not saying that that was done intentionally; we were just in the interregnum period when you and Declan were changing the Chair.

The Deputy Chairperson (Mr McGuigan): OK, *[Inaudible owing to poor sound quality.]* answer that before moving on to William.

Mr McGlone: Ceart go leor. All right. I asked whether you have examples of incentivisation or encouragement and whether there are other areas or examples that you can give us of farming and agri-food working very closely with the environmental interests of government on a common pathway. That is the sort of thing that I am thinking about. Are there precedents elsewhere?

Mr Carson: I will come in on that. Thank you, Patsy.

Incentivisation will be key, and enabling a transition in how we farm and manage our land will be crucial. We cannot address the climate crisis without farmers and land managers. Theirs is the only sector that has the capability of storing and sequestering carbon. That is part of a big transition, and it will take a lot of investment, knowledge, skills and advice in order to incorporate nature into businesses. There are benefits for farm businesses in doing that by, for example, making shelter for livestock, using windbreaks and working on soil health. All those things provide benefits to farmers.

On advising farmers, we have some good examples of previous agri-environment schemes where farmers delivered quite a lot for nature and the climate by restoring peatlands or managing species-rich grasslands.

Further away, we can look at France as an example. It put forward a road map for a transition to agroecology. It has invested a lot of research and money in upskilling farmers and looking at different ways to produce food and deliver those climate impacts. It sets targets for storing and increasing soil carbon. That will be key. We need such investment here to deliver that. In the long-term direction of travel, it will be really important to do that.

Mr McGlone: Thank you very much indeed, Phil.

Mr Irwin: I have a number of questions for Clare. The Climate Change Committee, which is chaired by Lord Deben, made a recommendation in its letter to the Minister. I will read a paragraph or two of that.

"In every scenario for achieving UK Net Zero that we have constructed, Northern Ireland would not get to Net Zero greenhouse gas emissions by 2050."

The letter also says:

"An 82% reduction in all greenhouse gases in Northern Ireland represents equivalent effort and a fair contribution to the UK Net Zero target."

The Committee goes further than that and says:

"A substantial reduction in output from Northern Ireland's livestock farming sector that goes beyond even the more stretching scenarios we have analysed."

Do you, Clare, accept the findings of Lord Deben's Climate Change Committee?

Ms Bailey: Thanks, William. Yes, I was present at the Committee when it presented to us. When I spoke to Lord Deben about the matter, he encouraged us to be more ambitious. He said he would welcome it if Northern Ireland wanted to be more ambitious. I have, hopefully, discussed a large part of what you are asking about in previous answers. The CCC has said that it has not taken into account GHG omissions in Northern Ireland simply because the baselines were not there. There is a lot to be looked at. I would never dismiss anybody's expert advice, but there are other reports and other bodies. We name three in the Bill. This is about the shifting sands and the speeding up of delivery that will happen. This framework Bill is about pulling those together and doing the best we can for Northern Ireland. I am not dismissing anybody's expert opinion or the work that has been put in, but we want to go further now and gather all the evidence in order to make sustainable and appropriate decisions.

Mr Irwin: Against the Committee's clear advice? Can I say —?

Ms Bailey: It is as well as, William, not against.

Mr Irwin: There is a big difference between what your Bill is asking for and what the Committee recommends. There is a vast difference. You have to accept that.

Ms Bailey: The Committee also pointed out where it has not brought in evidence and baselines.

The letter also stated:

"As new evidence on climate science, behaviours or low carbon technologies ... emerges and/or the UK's international climate commitments change, it may be prudent to tighten a 2050 target in Northern Ireland".

It also says:

"Northern Ireland's climate legislation should allow emissions reductions to go beyond our current assessment".

It is encouraging us and telling us to go beyond its current assessment. That is what we are trying to do in the Bill, and we will, of course, continue to work with the Committee on that.

It also stated:

"by requiring at least an 82% reduction" —.

Mr Irwin: I will read that paragraph again.

"In every scenario for achieving UK Net Zero that we have constructed, Northern Ireland would not get to Net Zero greenhouse gas emissions by 2050."

The letter says that was the case in every scenario that the Committee looked at.

Ms Bailey: Yes.

Mr Irwin: *[Inaudible owing to poor sound quality.]* If we in Northern Ireland have to reduce agri-food production and have massive job losses, in essence, that food will have to be imported to the UK from other regions such as Brazil, where they are cutting down rainforests. That contributes massively to global warming while our contribution to it is very small.

We all have to accept that we need to get our act together and reduce emissions. We all want that, and the agri-food sector wants to help to do that. However, do you not accept that reducing our food production and importing food from other countries that are contributing much more — massively more — to global warming than Northern Ireland would be not be wise?

Ms Bailey: I will use the example of the COVID crisis, when we saw imports of beef from Poland, and the Minister moved very swiftly to try to redress that. That is maybe just one example of how fast we can move to prevent that happening.

For dairy, for example, most of the places that could increase production are in western Europe or New Zealand, which are areas that already have very stringent environmental legislation. For meat, the risk is slightly greater.

As a developed nation, we have a responsibility to act and to do our best rather than to join Brazil in a race to the bottom. The leakage risk can be addressed by differentiating Northern Ireland products based on quality and environmental credentials. There will be opportunities for the agriculture sector here to achieve net zero through marketing Northern Ireland-produced dairy and meat at a global level rather than challenging us to compete in a race to the bottom.

We do not know what trade deals may or may not bring in the future, but we have good-quality standards here. Let us keep that market, build up some pride about it and not allow that situation to happen. I cannot imagine any Minister in Northern Ireland allowing it to happen. That recent example is a testament to that.

(The Chairperson [Mr McAleer] in the Chair)

Mr Irwin: Clearly, we have been told by the experts that, if we go as far as your Bill states, there will have to be a substantial reduction in livestock in Northern Ireland. That effect will pass to the agri-food sector and to jobs. It is a wide-ranging effect that needs to be looked at.

Has your Bill looked at rural needs? Has a rural needs assessment been carried out for your Bill? Has an economic impact assessment been carried out?

Ms Bailey: If it is OK, I will bring Amanda in on your point about rural needs.

Dr Slevin: Thanks very much, Clare and William. Through our intensive engagement process with our members, we have been very conscious of the need to consider rural and urban communities as we look at climate action. The Bill will mandate consideration of different communities and sectors and their needs in the formation of climate action plans. We are very conscious of the particular needs of different communities, and those will be mandated further through the development of climate action plans.

We have been focused on that and will continue to focus on it following the Bill's enactment and the introduction of subsequent climate action plans.

Mr Harvey: Thank you, Clare. I have many serious concerns about the Bill. Farms are for producing food, so if they produce less, where will the food come from to feed us? We export, so where will the export shortfall come from? Is this not just moving a concern elsewhere? I cannot see how reducing agri-production will help look after our world and feed our and other people. Clare, there is a bigger picture that we need to look at. I understand that there has always been climate change. We are conscious of that and are happy to address it but not to the extent of causing food shortages or poverty. We need to keep people as healthy as we can, but I am not sure that this is the way to do it. I know that, recently, the Minister introduced Forests for our Future and the green growth strategy, and we are aware that there is lots more to come. I will wait to see what he brings forward. Thank you, Clare.

Ms Bailey: Thanks for that, Harry. I cannot imagine that anybody in Northern Ireland will go hungry. We have a population of 1.8 million and produce enough food to feed 10 million. Talk about export markets is heading towards Brexit territory and the remit of the UK Government. I will bring in Philip to talk about food issues.

Mr Carson: One of the things that was highlighted in a number of reports and from the CCC is the role that dietary change can play in delivering climate *[Inaudible owing to poor sound quality]* and in contributing towards public health. The UK consumes double the amount of recommended animal protein. That is delivering negative health implications through dietary-related ill health as well as the associated health costs. There is a public health benefit in going towards a less-but-better approach to livestock production. There will always be a need for livestock production here. It is key for the nutrient cycle, managing our land for nature and contributing to carbon storage in some places, but we need to move towards a more sustainable system. The reduction in output does not necessarily have to be a bad thing for farm businesses. If you reduce output in line with the land's natural caring capacity, it reduces your input costs and makes your business more sustainable and robust. We are starting to see examples of farmers in Northern Ireland doing that, and they have become more profitable as a result. There are opportunities with that less-but-better approach to market ourselves and say, "Look. We are contributing towards net zero, we probably have the highest standards in the UK, and we are delivering health outcomes". That is the way that we need to go, and it is the way that farming systems across the world need to go.

The Chairperson (Mr McAleer): I thank the representatives for attending this morning. We will be heavily engaged in the scrutiny of the Bill for the next number of months. No doubt, we will be revisiting all the themes that were raised today. I understand, Clare, that you will now rejoin us as a member of the Committee.

Ms Bailey: I will do my best, Chair.