



Northern Ireland
Assembly

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and
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Assembly Members

Agnew, Steven (North Down)
Allister, Jim (North Antrim)
Anderson, Sydney (Upper Bann)
Attwood, Alex (West Belfast)
Beggs, Roy (East Antrim)
Bell, Jonathan (Strangford)
Boylan, Cathal (Newry and Armagh)
Boyle, Ms Michaela (West Tyrone)
Bradley, Dominic (Newry and Armagh)
Bradley, Ms Paula (North Belfast)
Brady, Mickey (Newry and Armagh)
Brown, Ms Pam (South Antrim)
Buchanan, Thomas (West Tyrone)
Byrne, Joe (West Tyrone)
Campbell, Gregory (East Londonderry)
Clarke, Trevor (South Antrim)
Cochrane, Mrs Judith (East Belfast)
Copeland, Michael (East Belfast)
Craig, Jonathan (Lagan Valley)
Cree, Leslie (North Down)
Dallat, John (East Londonderry)
Dickson, Stewart (East Antrim)
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Douglas, Sammy (East Belfast)
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Durkan, Mark H (Foyle)
Easton, Alex (North Down)
Eastwood, Colum (Foyle)
Elliott, Tom (Fermanagh and South Tyrone)
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Ford, David (South Antrim)
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Frew, Paul (North Antrim)
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Givan, Paul (Lagan Valley)
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McLaughlin, Mitchel (South Antrim)
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McQuillan, Adrian (East Londonderry)
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Nesbitt, Mike (Strangford)
Newton, Robin (East Belfast)
Ní Chuilín, Ms Carál (North Belfast)
Ó hOisín, Cathal (East Londonderry)
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Wells, Jim (South Down)
Wilson, Sammy (East Antrim)

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| | |
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Ministerial Offices

The Executive Committee

| | |
|--|----------------------|
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| Deputy First Minister | Mr Martin McGuinness |
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| Minister for Regional Development | Mr Danny Kennedy |
| Minister for Social Development | Mr Nelson McCausland |
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| Minister of Culture, Arts and Leisure..... | Ms Carál Ní Chuilín |
| Minister of Education..... | Mr John O'Dowd |
| Minister of Enterprise, Trade and Investment | Mrs Arlene Foster |
| Minister of the Environment | Mr Alex Attwood |
| Minister of Finance and Personnel..... | Mr Sammy Wilson |
| Minister of Health, Social Services and Public Safety..... | Mr Edwin Poots |
| Minister of Justice | Mr David Ford |

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| | |
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| Office of the First Minister and deputy First Minister | Mr Jonathan Bell |
| | Ms Jennifer McCann |

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Official Report (Hansard)

Assembly Sitings

Northern Ireland Assembly

Monday 10 September 2012

The Assembly met at 12.00 noon (Mr Speaker in the Chair).

Members observed two minutes' silence.

Assembly Business

Dr McDonnell: On a point of order, Mr Speaker. It is with great sadness that I have to raise a point of order with you, but, during recent weeks, the Minister for Social Development's reactions to events in north Belfast have brought the House into serious disrepute. The Minister failed to give full support to the upholding of law and order. To my mind, Minister Nelson McCausland has clearly breached articles 1.4 and 1.5 of the ministerial Pledge of Office. Mr Speaker, is there any way in which you can take some action and sort this situation out?

Mr Speaker: I thank the Member for his point of order. As he will know, as Speaker, I have no role in deciding whether the Pledge of Office, including even the ministerial code, has been breached by any Minister. The Member will know that these are complex and difficult issues. As Speaker, I have no role whatsoever in that. However, I will be keen to talk to the Member outside the Chamber about the complex issues to do with whether a Minister has broken the Pledge of Office or with his role as a Minister.

Dr McDonnell: Further to that point of order, Mr Speaker, I have discussed this issue with some of my colleagues, and we feel that this breach is very serious for the House. You rightly suggested that you do not have the authority on that matter, and we accept your wisdom on that. In that event, and because of the behaviour, we may have no option but to bring a motion of censure to the Floor.

Mr Speaker: Order. I listened intently to the Member, but, once again, I will say that these are complex matters. I say to all Members that, as Speaker, I have no role whatsoever in this issue. However, I am always keen to talk to Members outside the House on these issues, because they are complex.

Order. Before we proceed to today's business, I welcome Members back after the summer recess. As Members will know, I am so glad to see them in the Chamber this afternoon, and I also have a few announcements.

Budget (No. 2) Bill: Royal Assent

Mr Speaker: I wish to inform the House that the Budget (No. 2) Act (Northern Ireland) 2012 has received Royal Assent and became law on 20 July 2012.

Committee Membership

Mr Speaker: I have received the resignations of Mr Alban Maginness as Chairperson of the Committee for Enterprise, Trade and Investment and of Mr Joe Byrne as Deputy Chairperson of the Public Accounts Committee. Mr Patsy McGlone was nominated as Chairperson of the Committee for Enterprise, Trade and Investment and Mr John Dallat was nominated as Deputy Chairperson of the Public Accounts Committee, both with effect from 7 September 2012. Mr McGlone and Mr Dallat accepted the nominations. I am satisfied that the requirements of Standing Orders have been met and, therefore, confirm that the appointments took effect from 7 September 2012.

Matter of the Day

Michael McKillop

Mr Speaker: Mr Alban Maginness has been given leave to make a statement on the award given to Michael McKillop by the International Paralympic Committee (IPC), which fulfils the criteria set out in Standing Order 24. I recognise the huge success of many athletes from right across Northern Ireland who attended the Paralympic Games. I will be reasonably relaxed if Members want to widen the issue slightly, because I understand that there is a wider issue.

Members will be aware that I wrote to them on 3 July about changes to the arrangements for calling them to speak on matters of the day. I do not intend to revisit all the details of my ruling in the Chamber this afternoon. However, I remind the House that there will no longer be a speaking list at the Table. If other Members wish to speak, they should clearly indicate to me that they wish to be called by rising in their place and continuing to do so until they are called, as happens at Question Time. All decisions on who is called will be at my discretion. I will take a number of factors into account, as I always do. I do not expect most matters of the day to take much longer than they did before, but I have ruled that there will be a maximum time limit of 30 minutes.

Before I call Mr Maginness, I remind other Members who wish to be called that they should rise clearly in their place and continue to do so. All Members will have up to three minutes to speak. As I said, on this occasion, I will allow Members more latitude, within reason, to refer to the success of other Olympians. I will not take any points of order until the end. If that is clear, we shall proceed. The changes have come about because Members from various parties raised issues about getting the balance of business and party contributions right in the House. They have been made to streamline the business of the House as we enter the new session.

Mr A Maginness: I rise to speak about Michael McKillop and his extraordinary success at the Paralympics. I am also mindful of the many others from Northern Ireland who engaged in the Paralympics and, indeed, the Olympics. I have to say that they have done us proud. Their extraordinary efforts should be appreciated by all in the House. The courage and skill demonstrated and the entertainment and thrills that they provided us with are a matter of great celebration for all the people in Northern Ireland and in the House. I refer to not only Michael McKillop but to Jason Smyth, Bethany Firth and all those who won medals and participated in the Paralympics.

Michael McKillop is a lucky man: lucky because he lives in North Belfast and is one of my constituents. I know that Mr Ford has tried to claim him, but he has 200 metres of North Belfast to claim into South Antrim. North Belfast is a wonderful place, as we all know, because we have seen such extraordinary achievement from Michael McKillop — and, indeed, from Paddy Barnes, I hasten to add. It is a great honour for me, as a representative of North Belfast, to applaud the fact that Michael McKillop not only won two gold medals — he won both the T37 1,500 metres and 800 metres — but established himself as the world's greatest Paralympic middle-distance runner. Indeed, he had the honour of being presented with one of the gold medals by

his mother, Catherine, and, of course, his father Paddy has been a wonderful coach in his athletic endeavours.

Michael is an extraordinary person, and the extraordinary zeal that he has shown for the Paralympic movement has been recognised by the International Paralympic Committee, and he was rightly honoured last night in London. The London Olympics and Paralympics have been a wonderful success.

Mr Speaker: I remind the Member of the time.

Mr A Maginness: The House should congratulate Michael on the honour that he has bestowed on all the people in Northern Ireland and in Belfast.

Mr Campbell: On behalf of my party and, I am sure, the rest of the House, I join the honourable Member for North Belfast in paying tribute to Michael McKillop, who was an outstanding Paralympian, and the other athletes. We do not want to go round the houses to say how tremendous each constituency is. Having said that, it would be remiss of me to ignore the Chambers brothers and Alan Campbell, who were absolutely magnificent in the Olympics, as were Jason Smyth and Sally Brown in the Paralympics. We undoubtedly have much to be proud of. We all sat and watched with awe as the inspiring efforts of our Olympians and Paralympians brought success back to Northern Ireland. I understand that recognition for the athletes will be forthcoming, and that is right and proper.

Only a couple of days ago, the manager of the Russian football team, who was formerly a failed manager of England, Fabio Capello, when talking about the forthcoming match against Northern Ireland, said:

“Sure it is only Northern Ireland”.

Well, it is only Northern Ireland that has the best Paralympian in the world in Jason Smyth, and it is only Northern Ireland that has the greatest boxers, rowers and other athletes from across the Province. We pay tribute to them, and we are exceptionally proud of them all.

Mr Speaker: I ask Members to continually rise in their places. There is a keen interest in this subject, and if Members continually rise, we will try to get all Members in.

Mr Ó hOisín: Go raibh maith agat, a Cheann Comhairle. I concur with what the previous Members have said and congratulate Michael McKillop on winning the Whang Youn Dai achievement award for the most outstanding Paralympic athlete of the games. Yesterday's all-Ireland hurling final brought together a wonderful summer of sporting achievement right across the island. It was a remarkable achievement for Team Ireland to win eight gold, three silver and five bronze medals. I think of Jason Smyth from my own neck of the woods who, of course, won double gold to follow the two that he had from Beijing.

I commend the Minister for putting together a reception this week. I wish her well after her recent hospitalisation and hope that she will make it on Thursday. I hope that Members here will attend the event in the Building on Thursday evening to mark the achievements of all the Olympians right across the board.

12.15 pm

There are also many who took part and did not win gold, and I congratulate them for their achievements. I think

particularly of Sally Brown from Ballykelly. Last week was a very historic week for Ballykelly. Sally, of course, is the granddaughter of Brian Brown, who was a councillor of ours in Limavady Borough Council.

In fairness, perhaps this summer has changed people's attitude to sport. Particularly, and I heard this repeated on the radio this morning, it has changed people's attitude to disabilities. People have seen remarkable disabled athletes achieve goals that, a few short years ago, would have been beyond their reach. The House should join together and congratulate those people and mark that this week.

Mr Swann: On behalf of the Ulster Unionist Party, I congratulate all our Paralympic and Olympic medal winners. I had the privilege to meet Michael McKillop at the LOCOG Inspire event held here in the Northern Ireland Assembly earlier in the year, and I had the chance to speak to him about his commitment to the positive promotion of Paralympic sports. He carries that to schools and community organisations throughout Northern Ireland. What I found especially significant with Michael was his unassuming, humble approach to his achievements. That night, he could not understand why he had even been invited here, never mind being on the stage. When Michael reflects this morning, he can look back at his two gold medals — a T37 1,500 metres gold medal and the world record and a T37 800 metres gold — and the fact that he was given the special award for male athlete who best exemplified the spirit of the Paralympics at the games in London. Having met Michael, I am under no illusion that he is well deserving of all those medals and the accolades.

Like Members who spoke previously, I add my congratulations to all the competitors who took part in the Paralympic and the Olympic Games. I also commend the game makers from Northern Ireland who went across to London and volunteered in various capacities to make the event the success that it was. There was a large commitment in dedication and time from people from Northern Ireland to make the Olympics the true success that we have seen.

Mr Ford: I join in the congratulations to Michael and to all our Paralympians and Olympians. I echo the words that were said by nearly every Member of the House, apart from the nasty border war that Alban Maginness was attempting to wage with me. The key thing, and why he quite correctly highlighted Michael McKillop, is not just the issue of the medals or taking part, but the fact that Michael was recognised as truly embodying the Paralympian spirit, and that is a very significant statement for this society as a whole, not just for him. I remind Alban Maginness that, although the Sandyknowes area of Newtownabbey may currently be in North Belfast, he acknowledged that it is by only 200 metres, and we all know how quickly Michael McKillop could cover that if he wanted back into South Antrim.

On a serious point, as somebody who, in a past life, was a senior social worker in Newtownabbey and worked with groups assisting people with disabilities, it is a huge statement that one of ours achieved that award for embodying the spirit. It is recognition not just of what Michael and his family have done, which is clearly significant, it is also something in which all those involved in working to assist people with disabilities across Northern Ireland can take pride, especially those in

Newtownabbey. Although we should recognise that the achievement of that special award is a victory for all of us, it is clearly a victory most particularly for Michael and his family, and it is something that we should all take pride in.

Last night, Lord Coe said that the Paralympic Games had changed the way in which we relate to disability. If that is the lasting legacy for all of us, that is something that will be truly worthwhile.

Ms P Bradley: I congratulate all the Olympians and Paralympians from Northern Ireland. From the very moment when we stood out on the steps on the Sunday morning when the torch came up to Stormont right through until the closing ceremony of the Paralympics last night, I was drawn in and truly addicted to it over those wet, horrible weeks in August. I especially want to speak as a Member for North Belfast and as someone who grew up in Glengormley, someone who represents Glengormley, someone who lives in Glengormley and someone who was the mayor of Newtownabbey and met Michael on several occasions. What a wonderful young man and what a wonderful ambassador for Paralympic sport in Northern Ireland and, of course, Newtownabbey. I offer him my wholehearted congratulations. I look forward to the homecoming party that he deserves when he arrives back in Glengormley.

Mr McNarry: I thank the Member for North Belfast for bringing the matter to us. What a way to start our new session, all together as we should be. Is it not wonderful how sport is the equaliser that brings us together?

I want to mention a couple of things. Having watched the faces of the athletes — just to be on the track; just to be in the auditorium; just to be doing whatever they were there to do — I can tell you that, for me, their expressions sold everything. In fact, at times, they really put me to shame, in that I did not recognise the disability that they had and how they were overcoming that. When I watched people play football, with a bell to direct them towards the goal, I said, "That is just astounding." We saw how people have overcome their disability to the best of their abilities and made the best out of them.

I will touch on the legacy. Much has been said about the legacy that the games will bring. Northern Ireland, on top of its victorious achievements, should now be laying claims for that legacy to make sure that we get a part of it and that funding is assured for the future. We end the games by looking forward to Rio de Janeiro in Brazil.

Finally, I say that we are a great country, Northern Ireland. We bump into people all over the world, holding positions in many, many spheres, who we can relate to because they come from a village or town or city that we were born in or know well. We have done well in these sports, at international and national level. I am very proud of all who took part and hope that they get the welcome they deserve. I hope that we remember what they have laid down for the young people coming after them. We have so much to look forward to.

Thank you, Mr Speaker, for allowing the matter to be heard today.

Miss M McIlveen: Like other Members, I thank the Member for bringing forward the matter on the achievements of Michael McKillop. Those of us who were gripped by the Paralympics over the past couple of

weeks were no doubt amazed at the victory over adversity that those who took part displayed. The efforts and achievements of Michael are certainly deserved in earning him the accolade of male athlete who best exemplified the spirit of the games. Michael utterly dominated both his races, but in his post-race interviews was truly magnanimous and gracious in victory, paying tribute to his fellow racers.

Although the Matter of the Day concerns the award conferred upon the Glengormley resident, I pay tribute to all the athletes from Northern Ireland who played a full and determined part in what was probably the best Olympic and Paralympic Games that I have ever seen. I thank James Brown, Sally Brown, Eilish Byrne, Bethany Firth, Laurence McGivern, Jason Smyth, Sharon Vennard, Paddy Barnes, Michael Conlon, Hannah Craig, Martyn Irvine, David McCann, Iain Lewers, Lisa Kearney, Alan Campbell, Richard and Peter Chambers, Ryan Seaton, Matt McGovern, James Espey, Syckerika McMahon, Melanie Nocher, Na Liu, Aileen Morrison and Gavin Noble for entertaining and inspiring all of us. They were all ambassadors for Northern Ireland on a world stage.

From the opening ceremony of the Olympics, when the Phil Kids' Choir sang on the Giant's Causeway, to Sir Kenneth Branagh's portrayal of Isambard Kingdom Brunel and Dame Mary Peters passing the torch to Katie Kirk to light the cauldron while Alex Trimble sang, through to the presentation of Michael McKillop's award, Northern Ireland was front and centre at the beginning, middle and end of both games. I pay tribute to the coaches, volunteers, schoolchildren, games makers and others from Northern Ireland who contributed to the outstanding success of London 2012, and, of course, all who made these the greatest Olympic and Paralympic Games.

Mr Speaker, I realise that the further achievement this weekend of Rory McIlroy should not go unmentioned and unrecognised. Yet again, he has made sure that Northern Ireland is at the centre stage of sporting success.

Mr McClarty: All of us have something in common this morning — all of us are back to school. However, we are also suffering from withdrawal symptoms from the Olympics and, latterly, the Paralympics. There were fantastic events on the world stage, and the Northern Ireland athletes proved themselves equal, if not more than equal, to others from around the world. I am talking not only about the medallists from Northern Ireland, but all the competitors, because even to achieve Olympic standard is a tremendous achievement for any athlete. Of course, I particularly think of the athletes from my own constituency. I remember particularly well standing in a church hall with the MP for the area and then at the Diamond watching our rowers bring honour and glory. They showed the real Olympic spirit. I think particularly of Alan Campbell who was on the point of exhaustion and was willing and able to give his very last to achieve his bronze medal.

I want to pay tribute to not only the athletes, Mr Speaker, but to their parents and families. They have made tremendous sacrifices over the years for their sons, daughters or whomever. Those people are not used to the limelight, but they had microphones thrust under their nose, and they represented Northern Ireland to the very best when they had to comment on national television.

Assembly Business

Extension of Sitting

Mr Speaker: I have been given notice by members of the Business Committee of a motion to extend today's business beyond 7.00 pm. Under Standing Order 10(3A), the Question on the motion will be put without debate.

Resolved:

That, in accordance with Standing Order 10(3A), the sitting on Monday 10 September 2012 be extended to no later than 7.30 pm. — [Lord Morrow.]

Committee Business

Committee Membership

Mr Speaker: As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Declan McAleer replace Ms Michaela Boyle as a member of the Committee for Agriculture and Rural Development; that Ms Rosie McCorley replace Mr Pat Sheehan as a member of the Committee for Culture, Arts and Leisure; that Mr Chris Hazzard and Mr Pat Sheehan replace Mr Phil Flanagan and Mr Daithí McKay as members of the Committee for Education; that Ms Sue Ramsey replace Ms Jennifer McCann, and that Ms Maeve McLaughlin be appointed, as members of the Committee for Enterprise, Trade and Investment; that Mr Barry McElduff replace Mr Chris Hazzard as a member of the Committee for the Environment; that Ms Megan Fearon be appointed as a member of the Committee for Finance and Personnel; that Ms Maeve McLaughlin be appointed as a member of the Committee for Health, Social Services and Public Safety; that Ms Rosie McCorley replace Ms Jennifer McCann as a member of the Committee for Justice; that Ms Megan Fearon and Ms Bronwyn McGahan replace Mr Francie Molloy and Ms Caitriona Ruane as members of the Committee for the Office of the First Minister and deputy First Minister; that Mr Declan McAleer be appointed as a member of the Committee for Regional Development; that Mr Phil Flanagan be appointed as a member of the Committee for Employment and Learning; that Ms Caitriona Ruane be appointed as a member of the Assembly and Executive Review Committee; that Mr Francie Molloy replace Mr Alex Maskey as a member of the Committee for Standards and Privileges; that Mr Phil Flanagan replace Ms Sue Ramsey as a member of the Committee on Procedures; that Mr Daithí McKay be appointed as a member of the Public Accounts Committee; and that Mr Gerry Kelly be appointed as a member of the Business Committee. — [Mr McCartney.]

Mr Speaker: We now move to the second motion on Committee membership. Again, this will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Sean Rogers be appointed as a member of the Public Accounts Committee; and that Mr Alban Maginness be appointed as a member of the Committee for Enterprise, Trade and Investment. — [Mr P Ramsey.]

Mr Speaker: I know that this is the first day back, but the “ayes” need to be a wee bit louder.

Ministerial Statements

British-Irish Council: Misuse of Drugs

Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister): Mr Speaker, in accordance with the requirements of the Northern Ireland Act 1998, I wish to make the following report on the eighth British-Irish Council ministerial meeting on the misuse of drugs, which was held in St Helier, Jersey on Friday 29 June 2012. Junior Minister Jennifer McCann MLA and I represented the Northern Ireland Executive at the meeting.

12.30 pm

Deputy Anne Pryke, Jersey's Minister for Health and Social Services, hosted the meeting. Jersey was also represented by the Minister for Home Affairs, Senator Ian Le Marquand, and the Assistant Minister for Health and Social Services, Constable John Refault. The Irish Government were represented by the Minister of State with responsibility for primary care, Ms Róisín Shortall TD, who chaired the meeting. Lord Henley, Minister of State for Crime Prevention and Antisocial Behaviour Reduction, represented the UK Government. Guernsey was represented by the Minister of Home Department, Mr Jonathan Le Tocq. The Isle of Man was represented by Honourable Juan Watterson MHK, Minister for Home Affairs. Ms Roseanna Cunningham, Minister for Community Safety and Legal Affairs, represented the Scottish Government. Finally, the Welsh Government were represented by Ms Joanna Jordan, director of corporate services and partnerships at the Health, Social Services and Children Department.

The main thematic discussion at the meeting focused on ‘Young people and drugs — breaking the cycle’. During the discussion, Ministers shared evidence in relation to the trends in drug use among young people, and it was agreed that there is a need for an improved understanding of how the attitudes and behaviours of young people change and develop, as that is important in optimising the success of any interventions. Ministers agreed that the promotion of healthier lifestyle choices for young people through an improved focus on personal development and life skills is the key to breaking the cycle of substance use.

A graduated approach to prevention and education measures was favoured, ranging from universal approaches aimed at the general population, such as consistent education in the school setting and public information, to taking more targeted approaches, such as brief interventions and assertive outreach, aimed at those who are at greater risk. The importance of providing timely, age-appropriate treatment and support to young people who use drugs was discussed, together with alternative options other than incarceration for dealing with young offenders.

Discussions also focused particularly on how drug misuse can affect families and especially on addressing the increased risks for children in families that are experiencing problem substance use. The need for referral procedures across all service providers to ensure early and appropriate interventions for members of such families was also highlighted.

Concluding this section of discussion, the Council agreed on the importance of endeavouring to provide opportunities and experiences for young people that would lessen the likelihood of their becoming involved in drug use, as well as dealing with such issues for this age group in a way that increases the chances for long-term drug-free living.

During the meeting, Ministers also took the opportunity to discuss the use and misuse of alcohol in their jurisdictions. We exchanged information on the extent of problems relating to alcohol and the various approaches that are being taken to address the issues, including through legislative measures being explored in a number of member Administrations. Following the discussion, Ministers agreed that the use and misuse of alcohol should be included in the work of the British-Irish Council. Given the nature of alcohol use across the jurisdictions, we consider that this is a very positive and useful development.

We also reviewed the recent work carried out by the British-Irish Council in the area of the misuse of drugs. This included the summit meeting that took place in Dublin in January this year, where heads of Administrations and Ministers discussed 'Recovery from problem drug use' and agreed to encourage a renewed focus on recovery and to share successful approaches in that regard.

The 2012 programme also covered issues such as developing methods of assessing the progress of local drugs programmes to inform what is a wider policy development; the development and implementation of naloxone programmes to reduce deaths from opiate overdoses; and issues around the misuse of prescription drugs, in particular benzodiazepines.

It was agreed by Ministers that the meetings had provided a useful forum for sharing the detailed expertise and knowledge of those involved in the drugs sector across the British-Irish Council area. It was also noted that, in addition to exploring specific themes in depth, each meeting had facilitated the exchange of information on wider policy developments and initiatives.

We agreed that the work programme for 2013 would include sectoral group meetings on the misuse of drugs in Scotland, the United Kingdom, Guernsey and Ireland. That will help to continue the development of the formal and informal links that have built up between the Administrations to the benefit of the effort against drug misuse in all jurisdictions.

It was agreed that the next ministerial meeting of the work stream would be in late 2013.

Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):

I thank the junior Minister for his update on this important work. I go back to paragraph 11: did the junior Minister sense a meeting of minds from delegates on the issue of alternatives to incarceration? I have the impression, for example, that the tradition on the Isle of Man is what we might call a rather punitive physical intervention regime.

Mr Bell: In the criminal justice system, the 'New Strategic Direction for Alcohol and Drugs: Phase 2' outlines all the actions that we will take to reduce the harm related to alcohol and drug misuse, and the Northern Ireland Department of Justice has significant input to addressing alcohol- and drug-related offending. Through the 'New

Strategic Direction for Alcohol and Drugs: Phase 2', a number of planned actions will assist offenders to overcome drug and substance misuse. They will include substance misuse programmes for those who are on probation and those in prison. It involves local policing and community safety partnerships working closely with drug and alcohol co-ordination teams to address substance misuse behaviour in communities. It includes the roll-out of a regional initial assessment tool into other sectors and the development of that tool as the first point of contact for all our agencies that work with young people so that they can identify, intervene early and signpost to the appropriate agencies so that young people can get the help that they need. It involves community organisations working in prisons to deliver psychological and educational programmes to all offenders, and it ensures that there is a continuum of treatment and support for those who are leaving prison and returning to the community and access to addiction services in the three custody suites. Those are the targeted measures that we will use to help young people to come through drug dependency and, in many cases, alcohol and drug dependency.

Mr Humphrey: I thank the junior Minister for his statement. He is quite right that early intervention is the key to this, and I agree entirely with him. The Minister will be aware that today is world suicide prevention day. He has visited my constituency of North Belfast and met those involved in trying to prevent the spread of the awful scourge of suicide, so he will know that a joined-up approach is —

Mr Speaker: I encourage the Member to come to his question.

Mr Humphrey: The connection between drugs, drink and suicide is well known. Does the Minister agree with me that the work of organisations such as FASA and church youth organisations is key to a resolution and that, as the Health Minister said this morning, a joined-up approach is absolutely essential?

Mr Bell: The Member raises two key points: joined-up working and early intervention. I am more than happy to place on record our thanks to the people in his constituency and to the churches and youth and community organisations, many of which work on an entirely voluntary basis, who work hard to give young people the opportunity, through, first of all, prevention and, secondly, early intervention, to receive the help that they need. It is important that we have targeted initiatives for those most at risk, including reaching out to the children and young people in North Belfast, Strangford and, I am sure, in all our constituencies who are not in education, employment or training. I pay tribute to those organisations and to all the organisations working across the constituencies, including my constituency of Strangford, where we have North Down Community Assistance, Scrabo Residents Association and Ards Community Network, which worked in the Bowtown estate to transform murals and to ensure that young people got a positive message about abstaining from drug use. All those organisations deserve tremendous credit.

As I said in my statement, the important thing, in my view, is that the health and social care family has developed a regional initial assessment tool. That allows all those non-specialist workers to screen and assess a young person's drug and alcohol misuse, provide an initial intervention and signpost him or her to the correct service. That tool

has been piloted and evaluated in the youth justice sector, and work is under way to roll it out across all the sectors: social services, education and the police. Over the past two years, the Public Health Agency has piloted the one-stop shop initiative to support young people around substance misuse.

As the Member for North Belfast pointed out, in his constituency, which is, in many ways, no different from all our constituencies, not only do young people have issues with substance misuse but there is the very serious issue of suicide. That is a priority for Jennifer McCann and me. Those of us who have worked with young people and lost some of them in our previous careers in social services know the impact that suicide has on social workers, the family, the loved ones and the surrounding families. However, there are also the issues of self-harm and mental health and well-being, and different pilot sites have been established in rural and urban areas. Each has taken a slightly different approach, but the initiative will be rolled out across Northern Ireland, and it will recognise that the misuse of drugs is often linked to the misuse of alcohol, self-harm and poor sexual and mental health.

Also as part of phase 2 of the new strategic direction, a range of local low-threshold counselling and mentoring services for children and young people is being commissioned and made available across Northern Ireland. Prevention is key, but it is key not only that we invest in services to prevent young people from engaging in substance misuse but that there is early intervention and a treatment and support service. I pay tribute to the local low-threshold counselling services, which are often the very first point of contact in the health service for children and young people with substance misuse issues.

Mr Molloy: Go raibh maith agat. I thank the Minister for his statement and answers so far. Given that the meeting focused on the issue of young people and drugs and breaking the cycle, what steps are the Executive taking to ensure not only that there is early intervention but that the signs of drugs misuse that the general public, schoolteachers and others can pick up on are reacted to? There should be a process that young people, particularly those at school, can go through to get support and intervention without being criminalised.

Mr Bell: The Member raises some important issues. There is a co-ordinated approach, initially with the Department of Education but also involving the Department of Health and the Department for Social Development. The key strategy that runs through all of this is the new strategic direction. As the Member states, it is important — the Executive are focused on recognising this — to realise that children and young people can be susceptible to the harm related not just to their own substance misuse but to that of others. We have to realise that a number of our young people have carers and parents who live with substance and alcohol misuse. It must be recognised that each individual has their own needs and will require a different approach from that taken with adults to address those needs.

12.45 pm

Therefore, two themes are being taken forward through the Executive: one is the theme of adults and the general public, and the second is that of children, young people and their families. As the Member alluded to in his question, the age of initiation can be critical. There is

evidence that, sometimes, the earlier the young person starts drinking, the more likely they are to have serious alcohol problems later in life. Therefore, the focus on prevention work is being carried out to target a range of groups and through a wide spectrum of organisations, including not only the schools but the Youth Service and the wide body of community organisations that exist. However, a significant proportion of it is being taken forward in education settings. There is also a new focus on increasing the emphasis on developing and promoting prevention work in community settings, particularly for groups that are termed “hard-to-reach” and areas that are described as “disadvantaged”.

The Member asked for specific initiatives. The key initiatives include the roll-out of the adapted school health and alcohol harm reduction project, which many Members will know as SHAHRP, in Northern Ireland. That project has already shown effectiveness in reducing alcohol-related harm among schoolchildren in Northern Ireland, and alcohol and drug misuse remain mandatory elements of the school curriculum in Northern Ireland, as part of the wider personal and social development agenda.

Mr Eastwood: I thank the junior Minister for his statement. Has he or his Executive colleagues given any more thought to minimum pricing for alcohol?

Mr Bell: Yes. Minimum pricing for alcohol remains a very live subject that is under discussion. That is because of the significance of alcohol misuse to us in Northern Ireland. The research that we are looking at has shown that it costs up to £900 million a year and is a much bigger issue than drug misuse. I repeat: the cost of alcohol misuse is £900 million a year in Northern Ireland. The issues of particular concern are, as the Member says, first, how the alcohol is priced and, secondly, how it is promoted. Research has shown that alcohol is 62% more affordable today than it was more than 30 years ago in 1980 and that, as the relative price of alcohol falls, its consumption and misuse increase. The Department of Health, Social Services and Public Safety and the Department for Social Development have been following developments in this area. In 2011, the Departments issued a joint consultation on the principle of introducing a minimum unit price in Northern Ireland, and they continue to work together on the issue. They are keen to assess and establish the impact that minimum unit pricing is likely to have in Northern Ireland. They are commissioning research to model the likely effect of minimum unit pricing in Northern Ireland, and that will help to inform the future decision in that area. I understand that we are also looking at the issues with colleagues in the Republic of Ireland.

Mr Lyttle: I thank the junior Minister for his update on the work that is being undertaken. What is his assessment of the extent and type of drug and alcohol misuse among young people and others in Northern Ireland? What practical and legislative measures are being explored in other British and Irish Administrations to address the misuse of alcohol in particular?

Mr Bell: It is important to note that, in Northern Ireland, the majority of our young people do not take drugs and that most of those who take those substances have done so recreationally. I do not like to use that term, as it can be misleading and lead to a false impression. In my view, any time that you take drugs, there is potential for harm. However, many of the young people who have

experimented have not gone on to develop addiction or suffer significant harm. That having been said, as I know from my social work experience, there are many cases where young people have been at the very onset of starting to take drugs and have suffered severe health effects as a result. The message should go out to young people that there is no harm-free option in experimenting with drugs.

As the Member knows, drug misuse is only one issue that faces many of our young people. Alcohol misuse, obesity, sexual health, mental health, peer pressure and bullying all have an impact on our young people. However, research from surveys that have been carried out shows that Northern Ireland seems to be reaching something of a plateau in levels of drug misuse. We have real concerns about more young people involving themselves in drug use with the emergence of what are sometimes known as “new psychoactive substances” and sometimes mislabelled as “legal highs”. I say that they are mislabelled as “legal highs”, and I refer anybody who uses that term to the Medicines Act, which shows that it is illegal to provide drugs of that nature for human consumption. We need to avoid using the term “legal highs” or even dressing them up as “new psychoactive substances”. These are drugs that are harmful, and young people appear to be using them, but, to answer the Member’s question directly, overall drug misuse seems to be reaching something of a plateau. In my assessment, cannabis remains the main drug of misuse for our young people. Some 69% of the under-18s in treatment recorded cannabis as their main drug. Mephedrone is having an impact, with 17% recording that as their drug of misuse. Thankfully, we have very low numbers of under-18s either reporting the use of or seeking treatment for the use of heroin and cocaine. In addition, we see very low numbers of under-18s who are injecting any drugs.

As has been said by a number of Members, alcohol misuse among our young people remains the most prevalent issue for us to deal with. Some 46% of pupils report having taken an alcoholic drink, and of those who have had an alcoholic drink, 49% were aged 13 or under when they had their first drink. However, I am pleased to report that some progress is being made on reducing the percentage of young people who get drunk, which has fallen from 33% in 2003 to 23% in the last figures that I looked at, which are for 2010.

Overall, it is important that we do not overplay the figures or underplay the issue. Many young people will suffer real and lasting harm from drug use. There is no room for complacency. We need to provide a range of services from prevention through to intervention and treatment services to support our young people not to use drugs in the first place and to assist them in their recovery when they do.

Mr G Robinson: I thank the junior Minister for his statement. Will he outline whether any proposals were made to ensure that local police forces work closely together to combat drug trafficking in the United Kingdom?

Mr Speaker: That is an example of a very focused question.

Mr Bell: Essentially, what has been done in police forces right across the jurisdictions is to focus on sharing good practice. Secondly, there is a focus on the fact that, as I said, it is not an issue for the police and the criminal justice system alone, although, when young people go on probation or are incarcerated as a result of a sentence,

there is a co-ordinated approach to ensure that the cycle of addiction is broken, not only while they are in prison but when they are out of prison, through a continuum of progress. The focus was on multidisciplinary working, and that included the police services.

Mr Kinahan: I thank the junior Minister for his statement, which is on a hugely important matter. I remind him that, in what he is saying, there is too much on strategy, research, developing methods and informing wider policy, and there is a danger of referring to it as waffle again. We want to see actions, timelines and targets.

I will get to my question. Page 3 of the statement mentions legislative measures being explored in other Administrations. I think that that is also what Mr Lyttle was asking about and did not get an answer to. What other legislative measures are there or have been mentioned?

Mr Bell: Nothing was specifically identified as new legislation, as I recall. I will avoid point scoring because I think I have shown the clear and new processes that are taking place in dealing with young people. You may regard the work that is done on the school health and alcohol harm reduction project that I outlined as waffle, but I can assure you that, if you were to listen to the young people and schools in south Antrim, they would tell you, as they are telling me in Strangford and across Northern Ireland, that the school health and alcohol harm reduction project has already been shown to be effective in reducing alcohol-related harm in schoolchildren in Northern Ireland. If you had been listening, you would have heard that alcohol and drug misuse remain mandatory elements of the school curriculum in that part of Northern Ireland. If you had been listening, you would have heard the targeted initiatives that reach out to young people not in education, employment or training. If you had been listening, you would have heard the specific information on the regional assessment tool, which gives the non-specialist workers the opportunity of interventions and signposting to the correct service, and that that tool had already been piloted and rolled out across other key sectors like social services, education and the police. If you had been listening, you would have heard that the Public Health Agency has been piloting the one-stop shop initiative, which helps young people around substance misuse. If you had been listening, you would also have heard that it was helping with suicide, self-harm, mental health, sexual health, relationship issues, resilience and coping skills. You would also have heard, had you been listening, of the low-threshold counselling that has been rolled out across Northern Ireland. It is important that people, even those in their castles, do not refer to waffle when they look down but think for a second of the poor man at the gate dealing with families and children, and, instead of party political point scoring, focus on what has already delivered success to young people in Northern Ireland.

Mr Allister: I was listening, and I heard the Minister dodge the essence of the question from Mr Nesbitt, so can I take him back to that matter? What are these alternatives to incarceration? Fuzzy, liberal talk about alternatives to incarceration comes very easily, but what are the alternatives that have been discussed? Do they involve any element that is punitive, so necessary for deterrence? The Minister likes to cultivate a persona of being tough on crime, so let us hear from him. What are the alternatives to imprisonment for young offenders that he is thinking of?

Mr Nesbitt: Hear, hear.

Mr Bell: Mr Nesbitt said “Hear, hear”; I do not know whether he is proposing the model of flogging people. The TUV leader seems to act as the plenipotentiary for the absent Ulster Unionist leader on so many occasions. I do not know whether they are talking about bringing people out and flogging them. The Ulster Unionist leader was talking about the Isle of Man: I am not sure what those initiatives were. Certainly, I spoke to people on the Isle of Man at the weekend about the initiatives that have taken place there, but, if it is now the TUV/Ulster Unionist policy to want people to be brought out and publicly flogged, it is up to them to defend that argument. I am interested — *[Interruption.]*

Mr Speaker: Order.

Mr Bell: If the TUV and Ulster Unionists want to go out and advocate public flogging, I think they will find themselves as embarrassed as they are now, which means they are trying to get out from their sedentary positions — *[Interruption.]* Look: those who are serious — and I mean serious — about helping young people avoid harm know that we have to do a number of things. First, we had to establish the regional assessment tool. We had to make sure that, whether you live in Dungannon or Ballyhalbert, when you come forward to the health service you can have a proper assessment, and that assessment could often direct you to counselling services that would prevent you going into a criminal career of drug misuse. That is the key. The second initiative, if you had been listening —

1.00 pm

Mr Allister: Drug misuse —

Mr Speaker: Order.

Mr Bell: You and Mike can go and argue all you like that you want people publicly flogged in the streets — *[Interruption.]* He will be more embarrassed than you are, and that might be hard — *[Interruption.]*

Mr Speaker: Order.

Mr Bell: The initiatives are not about scoring points, Mike. They are not about flogging people in the centre of Newtownards. The initiatives are about a one-stop shop: young people getting the help where they need it; getting the pressure taken off them that has led many of them to attempt suicide and self-harm; getting help for their mental health and well-being and for the threat to their sexual health; and assistance with their relationships, resilience and coping skills.

I may not have spoken to them all, but I have spoken to many across Newtownards and right across the north, south, east and west of this Province. It may disappoint Mike Nesbitt and Jim Allister, but the focus of the Northern Ireland people is to assist young people, to intervene early, to give them the treatment that they need, to get them help when they fall into the criminal justice system and to ensure that they get help on a continuing basis when they come through the criminal justice system and out the other end, so that they can maintain their treatment and prevent recidivism. There is not a single person anywhere that I have travelled who goes for the Allister/Nesbitt approach of hang them and flog them in public.

Mr Nesbitt: On a point of order, Mr Speaker.

Mr Speaker: A point of order from Mr Nesbitt, before we move on.

Mr Nesbitt: Will the Speaker go back over Hansard and contrast the words of the junior Minister to my words? He is making a connection that does not exist.

Mr Allister: Further to that point of order —

Mr Speaker: Let me deal with that point of order first. As the Member will know and I have said in the House on many occasions, I do not sit as an arbitrator in how a Minister might answer a question, but I am happy to look at Hansard for you. I call Mr Allister.

Mr Allister: I am obliged, Mr Speaker, and I am sure that you are anxious that no one is misrepresented. The Minister was asked a very simple question: what is he advocating as an alternative to imprisonment? We listened, and we heard no answer, because he has no answer. Instead, he seeks to misrepresent what I said, which was not “Let’s flog them”; it was “What is your alternative to imprisonment?”.

Mr Speaker: Order. Let us move on. Once again, as in a lot of these debates, I see it as the cut and thrust of debate. Members need to be continually reminded to be of good temper and show moderation in the Chamber. That goes for Ministers as well. Let us move on.

Mr Bell: On a point of order, Mr Speaker. Can we also hear from the Ulster Unionist leader what he referred to when he talked about the excessive physical punishment on the Isle of Man?

Mr Speaker: Order. I am not prepared to open the debate again. Let us move on, but I will look at Hansard and come back to the Member directly.

North/South Ministerial Council: Agriculture

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a Cheann Comhairle. With your permission, Mr Speaker, I wish to make a statement in compliance with section 52 of the 1998 Act, regarding the seventeenth meeting of the North/South Ministerial Council in agriculture sectoral format, held in Armagh on Wednesday 25 July 2012.

(Mr Principal Deputy Speaker [Mr Molloy] in the Chair)

The Executive were represented by Minister Sammy Wilson MP MLA and me. The Dublin Government were represented by Simon Coveney TD, Minister for Agriculture, Food and the Marine, and Phil Hogan TD, Minister for the Environment, Community and Local Government. Minister Coveney chaired the meeting. This statement has been agreed with Minister Wilson, and I make the statement on behalf of us both.

The Council discussed recent developments and next steps in the CAP reform process and noted the possibility that an EU agreement may be reached during the Irish EU presidency in the first half of 2013. The Council further noted the strong commonality between Agriculture Departments on the main issues. Ministers discussed the need for a sufficient period of transition towards flat-rate area payments and the importance of regional flexibility in implementing CAP proposals. It was also agreed that Ministers should host a joint CAP-themed event at the national ploughing championships. As the process develops, Ministers and officials will maintain close contact, with a view to maximising benefits for farmers and rural communities right across the island.

The Council noted that on 12 June the EU Council of Ministers agreed a general approach on proposals for a basic common fisheries policy (CFP) regulation and the Common Market organisation regulation. The Danish Presidency has also submitted a progress report for the EU Council to note on a proposal for a European maritime and fisheries fund regulation. The EU Council's agreed proposals for reform of the common fisheries policy will be considered by the European Parliament, and a final CFP reform package is likely to be agreed during the Irish Government's presidency in 2013.

Ministers agreed that officials from the two Agriculture Departments will remain in close contact to ensure that shared aims for fisheries reform are represented to the greatest extent possible in the final agreement.

Ministers discussed recent developments and opportunities in international trade, including the agrifood industry's strong record of export-led growth making the sector well placed to exploit opportunities for increased global trade. Ministers also discussed prospects for developing agrifood links between China and Ireland in areas such as animal health, equine studies and research and trade.

The Council welcomed progress on the delivery of the all-island animal health and welfare strategy action plan, including the submission to the EU by both Agriculture Departments of the applications for Aujeszky's disease-free status, with the aim of having both applications considered at the EU Standing Committee on Food Chain and Animal Health meeting; the hosting of an international vaccination experts' scientific symposium in May 2012 in

Belfast, which considered the potential that vaccination could play in the eradication of bovine TB; further liaison between officials during discussions on the proposed new EU animal health law; and a successful joint cross-border mapping exercise called Exercise Mirrormap, which took place on 29 February 2012. Ministers also looked forward to receiving a further progress report at their next meeting.

The Council noted a progress report provided by the plant health and pesticides steering group on the implementation of its work programme, including an informal meeting in February 2012 to discuss potato and ornamental pests, surveys and the review of EU plant health legislation and two forestry meetings held in March 2012; facilitation, under the research agendas of the two Agriculture Departments, of a number of research projects, including projects on potato blight, blackleg and phytophthora ramorum, and the collaboration on the EUPHRESKO project on current and emerging phytophthora — I probably said that wrong — species; preparations for a trilateral meeting with the Food and Environment Research Agency to discuss areas of mutual concern, particularly the EU reform of plant health legislation; and agreement to establish an early incident warning protocol in relation to measures to control pesticide use.

The Council also welcomed the significant and ongoing cross-border co-operation to deal with the challenges posed by outbreaks of phytophthora diseases in forests. Ministers welcomed ongoing co-operation on rural development programme issues, specifically in relation to the support of cross-border engagement by local action groups. We also welcomed the progress of the €10 million INTERREG IVA funding for six strategic, cross-border rural development projects and the recent launch of projects such as harnessing natural resources, the Castleblayney and South Armagh rural investment initiative, and the river links and Clones Erne East Blackwater rural regeneration.

The Council also approved the InterTradeIreland 2012 business plan, recommended the budget and noted the Tourism Ireland annual report and draft accounts 2011. The Council agreed to hold the next agriculture sectoral meeting on 31 October 2012.

Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development): I thank the Minister for her statement. She noted that there were discussions on the CAP reform and on the progress, or indeed lack of progress, on the negotiations. There were discussions on the need for a sufficient period of transition towards flat area payments and the importance of regional flexibility within that. As well as discussions in the North/South Ministerial Council, can the Minister tell us what discussions she has had in Europe on those two issues and when she will be meeting the new Minister, Owen Paterson, on the issue of CAP reform?

Mrs O'Neill: Obviously, a lot of focus at the minute is on CAP reform. I take every opportunity. I have had meetings with the agricultural cabinet in Europe. I have also had meetings with Dacian Cioloș, the European Commissioner, and I will be meeting him over the next number of days to discuss further our proposals.

Obviously, for us, the most important thing was maintaining a decent budget as well as flexibility and simplification. They remain the three key tenets of the arguments that

we are taking to Europe. In order for us to move forward, we need an agreement on the budget. Unfortunately, that has not happened yet. There were some indications that that would happen this side of Christmas, but it is now widely believed by many member states that that might not happen. That will push the whole timetable back.

All the negotiations will be ongoing over the next number of months. There will be the October, November and December Council meetings, in which we will actively engage. We have the new Minister in DEFRA; Owen Paterson is taking on that position. Hopefully, he will be able to reflect at any opportunity the views of the North and the farmers here and will have a bit more insight into the type of farming that happens here, given that he was placed here for some time. I will have a phone call with him later this week, and we will have to engage with him as I did over the past 14 to 16 months with the former Minister for Environment, Food and Rural Affairs. When we go to Europe, we do not differ on the details; we differ on the overall budget and the arguments that we put to Europe. We have to continue to exploit that alliance.

Mr McMullan: I thank the Minister for her update. Will she update us on the position of the negotiations on the common fisheries policy (CFP) reform?

Mrs O'Neill: At this stage, things seem to be slipping, but there has been a bit more progress on CFP now that a general approach has been agreed. However, there is a lot more to be done before a final decision can be reached. The intention, according to the timetable, is that an agreement will be reached by the middle of next year. The key issue that we need to press for is the need for regionalisation. The EU needs to recognise the diversity of the fisheries in EU waters. Obviously, fisheries vary according to location, so we need the Commission to take the view that one size does not fit all, that we need regionalisation, and that we need to be able to create our own management plans, which suit the needs of the industry, deal with the science, look at future sustainability and deal with the problems that we have with disregards.

Mrs Dobson: I thank the Minister for her statement. I note her emphasis on international trade, which is extremely important for the future of our local agriculture industry. Will she assure those companies and farmers who are thinking of tapping into new markets that they will not be treated by DARD in the same way as local potato producers were treated when their cargo was rejected in Morocco?

Mrs O'Neill: I am committed to making sure that our farmers reach their full potential and can exploit all the available opportunities for trade. That is why I established the Agri-Food Strategy Board along with the Minister of Enterprise, Trade and Investment. We wanted to look at the challenges and barriers to growth and at how to work in partnership with industry to ensure that we reach our potential.

We have fantastic produce, which is well marketed and which people want. The clean, green image of our produce is something that people want right across Europe and further afield. I will continue to work with farmers and industry in general to make sure that we take up all those potential opportunities. One of those opportunities is the links with China, which I am keen to continue to explore.

The Member mentioned the seed potato and Morocco. I dealt with that issue in the House before and I engaged with the farmers concerned. The Chair of the Committee wrote to me on the issue and I am happy to discuss it further with the Committee if it feels it is necessary.

Mr Byrne: I, too, welcome the statement, but I am concerned about its lack of substance. On international trade, what sort of meaningful discussions are going on between the Republic and ourselves about opening up potential markets in China and Russia? Given that most of our beef and pig farmers are experiencing difficulties at the moment, all urgency needs to be applied by the Department to make sure that we have some meaningful marketing exercises.

Secondly, will the Minister assure us that the new INTERREG IVa programme will not be affected by the kind of bureaucracy that pertained in the past and which caused a lot of frustration for local groups?

Mrs O'Neill: As I said in my previous answer, I am committed to ensuring that we reach our potential and tap into the markets that exist. Our growth, and the success of the agrifood sector, has been in the export market, and we will target export-led growth in the time ahead. There are potential avenues in China and Russia, and there are many other directions in which we should be looking in order to market our produce. As I said, our produce has a fantastic clean, green image that people seek out.

I agree with the Member about our pig farmers. There are issues around getting pork products into China because of the export certificate. I am actively involved in challenging that situation, and I raised it with the First Minister and the deputy First Minister ahead of all their previous visits to China. I have raised it with the Minister of Enterprise, Trade and Investment and I intend to take it up when I visit China.

1.15 pm

Mr McCarthy: I thank the Minister for her statement this afternoon. My question is along the lines of Oliver McMullan's as regards the common fisheries policy. Will the Minister advise the House whether any joint representations have been made? We are coming up to the December meeting in Brussels concerning quotas, etc, and Northern Ireland has certainly been at the sharp end of cuts every December. I acknowledge that there has been a rise in the herring quota recently, and we thank the Minister for her efforts in that area, but can she give us any encouragement that perhaps a joint effort will see a relaxation in the quotas for our local fishing industry?

Mrs O'Neill: When I reported to the House after last year's December negotiations, I called it the "dance" in Europe, because it is an unacceptable situation that we have to go out every year and argue for our quota for the year ahead. It does not allow fishermen the opportunity to plan ahead. How can you develop a business year on year not knowing what the quota will be? This is something that I will continually argue with Europe. It is not even something that CFP will fix — it will not remove the need for the December negotiations. However, I will go to those negotiations with the interests of the industry, and I will make sure that I defend the industry and its right to fish.

We have been very positive in our engagement with the Commission. We have had gear trials, which have

been very successful, and our industry is meeting the needs of the Commission with respect to dealing with discards. So, in preparation for December, I will meet with the industry and make sure that we agree our key priorities. As I said, we have to go to make our case every December, which is unfortunate; but I will continue to do so. However, alongside that, I will continue to argue with the Commission that we need longer management plans for the fishing industry in order that it can be sustainable in the future.

Mr Swann: I thank the Minister for her statement so far. As regards paragraph 7 of her statement, on all-island animal health, can I ask the Minister whether, with respect to the presentation on Aujeszky's disease-free status, she can give a commitment to the House that our submission on this matter was not held back and was submitted at the same time as that of the Republic of Ireland? Also, as regards the discussions on TB, did the Minister discuss her Department's wildlife intervention programme, and was that raised at the meeting?

Mrs O'Neill: As far as Aujeszky's disease-free status is concerned, we have an EU all-island animal health and welfare strategy. The principle behind it is to facilitate trade across the island. There should be no barriers to trade on such a small island. The presentations on Aujeszky's disease being submitted at the same time makes perfect sense. If we were to go ahead, and the South did not, trade would be affected. It makes good sense for us to put our submissions in at the same time. The EU Committee that will consider the matter will be doing so later this month, and we hope to have a positive outcome. I think that we are in a very positive position as regards increasing the trading opportunities that exist and not having to put in any silly controls with respect to movement across the island.

TB and brucellosis were not topics of discussion at the last meeting in any great detail. The Member is aware of my plans. I consulted with respect to compensation and decided to move forward just with the brucellosis compensation changes at this time. I will come back to the TB issue at a later stage. From 1 September, in-contacts will be treated in the same way as reactors, and the Member will be aware of that.

I think that we are doing a lot of positive work with respect to TB and the wildlife issue. It is a very emotive issue. There is no quick fix and no simple solution to TB; if there were, I would obviously take that route. We will continue with the hard work that we are engaged in as regards tackling all the factors that could possibly contribute to TB. However, there is not enough information out there, and this is an issue that we are going to have to continue to battle. I hope that we will get to the stage where we can be in a free status.

Mr Rogers: I thank the Minister for her statement. I note the Castleblayney and south Armagh rural investment initiative. Are any similar initiatives being drawn up or supported with respect to cross-border initiatives between the Mourne and Cooley regions? I believe that this would help to complement the strong cross-border and cross-party support for the Narrow Water bridge.

Mrs O'Neill: I am not aware of any such project at this minute, but I will be happy to make some enquiries and come back to the Member. They are beautiful regions. The mountains are lovely, and I will be climbing the Cooleys

on Saturday. That is something I enjoy very much. I will look into it and come back to the Member if there are any potential projects.

Mr Allister: The statement refers grandly to promoting opportunities in international trade. Why, therefore, has the Minister persistently refused assistance to help with export costs, particularly transport costs, for our significant niche export market in pedigree pigs? Why is she not helping Northern Ireland producers with those exorbitant costs? Does that mean that all this talk about supporting international trade amounts to mere sound bites with no substance?

Mrs O'Neill: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. As I said in answer to an earlier question, I am very committed to making sure that our industry reaches its full trade potential, which is why I established the Agri-Food Strategy Board. Work is under way, and it is looking at all agriculture sectors. I am quite sure that the pedigree pig issue will be raised in that working group. I have given a commitment that when the report comes to me by the end of this financial year, we will look at all the challenges and barriers to trade and growth and at how industry and government, in partnership, can challenge each other to ensure that they reach their full potential. The growth that we are targeting is export-led, so trade links are very important. We need to remove all possible barriers to that growth.

North/South Ministerial Council: Aquaculture and Marine

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. With your permission, I wish to make a statement in compliance with section 52 of the 1998 Act, regarding the recent meeting of the North/South Ministerial Council (NSMC) in aquaculture and marine sectoral format. The meeting was held in Derry City Council offices on Wednesday 4 July. The Executive were represented by Nelson McCausland MLA and me. The Dublin Government were represented by the Minister for Communications, Energy and Natural Resources, Pat Rabbitte TD, and the Minister of State for Communications, Energy and Natural Resources, Fergus O'Dowd TD. The statement has been agreed with Minister McCausland, and I am making the statement on behalf of us both.

We received a progress report on the work of the Loughs Agency from the chairperson, Winston Patterson, and the chief executive, Derick Anderson. We welcomed the development of a formal operational plan with the PSNI and an Garda Síochána to deal with assaults on agency staff, and we expressed our concern at two recent serious assaults in the Lifford area. Those assaults resulted in two members of staff being hospitalised. However, the chief executive reported at the meeting that both staff members had recovered and had resumed their duties. The agency reported that, with support from an Garda Síochána, court injunctions were obtained against two of the principal offenders, banning them from the banks of the Rivers Foyle, Finn and Mourne and from their having any contact with the agency's fisheries protection staff.

We noted the position on the survival of Atlantic salmon, which is causing significant concern, with less than 5% of the juveniles leaving the systems returning as adults. We received an update on the agency's work in conserving and protecting fish stocks in the Foyle and Carlingford areas, including work on the prevention of salmon poaching and pollution, and the agency's involvement in the recent North Atlantic Salmon Conservation Organisation (NASCO) conference in Edinburgh.

We welcomed the memorandum of understanding between the Food Safety Authority of Ireland and the agency and the positive impact that that will have on shellfish hygiene, and we noted the ongoing improvements in the Lough Foyle oyster fishery and the reduction in incidents of bonamia. The latest results of statutory testing from the Irish Marine Institute, from the south side bed in Lough Foyle, show that the level of bonamia infection is low compared with the levels detected by the Department of Agriculture and Rural Development (DARD) and the Agri-Food and Biosciences Institute (AFBI) in 2010. Further testing will take place in late 2012, and mortality levels will be monitored once again in the autumn native oyster survey.

We welcomed the formal launch of the EU-funded IBIS — invasive bacterial infections surveillance — project and heard that the project public website also came online in June to coincide with the official launch of the project. We also heard about the progress already made under the project. Twelve PhD students have taken up their positions, the first cohort of masters students has been appointed, and a full complement of support staff is in

place. The agency reported that significant progress is being made on a number of research projects that will inform a number of cross-cutting management strategies.

We noted progress on marine tourism and angling development, including the completion of the pontoon at Meadowbank. We also heard about the agency's significant contribution to the Clipper Round the World event and saw the work at first hand immediately after the meeting, as we had an opportunity to visit the crew of a local vessel participating in the race. We also heard about the agency's preparations for the sea- and trout-angling events of the 2013 World Fire and Police Games.

The Loughs Agency gave a presentation on water framework directive fish monitoring, and we heard about the methods that the agency's field staff use to monitor fish stocks in the Foyle and Carlingford areas, including electrofishing and various types of netting. We noted the practical use of this information by the Loughs Agency and other statutory stakeholders and heard how the monitoring is managed through a collaborative, participative process, cutting across Departments and agencies.

We approved the Loughs Agency's business plan for 2012 and recommended budget provision for 2012 of €5.0525 million. We noted the agency's annual report and draft financial statements for 2011. We welcomed progress on the delivery of the Loughs Agency's legislation implementation plan and noted that further regulations will require NSMC approval later in 2012. We also approved, for a further year to July 2013, a procedure to support the Loughs Agency in dealing, through regulations, with emergencies such as pollution incidents. This procedure was initially approved by the NSMC in 2009, following several major fish kills that year. The agency reported at the meeting that since the initial approval of the procedure on 20 July 2009, it has not had to operate the procedure. It was agreed that NSMC will review the operation of the procedure, including its possible renewal, before 20 July 2013.

We noted that the Loughs Agency had reviewed pay and pension arrangements for its staff. A draft economic appraisal recommended that the agency take the necessary steps to join the North/South pension scheme. It was noted that, following consideration of the legal and financial implications of this, an update will be provided at the next NSMC aquaculture and marine meeting.

Finally, we agreed to meet again in aquaculture and marine sectoral format in October or November 2012.

Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development): I thank the Minister for her statement on this very important issue. She mentioned the formal operational plan between the PSNI and the Irish police force for assaults on Loughs Agency staff. The Minister will be aware of incidents involving assaults on agency staff in Northern Ireland and, of course, all other illegal activity. Will she outline how many such assaults have taken place in Northern Ireland in the past three years and the outcome of any legal action taken as a result of these assaults and, indeed, in response to the wider issue of illegal activity? Will she also explain how things have improved, if at all, since we last debated the issue in the House?

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. First, I condemn the attacks on agency staff. In my

statement, I referred to two recent attacks, and, since the meeting, I have been informed that the people involved received a custodial sentence. That is a positive step. I took up the issue with the Minister of Justice after the previous debate, particularly the fact that repeat offenders are not dealt with sufficiently by the justice system. I hope that the impact of those custodial sentences will be to act as a deterrent. The formal operational plan has now been signed. An Garda Síochána and the PSNI have been working together very closely on these issues, and the formal arrangement that is now in place is a positive step. I have regular meetings with the Chief Constable of the PSNI to discuss rural issues in general, and I took this issue to him on the back of a lot of discussions with the Committee and Members of the House. I am pleased that a lot of positive action has been taken, and I hope that it acts as a deterrent.

I have a list detailing the numbers involved, and I am happy to provide that to you. A number of seizures of vehicles, boats and nets have taken place, which is very positive. Loughs Agency staff have seized, for example, clubs with nails in them for attacking staff — that is ridiculous. We have to come down heavily on the people involved, because staff going out to do a day or night's work should not have to fear for their safety. As I said, I am happy to provide the Member with the figures.

Mr McMullan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her comprehensive report. Recently, Minister, we hosted a very successful stage of the Clipper Round the World Yacht Race in Derry. Was the Loughs Agency involved in the preparations?

Mrs O'Neill: You are absolutely right. The event was fantastic, and we were lucky enough to have the NSMC meeting in the council offices, which had a window overlooking the boats. The Loughs Agency was very involved in that it provided a new pontoon, which was invaluable, as it enabled people to access all the yachts that were coming in. We were able to walk down and have a look round one of them. The Loughs Agency provided all the temporary pontoons, as well as the permanent one. So, I am delighted that it played a significant role, because it was a fantastic event for Derry in attracting tourism to the area.

1.30 pm

Mrs Dobson: I also thank the Minister for her statement. The Chair of the Committee for Agriculture and Rural Development referred to the creation of a formal operational plan between the police and the Loughs Agency following assaults on the agency's staff. The Chair also referred to the actions that are being taken to ban offenders in the areas that are affected.

I will expand slightly on the Chair's comments, if I may. I am sure that farmers across Northern Ireland would welcome a similar operational plan to stamp out rising rural crime, which often has a cross-border element. Can the Minister update the House on her discussions in that area?

Mrs O'Neill: The stats show that there has been a rise in rural crime. There is a difference between agricultural crime and rural crime. I now have regular meetings — almost quarterly — with the Chief Constable to discuss the PSNI's approach to rural crime and some of the

developments that it is taking forward. It is obviously very keen to be involved. In the past, I sent to the Committee a list of all the actions that the PSNI has told me that it is involved in to tackle rural crime. I am happy to forward that list to the Member. It is an important issue, and it is vital that we are vocal about it. Sometimes where people live in a rural community can make them very isolated and an easy target. We saw the theft of sheep in rural areas over the past number of months. So, these are issues that we have to keep on top of, and I will continue to challenge the PSNI on its actions in dealing with them.

Mr Byrne: I, too, welcome the Minister's statement. I also condemn the illegal acts that have taken place in the Lifford area with the poaching of fish. How serious are the Department, the Minister and the Loughs Agency taking the concerns of the Foyle Association of Salmon and Trout Anglers (FASTA)? The FASTA officers, who represent over 2,000 legal anglers, are very disturbed because they feel that their case is not being listened to seriously.

Mrs O'Neill: I assure the FASTA members that I will listen to their concerns very sincerely. They have raised some issues and requested a meeting with me, and I intend to have that meeting. If they have reported issues with the Loughs Agency, I am happy to explore them. I want there to be a very positive relationship because it is in everyone's interest that that exists. As I said, I will be talking to them in the near future.

Mr McCarthy: I thank the Minister once again. The Minister and our Committee Chairperson already condemned the assaults on staff who are going about their daily work. The statement refers to the group, noting:

"the Loughs Agency has reviewed pay and pension arrangements".

Is the Minister convinced that these people are suitably paid for the job that they do, bearing in mind the dangers that they offer themselves up to from poachers and whoever else?

Mrs O'Neill: I will just explain what is behind the review. There was a review of the overall pay and conditions of all the staff. The proposals are still under review, and we are seeking legal advice. As with any changes to pay arrangements, it is important that you consult with staff and are very sure of your ground. The problem here is that when the North/South Ministerial Council pension scheme was set up, Loughs Agency staff could not buy into it because of legacy pay arrangements. We are now trying to bring them in so that all staff are on the same pay and conditions. As regards whether they are well enough paid, I am sure that there are people who do not think that they are. I do not have a role in setting their pay; that is done outside my control. However, I hope that they are well enough paid. They do a fantastic job, quite often in very difficult circumstances, as you say.

Mr Swann: I thank the Minister for her statement. Minister, you referred to methods that the agency's field staff use to monitor fish stocks in the Foyle and Carlingford areas. Does the Minister see any advantage in expanding those methods into Lough Neagh so that we can establish a basic fish stock in Lough Neagh?

Mrs O'Neill: The NSMC is obviously confined to the Foyle and Carlingford areas. You are aware that we have a working group in place to look at all the issues around

Lough Neagh, and I am sure that that will be one of the issues that is raised as a result of all that work.

That is about gathering information, because so many interests on the Lough need to be taken into account.

Fish stocks is a DCAL issue, but I am sure that that will come out through the work of the task force.

Mrs McKeivitt: I, too, thank the Minister for her statement. Will she give us further assurances that pay and conditions for agency staff in the North of Ireland will not be disadvantaged as a result of any decisions about public pay in the South and the threat of a review?

Mrs O'Neill: I will make sure that no agency staff will be disadvantaged. This is an attempt to improve conditions to ensure that everybody has the same pay and conditions. It is only right that there should be no differential across agency staff. This will bring things up to date. We are seeking legal advice and will consult staff to make sure that everybody is happy with the way forward.

Mr Allister: As a result of the review of pension arrangements, will agency staff now be treated in accordance with what prevails in the public sector in this jurisdiction, where pensions are linked to the consumer price index (CPI) rather than to the retail price index (RPI)? If that has not happened, when will it happen so that there is parity between the public service and these cross-border bodies?

Mrs O'Neill: Anybody who works under the remit of the North/South Ministerial Council in any of its forms should be on the same pension arrangements. There is a disparity, in that some staff, because of legacy pay issues, were not brought in under the scheme at the start. A review is going on at the minute, and legal advice is being sought. All that detail will be reported to the next NSMC meeting, and, at that stage, I am happy to talk to the Member about whether it is CPI or RPI.

Health: Strategic Framework for Public Health 'Fit and Well - Changing Lives 2012 - 2022'

Mr Poots (The Minister of Health, Social Services and Public Safety): With your permission, Mr Deputy Speaker, I wish to make a statement on the publication for consultation of the draft strategic framework for public health, 'Fit and Well – Changing Lives 2012-2022'. The framework is of importance to all of us for its potential to make a real difference to the health and well-being of the lives of our communities. The framework reflects a truly cross-cutting agenda, and, therefore, we need real involvement from all parts of government in Northern Ireland. Leadership from all Ministers will be paramount.

'Fit and Well – Changing Lives' seeks to reinvigorate action to improve health and reduce health inequalities. It builds on Investing for Health, the first public health strategy, which was published in 2002. In general, we know that health has been improving. Unfortunately, the rate of improvement has not been the same for everyone. Health outcomes are generally worse in the most deprived areas in Northern Ireland when compared with the region generally. Our state of health and well-being is the result of a complex interaction of influences on everyday life. It is not an accident that those living in different social circumstances experience differences in health, well-being and length of life. It is also clear that many inequalities in health arise because of inequalities in society and the conditions in which we live.

The factors that impact on health and health inequalities do not fall solely within the bailiwick of the Health Department to influence. They include community and social conditions, which, in turn, are influenced by wider political and economic circumstances. Population health also contributes to social outcomes. For example, economic growth improves health, and improved health enhances economic productivity and growth. Working together to secure targeted improvement in the health of the population, especially those most in need and those with the most to gain, is both the right thing to do and an essential priority if we are to limit the growth in the cost to our society and economy of avoidable ill health. Therefore, the proposed new framework will also contribute towards the achievement of a number of goals in the Programme for Government and the economic strategy. The intention is to encourage synergy between the framework and other key government strategies, such as Delivering Social Change.

'Fit and Well – Changing Lives' is a new, overarching framework that has been informed by up-to-date international and national evidence, particularly the Marmot report, 'Fair Society, Healthy Lives'. A review of Investing for Health, the previous strategy for tackling health inequalities, has also informed our thinking. The review reported that much of that strategy's approach remains relevant: for example, its values, principles and broad aims, and its cross-cutting focus on the broader social factors that impact on health, and those features have been retained. However, the review also recommended that the new strategy should take account of the current socio-economic context.

Although it is proposed that much of the approach advocated by Investing for Health is retained, the draft

framework incorporates some new key features. The new strategy is built on the life course approach, which focuses on the social influences on health at every stage of development throughout life from early years. The framework is built on two underpinning themes that encourage interventions that affect health and well-being across the life course.

Engaging and promoting supportive and sustainable communities is an important tool in tackling the issues that affect health inequalities. Sustainable communities is, therefore, an underpinning theme, along with building healthy public policy, which aims to ensure that, at government level, potential health impacts are taken into account as part of the policy development process.

For each of the life course stages and themes, policy aims are identified, and long- and shorter-term outcomes have been agreed with other Departments. Two strategic priorities for tackling health inequalities are proposed. They are early years and supporting vulnerable people and communities.

We have chosen early years because of the now overwhelming evidence internationally that people's life chances are most heavily influenced by their development in the first years of life: positive and negative influences and impacts on behaviour and on social interaction, as well as on physical health, have consequences that can last a lifetime. If we are to break the cycle of disadvantage across generations, it is vital that our children are given the best possible start in life. That starts from antenatal care and includes childhood development, support for good parenting and opportunities for learning. What happens to children in their earliest years is key to outcomes in adult life, not just in relation to health but also to educational attainment and economic status.

The second strategic priority, support for vulnerable people and communities, continues the focus on those who are disadvantaged. It includes those who live in disadvantaged areas, and population groups who require additional or more specific support, for example those with disabilities. The framework reflects ongoing work across all Departments.

At the same time, the public health framework aims to enhance and add value to work under way or planned. It therefore proposes six priority areas for collaboration. Those areas are still at a developmental stage but have been included to seek views and further input during the consultation period. They are support for families and children — enhanced support through incremental development of targeted and universal programmes; employability — promoting opportunities to gain experience, particularly targeting the young and long-term unemployed; use of space and assets — considering the use of space, including premises, to build community capacity and maximise investment; promoting volunteering; working to ensure that children are equipped for life through achieving life skills; and considering the potential impact of using arts, sports and culture not just on physical activity but on mental health, inclusion, and other benefits.

Given the range of factors that influence health and well-being, partnership working will remain key. The Investing for Health review identified good engagement at local level but disconnection between local and regional

implementation. Informed by those findings, the aim will be to promote a whole systems approach by strengthening the connections across policy areas and delivery structures and between regional and local levels.

For policymakers and practitioners, the framework provides strategic direction, to secure more coherence cross-departmentally and cross-sectorally with a focus on upstream interventions to improve health and tackle health inequalities. It should also provide strategic direction for work to be taken in support of this at regional and local levels, with public agencies, local communities and others working in partnership.

1.45 pm

It is intended to develop the proposals for implementation and governance by December 2012. Initial proposals in the consultation document include looking more closely at how to link at ministerial Executive level. I propose that the Public Health Agency should lead on regional and local co-ordination, ensuring that partnership arrangements are effectively linked. The priority that the Executive have given is indicated by our commitment in the Programme for Government to increase the proportion of the health budget that is allocated to public health. That will need to be supported by other Departments and agencies, working together with the Department of Health, Social Services and Public Safety (DHSSPS) to achieve our objectives.

It is in our collective interests, as elected representatives, to ensure that:

"all people are enabled and supported in achieving their full health potential and well-being."

That is the proposed vision of the framework. Although I believe that the draft framework sets a clear policy direction, it is intended to be a formative document. I am keen to engage with and take the views of a wide range of stakeholders. I therefore ask each and every member of the Assembly to consider the proposals contained in the draft strategic framework for public health, 'Fit and Well — Changing Lives', and help us to change lives, particularly for our young people and those who are most vulnerable.

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a Príomh-LeasCheann Comhairle. I warmly welcome the statement from the Minister. I was around when Investing for Health was published in 2002, and it is something that I kept raising over the years. I commend the Minister for getting to this point on 'Fit and Well — Changing Lives 2012-2022'. I thank him for his earlier briefing, which was important. I highlight the fact that the Health Committee as a whole takes the issue of public health and health inequalities very seriously. We have agreed to carry out a review into health inequalities, focusing particularly on measures that have been effective in other countries and regions. That fits in well with what the Minister has outlined in the statement today. We are keen that the work we do will assist, advise and even contribute to the final strategy produced by the Department.

Will the Minister advise us of the interest and support he has had to date from other Departments and the interest other Ministers have in taking the draft strategy forward? A lot of the issues you highlighted, Minister,

are not necessarily health issues. It is other Ministers and communities that need to take responsibility for themselves.

Mr Poots: I thank the Member for the question. I welcome the work that the Health Committee is carrying out. We will give that report due cognisance when it is completed. We will certainly seek to marry that work with the work that we are doing.

We in the Department of Health lead a group on public health. Other Departments are well represented on that group. Separate from that, I have had separate meetings with the Social Development Minister, the Education Minister, the Culture, Arts and Leisure Minister and the Justice Minister. I have also met the junior Ministers. There is a strong body of support for improving public health. There is a very clear correlation between poor public health outcomes, poor educational outcomes and poor employability prospects, and, indeed, that links on through to justice. All those matters tend to be linked. The more we can work together as a Government on the issues, the greater chance there is of us tackling this particular issue and, as a consequence, having a knock-on beneficial effect on a range of other issues, and vice versa. So, if we have better educational outcomes, we will have better health outcomes, linked hand in hand. That will give people who go into the workforce a better chance of employment, which, again, will help us when it comes to justice issues.

Mr Wells: The Minister has highlighted the fact that access to tobacco is one of the reasons for the major health inequalities between deprived areas and the rest of Northern Ireland. What action will the new strategy take to try to reduce the incidence of people consuming tobacco?

Mr Poots: The new strategy is linked to a range of strategies. We published a strategy on tobacco earlier this year, which sets a strategic direction for tobacco control in Northern Ireland over the next 10 years. First of all, we recognise the high prevalence of smoking amongst those in areas of deprivation. About 24% of our population smoke — 25% of men and 23% of women — but that rises to around one third in deprived areas. The Public Health Agency is responsible for developing the action plan to accompany the tobacco strategy, and that plan will contain a number of actions that will be specifically aimed at reducing the prevalence of smoking amongst those living in areas of social or economic deprivation.

Improvements have been made in increasing the number of pregnant women who are accessing smoking cessation services. If we can encourage women and, indeed, their partners to stop smoking before their child is born, we can improve the long-term outcomes for the parents and their children.

Mr Gardiner: May I first of all thank the Minister for his statement? It is very comprehensive and much welcomed. I know that the Minister will, perhaps, move immediately to put the recommendations in place, but how soon can all the recommendations be achieved?

Mr Poots: Today is the launch of a consultation, and we will want to get feedback from the community. I suspect that much of what we are proposing will be acceptable, but I will also be open to people's ideas on how we can make a real difference as they come forward during the process. Once that consultation is complete, we will move quite quickly to make our final assessment on it and then move

this forward as a document. Once that comes into place, it will become a policy for the Department, the Public Health Agency (PHA), the Health and Social Care Board, the trusts and the entirety of the system to implement immediately.

Mr McCarthy: I welcome the Minister's statement this morning, but I have to say that there is very little new in it; we have heard it all before. The Minister talks about two strategic priorities: early years and supporting vulnerable people and communities. It is not so long ago that the House, to a man and woman, was fighting for the very existence of Home-Start, Sure Start and Life Start. Had it not been for that campaign, God knows where those would be. This is something for the Minister to do: tell the Assembly that those things will be funded sufficiently.

Mr Principal Deputy Speaker: Please come to a question.

Mr McCarthy: We want to show our support for the Public Health Agency, but can the Minister assure the House that that agency will be properly funded to ensure that what he is talking about on these two pages will be fulfilled? I doubt it.

Mr Poots: The problem for the Member is that whenever it comes to public health, it is not something new. There is no magic bullet out there. The truth is that there were too many people smoking 10 years ago, and there are still too many people smoking. If it were down to 5%, there would still be too many people smoking. There are too many people drinking alcohol to excess and binge drinking. That was the case 10 years ago, and it is still the case. There are too many obese people and too many people not eating enough fruit and vegetables. That was the case many years ago, and it is still the case.

This is not a sprint; it is a marathon. The Member may think that he has some magic transformational trick. Given that this is a consultation, I look forward to hearing from the Alliance Party all the answers to the difficult questions that are being posed. We will look forward to its contribution and read it in-depth, because it appears that it knows all the answers that we have missed. I lay down that challenge. We will be coming back to the House with the final document, and I am sure that the Alliance Party will have made a major contribution to that final document in producing the right answers to the questions.

Ms P Bradley: I thank the Minister for what I believe is a very positive statement this afternoon. In the statement, he talked about the two strategic priorities of early years and supporting vulnerable people and communities, as my colleague said. In our communities, we have very many young vulnerable people. To the best of my knowledge, the strategy for sexual health is due to end soon. Will the Minister please tell me what he is doing to address teenage pregnancy and teenage parenthood?

Mr Poots: I am very glad to say that the rate of teenage pregnancy has reduced quite significantly over the past 10 years. However, the rate of teenage pregnancy in neighbourhood renewal areas is over twice as high as the regional rate, sitting at around 6.2 births for every thousand. We need to be very cognisant of the issue, because sexual health is just as important as mental health and, indeed, physical health. People need to look after their sexual health and recognise that they should behave responsibly.

The PHA has been asked to renew the focus on addressing teenage pregnancy through the Sexual Health Improvement Network. It is also working with partners in the Department of Education, Youth Service, voluntary groups and faith groups to support the development of relationship and sexual education programmes in all settings. I think that it is very important that we put "relationship" back into sexual education.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Minister, you talked about the second strategic priority — support for vulnerable people and communities. You said:

"It includes those who live in disadvantaged areas, and population groups who require additional or more specific support, for example, those with disabilities."

Will the Minister comment on the impact of benefit cuts, particularly on groups of disadvantaged people and people with various disabilities? From a benefits point of view, support will largely be withdrawn from large groups of vulnerable people.

Mr Poots: Benefit cuts are a concern for us. I am deeply concerned about what has happened at national government level, where we have the Conservative Party, in association with the Liberal Democrats, voting through cuts. The Liberal Democrat party is the sister party of the Alliance Party, which is crying "shame" about benefit cuts. The reality here in Northern Ireland is that we will feel the impact of that. Should we not administer what is being done in Westminster, we will have to find hundreds of millions by stripping money from education, health, regional development and every other Department in order to meet the cuts that the Conservative-Lib Dem alliance is imposing on the people of Northern Ireland.

Mr Dunne: I thank the Minister for his statement. What is he doing to tackle the ever-increasing problem of drugs and alcohol abuse?

Mr Poots: Alcohol and drugs have a real impact on the lives of individuals, families and, indeed, wider communities. The new strategic direction for alcohol and drugs phase 2 was launched in January this year to prevent and address the harm related to alcohol and drugs. The strategy recognises specifically the need to address health inequalities and to take forward actions in areas most at risk.

The amount that people in different groups drink is a key issue. For example, 70% of those in managerial and professional positions exceed the daily guidelines at least once a week, compared with 84% of manual workers. Binge drinking — consuming 10 units or more of alcohol in one session for males or 7 units for females — is more common among routine and manual workers at 36%, compared with 23% of those in the managerial and professional field. That will obviously lead to greater harm being suffered by those in the most deprived areas. Alcohol- and drug-related deaths, and admissions to hospital in those areas are around double the Northern Ireland average and three to four times the rates in the least deprived areas. The same pattern is likely to hold for drug misuse.

People sometimes say that cannabis is not a bad drug. Cannabis is a bad drug. We have seen evidence, even in recent days, of the impact that it has on people's brain

development. From my Department's perspective, I have to say very clearly that we really need to reduce the usage of alcohol and drugs, illicit and prescribed, in Northern Ireland if we are to significantly improve people's mental health.

2.00 pm

All those drugs, whether alcohol or the other drugs, are doing people real harm. Therefore, we need to challenge that. One area we are looking at is minimum pricing for alcohol. Again, we are working closely with our colleagues in the Department for Social Development (DSD) and, indeed, keeping a very close watching brief on what is happening in Scotland and the Republic of Ireland on moving that issue forward.

Mr Craig: I thank the Minister for his very positive statement. Will he comment on the clear link that has been shown between health issues and poor educational achievement in socially deprived areas? That issue was clearly highlighted in a local report done between Barnardo's and Resurgam in Lisburn recently. Will the Minister outline what talks he has had with the Education Minister to move this whole issue forward?

Mr Poots: Certainly, the linkage between poor educational outcomes and poor health outcomes is very close, which will not come as a surprise to anyone. So, we are identifying that people are having poor educational outcomes. The Barnardo's report, in conjunction with the Public Health Agency, has been able to put some meat on the bones.

For example, when you are getting areas where you have up to 30% truancy or 75% of the mothers are single mothers, where 50% of them smoke during pregnancy, and where you are getting children at the other end leaving school with next to no qualifications, it should not come as a surprise to anyone. That is why we do think that more needs to be done in those early years; more needs to be done in the deprived communities to assist. If the Department of Education and the Department of Health cannot work together on these issues to make a real, tangible difference to the people of Northern Ireland, they will have failed.

I have had conversations with Minister O'Dowd on these issues. It is a course of work that both Ministers will need to drive forward to remove the silo walls that can very often appear between Departments and even within Departments in order to ensure that we get outcomes that will be to the wider benefit of our communities.

Mr Givan: I thank the Minister for today's statement. The Minister will be aware of the Early Intervention Lisburn project that he launched recently. In the course of the work that was taken forward by that community group, there was a clear demonstration that, to secure community buy-in to the process, community groups are key to driving forward all this change. It is not just something that comes from on high — from government — and is forced upon people, but actually the community will buy into it. So, in that respect, where does the Minister envisage a role in DSD in encouraging that community capacity?

Secondly, in all this, the investment required will need to be reprofiled where it needs to be front-loaded and, obviously, in this particular project bids will come in for substantial amounts of resources. So, how will the Government

reprofile the current spend to ensure that early intervention can really work and be funded?

Mr Poots: The Member has put his finger on something that is a bit of a conundrum — a real difficulty for people who are in the Government and, indeed, for the Civil Service — in that it is obvious to us that we need to make an investment if we are not to keep replicating the same mistakes. We need to challenge where we are now. That can be very difficult to do whenever there are demands that need to be met now.

Nonetheless, we have to continue to focus on public health. I know that, for example, the Chief Medical Officer in Scotland gave up practising as a surgeon to go into public health because he believed that he was only fixing problems that could have been avoided in the first instance. We as a Government — not me as a Minister of Health, but we as a Government — need to take the decision that, yes, we are going to invest for the future and, yes, to invest for the future will mean that we will not deliver some of the services that we can currently deliver but we will make a real and meaningful difference to the next generation and generations thereafter if we do that. That is the challenge, and I am up for it. It will be up to Members to ask whether other Ministers are up to the challenge.

Mr Allister: The strategic framework speaks of many laudable aspirations during the life cycle. The pre-birth stage is identified, but little is said about it. Will the Minister give an assurance that, from the moment of conception, the focus will be on the preservation of life, including for those with disabilities? Will he also give assurances that, far from any steps being taken to facilitate life-destroying abortion, his long-awaited guidelines will underscore the priority of the preservation of life and that truly accountable record-keeping will be put in place and the reasons for the termination of pregnancy recorded, so that the data will be transparent and clear to all?

Mr Poots: The Member has moved slightly off course, but I do not have a particular difficulty in answering the question. One of the reasons why I am thankful that the Assembly exists — I know that the Member would prefer that it did not exist — is that many of our direct rule masters were very keen to introduce abortion in this part of the United Kingdom, the only area where abortion on demand is not available. Although since 1967, 6.4 million abortions have taken place in England, Scotland and Wales, which is deplorable, we in Northern Ireland are not in those circumstances. It is because we have the Northern Ireland Assembly, which the Member so objects to, that we do not have abortion on demand. Had we listened to him, we may well have had abortion on demand, but, thankfully, the people did not listen.

Mr Agnew: I welcome the emphasis in the Minister's statement on early years. He will be aware of my private Member's Bill, which seeks to improve the co-ordination of early years delivery. I hope that he and his party will support it.

The Minister highlighted health inequalities in deprived areas and the disadvantage that those who live in such areas face. He linked that to income. Unfortunately, he suggested that economic growth improves health inequalities, but research does not back that up. In fact, in the period of economic growth that we had until the current

recession, inequalities in wealth and health increased. Does the Minister believe that the Executive as a whole are doing enough to tackle the economic inequality that leads to health inequality? How can we do that given that, in an answer to me, OFMDFM —

Mr Principal Deputy Speaker: Question.

Mr Agnew: — stated that information on wealth inequality is available only for GB? How can we tackle inequalities in income and health if we do not measure them?

Mr Poots: The Member is almost suggesting that we should keep everyone in an economic morass because that would ensure that we have a better distribution of inequalities. I would much prefer that people have the opportunity to get employment and the appropriate education to enable them to get jobs and to be attractive to employers that come to Northern Ireland. I would also prefer it if people did not object to every planning application, which could bring jobs to this country and this region, and focused on delivering a good and sustainable economy in Northern Ireland. All of that is positive.

I note the Member's piece of work, but I have to say that he does not have to create legislation to get me to work with other Ministers. That comes naturally, and we have to work with other Ministers and colleagues.

This is a health strategy; it is not an economic strategy. I will give the lead on health issues, and Minister Foster will give the lead on economic issues. However, the fact is that although the Member said that it did not demonstrate health inequalities, for every percentage that unemployment goes up, the incidence of suicide goes up by 0.9%. I am not sure where the Member gets his statistics from, but I am very clear that we need to have a stronger Northern Ireland economy. When we have that, we will have more to invest in our health services to ensure that we get the best outcomes for people.

Mr McDevitt: I welcome the Minister's beginning-of-session reminder to us all to get back in shape and do what we all do after the holidays. What absolute guarantee will the Minister give us that this is not like a New Year's resolution, whereby we say all the right things at the beginning of the session and then slowly, during that session, forget what we said? Specifically, will the Minister tell me how much more he thinks that his Department should be investing in public health to be able to realise even the most basic of the ambitions set out in the very good consultation paper?

Mr Poots: I have to say that the Member's point is fair. Often, we come here with very great and noble aspirations and a real commitment to get things done but, as time moves on, other things take our attention, and we do not give the same focus to the issues that we have just discussed. However, we have a Public Health Agency, and I am very supportive of it. Its current allocation is £81 million for the year 2012-13. Is that enough? To be honest, I would love to invest considerably more in public health. Currently, the Department spends around £4.5 billion. How do we make the savings elsewhere to enable us to put more money into public health? That is the challenge that we need to work towards. So when Members challenge me about the cuts that I will make in one area or another, I might remind them that it is necessary if we are to invest more in other things. If we have a budget that is pretty flat, we have to reduce budgets in other areas. So that will also

happen throughout the year. I remind the Member that, when we make cuts, we do so to enable us to invest more in other services in the Health Department.

Ms Brown: I welcome the Minister's statement and his answers to the questions so far. What monitoring will take place to ensure that there is progress as a result of the strategy?

Mr Poots: The data and research group has been established to identify a set of high-level indicators. That will facilitate our monitoring of progress on the outcomes of the framework and the wider health outcomes over time. Those indicators will also be included in the final framework. That is absolutely necessary because we could easily spend a lot of money on public health without identifying that we have achieved outcomes. It is essential that we are able to identify the outcomes associated with the investment of resource.

Mr Storey: I welcome the Minister's statement to the House and also the commitment by the Public Health Agency in areas such as those that my colleagues referred to in Lisburn and also now in my North Antrim constituency. That engagement with the Public Health Agency has been extremely positive, and I thank the Minister for it.

The Minister raised the issues of disadvantaged communities and early years when outlining the framework. I wish him more success than the Education Minister with early years, because that strategy in the Department of Education is in a shambles. On the transition point from the 0-3 age group, from health to education —

Mr Principal Deputy Speaker: Question?

Mr Storey: Will the Minister ensure that the transition from early years is a very clear focus of this framework? We must ensure that those early years are appropriately dealt with.

Mr Poots: It is essential that the transition from early years is appropriately dealt with. We need to focus on ensuring that we have as close a correlation as possible between the two Departments. Sometimes, I suspect that the problem is not with the Ministers but with the civil servants.

2.15 pm

Again, we as Ministers need to stamp our authority on behalf of the Assembly so that if we want something to happen and are certain that it is the right thing to do, we do not allow processes to get in the way of outcomes. If we need to adapt, change or challenge processes, so be it, but we need to get to the outcomes. If we have identified that, for example, children who are involved in serious adverse incidents in their early years are far more likely to have suicide ideation at a later point in their life, it is critical, from my perspective, that social services are more effective and are working really closely with people in education to identify and deal with those problems. It is also critical to ensure that children are getting the right nourishment and the appropriate care and that parents, including many young parents, who wish to do the right thing, receive the appropriate education in parenting. It is vital to ensure that children receive appropriate nurture, with parents setting a child on their knee and doing a simple thing such as reading to them, for example. Those

are all simple things that are critical to our future and that can make a real, meaningful change in those children's futures.

Mr Beggs: The Minister touched on absenteeism. In some areas, up to 30% of young people are referred to the educational welfare officer. Does the Minister agree that fresh thinking is required in a range of Departments to address that? It may be to do with engagement with the parents, which he alluded to, but it could also be about the curriculum that is mandated. Greater flexibility may be required to ensure that young people are enticed into and attracted to education so that they can learn, contribute and better themselves.

Mr Poots: I want to be cautious that I do not move on to territory that is not really mine to answer on, but I will make it very clear that a lot of the problems that will appear in the justice system, in schools and that teachers will encounter — for example, people criticise schools as failed schools — are not about the education but about the parenting. If the parenting is wrong at the outset, you will encounter problems all over the place, and we as a society will have to pay for those problems. In my own city, regrettably, a young man with disabilities was badly beaten in the past week. In the past few weeks, a dog was set on fire. What sort of people in our society do those things? You have to ask what way those kids were brought up in the first place. I was certainly brought up in an environment where I would never have considered doing those things. I suspect that that is the case for the vast majority of the House — hopefully all of it. We as a society need to get parenting right in the first instance. Some people just do not have the skills and need help. Some people are beyond help, and we need to intervene in those instances. It clearly falls to my Department, through social services, to take action where things are wrong. I think that truancy and all those things will play their part at a later point, but those are just symptoms of the problems that happened in those early years.

Private Members' Business

World Suicide Prevention Day

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Rogers: I beg to move

That this Assembly unites in its support for world suicide prevention day; and endorses the recommendations contained in the Protect Life strategy to develop a cross-departmental framework to assist the community and voluntary sectors in suicide prevention.

Thank you, Mr Principal Deputy Speaker, and I thank all parties for allowing this to be the first debate of our new term.

As well as thinking about what is happening outside, I think that it is important to have this debate in the Chamber today. My first experience of suicide was almost 20 years ago, when a relative died. I had the task of breaking the news to his young children to tell them that daddy would not be coming back. Last night, I attended a Mass for a relation who died in New Zealand. When I and every Member in the Chamber visit our graveyards, we see evidence of many young people and parents who have taken their own life.

As I was travelling to Newry one day a few weeks ago, I met a lady walking on the road who was wearing a T-shirt with the phrase "Ban suicide websites" on it. The lady is Patti Boyle. She lives in London but has roots in south Down. She is walking from the grave of her son in Burren in south Down to London. Some time ago, her son took his own life in London. His body was found 100 days later. When she and her husband were trying to tidy up his bits and pieces, they discovered that he had visited a website from which he bought a kit to assist him in his suicide.

This is an extremely important debate. The facts about suicide are, quite simply, that it is the third biggest cause of death after heart disease and cancer. More people die in Northern Ireland through suicide than in road-traffic accidents. In Ireland, two people die every day. A suicidal person may not ask for help, but that does not mean that help is not wanted. Suicide prevention starts with recognising the warning signs and taking them seriously.

Let us dispel the myths about suicide. The first myth is that people who talk about suicide will not really do it. That is false. Almost everyone who attempts suicide has given some clue or warning. Do not ignore suicidal threats. Statements such as, "I cannot see any way out of this", no matter how casually or jokingly said, may indicate serious suicidal feelings.

Secondly, if a person is determined to kill himself or herself, nothing will stop them. That is false. Even the most severely depressed person has mixed feelings about death, wavering until the very last moment between wanting to live and wanting to die. Most suicidal people do not want death; they want the pain to stop. The impulse to end it all, however overpowering, does not last for ever.

(Mr Deputy Speaker [Mr Beggs] in the Chair)

Thirdly, the idea that people who commit suicide are unwilling to seek help is, again, false. Studies of suicide victims show that more than half of them sought medical help in the six months prior to their death. The final myth is that talking about suicide may give someone the idea. Again, that is false. The opposite is true: bringing up the subject of suicide may give someone the permission to tell you how he or she really feels. People who have come through such a crisis say that it is a huge relief to talk about how they feel. When people start talking, they have a better chance of discussing options other than suicide. If you think that a friend or family member is considering suicide, you may be afraid to bring up the subject, but talking openly about suicidal thoughts and feelings can save a life.

We all have a part to play in preventing suicide. We in the Assembly must continue to ensure that every aspect of the Protect Life strategy is delivered, especially those areas on which there is still a lot of work to do. First, to restrict access to means and methods of suicide, we must recognise that cyberbullying is becoming a major problem and address the issue. Internet and social media can have a positive influence on suicide prevention. We must eliminate the negatives, so websites that assist suicide, such as those that helped Patti's son to end his life, must be closed down.

We need to make suicide and self-harm training a priority for all our emergency services. We must develop a culture of help-seeking for those in high-risk occupations. The Executive must ensure that the health impact assessment of all policies is a priority for all Departments and all statutory bodies. Finally, we must develop mental health care services that actively seek out those recently released from custody.

There are also small things that would help, including more early intervention for cases of anxiety and greater access to counselling. Another little thing would be to make the Lifeline number freely accessible to all callers, irrespective of whether they are calling on a landline or a mobile, across the island. In Kilkeel and right around the border counties, we are subject to roaming charges. Crises do not occur just when we have landlines: having no roaming charges may save a life.

We also need to restore funding for the wraparound services of complementary therapies — the befriending and mentoring. Currently, funding is available only for counselling, but voluntary suicide prevention organisations need all the help that they can get. Every one of us can make a difference. We need to look for the warning signs: the statements about hopelessness; the loss of interest in things that one cares about; giving things away and, maybe, setting one's affairs in order. We must listen actively. Do not be afraid to ask questions. Stigma and silence can prevent saving a life.

In our offices and everywhere else, we need to promote the links to help that are out there, whether the health service, Lifeline, PIPS, Cruse, the Samaritans, Contact Youth or any of the many others that are in this Building today. I acknowledge the great work that all those organisations do. Really, the message is: if in doubt, act. Most people who die by suicide do not want to die; they just want to stop hurting. Talking about it, highlighting

suicide awareness, ensuring that the Protect Life strategy is fully implemented and doing the small things can make a difference. We can all help to reduce the hurt. In ending the silence, we help to stop the stigma.

Mr Deputy Speaker: Members, as Question Time is due to start at 2.30 pm, I ask you to take your ease for a few minutes.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Enterprise, Trade and Investment

Mr Deputy Speaker: Questions 9 and 10 have been withdrawn and will require written answers.

Broadband and Mobile Phones: Newry and Armagh

1. **Mr Boylan** asked the Minister of Enterprise, Trade and Investment for an update on her efforts to improve access to high-speed broadband and mobile phone coverage in rural areas of Newry and Armagh. (AQO 2357/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): My Department has contributed to improved access and quality of broadband services in rural areas across Northern Ireland, including Newry and Armagh. Under the Next Generation Broadband Services contract, some £19.8 million of government and EU funding leveraged £31 million of private sector investment, resulting in the highest level of fibre-to-the-cabinet technology in the United Kingdom. Alternative broadband services are available through high-specification satellite services or high-speed fixed-wireless services.

Building on its previous investments, my Department is scoping two projects, which are aimed at further enhancing the region's telecommunications capabilities by ensuring access to broadband services of at least two megabits per second to all premises and improving access to 3G mobile services. Under the proposed 3G mobile project, my Department aims to reduce the percentage of premises in Northern Ireland with no 3G coverage from any operator from the current level of 11.7% to at least the UK average of 0.9%.

Mr Boylan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. I am well aware that there has been a lot of money invested in broadband provision. Does the Minister intend to carry out an assessment of those firms that have received money to provide broadband in rural areas? Clearly, that provision is not there, and I know that from some of the firms that I have dealt with. I would like an assessment of that. Also, how much more money is available to address the gaps in rural broadband provision?

Mrs Foster: Of course, any company that receives government money is assessed after the end of the contract to see whether it has delivered the targets that were set in the terms of reference. That is exactly what will happen with the sixth call for Onwave, if that is what the Member is referring to, as has happened with all the other companies.

We will continue to fill that gap. The Member knows that we have been working very hard in respect of that. In its latest research, Ofcom estimates that 94% of households could access a super fast broadband service of 30 megabits per second or better. It is important that we benchmark that against what is happening in the Republic of Ireland, where the Department of Communications, Energy and Natural Resources estimates that just over

20% of households have access to a service of 10 megabits. So, things are a lot better in Northern Ireland in respect of broadband access. That does not take away from the fact that there is more that we can do, and we will be doing more in the future.

I am quite happy to say to the Member that we are accessing money from the UK for broadband infill, but, unfortunately, because we were so far ahead of other parts of the UK, we are now being penalised and are not getting as much money as we should be to follow up with broadband projects. However, we will keep fighting that battle.

There has been a lot achieved in respect of broadband provision, but there is more to do.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra. I thank the Minister for her answer. Can she give us an assurance that the stated target of 95% indoor coverage for 4G services will be met in all areas of Northern Ireland?

Mrs Foster: This is the first time that a Northern Ireland target has been set for mobile services. Part of our difficulty with 2G and 3G was that the target was set at a UK level, and it was only because of lobbying by myself and others that we now have a Northern Ireland target. That is a target that will apply right across Northern Ireland. It is a very high target, and I am pleased that it is a high target, but it is a Northern Ireland target. That is the difference, because, in the past, we have just had UK targets, and we have suffered as a result.

Mrs Overend: I refer the Minister to the Westminster Government's announcement in their Budget about the improvement of mobile network signals in specific areas of Northern Ireland. What discussions has she had with the Westminster Government on that issue? Will she remind the House of the details of that announcement and the expected timings for the realisation of improvements?

Mrs Foster: We have ongoing and very good relations with our counterparts at Westminster. Indeed, I pay tribute to the former Minister of State for Northern Ireland, Hugo Swire, who was very helpful in the negotiations with colleagues in the Department for Culture, Media and Sport at Westminster.

The plan is that we will get in the region of £6.6 million out of the fund. I had hoped, as I said in my answer to Mr Boylan's supplementary question, that we would have had in and around £10 million. We have been able to secure only £6.6 million, but I believe genuinely that that is because our broadband coverage is so far ahead of other parts of the United Kingdom. We should not be penalised like that; we should be encouraged to go further, better and higher. That is certainly what we plan to do under our telecommunications action plan.

Tourism: Ulster-Scots Culture

2. **Mr Swann** asked the Minister of Enterprise, Trade and Investment what action she is taking to develop genealogical tourism through the promotion of Ulster-Scots culture, language and heritage. (AQO 2358/11-15)

Mrs Foster: There is potential to develop genealogical tourism through the promotion of Ulster Scots, particularly

in the United States, where we have targeted this specific segment through Tourism Ireland's extensive marketing programme. I recently launched a free app that will help Northern Ireland to harness the tourism potential of the 30 million people worldwide who have Ulster-Scots roots.

Our tourism bodies continue to engage with the Ulster Historical Foundation, the Ulster-Scots Agency, the Orange Order and other agencies and bodies in Northern Ireland with a view to ensuring that all aspects of Ulster-Scots culture and heritage are reflected in our tourism offering.

Mr Swann: I thank the Minister for her answer. I am sure that she will agree that, as well as genealogy, piping and drumming is a major strand of Ulster-Scots culture that could be used as a potential tourism attraction. Has she any plans to further develop the piping and drumming successes that we saw over the summer, when the European championships were held here and in the world championships, so that we can use them as another way of attracting tourism to Northern Ireland?

Mrs Foster: I thank the Member for his supplementary question. I declare an interest as the vice-president of the Royal Scottish Pipe Band Association.

NITB received an application for funding for the 2011 European pipe band championships, and I was very pleased that the Tourist Board was able to support that. I am sure that the Member was as disappointed as I was that we were not able to secure the European championships again and that they are moving back to Scotland next year for another three-year cycle. However, I want to say how proud I was of our pipe bands when I saw that the Field Marshal Montgomery Pipe Band from Lisburn had won its eighth world championship title this year. As well as that, we had two other world champions: grade 3B was won by Ballybriest, while grade 4B was won by Clogher and District, which, of course, gave me particular pleasure. We also had Northern Ireland winners in three drum major grades.

We have a very proud pipe band history, culture and heritage, and I pay tribute to the pipe bands for the work that they do, free of charge, to introduce young people to music and culture across Northern Ireland. We want to support pipe bands in any way that we can. We recognise that they bring visitors into areas for their competitions, and I hope that we can work with the Department of Culture, Arts and Leisure to develop that more.

Miss M McIlveen: I thank the Minister for her answers so far. She mentioned specifically the potential for developing genealogical tourism through the promotion of Ulster Scots in the United States. What work is her Department doing to fulfil that potential?

Mrs Foster: I thank the Member for her question. Tourism Ireland has, in recent years, specifically targeted this segment with extensive marketing programmes as part of its ongoing high-profile marketing activity, promoting Northern Ireland as a compelling holiday destination.

Last year, it ran an Ulster-Scots campaign entitled 'Come home to Northern Ireland this year', which reached up to three million people of Ulster-Scots origin in the southern states of the US through advertisements in specialist publications with strong Ulster-Scots demographics, online advertising and direct marketing focusing on Northern

Ireland family names and ancestries and activity with the Smithsonian Channel. As well as that, they attend and will have a presence this year at the Stone Mountain Highland Games, which take place in Georgia. It attracts over 80,000 visitors of Scots and Scots-Irish descent during a two-day festival. We will be present there as well.

We continue to work with all the agencies. Those of you who have the time to do so should look at the new Ulster-Scots app for your iPad and iPhone, which we have launched recently. It has four driving tours: Londonderry and Donegal is one; there is one in north Antrim; and there are two in County Fermanagh. Members should spend some time in having a look at that.

Mr Flanagan: I was disappointed with the Minister because, until just now, she had not referenced Fermanagh in her discussion on the Ulster-Scots app. Of course, we all know that she went to Lisnaskea to launch it. I was surprised that she did not mention that until now.

When we are talking about genealogy, will the Minister provide the House with an update on her discussions with her counterpart in the Dublin Government, Leo Varadkar, regarding the potential benefits to the local economy of "The Gathering" of 2013 taking place on a 32-county basis?

Mrs Foster: I will answer that question when I come to it. It is number 11 or 12 on the list.

Corporation Tax: Job Creation

3. **Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment for her assessment of how the continued lack of agreement on a reduction in corporation tax might affect her Department's job creation strategy and targets. (AQO 2359/11-15)

Mrs Foster: My Department's PFG target is to contribute to rising levels of employment by directly supporting the promotion of over 25,000 new jobs. I am pleased to say that, already, approximately 7,000 jobs have been promoted. I am confident that this target will be achieved irrespective of the outcome on corporation tax. That having been said, corporation tax is a powerful economic tool that has the potential to help us in our aim to transform the local economy. We are still pressing for the devolution of this power, and a further ministerial meeting is due to take place before the end of September 2012. Once the outcome of this work is known, the Executive will reassess and, if necessary, strengthen the ambitious nature of their economic goals.

Mr McGimpsey: Bearing in mind an unemployment rate of around 66,000 people, does the Minister believe that there are other measures that she can take currently, irrespective of any anticipated reduction in corporation tax, which is looking very slow? When does she think she can put other measures in place, and how much of a reduction does she anticipate seeing from the figure of 66,000?

Mrs Foster: If I knew how much of a reduction there would be to the unemployment register, I would have a crystal ball in front of me. We all want to see a reduction in unemployment. The House is united on that matter. Invest Northern Ireland has just informed me this week of its comprehensive plan to work with a lot of our indigenous companies.

Across the UK, we have seen a flattening out, indeed a depression going back into a recession, over the past number of months, and there is a great need to work with our local firms to give them the capacity to employ more people. I am pleased to say that we have seen that across Northern Ireland. We have small companies that are increasing their employment, and I am very pleased to say that we are able to support them. Last week, I announced 70 new jobs at TES in Cookstown. Over the summer, we were able to announce a new package in Moyola Precision Engineering that safeguarded 20 jobs and meant 15 new jobs. Taxi and Bus Conversions in Dungannon is taking on 20 new staff. Benny O'Hanlon at Todds Leap Activity Centre is taking on 10 new staff. Across Northern Ireland, indigenous companies are working away and are taking on staff, bit by bit, and we want to support them as much as we can.

We are in a difficult place economically, and I do not think that there is anybody who can say that this is not a global recession that has gone on for far longer than people projected. However, we, in Northern Ireland, have to get alongside our indigenous companies and give them all the help and support that we can.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I place on record my thanks to the Minister for her involvement with TES in helping to support the creation of new jobs in my constituency.

As far as the devolution of corporation tax and its implications for the North are concerned, has the Department done any assessment of the beneficial consequences that such devolution might have for the local economy?

2.45 pm

Mrs Foster: We have had a few independent analyses taking into account what it would mean for the Northern Ireland economy. The economic advisory group has provided very strong evidence that it would give us the step change that we need in relation to employment, and that would make a real difference. Invest Northern Ireland has carried out detailed work on what it would mean for foreign direct investment, and, looking at the local economy, it really will be a case of a rising tide lifting all boats. It will mean more money in the economy in higher wages, and it will also mean that smaller companies will be able to get into the supply chain of larger companies, thereby allowing them to grow as well.

We have seen a lot of evidence. I do not think that there is any argument about the difference that a lower rate of corporation tax could make to Northern Ireland. Now, we just have to persuade the Treasury to devolve that power as soon as possible.

Mr Newton: I know that the subject of corporation tax is dear to the Minister's heart and she sees it, perhaps, as another tool in her toolbox to help attract, in particular, inward investment to the Province. When he was Secretary of State, Owen Paterson was also a keen supporter of the devolution of corporation tax powers for the same reasons as the Minister.

Mr Deputy Speaker: Can we have a question, please?

Mr Newton: Owen Paterson has now moved on, and we have seen the appointment of Theresa Villiers. Does the

Minister see Theresa Villiers being as helpful as Owen Paterson?

Mrs Foster: I thank the Member for his question. I would like to place on record my thanks to Owen Paterson for helping to put the devolution of corporation tax powers back on the agenda of the UK Government and, indeed, for working with us on the proposals that are now being discussed. Of course, I wish him every success as Environment Secretary.

I also wish to congratulate the new Secretary of State. We look forward to working with her on a range of issues of significance to the local economy. Of course, corporation tax is at the very top of that list, but there are other areas, such as regional aid, investment and tourism. We look forward to meeting her in the very near future. I very much hope that she will support us fully in our efforts to drive the local economy forward using a lower rate of corporation tax to accelerate the economic growth that everybody in the House so desires.

Mr McKay: There are clear indications that the British Chancellor's economic policies are slowing down growth across the board, and we now know that the tax take is down, with a lower return in corporation tax being part of the reason for that. Will the Minister indicate whether she has any read-in to those figures for the North? Does she agree that the British Finance Minister is deploying the wrong economic policies for this economy and for job creation here?

Mrs Foster: It is worth reflecting on the progress. Sometimes the House looks at the negative aspects in relation to corporation tax. Yes, it has taken us a long time to get to where we are today, but progress has been made on a number of work streams, for example on economic impacts, and, although we and the Treasury will probably never fully agree, there has been substantial movement by the Treasury to better acknowledge the scale of possible benefits in jobs and investments. There remain significant differences on the cost of a reduction in the rate of corporation tax, and those have yet to be resolved, but we will continue to push very hard on that.

As regards our Chancellor of the Exchequer, it is not my job to tell him how to do his job, any more than it is his job to tell me how to do mine.

Employment: Golf Tourism

4. **Mr Campbell** asked the Minister of Enterprise, Trade and Investment what job creation opportunities can be developed by promoting golf tourism on the Causeway Coast. (AQO 2360/11-15)

Mrs Foster: Finding the answer to question 4, as opposed to question 5, would be good.

The success of our golfers continues, with Rory McIlroy cementing his world number one status with his PGA Championship win last month, the Deutsche Bank Championship victory last week and, just last night, his BMW Championship win in Indiana. These wins, alongside the extensive positive media coverage received around the world through hosting the Irish Open, have increased Northern Ireland's profile as a major visitor and golf destination and for inward investment. Royal Portrush attracts golfers from all over the world. Forward bookings as a result of the Irish Open are very healthy, with the

course practically fully booked until the end of 2012. Royal Portrush has also applied to host the British Amateur Championship in 2014. Maximising the economic benefit from golf also depends on the supporting infrastructure. The Bushmills dunes golf resort will bring an estimated 360 jobs to the area.

Golf is of great interest to many senior business executives. Northern Ireland's courses and the opportunity to play them can be a significant quality-of-life factor during inward investment visits. The Irish Open, in particular, was used to attract senior international business executives to visit Northern Ireland. The senior management team of Olenick and Associates from Chicago came to the Irish Open and chose the occasion to announce its new project for 55 jobs.

Events such as the Irish Open and the development of golf tourism are key towards meeting the ambitious target of over 50,000 jobs sustained in tourism by 2020.

Mr Campbell: I thank the Minister for all the work that she and her Department put in during the run-up to the Irish Open and its success in Portrush this summer. In the context of promoting jobs and golf tourism in Northern Ireland, I ask her to take account of the views of a number of traders who expressed concern that, when spectators arrived and went into the tournament, they were, unfortunately, unable to avail themselves of many of the sites and shops of Portrush until the tournament closed. Will she take account of that when she negotiates and deals with incoming tour operators to promote all of Northern Ireland and its tourist infrastructure when such events take place?

Mrs Foster: I thank the Member for his supplementary question. He and others have raised the issue with me previously. The Irish Open was a phenomenal success. I recognise the fact that some traders did not have the retail experience that they thought they would have during the tournament. However, since then, Portrush has experienced a renewal — a revival, if you like. Many people who visited Portrush over the summer have told me that they think that the place has been transformed. A lot of work went into the area before the Irish Open. Its legacy is that people visit Portrush now and rightly so. I spent some of my summer holiday in Portrush and the north coast. It was a very enjoyable experience.

The important thing is that we were able to bring record crowds to Northern Ireland for the Irish Open; in fact, its attendance was double that of the Scottish Open. That really puts it into context.

Mr Dallat: I am absolutely delighted that the Minister spent some of her holiday in Portrush. I am sure that she thoroughly enjoyed it.

Does the Minister agree that retention of the Giant's Causeway's UNESCO world heritage site status is absolutely critical to the long-term sustainable development of tourism in that part of the causeway?

Mrs Foster: As someone who has some knowledge of UNESCO, I can tell the Member that that is not an issue that will materialise. There is no threat to the Giant's Causeway's UNESCO world heritage site status. People who say that there is actually cause more problems than anything else.

Mr Nesbitt: I join the Minister in congratulating Rory McIlroy on a most phenomenal run of success. Does she share my surprise that, when the words "Rory McIlroy" are typed into the search box on the Discover Northern Ireland website, the response is this:

"We're sorry. No matches were found"?

Mrs Foster: I am surprised at that. The Member must have a lot of time to type such things; it seems to be a recurring theme with him. If he has any technological expertise that could help the Northern Ireland Tourist Board to remedy that, I am sure that the board would be happy to speak to him.

Golf tourism currently generates £14 million a year for the economy in Northern Ireland. The key issue is that golf tourists normally spend £300 to £450 per visitor. That is significantly higher than for any other type of tourist. Therefore, we are, of course, working hard to get more golf tourists to come to Northern Ireland.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I agree with the Minister that golfing is a major tourist attraction. What worries me is that the other part of the brand name is being left out totally. It is the "Causeway Coast and Glens". Indeed —

Mr Deputy Speaker: May we have a question, please?

Mr McMullan: Will promotion of golfing in the area include its full brand name of "Causeway Coast and Glens"?

Mrs Foster: I am not sure whether the Member realises that, a short time ago, I was with Causeway Coast and Glens to help it to promote its new strategy. I have no difficulty in continuing to support Causeway Coast and Glens in its tremendous work.

Invest NI: South Antrim

5. **Mr Clarke** asked the Minister of Enterprise, Trade and Investment how much funding Invest NI has provided for south Antrim over the last three years. (AQO 2361/11-15)

Mrs Foster: Between 1 April 2009 and 31 March 2012, Invest NI offered assistance or funding of £21.4 million to businesses in the South Antrim constituency, including £7 million to externally owned businesses. Since the start of the Boosting Business campaign in November 2011, Invest NI has added 114 prospective projects worth £4.4 million of support in the south Antrim area. These are at various stages of development and have the potential to generate £21 million of investment for the local economy and create 138 new jobs. The figure of £21.4 million assistance that I detailed contains 37 of these projects, amounting to £496,000 of support. The jobs fund was launched in April 2011, and, by the end of August 2012, it had secured 21 projects in South Antrim. These are at various stages of development and should lead to the creation of 117 new jobs, 22 of which have already been created. The figure of £21.4 million contains 16 of these jobs fund projects, amounting to £338,000 of support.

Mr Clarke: I thank the Minister for her answer. I also thank the Minister and her Department for their work with Invest NI in relation to the £21 million for South Antrim. Will the Minister give us her assessment of what part the banks played in that investment over the past two to three years and of the part that they continue to play?

Mrs Foster: The banks play a critical role, particularly for small businesses. I know that small businesses that were clients and customers of the Ulster Bank have had a particularly difficult period to deal with. Having read a survey of some of the Ulster Bank's customers in its purchasing manager's index (PMI), I am not surprised that the bank is predicting difficulties. The Ulster Bank, unfortunately, contributed to some of the difficulties that many small businesses across Northern Ireland experienced. My economic advisory group is embarking on an independent analysis of access to finance for Northern Ireland businesses. That group is supported by financial experts Philip McDonagh and Maureen O'Reilly, and it will hold a targeted series of meetings with key stakeholders, including business representatives from across Northern Ireland. The banks are telling colleagues and me one story about wanting to lend money to businesses, and our constituents are telling us a completely different story. Therefore, we need some independent analysis of access to finance, and I look forward to receiving that information.

Mr Byrne: In relation to some of the bottlenecks that crop up in different areas, what is Invest Northern Ireland doing to ensure that there is enough industrial zone development land in provincial towns such as Omagh?

Mr Deputy Speaker: Clearly, that question is much wider than the original question on south Antrim. If the Minister wishes to reply, she may.

Mrs Foster: That, of course, is led by Minister Attwood through area plans. When information is sought on area plans, we submit material to that.

Mr Gardiner: Will the Minister update the House on the Go For It programme, considering that £250,000 was reported to have been spent on advertising in late 2011?

Mrs Foster: As I understand it, the new procurement has now been settled, and we hope to make an announcement on the tender in the very near future.

Tourism: Our Time Our Place

6. **Mr Storey** asked the Minister of Enterprise, Trade and Investment for an update on the impact that the Tourist Board Our Time Our Place 2012 campaign has had in attracting visitors to Northern Ireland. (AQO 2362/11-15)

Mrs Foster: It is still too early to comprehensively assess the impact of the ni2012: Our Time Our Place campaign on attracting visitors to Northern Ireland. However, the signs are very encouraging. Belfast City Council has reported that the MTV Europe Music Awards in 2011 attracted 33,500 visitors during Belfast Music Week and generated a total economic impact of £22 million for Belfast, with £10 million being the amount of additional tourism revenue for the city. Titanic Belfast has reported welcoming in excess of 450,000 people to its visitor exhibition to the end of August 2012. Of those, 62% were out-of-state visitors from 109 different countries and 38% were domestic visitors. The Irish Open had a record attendance of 130,785 during the tournament. Up to 26 August 2012, the National Trust reported welcoming 192,000 visitors since the opening of the new Giant's Causeway visitor centre, of which 39% were Northern Ireland residents and 61% were out-of-state visitors.

2012 has not just been about those major international events. In the past few weeks, we have enjoyed the Happy

Days Enniskillen International Beckett Festival, the 21st Bluegrass Festival, the East Belfast Arts Festival, the Hillsborough International Oyster Festival, BBC Proms in the Park at Titanic Slipways, Belfast, and, of course, not forgetting the Northern Ireland International Airshow. All that shows that 2012 continues to be our time to shine here in Northern Ireland.

3.00 pm

Environment

National Parks

1. **Mr McMullan** asked the Minister of the Environment whether he will be holding public information sessions on the Causeway Coast and glens to explain the rationale for the possible designation of a national park. (AQO 2372/11-15)

Mr Attwood (The Minister of the Environment): I thank the Member for his question, and I welcome everyone back to the Chamber. Quite clearly, I would not have been taking much note of what was going on in the North over the past number of weeks if I were not very aware of the ongoing debate, if not controversy, on national parks. I want to make it very clear that I am going to take stock of where we are with this proposal, and I ask everyone else inside and outside the Chamber to do the same. I stress that it is only a proposal in principle that has yet to earn support at the Executive or more broadly. We will see where that goes over the next period, never mind having legislation on the Floor or designation on the far side of legislation.

I make it clear that this is a conversation about a principle. I am going to take stock. I ask everybody else to take stock in the certain knowledge that, even if this principle were agreed, nothing would be imposed on any part of Northern Ireland. That would be antidemocratic and would not work in practice. If national parks were to happen, a sovereign principle at the heart of that would be that you would work with all the stakeholders, residents and farmers in any area to define what the shape of a national park might be. I think that that is a balanced, moderate and sensible way to go forward, and I hope that others concur.

Mr McMullan: I thank the Minister for his answer. However, we are seeing the cart being put before the horse. You have put something out that, as you said, will not be legislated for. When will we see a working model so that people can really look at the pros and cons of this aspiration for a playground for suburbia? *[Interruption.]* Secondly, Minister, will you come to the glens to —

Mr Deputy Speaker: I remind Members that you are all entitled to ask a question of the Minister. Minister, answer please.

Mr McMullan: Will the Minister tell me today —

Mr Deputy Speaker: Order. A question has been asked, and a clear attempt to ask a second is now being made. Can I have the answer, Minister?

Mr Attwood: I concur with the initial thrust of the question, which was, namely, about a conversation on the pros and cons. The pros might be that there would be no additional regulation. A pro would be that planning would be vested

in local councils under RPA and not in any other structure. A pro would be that no restrictions would be placed on livestock or on products that might be grown.

Mr Dallat: Hear, hear.

Mr Attwood: Thank you, Mr Dallat. Another pro would be that any restrictions will come from Europe and DARD and not from DOE and national park designation. We will see where things go between now and 2014 with the renegotiation of CAP, which will have a much more intimate and real-time impact on farmers and rural dwellers than anything that I, DOE or national parks might lead.

Will it be a playground for suburbia? We face a situation in the North where 80,000 people will be out of work on the far side of welfare reform, if it is imposed on the Assembly. On the far side of that, there could be more people unemployed, given that unemployment increased by 400 between the first and last day of July alone. Therefore, we have to position the North in all ways to maximise the opportunities for work, given the scale of unemployment that we are about to face and the structural nature of it.

In that context, national parks may be an option. It may end up that they do not win favour in any one part of the North, never mind at the Executive or in the Chamber, but national parks are a proven model in other places. We would model ours in the image of our circumstances, given the scale of our rural community and the primacy of farmers. We would model it to the circumstances that suit the North of Ireland. Why? To bring benefit to all those who live in those areas. Why? To protect the farming interests going forward. Why? To grow tourism to a billion pounds a year industry, as is the ambition of many people over the next number of years. That is not a playground for suburbia; that is serving the interests of all those who live in such areas and, in particular, serving the needs of the many, many people who will be workless over the next five, 10 and 15 years.

Lord Morrow: I listened to the Minister reply to the original question and to the supplementary. Are you now telling this Assembly that you are not proceeding with a national park?

Mr Attwood: I said, and I will repeat it now, that I am taking stock. That is not saying that I will not proceed with anything. I am taking stock, as is my obligation as a democratically accountable Minister, to hear the many and differing voices on the issue of national parks. In one part of the North, legitimate concerns have been raised by the farming community. In the same area, there is legitimate support for the principle of national parks from the commercial community. Therefore, there are many voices on the issue of national parks. I would be reckless if I did not listen to and heed what people are saying. That is why, far from abandoning the proposal, I want to have a conversation with all those for and against it over the next number of weeks. On the far side of that, Lord Morrow, I will make a judgement about the best advice to give to the Executive and the House.

However, given the scale of worklessness that our people are facing, do we not have an obligation to interrogate forensically any and all opportunities to grow jobs in this part of the world? Do we not have an obligation to recognise that, given the scale, wonder and beauty of our natural and built environment, we need to grasp the opportunities for heritage-led development over the next

five and 10 years? Deciding what vehicle to use to do that is the challenge to me as a Minister and to us as a legislature. I hope that, whatever way we do it, we measure up to that task.

Mr Elliott: The Minister welcomed us back after the summer, and I welcome him back, particularly after the two aggressive meetings about national parks recently, one in Cookstown that he attended and the other in Newcastle that he did not. The three areas that have been outlined as potential —

Mr Deputy Speaker: May we have a question, please?

Mr Elliott: — national park areas all have some protected designation. How would designations as national parks differ from those designations that they already have?

Mr Attwood: Yes, I was at one public meeting and not the other. I was invited to the latter at very short notice, and I had legitimate family commitments on that night. I will listen to people publicly and privately on the issue of national parks and the principle behind them; namely, what we can do to protect the assets of our natural environment, promote the farming community that lives therein and grow that as a marketing tool for tourist development.

What will be different? The level of designations in many parts of Northern Ireland is a reflection of, as I said before, the scale, wonder and beauty of our built and natural heritage. There are many designations in the North. Indeed, parts of the North have multiple environmental designations. What does a national park do? It says that one or two places from all the places of wonder and beauty have such a special quality that they have a special name, and within the special name follows resources, good management with the local community, especially farmers, and marketing opportunities on the far side.

I understand the worst fears about national parks, because there are models that, in my view, are not fit for purpose in the circumstances of the North. However, can we model one that is suitable for the circumstances of the North, that reflects the needs of the farming community in particular, given the scale and character of that community in Northern Ireland, and yet creates opportunities by defining one or two areas in such a special way that people internationally will say that if you go there, you will have a special and particular experience?

Mr Deputy Speaker: I advise Members that question 3 has been withdrawn and will require a written answer.

Beaches

2. **Mr McDevitt** asked the Minister of the Environment to outline any positive outcomes arising from his initiative on better beaches. (AQO 2373/11-15)

Mr Attwood: In a way, this is a supplementary question to the one on national parks, and it is simply this: given the wonder of our natural heritage, what do we do to better manage it and better promote it? The purpose of having four beach summits to date and one in October is to see how we can better manage our water and beach quality to protect what we have and enhance it as a tourism and jobs opportunity going forward. I will give you some small examples. There is now a website that enables citizens and tourists to access in a moment the quality of water at any one beach named on the website. We are developing

a marine litter strategy, which will be the first ever in Northern Ireland. Given the scale of rubbish found on our beaches — and I hope that Members will go out on beach watch this weekend to events organised by the Marine Conservation Society; I certainly will on Saturday morning in Bangor — having a beach litter strategy to protect the beaches as part of a wider litter strategy in the North, which we do not have in a strategic way, is an opportunity going forward. Even having a plastic bag levy, which will be in force from April next year for single-use plastic carrier bags and thereafter for cheap multiple-use carrier bags, is a means, through the beach summit and elsewhere, to protect our beaches, water quality and sea life, and to grow opportunities economically.

Mr McDevitt: I thank the Minister for his answer. Does he agree that there is a need to be relentlessly positive about the opportunity for the positive development and sustainable development of our beaches as amenity centres, tourism opportunities and places where our society can become much more in tune with just how fragile the environment is? Will he indicate whether there are further measures that he anticipates taking in the year ahead to provide us with a greater opportunity to ensure that the beaches are maintained in pristine condition?

Mr Attwood: I endorse the comments made by Mr McDevitt. There was coverage over the weekend about the scale and speed at which climate change is damaging ice packs in other parts of the world. We need to be very aware that the speed at which the waters are warming and the impact that that might have on low-lying areas, and so on and so forth, is, perhaps, beyond even what people imagined heretofore. In my view, there needs to be a strategic shift in the ambition and intentions of government. That strategic shift needs to be in favour of heritage-led development. Historically and currently, people know that there are various ways to lead development in the North of Ireland: there is economic development through foreign direct investment and through retail. In my view, we need to grasp much more fully the opportunities of heritage-led development, which is all about the character and scale of our natural-built archaeological and Christian heritage.

The beach summit is only one expression of how we can better protect our heritage to create opportunities going forward. If the Government and ourselves embrace much more fully the concept of heritage-led development, then, at the far side of that, not only will we protect the wonderful assets that we have that Mr McDevitt referred to, but we can positively use those assets to deal with the issues of joblessness that we are about to face.

3.15 pm

Mr Campbell: Will the Minister continue to build on the good work that he undertook this summer along the north coast, where, from Benone right round to the Causeway, excellent work was done in promoting what are very, very good beaches, among the best on these islands? Will he develop the relationship between his Department and the Department of Enterprise, Trade and Investment to ensure that we build on that for the future and get more tourists to enjoy the best beaches on these islands?

Mr Attwood: Without stretching the point, I say that the beaches Mr Campbell refers to are the best beaches on these islands. Every beach under council management in that particular area is a Blue Flag beach. No other

seaward-facing county on the island of Ireland has that record. The area has more and a greater concentration of Blue Flag beaches than any other part of this island. So, the point is well made.

To emphasise the point, in my view, a second strategic shift has to be to recognise that a lot of our coastal towns — be it Portrush or Portstewart; be it Newcastle or Ballycastle — have built environment issues that affect the quality of life there and the quality of the tourist experience for those who go there, not least to visit the beaches. If you invest in the built environment — what I mean by that is not just heritage buildings but other sites of decay and dereliction — to deal with those issues of decay and dereliction, as happened, to a scale, up in Portrush and Portstewart, and multiply that practice around those coastal towns, you will stabilise trade in those towns, improve the tourist and visitor appeal of those towns and, in that way, build up the tourist product and respect for the natural heritage in those towns. That is why I will be putting forward a bid to the Executive in the September monitoring round to escalate the proposal that I made for Portrush and Portstewart, which was not accepted for Derry in the June monitoring round, to deploy moneys for that very purpose over the next short while.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his responses to date. Would he consider working with local councils to ensure that our beaches are kept to a better and proper standard?

Mr Attwood: I do work with the local councils. I wrote to all the councils a short while ago encouraging them to submit the beaches within their control and responsibility for assessment under the Blue Flag and other awards. As part of the beach summit, we encouraged councils to standardise rescue facilities at our beaches by employing established authorities for lifeguard duties. That is beginning to be deployed in Portstewart and Dundrum and at Murlough Bay, which I visited a number of weeks ago. We already work with the councils, and they work with us through the beach summit. I agree with that.

I need to put down a health warning. Given the difficulties with water infrastructure and the scale of the weather that we experienced, especially in June and late August, it may be that, on the far side of the summer, water quality at a number of beaches is not of the quality of last year. That is why we need to keep the attention on Northern Ireland Water to improve infrastructure where there are acute and difficult circumstances. Beyond that, because of the weather conditions, there may be some bad news about beach water quality and standards on the far side of the summer.

School Buses: Western Education and Library Board

4. **Mr Allister** asked the Minister of the Environment why it has taken the Department years to address the issue of unlawful school bus contracts with Republic of Ireland companies operating in the Western Education and Library Board area. (AQO 2375/11-15)

Mr Attwood: I thank the Member for his question. It is my understanding that, in years gone by, the information and advice to the Department on school bus contracts was that there was not a legal issue. However, when the matter was brought to my attention, and when I

interrogated the information and evidence and looked exhaustively at the legal advice — it was an exhaustive process — I found that, when it comes to the issue of cabotage, although there are EU regulations, there is no guidance on the interpretation of those regulations. Consequently, as you will appreciate, Mr Allister, this is not a straightforward legal issue. Nonetheless, on the far side of my interrogation of all that information, it was my view that in order to create greater certainty around the issue of cabotage, there would be a requirement for bus operators in the Republic of Ireland, for example, who wish to tender for business in Northern Ireland to fulfil certain standards with regard to their performance, their financial standing and their operation generally. Whatever about the history of this, I assessed the matter when it was brought to my attention, made a judgement on it, and, consequently, there has been a new regime in place as of the beginning of the school term.

Subject to this comment, Mr Deputy Speaker, there are people who differ with the legal advice that I have got. Consequently, I, through the Department for Transport in London, and Leo Varadkar, the relevant Minister in Dublin, have written to the European Commission to ask it to give further guidance about the issue and about what are or are not temporary contracts when it comes to the school bus business in the north-west, for example.

Mr Allister: I commend the Minister for addressing an issue that his predecessors failed to address. However, having found that Republic of Ireland operators did not have the relevant licence in Northern Ireland, has his Department, in fact, circumvented the issue by fast-tracking Northern Ireland licences for them, rather than ensuring that the matter went out to tender so that local companies could be eligible for the work? De facto, is it the case that the same Donegal operators are back in place for September, or have local operators had a look-in?

Mr Attwood: I want to say categorically that there was no fast-tracking of any applications from Republic of Ireland operators when it came to the new licensing requirements — none whatsoever. They had to jump all the hurdles that any domestic operator has to jump when it comes to the appropriate licence requirements.

I fulfilled my responsibilities when it came to this issue in respect of the legal queries that were raised around the principle of cabotage and how that was operating. Thereafter, I gave advice, including advice to the Department of Education, on what I considered to be the right regulatory framework for operators from the north-west from outside Northern Ireland in respect of providing cross-border services on a temporary basis. I am not going to get into the wider legalities of all that in the Chamber. I gave my advice. I believed that it was proportionate and proper advice in the circumstances that I faced. That said, my intuition is that good, proper and legal process has applied, be it in my own side in the Department of the Environment or in respect of other Departments or agencies.

Mr Durkan: I thank the Minister for his answers thus far. I also welcome the fact that the Minister has taken action to rectify a situation that has been in existence for some 17 years, I believe. I know some independent bus operators in the north-west —

Mr Deputy Speaker: Can we have a question?

Mr Durkan: — who believe that they should be compensated for potential earnings that they have lost due to erroneous contracts. Can the Minister outline his view on that?

Mr Attwood: There are a number of things. First, I welcome the fact that it is acknowledged that this issue has been around and that I pushed it forward in order to get some sort of conclusion. That conclusion may be revisited on the far side of Commission advice. I encourage the Commission to bring forward that advice as soon as possible, because there could be an issue of some further delay before that advice is received.

I am not going to comment on compensation. The legalities and technicalities around cabotage are very complex. Therefore, any associated issue, such as compensation, is going to be very complex. Therefore, I am not going to offer a view one way or the other in respect of that issue. If people are minded to say that they were disadvantaged because of the management of the contract over the past five, 10 or 15 years or whatever, they should take appropriate advice and act further to that advice. These are very difficult matters, given the legal complexities, technicalities and difficulties around all this, and I was trying to find a pathway through all that. Therefore, the sense that there might be compensation payable to someone or other seems to me to be somewhat problematic.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister clarify what steps his Department took, working with either the library board or the Department of Education, to ensure that there were no gaps in service for pupils starting school in September in areas where operators from the rest of Ireland had been operating? Were contingency plans put in place to fill those gaps?

Mr Attwood: My guidance was issued towards the end of the last school term in late June. Consequently, the possibility of a gap in service did not arise in respect of the provision of school services under public contract during the school term. That issue did not arise. There was sufficient time, consistent with proper process, to have the matter regularised — if you wish to choose that word — between the end of June and the beginning of the new school term. As I understand it — in answer to an earlier question — three contractors from the South have applied for and been granted the appropriate licences in order for the existing tenders to continue.

This was managed in a way so as not to create a gap in service and further disproportionate problems, and upset families, teachers and children. It was managed in a way that was consistent with legal advice and proper process in order to ensure that such a situation did not arise, and one did not arise.

Landfill Tax

5. **Mr Girvan** asked the Minister of the Environment what was the total amount of money collected through landfill tax in Northern Ireland in the last three financial years. (AQO 2376/11-15)

Mr Attwood: I thank the Member for his question. Landfill tax is a reserved matter, which is managed by HMRC. When you quiz HMRC about the Northern Ireland take

when it comes to landfill tax, it advises that the figures are not broken down in that way. Therefore, the answer is that we do not know. There may be some good reasons why we do not know. For example, there will be operators in Northern Ireland who will have businesses in Britain, and their contribution to landfill tax is, therefore, the aggregate of all their operations.

That said, there is a Barnett consequential in the block grant on an annual basis. The latest figure I could find — this may be somewhat dated — is that the Barnett consequential coming back across the Irish Sea to recognise the payment to HMRC through landfill tax is in and around £3 million.

Mr Girvan: I thank the Minister for his information. I appreciate the guidance that HMRC seems to be responsible for this. It acts on figures that are put together by the Department of the Environment on estimates of the volumes that are put into certain sites.

Further to that, is there any indication of the amount that we can draw back and are drawing back? I know that you mentioned that. We fall badly behind other areas of the United Kingdom particularly in respect of the amount of landfill tax money used in community projects in Northern Ireland. What mechanism is in place to encourage and ensure maximum drawdown?

Mr Attwood: I acknowledge the point that money is claimed back for projects in the North through the landfill communities fund, which is one of the mechanisms whereby landfill moneys are dedicated to community projects. I am going to have a conversation with London about our share of the landfill communities fund to see what opportunities there may be.

There are other issues that we also need to address. I am actively considering borrowing from the Scottish experience of landfill bans when it comes to food products in a further effort to ensure that landfill is used only for those products that should properly and legitimately go to landfill. That includes inert products, rather than those such as food waste, which, clearly, will only add to our carbon footprint, add to environmental damage and have all sorts of environmental consequences. So, we will look at a landfill ban on appropriate waste products. I will have a further conversation with London about the landfill communities fund, and I hope that, on the far side of the recent enquiries that we made, we will get a much more accurate figure of what the landfill take might be for companies registered in the North of Ireland.

3.30 pm

Mr Deputy Speaker: That concludes Question Time.

Mr Allister: On a point of order, Mr Deputy Speaker. I want to raise an issue that has been raised before in this House, and the Speaker has made certain comments, which seem, again, to have been ignored. Once more today, rather than inside this House, which is supposed to be an accountable Chamber, we have had important announcements made outside this House touching on a critical issue.

I refer in particular to the announcement about the composition of the so-called Maze regeneration board. We have the First Minister making a statement, we have the deputy First Minister conducting a press conference in

the Hall, but no one comes to this House to tell this House what is going on.

We had the same thing last week when, just days before the House came back, it was announced that the Department of Agriculture and Rural Development is moving to Ballykelly, but no one thinks to come to this House. Why is there such disrespect for even any semblance of accountability in respect of this Chamber?

Mr Deputy Speaker: I thank the Member for raising it. I would concur with your views. However, we do not have control over where Ministers make their statements. It would be good if they had due regard for the Chamber, but we have no control over them. You have made your point, and I think that the message will have been carried.

Mr Campbell: Further to that point of order. Mr Deputy Speaker, I am sure you, like others, will find it ironic that the honourable Member for North Antrim raises the issue of the Maze panel whenever he said it would be judged by how many former convicted terrorists would be on it and it would appear there are none on it, so it seems very ironic that he is raising it as a point of order.

Mr Deputy Speaker: Order, please. That, clearly, is not a point of order. Question Time is now over, and we will return to the debate on world suicide prevention day.

Private Members' Business

World Suicide Prevention Day

Debate resumed on motion:

That this Assembly unites in its support for world suicide prevention day; and endorses the recommendations contained in the Protect Life strategy to develop a cross-departmental framework to assist the community and voluntary sectors in suicide prevention. — [Mr Rogers.]

Ms Brown: I speak in favour of the motion on the tenth anniversary of world suicide prevention day. Before I say anything else, let me please offer heartfelt condolences to all those families that have lost loved ones to suicide.

Although this day is aimed primarily at raising awareness and support, it must also be bittersweet for those who have suffered loss personally and will, no doubt, today be remembering that loss. All of us have experienced the death of a loved one, and some of us in the Chamber have, sadly, been touched by suicide and attempted suicide by a family member or friend. Although all deaths bring a sense of loss, despair and heartbreak, I often thought that suicide, when it happens, can be one of the most traumatic of all types of death for a family to cope with. The questions, no doubt, begin to flow: why, how, could I have done more, is it my fault? The years of suffering that follow are, no doubt, compounded by the additional burden of the questions and, perhaps, the guilt of those left behind.

Sadly, in Northern Ireland, we seem to have a greater number of vulnerable people who take their own life in the most distressing circumstances. During the summer break, a report by an academic at Queen's University Professor Mike Tomlinson was published and reported on in the media. The report found that suicide rates amongst those directly affected by the period known as the Troubles was particularly high. It found that those who grew up between 1969 and 1978, the most violent period of the Troubles, have the most rapidly increasing suicide rate of any age group in the Province. The highest age bracket for suicide is among men aged 35 to 44, followed closely by men aged 25 to 34, and 45 to 54. Turning to the figures for women, as an advocate for the charity Women's Aid, I am very disturbed at the high rate of suicides among women in Northern Ireland at 7.3 per 100,000, which is significantly greater than the UK average of 5.3 per 100,000.

Of course, behind each statistic is a human tragedy and the question of what makes someone reach that point of despair. Professor Tomlinson's report highlights the Troubles as one key factor. There is no doubt that over 30 years of violence have left our communities badly scarred, and many of those who are affected by those events are dependent on alcohol and prescription medicines. Many more suffer from poor mental health as the result of trauma or loss. I suspect that each of those underlying causes is a sufficient factor on its own, but in some cases people suffer from all of those and are some of the most vulnerable people in our society. We must not forget them or leave them unsupported.

I am struck by the number of young lives that have been lost to suicide in recent years. Those are young people who were not even born when the Troubles took place, so we must look beyond that period in our history when we

examine the subject. The pressure on our young people has never been greater. Many of our communities face real deprivation, which brings a host of difficulties. There are also no employment opportunities, poor educational achievement, high levels of drug and alcohol abuse and the pressure of social network bullying.

The Northern Ireland suicide prevention strategy was published in 2006 and subsequently revised in June this year. The strategy has made significant steps to highlight the impact of suicide, with more awareness of mental health and its close connection to suicide, especially when targeting young males. In the way that we have seen media campaigns aimed at young male drivers, perhaps we should consider campaigns that are aimed at supporting the mental health of young men and women who are vulnerable and at risk.

Given the rise of cases of suicide in recent years, especially in many parts of Belfast and beyond, many locally run voluntary groups have emerged. Those organisations have responded to what has been happening on the ground, and they seek to help those who are struggling with mental illness. Those groups complement the work of many other existing organisations such as the Samaritans, which all do tremendous work. To date, the suicide prevention strategy has assisted the work of many locally led community support groups, and funds have been invested to support them. I welcome the funding, but, equally, I believe that we must continue to ensure that moneys are targeted at the right areas and the groups that are shown to make a real difference. Therefore, I welcome the support and encourage the Department to continue to work with the community and voluntary sector in whatever way it can to prevent suicide and reduce the level of devastation felt out there among families and communities at the loss of a life to suicide.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I want to speak today on behalf of my colleague Sue Ramsey, who extends her apologies as the Chair of the Health Committee. Unfortunately, Sue cannot be in the Chamber to speak to the motion as she is currently involved in the Committee's event to mark world suicide prevention day. As the Chair of the Committee, Sue has had meetings with a number of Ministers, including the Health Minister, the Education Minister, the Agriculture Minister and Ministers from the Office of the First Minister and deputy First Minister (OFMDFM), to discuss various issues concerning suicide prevention.

In April 2012, the Committee wrote to all the Departments to ask for an update on what they were doing to address the issue of suicide and self-harm, as the Committee will take evidence from the Department on the issue in the coming months. The Committee then held an evidence session on the suicide prevention strategy on 30 May 2012 with representatives of the Department, the Belfast Trust and the Public Health Agency. The Committee received several responses on the strategy from Departments and letters from a number of groups, including the Niamh Louise Foundation, the Nexus Institute, the Voice of Young People in Care (VOYPIC) and FASA. The Committee will hold a further evidence session in the autumn on the outcome of the independent evaluation of the strategy.

The Committee has held a few pre-legislative evidence sessions on the mental capacity Bill with representatives of the Department, NICCY and the Children's Law Centre.

The Children's Commissioner, the Children's Law Centre and Committee members voiced their concerns about the exclusion of children under the age of 16 in the Bill. Further evidence sessions on the Bill will take place throughout the autumn session.

The Committee is holding an event today to mark world suicide prevention day, and 80 young people who are linked to various suicide prevention charities have been invited to the Long Gallery to talk to political representatives about the issues that concern them. The event is called "Youth Talks", and there will be 10 bus stops, with Ministers, Committee Chairs and Health Committee members at each bus stop. The 80 young people will be divided into groups of eight, and each group will have the chance to spend 15 minutes at three bus stops. A member of Assembly staff will be on hand to take a note of the issues discussed at each bus stop, and a report will be produced after the event. The young people, who are collectively known as Hope for Youth, have produced a pledge, which they will encourage MLAs to sign on the day.

Speaking as an MLA for South Down, I want to put on record my support for the motion. My colleague Sean Rogers spoke earlier of the intense sadness and grief that grips too many families across Ireland as suicide knocks on their door. Speaking to a PIPS (Public Initiative for the Prevention of Suicide and Self-Harm) instructor yesterday in Ballynahinch, I was shocked to learn that, across Ireland, there will be far more than 1,000 suicides in 2012. That is a rate of more than four a day. Undoubtedly, those who take their life suffer from a wide diversity of problems: financial difficulties, unemployment, broken relationships or, indeed, loneliness and isolation. However, one constant remains: a shattered family and a life lost. I call on all MLAs to sign the pledge and work towards putting the needs of young people at the very heart of all that we do in the Assembly. Go raibh míle maith agat.

Mr McCallister: Like others, I support the motion. I was encouraged when approached by my constituency colleague Mr Rogers to sign the cross-party motion and get this very important issue debated in the Assembly on our first day back after the recess.

I apologise for my Committee colleagues who are at the Long Gallery event or out at the marquee, where they are speaking to various groups, listening to them and, I hope, asking what changes we need to make as a Committee and an Assembly.

I agree with the earlier comment of Minister Poots that this has to be the business of all in government. It has to come before the Executive so that they can tackle the absolute plague and heartbreak that the tragedy of suicide visits on so many families across Northern Ireland.

I was also involved in the Health Committee when suicide was one of the first issues that it looked at after the restoration of devolution. The inquiry into the prevention of suicide and self-harm was one of the first undertaken by any Committee. It looked at the figures and at what interventions were useful.

We must never stop challenging ourselves. If something works, we must continue with it. We must robustly evaluate what interventions we should make and continue making them. We must never be scared to challenge ourselves and stop interventions that are not proven to work but

make interventions that work, keep on with them and invest in them.

We must also recognise that many of these issues affect us and our society. Sadly, like many societies, we had a lower suicide rate when we had a much higher homicide rate. That is a strange phenomenon that occurs in almost every society. Somehow, at that time, people had a sense of belonging or purpose. How do we get that back and channel it in a useful and meaningful way to stop this scourge?

Unfortunately, suicide occurs in areas of deprivation. I have always supported the early intervention that was very much to the fore in the earlier ministerial statement. It is to be encouraged and welcomed. We need to provide early interventions and coping mechanisms. We need to help and support, and we need good parenting and good schools. We cannot devolve all our issues to the school system and hope that it can sort everything out. We need to give our young people coping mechanisms.

I accept that suicide is a particularly huge problem in areas of deprivation and among certain age groups. However, I make the Assembly aware that the problem is not confined to areas of deprivation or to certain age groups. This problem can and does affect everyone and every age group. Someone in a much higher age group and living in a rural area, for example, may be affected by loneliness. It affects all our constituencies, all our constituents and all age groups. During the Committee's inquiry, it visited Scotland to look at the problem there. Something that emerged strongly from the Scottish strategy was that suicide is not confined to areas of high deprivation — it affects all of us. We should not take our eyes off the ball in rural and other areas. Suicide can affect all classes and creeds in every part of Northern Ireland. That is something that we, and, I am sure, the Minister, will be aware of as we try to build a collective approach in the Committee, the Assembly and, indeed, the entire Executive, to try to do whatever we can as a Government to lessen and reduce as much as possible —

3.45 pm

Mr Deputy Speaker: Will the Member bring his remarks to a close, please?

Mr McCallister: — the horrible impacts that suicide has on our society.

Mr McCarthy: On this world suicide prevention day, I am very happy to have my name added to the motion. I thank Sean Rogers for asking me, on behalf of the Alliance Party, to speak and give our wholehearted support to this very important motion.

This is a very difficult subject to discuss. Every Member will have known someone or some family who have had to suffer the sudden loss of a loved one. All the questions that are asked after such a horrendous happening and all the soul-searching that families will do, such as asking whether something could have been done and whether there were any signs that should have alerted them, come after every incident. Let us, as Assembly Members, dedicate ourselves to endorsing the recommendations of the Protect Life strategy, as well as all the other efforts that many voluntary organisations make. The desired end result for us all is to see suicide overcome and, indeed, made a thing of the past.

I pay tribute to the various organisations right across Northern Ireland that work tirelessly to help prevent suicide. Indeed, those same organisations provide a back-up service to families and loved ones when, completely out of the blue, they have to face the loss of a dear one. Other Members quoted facts and figures on how suicide affects us here in Northern Ireland, and, on the back of those, we must strive to get on top of a scourge that is visited on families and communities.

As with so many aspects of life and health, I contend that it is vital that early intervention and counselling support are readily and easily available to prevent suicide. I believe that that has been provided successfully. The Protect Life strategy first came out back in 2006, and, it has to be said, many improvements have indeed come about, but there is yet more to be done. More than 60 recommendations were proposed in the document. I am not sure how many of those actions have been fulfilled today, but it is the desire of us all that we continue to make progress on all 60 recommendations that were made in that report.

The refreshed Protect Life strategy, which was published in June this year, mentioned the problems of young males who come from areas of high unemployment and high housing density and who have a low level of sporting and recreational opportunities. It is recognised that that is more than simply a Health Department problem and that most other Departments have a real role to play. Surely our Executive, collectively, must encourage every Minister to play their part in leading change to attitudes, thus stamping their authority on and, indeed, resourcing means to prevent further suicides in Northern Ireland.

In conclusion, I applaud everyone who will contribute today to world suicide prevention, including the young people who I have just left up in the Long Gallery and whom other Members are engaged with. I am informed that something commenced early this morning, when many groups across Belfast started the walk 'Out of the Darkness and into the Dawn'. What a very appropriate title. Let us hope that, in future, we can leave the darkness behind, that a bright new dawn will prevail for everyone in Northern Ireland and that suicide can be a thing of the past. On behalf of the party, I fully support the motion.

Mr Dunne: I welcome the opportunity to speak to the motion, which addresses a very important matter on this very special day across the world. It is crucial that, on such a day, we take time to reflect on and remember all the victims of suicide and their families who are left behind. Few can begin to imagine the pain of the families and friends of those who have, very sadly, taken their own life.

The World Health Organization states that almost 3,000 people commit suicide daily across the world and that 300 people do so every year in Northern Ireland. That highlights a very real problem, and the figures show the need for more to be done to tackle it. Surely more can be done to tackle the problem in order to reduce the figures. The evidence highlighting the stark reality of how suicide rates have risen over the past 40 years is very alarming indeed. Much good work is under way across the country, and I commend the work of the Minister and the Department to date on this very sensitive issue. I welcome the ongoing work on the Protect Life strategy.

The community and voluntary sector has a key role to play, as it is often at the forefront of dealing with people

vulnerable to suicide. It must continue to be supported and protected as it works alongside charities and support groups designed to help reduce the risk of further suicides across our population. I personally know of groups such as the north Down Samaritans, based in Bangor, which does a tremendous job in supporting vulnerable people. I feel that it would be remiss of me not to pay tribute to those who give up so much of their time daily to help those most vulnerable in our society and to tackle issues around suicide.

Unfortunately, no area is immune to suicide. Sadly, it has touched some of my constituents in recent days, as a young woman took her life, leaving behind a young family, a loving husband and heartbroken parents.

There is room for improvement in further promoting public awareness. Campaigns should be run to highlight the issues around suicide, and I believe that they could be better targeted at those most at risk. Our young people must be made more aware of the devastation that suicide can cause for those left behind. Support structures must be put in place, but people must also be made aware of them so that those most in need can easily and readily access them. As with many health issues, early intervention and detection is crucial to help reduce suicide rates across Northern Ireland.

We have seen how effective public awareness campaigns have been in helping to reduce the number of road accidents. I feel that more could be done to highlight issues around suicide across the media through public awareness campaigns. Through the very visual TV adverts, we have all become familiar with the devastation of those left behind following road-traffic accidents. That is an area that could be subject to debate and further discussion.

As the previous Member said, we have just left a group of young people who are lobbying us today. One important issue that was raised is the need for awareness of, and clear points of contact for, counselling services; more activity at community level; and more resources for services. Suicide is a cross-cutting issue, and we must continue to work together on a cross-departmental basis. I believe that we can do more to help reduce this ever-growing problem in our community. I support the motion.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I support the motion and welcome the fact that we have a world suicide prevention day. Anyone who attended the event in the Long Gallery could see the interest generated by the subject. Certainly, in my previous occupation as a welfare rights worker dealing with benefits, particularly appeals, an upsurge in mental health problems in young people was clear to see. There is a sense of hopelessness and futility and a sense that the adult world has in many ways forgotten about them. That can reflect itself in the lack of education and work opportunities, and so on. The fact has been referred to, and statistics are quoted, that it is mostly young people who take their own lives. Yet, in my constituency, fairly recently, an 82-year-old man took his own life. You can only imagine the hopelessness and despair that was generated before he took that decision.

To go back to measures that may go some way towards alleviating the problem: again, in my constituency, in a local housing estate in Newry, three men in their 30s took their own lives within eight to nine months. These were

men who had no apparent reason to do so. We talk about the impact, guilt, etc and the traumatic effect that it has on families, but this case galvanised the whole area and the whole estate, particularly the men's contemporaries. I attended meetings convened and facilitated by PIPS, which is a suicide prevention and awareness group that works well in our area and does tremendous work.

PSNI attended those meetings, as did Lifeline and social services. So, there was a coming together of various agencies. People were initially given the opportunity to have an outpouring of grief, if you like, about the events that had occurred, and then there was a lot of discussion in subsequent meetings about what people could do most to prevent this. Many of those young men's contemporaries have gone on to attend suicide awareness courses, suicide prevention courses and counselling courses. That seems to be a good way of, as I said, galvanising a community and actually doing something practical that will go some way to help in the context of that community.

However, I urge the Minister to look at the whole area of mental health, particularly of young people, because there is a degree of despair and hopelessness among many of the young people that I have spoken to and continue to speak to. Mental health is very much a feature, and prescription medication, other sorts of drugs, etc, and alcohol are such a disturbing, wrecking mechanism, if you like, in their lives. I certainly ask the Assembly to support organisations such as PIPS and the Samaritans, which do great work in doing their best to counsel people and to prevent young people in particular, and others, from taking their own lives and to relieve the trauma on both the community and their families.

Ms P Bradley: I also thank those Members involved in bringing this motion to the House. As a society, we often shy away from the things that make us feel most uncomfortable or that bring up feelings that we would rather not address. Sadly, suicide falls into that category for many of us. Few of us are fortunate not to have been touched in some way by suicide, and the vast majority of us will have someone in our life who has thought of suicide, attempted suicide or, sadly, completed suicide. While we continue to see this cause of death as a taboo subject, we cannot hope to reduce the number of people who feel that it is the only option available to them.

Yes; the statistics are astonishing, and I am sure that we have all read them. Globally, daily, around 30,000 people attempt to take their own life. Think about that figure for a moment: it is 10 times the number of people who perished in 9/11. It is almost 10 times the number of people who perished as part of our 30-year conflict. Yet, there is still little reporting, and we avoid talking about this issue. We, as a society, must be aware of our own risk factors and our own protection factors. More than that, we must be aware of our friends, relatives and neighbours. We should not be afraid to ask people how they are feeling or to raise concerns with those we live and work among; and we should be encouraging more people to undertake courses such as applied suicide intervention skills training (ASIST) and the mental aid first aid courses, to help to increase protective factors for all in society.

There is no easy answer to the difficult question of how we support those considering suicide to see other options. Suicide is a result of such wide-ranging factors that it is

important that any action be cross-departmental, cross-party and across all of our society.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

4.00 pm

We need to address the stigma attached to people admitting to having mental ill health and seeking early, adequate treatment, help and support for those issues before they get so bad that suicide is considered a viable option.

We must also be sure to offer additional support to those whom we identify as being at particular risk, such as those who have been bereaved by suicide or those who have suffered hidden harms. We must also have a strategy that works with employers to ensure that they are aware of the risk factors and protection factors in their workforce. We must ensure that people have the right access to support and that there is help, not just for those who are at risk but for those around them who feel that they might find themselves at risk through trying to protect someone contemplating suicide.

Protect Life is a cross-departmental strategy aimed at helping to reduce the number of suicides and attempted suicides that we experience every year. As has been said by my colleague Pam Brown, in Northern Ireland we still have the legacy of the conflict and the resulting substance abuse issues, mental health issues and families that are dealing with emotional and financial challenges. We must work to ensure that peace does not leave individuals floundering, regardless of their experience of the conflict.

We must ensure that those in our most vulnerable group, young males, are encouraged to discuss and engage with the agencies and family members about how they are feeling and remove the stigma about doing so. I fully support the motion on world suicide prevention day.

Mr P Ramsey: I commend Sean Rogers, the proposer of the motion. Sean worked at an accelerated pace last week to try to get the motion before the Business Committee, and I commend him for that.

Many in my constituency and most elected representatives will welcome the motion. I pay tribute to the excellent services in my constituency that help those who are in despair or who are contemplating suicide, particularly what we deem to be our fourth emergency service, Foyle Search and Rescue.

According to our own Minister, 600 people took their own lives in 2010 and 2011. That is 600 families that have lost a loved one, and communities have lost real talent and potential. We in this House must stand with those communities and offer as much support as we can for preventative services. As most Members have said, one life lost is one too many.

If I may, I will speak about some of the services available in my constituency, some of which worked previously with what was the equivalent of the Protect Life framework. Hopefully, in doing so, I can raise awareness of the fine work that they do and spread the word that help is available in Derry. Organisations such as Zest, the Samaritans and Foyle Search and Rescue go well above and beyond the call of duty to safeguard people, particularly our young people, at times when they feel there is no other option than drastic measures to

escape their dilemma. Those organisations are the very embodiment of the joined-up approach set out in the Protect Life strategy.

Zest has been doing sterling work and has been managing and operating the SHINE project in the Western Trust area for the Public Health Agency (PHA) for the past five years. That project has produced statistically significant improvements in the number of self-harm readmissions to hospitals in the Western Trust area. I commend the Zest model to the PHA as a project that should be made permanent in the Western Trust area. The PHA should take all the necessary steps to have the Zest model of self-harm intervention rolled out to other trust areas. I commend Geoffrey Kissick and his colleagues at Zest for ensuring that Derry is a shining example to other constituencies in this regard.

We all know the good work and name of the Samaritans. Their listening ears and compassionate methodology has me in no doubt that they have saved lives in our communities. Those are lives that we could have lost due to despair and suicide. Whether it is through their famous telephone service or via face-to-face support in one of their branches, they are embedded in our community, and I urge anyone who feels the need to talk through any problems or difficulties they may be having to contact them. For the record, Mr Deputy Speaker, I want to read the telephone number into the Hansard report. It is 08457 909090. The Samaritans have branches right across Northern Ireland.

In my constituency we are very lucky. We benefit from warm people, beautiful scenery and a thriving cultural sector. A city that was once divided by the River Foyle is now working towards a better future, and the river is watched over by people whom I can only describe as our guardians. The brave men and women of Foyle Search and Rescue — people like Paddy Wilson — have served Derry and the north-west for many years by protecting and saving lives and preventing suicides in and around the River Foyle.

We owe them the thanks of a grateful region and city. They provide constant service to those in distress in or near the river and, indeed, they were the focus of a recent BBC documentary, which most Members will have seen, that showcased their dedication and courage. Their joined-up approach with the Western Trust and the PSNI is a testament to their commitment to our people, and I applaud them for that.

If we are to ensure that those services are maintained and can grow, we must provide best practice and ensure that agencies are working in partnership to assist and, above all, fund programmes that promote suicide awareness. We must ensure that those agencies that are at the coalface are supported effectively.

I support the motion. I hope that the Minister of Health, Social Services and Public Safety, who is with us today, and the Public Health Agency can take a closer look at organisations in my constituency that use good practice and see the quality services that they provide.

Mr G Robinson: Every Member of this Assembly is aware of the trauma that suicide creates for families and the personal torment that must lead an individual to take that course of action. It is a topic that we must address, and we must try to minimise this unfortunate and traumatic

occurrence in our society, given that every year in Northern Ireland over 300 souls take their lives.

I congratulate organisations such as the Samaritans, the search and rescue crews and others who do so much sterling work in trying to protect and save lives. I am therefore pleased to support world suicide prevention day and to highlight this delicate issue.

In June 2012, the Minister of Health, Social Services and Public Safety said that the refreshed Protect Life strategy aimed to:

“reduce the differential in the suicide rate between deprived and non-deprived areas ... particularly for males in the 15 to 45 age group”.

He went on to say:

“I believe that reducing this differential has the best potential to save lives.”

To have such a highly focused approach to suicide reduction shows that the groundwork has been done and that the areas that are in greatest need of resources have been identified and targeted.

It is a problem that not just one Department can solve. I hope that all Departments will play a role in tackling the issues. Suicide is a reality across all levels of society, so there must be a cross-societal approach to ensure that everyone is aware that help is available.

I particularly welcomed the identification of rural areas in the Minister's statement in June and interventions that would improve mental health by providing community-based health checks in rural areas. Tackling suicide in our society must be an absolute priority. I believe that world suicide prevention day is an important event in keeping what is a tragic and difficult topic in the public arena. I have no hesitation in supporting this essential and necessary motion.

Mr Poots (The Minister of Health, Social Services and Public Safety): I thank everyone who has spoken today on this important health issue, and particularly the Members who tabled the motion.

Despite the progress in the delivery of suicide prevention services and projects since the Protect Life strategy was first published in 2006, suicide remains one of the biggest public health challenges that we face. Why people take their own life remains a mystery, but evidence tells us that there are key risk factors, which, if addressed early enough, can help reduce the likelihood of a person going on to die by suicide. These include alcohol and drug misuse, social isolation, unemployment and deprivation, relationship problems, existing mental illness, child abuse, being in the justice system, restricted educational achievement and a history of deliberate self-harm. Many of these issues cut across a number of areas of government. Effective solutions will, therefore, require enhanced joint working across Departments, agencies and sectors.

Early intervention for positive mental health and wider measures to improve the quality of life are, undoubtedly, part of the long-term answer. However, we must also bear in mind that the specific circumstances of every person who becomes suicidal are unique. Front line preventative action to care for people who are in emotional despair will, and must, remain essential.

Voluntary and community groups have a vital role in delivering this type of front line support. They are very often the first port of call for individuals and their families when facing these daunting circumstances. This is underlined by evidence published last year, which showed that 70% of people who died by suicide in Northern Ireland in the previous decade had not been in touch with mental health services. Clearly, a lot of people in serious emotional crisis are not accessing statutory mental health services, and this is something that needs to be looked at. It is also a reason why it is vital for the statutory and community sectors to work together to provide a range of suicide prevention services that reach out to all people who are at risk.

The original Protect Life strategy was published in October 2008. On 31 May 2012, the Executive endorsed and approved the publication of the refreshed strategy. Earlier, a question was asked about how many of the 60 recommendations of Protect Life were implemented. The traffic-light system shows that 11 have been fully implemented; 36 are on amber, which means that they have been partially implemented; and 13 are on red, which means that they need to be done. So, a considerable amount of work has been done, and a considerable amount of work is still to be done.

The community and voluntary sectors and bereaved families have been to the fore in the development and implementation of Protect Life. It is important, therefore, that I put on record my appreciation for the central role that they have played in the process to date. Maintaining this commitment and energy will be a priority for the future.

Suicide prevention is at the very top of my priorities. That is why I have protected the suicide prevention fund, which amounts to £6.7 million in the current financial year and of which over £2.2 million is invested to support the community and voluntary sectors.

The Public Health Agency works with local implementation groups in each of the health trust areas to encourage greater collaboration amongst community and voluntary groups and to advise on the development of local action plans to ensure that those plans take account of local needs. They also oversee the allocation of the suicide prevention funding within local communities.

The community and voluntary sectors are also represented on the regional suicide strategy implementation body, which provides an advisory and challenge function. The family voices forum has been established to give families bereaved by suicide a strong voice in the implementation process.

We need to be innovative in our thinking about what more we can do and how we can do things differently to maximise the return from our combined efforts and consider what more can be done to help tackle the high levels of suicide and self-harm in our local communities, particularly amongst young males in deprived areas who are more vulnerable. In light of the key role played by the community and voluntary sectors in the development of Protect Life, an extensive process of engagement with representatives of those sectors was undertaken as part of the refreshed strategy.

Last September, I invited key representatives of suicide prevention and mental health support groups to a workshop in the King's Hall in order to listen and hear their

personal experiences, as local community and voluntary groups are often best placed to know the issues that are specific to their own areas. Community feedback about such events has provided key learning when considering how best to improve the co-ordination and delivery of the Protect Life suicide prevention strategy at local and regional levels. Many of the recommendations put forward by the community and voluntary sectors have been incorporated into the refreshed Protect Life strategy. The findings from the overall evaluation of the strategy, which will be published shortly, will help to inform the development of the next phase of suicide prevention policy from 2014 onwards.

4.15 pm

The community and voluntary sector has also been closely involved in the exercise, and I hope that it will continue to influence the development of suicide prevention policy, and, through our combined efforts, we shall continue to work together to achieve our shared goal of helping to save lives and to tackle the high rate of suicide and self-harm in our local communities.

Mr Wells: I wish to express my appreciation of the work of my colleague in South Down Sean Rogers, who had the tenacity and drive to ensure that the motion was put on the Order Paper today for the obvious reason that it is world suicide prevention day. I also pay tribute to the content of his speech, which raised many important issues. He has apologised because he has had to move on to a prior engagement.

In Sean's contribution, he emphasised the importance of the Protect Life strategy and of ensuring its delivery. He also raised a novel and important point, which is the recent trend for suicide kits being made available through the internet. The internet is an important tool for society, given that it leads to an airing of views and opinions throughout the world, but there are times when the internet goes too far. Some procedure or legislation is required to stop such kits being made available, because they can lead, as we heard, to tragic situations. Clearly, internet service providers (ISPs) must exercise some restraint to stop this happening. Young, vulnerable people, who are going through great emotional difficulties, could be tipped over the edge if they knew that they had access to the means to commit suicide.

Sean also said that there should be a health impact assessment on all policies. I agree with him because the issue about suicide is that it affects us all. No one Department or individual, or even one health trust, can tackle the issue. It is all-pervasive and widespread, and it needs an entire community to get behind change to prevent it from happening. Therefore, I agree with Sean that, to prevent suicide from arising as an option in the first place, we need assessments of all our policies.

He also suggested that we need more early intervention, which is a theme throughout much of society in Northern Ireland. If proper nurture, care and attention are not given to children by the age of three, they will, unfortunately, be on a downward spiral that can often lead to tragic circumstances.

I also appreciated Sean's useful comment: "If in doubt, act." If there is any susceptibility to or potential for

someone going downhill and spiralling towards suicide, we should act immediately.

Sean was the first of many Members who raised the issue of statistics, and 600 suicides have been recorded in Northern Ireland over the past two years. We must regard those statistics as the absolute minimum. In my constituency of South Down, we often come across a situation in which someone has inexplicably died as a result of a road traffic accident late at night, and there has been no logical explanation as to why that happened. I suspect that many of those people used their vehicle to commit suicide. So the whole situation may be an awful lot more serious than we believe it to be.

I was shocked by Paula Bradley's statistic that, every day, 30,000 people throughout the world attempt suicide, which is 10 times more than the number who died in the awful tragedy of 9/11. That gives an indication that the problem affects not only Northern Ireland and Europe but pervades the world, and we have to act on the problem.

Pam Brown took a different slant when she looked at the impact of suicide, of young people in particular, on parents. A common theme that I have encountered throughout South Down is the dreadful trauma that a suicide causes to the parents, grandparents, friends and relations of the person who has taken his or her own life. They are haunted for the rest of their life, thinking, could I have done something to prevent my loved one from taking this dreadful course of action? It is important that we provide support not only to those who are going through difficult times but to those who have encountered the dreadful realisation that someone whom they love has died.

My colleague from South Down Mr Hazzard mentioned the issue in Ballynahinch. I must say that it surprises me that it is a problem there. Even Ballynahinch, which one might think is a quiet, peaceful and relatively settled community, clearly has a suicide problem, particularly among young males. Ballynahinch does not stack up against the normal indicators: there is not huge deprivation, and there is large family support. Yet, sadly, we still read regularly in local newspapers that young people, in particular, have committed suicide.

John McCallister raised an interesting point, although I hope that he does not quote me in the 'Mourne Observer' as saying so. On a more serious note, he raised the fact that it is ironic that suicide rates in Northern Ireland were lower when homicide rates were higher. Surprisingly, during the dreadful times of the Troubles, there were fewer suicides than there are now. Academic studies must be undertaken to find out why that is the case. Has the legacy of the Troubles left many people in a desperate state of mental health? Are we now seeing the realisation of what happened and, therefore, more suicides?

Mr McCallister also made a point, as did many other Members, about the direct link between suicide and deprivation. The Minister quoted the shocking statistic that for every one percentage point rise in unemployment, there is a 0.75% rise in the suicide rate. That can be tracked with certainty. That worries me because, of course, Northern Ireland is going through a very difficult economic situation. Indeed, some argue that the situation has not yet bitten as deeply as it will, because only now are we beginning to see the impact of cuts in the public sector on which the Northern Ireland economy is so dependent.

There is, therefore, a real worry that the outworking of those cuts could be further suicides.

As usual, Kieran McCarthy came to the issue from a different, and very welcome, angle in that he paid tribute to the many organisations in Northern Ireland that work in the field. We congratulate and support those organisations. Often, they sprung up as a result of a tragedy in their community, and they are determined to try to ensure that it is not repeated. Those organisations deal with terribly difficult situations and people who are at their lowest point. The Samaritans, for instance, do Trojan work throughout Northern Ireland as they try to provide a listening ear and prevent people from taking the ultimate step of ending their life. I know people who have volunteered for the Samaritans and could not cope with the terribly difficult stories that they heard from people who were very close to the edge. That indicates just how important that work is.

Gordon Dunne emphasised the families who are left behind. He welcomed and supported the work of various charities and emphasised the cross-cutting nature of suicide. The Minister was absolutely right to say that it is not a burden for him to bear alone: it is one for all members of the Executive and, indeed, the entire community. It is cross-cutting with a capital "C", and we must ensure that that is taken seriously in future.

Mickey Brady from Newry and Armagh has worked extensively on social welfare issues. I have known Mickey Brady for 32 years. He has always been the font of all knowledge on social security issues in Newry. He deals very much with people at the front end. He emphasised the futility that young people feel, particularly due to lack of work or education. I was quite shocked when he said that he had come across an 82-year-old who had committed suicide. It is equally dreadful to hear that someone at the very end of life, who should be enjoying retirement, has been driven to such despair as to take his or her life at such a late stage. Mr Brady also emphasised the work of PIPS. I concur with his comments on an organisation that also works extensively in South Down.

Paula Bradley was quite right to say that suicide is, often, regarded as a taboo subject. Therefore, it is absolutely right that MLA Rogers felt that it was necessary to highlight it publicly. Most of us have been in the Long Gallery and met young people who no longer regard suicide as a taboo subject. They want the importance of the subject to be highlighted. It is absolutely right that we do not shy away from the issue, but face up to it and do what we can to protect lives, particularly of young people. Paula also mentioned the Mental Health First Aid programme, which should be rolled out throughout the Province.

Pat Ramsey, who always has an angle from his constituency of Foyle, mentioned the excellent work carried out by Foyle Search and Rescue. Indeed, when the stats are added up, I think that they will show that that organisation has saved so many people from taking the ultimate step of using the River Foyle as an option for committing suicide. It has been able to literally pull people back from the brink or rescue them after they have jumped. Many of those folk are alive today and are thankful for that organisation's work. It and many others have a role in suicide prevention. Indeed, Mr Eastwood has invited us to a meeting with Foyle Search and Rescue, which will take place tomorrow, I think.

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Mr Wells: Finally, I thought that the Minister tackled the issue very well and raised the importance of us all working together to stop this scourge on our society.

Question put and agreed to.

Resolved:

That this Assembly unites in its support for world suicide prevention day; and endorses the recommendations contained in the Protect Life strategy to develop a cross-departmental framework to assist the community and voluntary sectors in suicide prevention.

Question for Urgent Oral Answer

Health, Social Services and Public Safety

Ralph's Close Care Home, Gransha

Mr Deputy Speaker: Ms Sue Ramsey has given notice of a question for urgent oral answer to the Minister of Health, Social Services and Public Safety.

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety what steps will he take to ensure that the residents of Ralph's Close in Gransha are not subjected to further risk or potential harm following the recent suspension of staff as a result of allegations of abuse.

Mr Poots (The Minister of Health, Social Services and Public Safety): In the first instance, I must make it clear that the allegations of abuse at Ralph's Close are being investigated by the PSNI, and, until that investigation is completed, we must all be very careful about commenting on that aspect. My paramount consideration and that of Health and Social Care (HSC) is the safety and well-being of the residents in Ralph's Close. In relation to ongoing safeguarding arrangements, I advise the Member that, following the receipt of the first anonymous allegation of abuse on 24 July, the key agencies involved have all taken appropriate steps to safeguard the residents of Ralph's Close. In the intervening period to date, that has included the precautionary suspension of some members of staff pending PSNI investigations and the inspection of Ralph's Close, both announced and unannounced, by the Regulation and Quality Improvement Authority (RQIA) during August 2012, which resulted in a number of recommendations for improvement.

The trust has also instigated a series of unannounced visits to Ralph's Close by senior staff, and those are continuing. Key workers were briefed to inform and liaise with families. Independent monitors from other trust facilities for people with learning disabilities have been placed in Ralph's Close on a 24/7 basis, and the trust is actively seeking an additional external monitor from another trust. Two advocates are available to the residents at any time. To replace the staff who are under precautionary suspension, a manager who is very experienced in looking after people with challenging behaviours in a residential setting has been put in charge. That manager is supported by experienced staff from other trust facilities. The trust has now achieved compliance with two of the RQIA failure-to-comply (FTC) notices and has developed an improvement plan to meet the recommendations of the three remaining notices and those of the reports of the reviews that were carried out by the HSC Board and the RQIA. Implementation of that improvement plan will be overseen by a project board that will be made up of senior managers in the trust.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. I take on board that the Minister said that a PSNI investigation into this case is ongoing, and I know that we cannot prejudice

that. I appreciate that, but I brought this question for urgent oral answer to the House because there is huge interest, including media, in the case, Minister. I know that you cannot get into specifics, but recently, the RQIA was involved in a home where the indications seem to be that it was a year before there was any movement. Can you highlight the exact involvement that the RQIA had, when it made the original recommendations and when recommendations were moved on? Was there a long time frame for people to make changes and improvements?

4.30 pm

Mr Poots: There was certainly not a long time frame in this instance. Ralph's Close has been open for less than two years. Many of the staff who previously worked in the hospital were transferred to Ralph's Close for continuity of supply. We received the anonymous letters in the recent past, and the matter has been investigated by RQIA. There has not been an excessive period in this instance.

RQIA raised specific issues in the FTC notices, including its view that the unit's managers were working too long hours and that the trust's protection plan had not been actioned as committed and its concerns about the seniority of the monitoring officer's brief for the role, the capacity to fulfil the role in two houses at one time, a lack of daily activity plans and meaningful activities for residents, excessive use of agency staff, and staff supervision, appraisal and training. It also identified a failure to report injuries and incidents involving residents, as required under the regulations, and the use of restraint without appropriate consultation, record-keeping or notification to RQIA. Those are the sorts of things that RQIA identified. They are certainly things that need to be taken very seriously in conjunction with the efforts of the whistle-blowers in bringing the matter to our attention.

Mr Wells: Obviously without making any comment whatsoever on the validity of the complaints, does the Minister agree that the fact that the RQIA has acted so quickly indicates that when allegations are made — of course, all that we are dealing with at this stage are allegations — there is a robust and very effective system, in the form of the RQIA, acting immediately to ensure that the public are protected?

Mr Poots: What we need to do is recognise that the people involved are vulnerable. They are more than likely unable to put the case for themselves. This was drawn to our attention by people who engaged in whistle-blowing. It was whistle-blowing in the proper sense, in that they brought it to the attention of the trust. The trust has responded quickly by bringing in RQIA and introducing the PSNI to conduct an investigation. It is very clearly not a matter of covering things up. It is a matter of seeking to get to the truth and dealing with the problems. It is about ensuring that, if they break the law or the rules of the trust, individuals are dealt with appropriately.

It is important that the message to the public and our staff is very clear: if there is wrongdoing in a facility, bring it to our attention. I encourage any other member of staff who witnessed things while working in Ralph's Close to come forward and tell us, because we need to get as strong a picture as possible to identify the truth of what happened. The PSNI is conducting an investigation. We need to ensure that it gets all the information available so that it

can arrive at the proper and correct conclusions to resolve the matter.

Mr Durkan: I thank the Minister for his answers thus far. It has been a very stressful few days for patients and their families and for the staff of Ralph's Close. However, I would much rather discuss the actions of the trust today than be standing here in a year or two condemning the inaction of the trust in this case. Further evidence must be obtained to assist the police and the trust with their inquiries. The Minister spoke of whistle-blowers. Can the Minister give assurances that whistle-blowers in this case, and any other case, will be fully protected?

Mr Poots: Not only can I give him that assurance but I can tell him that I wrote to everyone in the health and social care system and the Fire Service about this matter some time ago. It is not a matter of their being protected. It is a matter of it being their duty to come forward with the information. If people see wrongdoing, it is wholly wrong for them not to pass that information on to their senior managers.

In this case, someone has, and action is being taken on the back of it. I can give absolute assurance that if people bring forward issues of concern to the Western Trust, they will be dealt with properly and by the appropriate channels, whether that is the PSNI, RQIA or the trust itself, and will be properly investigated. The individuals who bring those matters to the Western Trust will suffer no consequences as a result of telling the truth about what has happened.

Private Members' Business

VAT: Hospitality Sector

Mr Deputy Speaker: The Business Committee has allowed up to one hour and 30 minutes for this debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members will have five minutes.

Mr Hamilton: I beg to move

That this Assembly welcomes the strong commitments contained in the Programme for Government and the economic strategy that are aimed at developing tourism potential; notes the key role that the hospitality sector will play in achieving tourism targets; further notes the Republic of Ireland's reduced rate of VAT for some tourism-related services; and calls on the Executive to pursue the case with HM Treasury for a reduced rate of VAT for tourism-related services in Northern Ireland.

It is a pleasure to move the motion that stands in the Order Paper in my name and in those of Mr McIlveen and Mr Campbell. We are starting a new session in the Assembly today, and I do not think that a session has gone by since we returned in 2007 where the issue of how tourism relates to the economy and economic growth has not been discussed at length in the Chamber, whether through motions, Adjournment debates or questioning of the tourism Minister. The importance of tourism to the Northern Ireland economy goes without saying. Even though we have some of the most beautiful landscapes in the world, over the past number of decades, that has not, for understandable reasons, been exploited to its full.

Nonetheless, Northern Ireland is growing increasingly dependent on tourism for employment and economic growth. It is already worth about half a billion pounds to our economy annually, has huge potential to grow and has bucked the trend over the past number of years where, while a lot of our traditional sectors have been on the slide and have seen decline, tourism has seen roughly a 2% growth. Instead of seeing Northern Ireland as somewhere that people do not want to come to, we have become accustomed to seeing it as somewhere that people should come to, and we have a product to sell.

Sometimes I think that, in a UK context, tourism is not seen as being as important as other heavy industries or the financial services, but, in the UK, tourism is the third largest export industry and is worth some £17.7 billion per annum to the British economy. As an Assembly, we have underlined the importance of tourism to economic growth through targets set in the Programme for Government. Targets have been set to increase tourism revenue to £676 million and to increase visitor numbers to 4.2 million by 2014. They are fairly ambitious but realisable targets, given the product that we have and given the massive investment in the tourism sector in Northern Ireland over the past number of years from the public sector and the private sector separately and in conjunction.

In the past year alone, Titanic Belfast has been opened and has already had in excess of half a million visitors; it is well on course to reach its first-year targets. The Giant's Causeway visitor centre opened over the summer, and it is having an exceptionally good start and exceeding its

initial targets. We have held great events such as the Irish Open. Those are just a few of the things that we have done this year. There are more things to come next year, and there has been a huge investment in the infrastructure that is required to draw people to Northern Ireland. So far, the Northern Ireland 2012 campaign has been a great success in creating a product that is sellable and making Northern Ireland a prime-time player when it comes to tourism.

Private sector investment is coming on as well, and, since 2007, even in the midst of a recession, 1,000 additional hotel beds have been added in Northern Ireland. Only last Friday I performed the official opening of a £300,000 investment by the National Trust in Rowallane gardens outside Saintfield. There is private sector investment and public sector investment, and the two working together to get the product, which is undoubtedly there.

However, in spite of all that, the tourism and hospitality sector is still struggling, like a lot of sectors. Today, after I brought the motion forward and got some publicity in the press, people from the hospitality sector have contacted me to say, "Well done for putting it forward". They are having a difficult time. Even with all the investment that has gone into the infrastructure, there is still some difficulty. What we are proposing today would greatly assist the sector with moving forward. If we want to achieve the targets that we have set in the Programme for Government, we need a hospitality sector — hotels, restaurants and pubs — to deliver that. It is not just about having attractions for day trips for the people of Northern Ireland; it is about having things for a weekend, a long weekend or even for a week's holidays in Northern Ireland, and the hospitality sector is key to that.

There is a demand to look at things that could be done to assist the sector. One suggested solution is to reduce the rate of VAT for the hospitality sector and some tourism-related services. That issue has been pushed by the likes of the Pubs of Ulster, the hotel sector and others. I have been encouraged by the contacts that I have had over the past few days from people in the restaurant sector, pubs and hotels.

The context for that is that a unanimous decision was taken by all 27 EU Finance Ministers who use reduced VAT for restaurants and catering. Governments have been able to reduce VAT for hotels since 1975, and they have been able to make decisions on food in restaurants and catering since 1 January 2010. Some say that our Government at Westminster are not interested in this subject. Our Government at Westminster and the representatives in the EU voted for this. If they think that it is good enough for the whole of the EU, you would think that they might be interested in it for the UK. Twenty-one EU states have lower VAT for hotels and 13 have availed themselves of the ability to reduce it for the hospitality sector and have lower VAT for food. The simple question is this: why would so many EU member states pursue a policy of lower VAT for hospitality and tourism-related services if it did not work and did not have a meaningful and positive impact on their economy? Germany has VAT of 7% for food in hotels, France has 5.5% for restaurants and hotels, and they have seen an increase in the number of apprenticeships and jobs. They have also seen wages go up and staff turnover go down.

However, we do not have to go to France or Germany or any of the mainland European countries to see the benefit

of reduced VAT for the hospitality sector; we just have to look south of the border to the example and experience of the Irish Republic. It has reduced its VAT down to 9% for quite a range of goods and services related to tourism. That was originally due to run out in July 2011. However, so positive has the impact been that it has been extended to the end of 2013. The Department of Transport, Tourism and Sport in the South has estimated that somewhere in the region of 6,300 jobs have been created in the first year that the VAT reduction has been in operation.

Research in the Irish Republic has shown that, in general, its tourism sector does better when the VAT rate is lower. Obviously, allied to that is a wider agenda of trying to create a low business tax environment in the South, coupled with the €3 air tax, compared with our fairly high levels, which we are doing something about in Northern Ireland, at least for long-haul flights. The Irish Republic brought that forward as a short-term stimulus. It appears to be working, and it is honing in on tourism as a key sector for its economy.

It is very clear that Northern Ireland is at a distinct disadvantage in comparison with the Republic of Ireland in competing for tourists. Tourist Board research in Northern Ireland shows that one third of businesses believe that high rates of VAT are an impediment on them having growth in their business.

There are a wide range of benefits to having a reduced rate of VAT, many of which are quite obvious. Hospitality services are highly price sensitive, so higher prices decrease demand and have a reduced yield in VAT. Therefore, the opposite is obviously the case: if you reduce tax and reduce prices as a result, you can increase demand, and with that comes more recruitment. For many, jobs in the hospitality sector are that important first rung on the ladder towards other jobs and future employment. Research commissioned by Pubs of Ulster has estimated that if we were to have a reduction down to 5%, a fairly conservative estimate is that it could produce over 3,000 jobs for Northern Ireland as a share of an overall national increase of nearly 300,000 jobs in the sector. It is an easier sector to start a business in, and this, along with the Finance Minister's empty property relief and small business rates relief, which have also assisted people in lowering their costs, would be another attraction for people to start a business in the hospitality sector. It would see some reinvestment in business, as not all the benefit would be passed on through reduced prices. Others might invest in training staff or expanding and extending their properties. It would encourage improvements in the sector. We have seen that in the likes of pubs moving towards food. Something like 70% of tourists now go to pubs for food, not just for drinking. It would help to encourage that movement towards food and a more responsible attitude in that sector.

4.45 pm

I am not oblivious to the cost argument that will come back from the Treasury in response to representations by the Finance Minister. There are varying estimates to say that a reduction to 5% VAT for tourism-related services in Northern Ireland could have a cost as high as £10 billion, but that would be for the very full programme of cuts that the Irish Government have brought forward. A much smaller programme would obviously cost much less to the

British Exchequer. For a Government that are increasingly talking about growth and less about austerity, this is a potential stimulus package measure that they could bring forward. Deloitte research has shown that £2.6 billion of net benefit could be achieved over 10 years of a reduction and 78,000 jobs, just for hotels and tourism attractions. There is potential for a virtuous circle: instead of high tax, low demand and reduced yields in tax, we could actually have lower prices and increased demand leading to recruitment, investment and expansion.

Mr Deputy Speaker: Bring your remarks to a close.

Mr Hamilton: I call on the House to back the motion, back our tourism sector —

Mr Deputy Speaker: Your time is up.

Mr Hamilton: — and give the Minister the power to go to the Treasury to make representations on our behalf.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I support the motion and very much welcome the debate we are having today. I hope that we get support for the motion from across the House.

Tourism and hospitality, like agrifood and other sectors of our economy, have been identified in the past few years as potential green shoots of economic recovery. To be quite honest, it is an area in which we do not punch at our weight, never mind above it. It is something that does need a particular focus. There is no point in the big marketing drives, in promoting golf tourism or areas of outstanding natural beauty if visitors have nowhere to stay and no great choice of accommodation, entertainment or dining out. I look to places such as Ballycastle and the Causeway Coast — not just because they are in my constituency — and see that the fact of the matter is that there is so much unrealised potential. They need incentives and government policies that are going to help local businesses in the sector to grow for employment to grow so that people can get jobs. It is not rocket science, as the Member has already said. When the rate is reduced, there will be more money to reinvest in businesses and more opportunity for employment and businesses to grow, so that we can have a much better tourism sector, more in keeping with the rest of Ireland, where things are much further on. So, we need incentives to encourage economic growth.

The problem with the British Government's approach is that they do not carry out any specific actions in our economic interest unless we, who are making the decisions much more quickly, put them under pressure. Corporation tax is a case in point. We need further investment to stimulate the economy and measures to bring us more in line with the rest of Ireland. This measure would also stimulate the economy through job creation. Of course, economic growth could stall. Recently, there has been much commentary about that, as a result of the present British Government's austerity policy and their fixation on debt, which might actually result in a higher rate of debt in relation to GDP in the longer term. That is bad for all of us, given our economic connections.

The VAT rate here is 20%, with a reduced rate for some goods. VAT generated in 2008-09 was estimated at £2.4 billion; quite a significant amount of money. Any proposed changes will have an impact on that figure but will also stimulate new sources of revenue. As the Member has already said, everyone else in Europe seems to have

caught on to this initiative. Germany reduced it to 7%, and it is 9% in the rest of Ireland. Our rate is holding back and stifling the growth of tourism and hospitality in the North.

Tourism in the North accounts for about 8% of employment, but it has not expanded as it should have in comparison with other sectors. That is concerning, given the potential that I outlined. It is also clearly an indicator that there is a need for a stimulus, especially given the fact that tourist numbers are growing. There was a 6% increase in the number of overnight stay tourists between 2010 and 2011. The number of facilities to accommodate them, such as hotels, B&Bs and hostels, needs to grow with that demand, and we need to ensure that there are policies in place to support that.

In the rest of the country, there is a VAT rate of 9% for such tourism-related activities as restaurants, hotels, cinemas, etc, and that has been in place since 1 July of last year. As the Member said, the employment rates within tourism have increased. Prices have been reduced, and, of course, that has encouraged more trade.

My party and I agree with the general thrust of the motion. I believe that it is important that there is a united voice in the Assembly stating that there is an economic need for this policy change. I get a sense of *déjà vu* here, because we have had this debate with regard to fuel duty, corporation tax and this particular part of VAT. As is the case with all those things, it is a calculated risk. There may be an initial cost, but that can be met through additional moneys that are generated from more productive business and more people being employed.

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr McKay: Of course, that is about keeping the economic wheels in motion. I support the motion and urge the House to do likewise.

Mrs Overend: This is our year, Mr Speaker — 2012 is Our Time Our Place. If, like me, you were celebrating our Olympians and Paralympians, you will agree that we are rightly proud to be from Northern Ireland. It has been said many times in the Chamber, including by myself, that this is a unique time for Northern Ireland in respect of maximising the potential arising from tourism. The opening of the £76.9 million Titanic building and the Irish Open golf tournament, which 130,000 people attended over the four days, are recent examples. Those have been two major shots in the arm for tourism.

Next year presents equally important opportunities, with Londonderry as the UK City of Culture, and the World Police and Fire Games, which, hopefully, will attract 25,000 visitors, including 10,000 competitors from around 70 countries. Allied to that, we have ongoing initiatives, such as the five signature projects, as well as the decade of historically important centenaries, including the signing of the Ulster covenant, which the House will debate next week.

Back in 2004, it was the Ulster Unionist Party that raised this issue at Westminster. Our East Antrim MP, Roy Beggs, tabled an early day motion, supported by 67 signatures, to bring this idea to the Treasury. I welcome Simon Hamilton's decision to back that campaign. Back in 2004 was when Northern Ireland could have made better use

of the shot in the arm that could accompany a reduction in VAT on tourism.

I find it quite astonishing that during our first plenary session back, following a number of major announcements by the First Minister and deputy First Minister in July and yet another consecutive month without growth in the purchasing managers' index (PMI), as detailed by the chief economist of the Ulster Bank, Richard Ramsey, we are not focusing on what we can do here in this place and on what we can do to help the local economy, rather than lobbying the Treasury in Westminster.

Referring to the PMI figures released this morning, Mr Ramsey stated that, prior to the current downturn, Northern Ireland's private sector firms enjoyed 56 consecutive months of expansion from April 2003 to November 2007. He said:

"Since then the PMI survey has failed to signal growth for 57 consecutive months. Meanwhile, exports, which are viewed as the economy's escape route to recovery, have been falling continuously since February 2008."

That is the economic reality in which we live.

I turn now to tourism. Given the sheer volume of events that Northern Ireland can offer, the Programme for Government targets have rightly been set at a challenging level. The aim is to increase visitor numbers to 4.2 million and tourist revenue to £676 million by December 2014. That has been set out as one of the commitments that matters most in the Programme for Government. The economic strategy also marks out tourism as one of the sectors that has made and will continue to make important contributions to the development of the Northern Ireland economy. It also identifies the importance of the infrastructural investment in key tourist attractions such as the Giant's Causeway visitor centre. However, there is cause for concern on this front. The Programme for Government targets for 2007-2011 were not met, with visitor numbers and revenue falling. More recently, the number of overseas visitors to Northern Ireland in the first quarter of this year fell by 13% compared with the same period in 2011. During the same period, tourism was up 4% in England and remained unchanged in Scotland and Wales.

Given the various opportunities that I outlined, questions must be asked about whether we are capitalising on this unique time in our history to the extent that we should be. Figures suggest that we are not doing so. What we desperately need is a tourism strategy and an accompanying action plan to facilitate joined-up government and produce real outcomes.

In conclusion, I believe that we must look carefully at what sectors are in need of our support. A lot of resources have been devoted to tourism, and although that is appropriate, and the hospitality sector must be supported, other industries are also suffering as a result of the recession. I am thinking specifically of construction. The PMI survey to which I referred earlier stated that the construction sector's —

Mr Deputy Speaker: Bring your remarks to a close.

Mrs Overend: — output has fallen at its fastest pace in the past 12 months. The Ulster Unionist Party has

previously advocated a reduced 5% VAT rate for repair maintenance —

Mr Deputy Speaker: Time is up.

Mrs Overend: — and improvement of existing dwellings. That area should be given consideration.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. I thank the proposer of the motion, which our party will support. I proposed an amendment calling for the establishment of a commission, in the style of the Calman Commission on Scottish devolution, to assess the devolution of further powers, including fiscal powers such as VAT, which would have enabled the Northern Ireland Assembly to serve the people of the North better. However, that amendment was not accepted.

The motion refers to the strong commitments in the Programme for Government aimed at developing tourism potential. It would be more accurate to describe those commitments as targets. The targets are to:

"increase visitor numbers to 4.2 million and tourist revenue to 676 million by December 2014".

Unfortunately, the programme is short on detailed proposals for achieving those targets in a sustainable manner. Likewise, the economic strategy identifies tourism as providing "enormous opportunities for our economy". However, it offers little more than timely:

"further opportunities to showcase the region to visitors from across the world".

The motion has the benefit of being a policy proposal. However, it would be better if it were framed within a wider policy of seeking the devolution of greater and wider control over fiscal mechanisms in the way that the Scottish Government have sought. That said, the currently stalled attempt to devolve the setting of the rate of corporation tax might suggest that some parties are not yet ready to take control of those economic levers.

The hospitality sector contributes £1 billion annually to the Northern Ireland economy. It employs around 35,000 people and is the highest-grossing tourism sector, with 33% of all spending. In 2010, the EU allowed member states to reduce VAT for hotels, restaurants and catering. Since then, 21 European countries have reduced VAT for hotels, and 13 European countries have reduced VAT for restaurants and catering. In the South, the VAT rate in the sector is 9%. It has been estimated that a reduction in the VAT rate to 5% could generate 3,300 new jobs for the hospitality sector in the North.

This is where I urge a note of caution. In taking forward the proposal, the Assembly and the Executive must think carefully about the direction in which the policy should be developed.

We should not seek a race to the bottom against the Government in Dublin. We should, instead, seek further and deeper co-operation on this and other tourism-related matters with them. We should seek to benefit from all visitors to this island, wherever their point of entry. In practical terms, that means removing as many disincentives as we can for visitors to one jurisdiction on our island to travel to the other.

The disparity in VAT rates in the hospitality sector is an example of the increased cost imposed on tourists coming North. It may seem to be only a minor inconvenience, but it is enough to affect the decision-making of some visitors. We should, as the motion calls for, pursue with the Treasury the case for a reduced rate of VAT for tourism-related services in Northern Ireland, but we should also seek to maximise the benefit to our economy from all visitors to this island, North and South, by deepening the co-operation with our counterparts in the rest of the island.

5.00 pm

Mr Lunn: There is no doubt that the UK is a wee bit out of line on VAT rates in the hospitality sector, but I have a query about the wording of the motion, which appears to ask for a reduction in the VAT rate purely for Northern Ireland. Are the proposers asking for a reduction across the UK or just in Northern Ireland?

Mr Hamilton: I thank the Member for raising that point because it allows me to correct an omission. Ten minutes was not long enough to make all the points that I wanted to make, as the Member will know. My understanding is that EU regulations mean that any reduction would have to be for the whole of the United Kingdom; it could not be specifically for a region such as Northern Ireland.

Mr Lunn: Yes, precisely. I am not aware of any EU sovereign Government ever seeking to vary a VAT rate for one of their regions or, indeed, whether they could do so under EU regulations. I see the Minister shaking his head.

We will support the motion. Frankly, it would be difficult to make an argument for not doing so. It is one of those motions that you just could not—

Mr Wilson (The Minister of Finance and Personnel): Try.

Mr Lunn: I do not want to, although you might wonder why I said that by the time I have finished.

We could argue, for example, that each devolved country in the UK should set its own VAT rate or, perhaps, a proportion of it, with appropriate adjustment to the block grant. However, we would then be back to the argument on corporation tax, which the First Minister said was the only thing for which he wanted further devolution. So I wonder why, if VAT could be such a key tool, he is restricting it in that way.

I doubt that the Treasury, in present or future circumstances, would contemplate a reduction for the UK or would be allowed to. Other Members touched on this point: why should we stop at the hospitality sector? The argument seems to be that other countries such as the Republic do so. I must say that the way in which the Republic of Ireland is dictating DUP taxation policies these days is ironic. Just because other countries target the hospitality sector that does not mean that it is necessarily right for Northern Ireland. Frankly, it does not even mean that it was right for the Republic of Ireland. Today, I heard that there had been about a 6% increase in tourism following a similar reduction in the Republic. However, that coincided with the fact that the Celtic tiger had hit the buffers big time and the hospitality sector in the Republic, particularly in Dublin, just could not sustain the prices that they had been allowed to get away with. For several years, it was rip-off time and nobody cared, but now they are having to trim their cloth. I fancy that the eventual increase

in the past 12 months came about as a result of a good dose of realism, not purely a reduction in the VAT rate, which is, in fact, as another Member said, temporary.

I do not want to underestimate the contribution of tourism to our economy. I have heard different figures: I heard £1 billion a minute ago, £500 million before that, and I think that another Member said £676 million. It is a substantial amount. However, in the richest countries in Europe — in Scandinavia and Germany — tourism makes a tiny contribution to the national output. Real wealth creation requires a long-term investment of time and money in the right areas and not necessarily short-term tax breaks. The ones that might seem obvious to the public are not, in fact, huge wealth creators. That is not to diminish the point, and I do not want to sound at all negative. However, we need to keep the thing in perspective.

Going back to the feasibility argument, which has now been confirmed, I will quote from a letter that Naomi Long received recently from the Exchequer Secretary to the Treasury:

“There is no evidence of a causal link between the VAT rate and tourism activity...industry comparisons do not include the significant VAT reliefs that we have for cultural attractions and public transport, or the local bed or other tourism taxes that other EU countries... choose to levy. The UK’s VAT registration threshold is the highest in the EU, meaning...many small hotels do not have to charge...VAT to their customers.

A reduction in the rate of VAT for hotel accommodation cannot be applied exclusively to the tourism sector and would have to extend to the whole of the catering industry. Much of the expenditure in the catering sector is from the domestic population and not from foreign visitors. Whilst I understand the particular position of Northern Ireland, it is not possible to provide the VAT relief on a geographical basis.”

Moreover — these are his words not mine — he continues:

“providing citizens with a tax incentive to devote a greater proportion of their spending and time on leisure seems unlikely to raise UK productivity.

In this context, I have seen no compelling case for VAT relief for the tourism industry instead of other sectors.”

Frankly, that does not appear to give us much room for manoeuvre, but that is not to say that we will not support the motion. If he has not seen a compelling case for VAT relief so far, it is possible that, as a result of this motion and perhaps some pressure being applied in Westminster — that is probably where this should have been brought in the first place — it may be possible to do something. We will support the motion —

Mr Deputy Speaker: Bring your remarks to a close please.

Mr Lunn: I just did that. We will support the motion.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. First, I welcome the debate and thank those who proposed the motion for bringing forward what is a sensible debate. We firmly believe that VAT is a regressive form of taxation that does not fairly reflect the ability of citizens or businesses to pay it. As a result, a high rate of VAT has an overly negative impact on low and middle

earners compared to top earners, as a higher percentage of their income will be spent on VAT.

I set that point aside. The motion deals primarily with the impact that such a reduction in VAT would have on our tourism industry. It is clear that, despite all the money and the positive energy that has gone into promoting this region, many businesses in the tourism sector are struggling. Other factors need to change to support the sector, and exploring a potential reduction in VAT is something that we need to look at. I am more than open to exploring the impact that a reduction in VAT would have on visitor numbers and on our tourism industry as a whole, and I am happy to support the motion. However, I must point out that, when Sinn Féin tables similar motions to look for an amendment in a rate of tax, we are immediately hit with shouts from the DUP of "What would this cost?", "How would we fund that?" and "Where would we get the money?". We will not resort to similar tactics today but will send a clear, unified message from the Chamber that we are all in favour of exploring this further.

There is a clear need to tackle the cost base that our businesses face, of which VAT is only one part. I know that a number of cynical people pointed out this morning that, if the DUP was serious about this, it would have explored amending the rates structure. That is a separate argument. We recognise from the lessons in the South that there is a challenge to the sector to deliver quality and to provide value for money. We welcome the acknowledgement that there are lessons to learn from the South, and we believe that there is a need to share good practice, particularly with the finite resources that we have on this island. In particular, we need to ensure that there is a joined-up approach, so that visitors who come to this island do not merely stop in Belfast or Dublin, as is becoming a trend. We need to get them out to explore all that Ireland has to offer. When we are trying to harmonise things across the island, why should we simply stop at VAT? There are far greater issues than VAT. A foreign visitor who comes to this island and wants to book hotel accommodation in County Cavan has to go to one website, but, if they want to book a hotel across the border to Derrylin, they have to go to a separate website. That is complete madness. We also have the same issues in and around how this island is promoted and how visas are allocated to people from certain countries.

Although the motion is welcome and topical and has a lot of support from the hospitality industry, it lacks ambition and demonstrates a lack of confidence on the part of its supporters. It lacks ambition in that it merely seeks to lobby the British Treasury to act on behalf of our businesses and our tourism sector. I can only guess that that is due to the supporters' lack of confidence in our ability to make decisions as an Executive and Assembly on behalf of our people and business community. We should be more ambitious. We need to clearly set forward the argument to transfer relevant fiscal powers so that this Chamber can make decisions and not become merely a lobbyist.

We are confident that all the parties in the Executive and, indeed, in the Assembly would make the right decisions to promote growth and deliver prosperity for all our people. However, we have to point out the course of action that we would take if the British Treasury were to simply respond in the negative. What would we then do? Would we simply

say, "Well, we tried, but that is it"? Although we are all unified in support of this call, we need to set up a sort of plan B approach to deal with what we would do if this comes back in the negative. Would the DUP then be willing to support looking at the option of devolving the power to set this rate of tax?

We also support the motion because we favour direct over indirect taxation. We believe that those with the ability to pay should pay their fair share. We support the motion, but we believe its supporters need to be more ambitious, take a holistic approach and be more confident. That is what our sector needs and our economy demands.

Mr Cree: Although setting the rate of VAT is not a devolved issue, as we heard from some Members, I welcome the opportunity to speak in the debate as a member of the Finance Committee.

We can, of course, lobby for changes to be made, and that is why this is a useful motion. However, as Mr Lunn, I think, asked, why should this not be for the UK as a whole? There is a lot of logic in that. If the European Finance Ministers have already agreed this approach, how come the UK Minister did not pick it up?

I reaffirm the importance of the hospitality sector, as outlined by my colleague Sandra Overend. Tourism is a key driver of the economy, and we have many fine initiatives ongoing, including the signature projects. However, there is little point in seeking to attract more visitors to Northern Ireland if our hospitality industry does not have the capacity to deal with them. The motion proposes a means of improving that capacity, and, for that reason, it has my support. It is however important that we know — *[Interruption.]* There was a bit of a shock there for somebody. It is, however, important that we know the background and have a grasp of the figures that we are dealing with today. Many of my colleagues also mentioned those figures.

So, what benefits could stem from a reduced rate of VAT for the hospitality sector? The rate of VAT in the UK is currently 20% on goods and services, including hotel accommodation etc. Only Denmark and Lithuania charge a higher rate than the UK. Competitors such as Italy charge 10%, Spain charges 8% and France and Germany charge just 7% on hotel accommodation.

Mrs Overend also mentioned the construction industry. That is another very deserving sector that needs our help, and we should consider some positive action to try to alleviate the problems of that industry. VAT also has to conform to EU regulations; therefore, every member state in the EU must apply VAT at a standard rate that can be anything between 15% and 25%. All countries can also have up to two reduced rates between 5% and 15%. Reduced rates can be applied only to a limited range of goods and services that are specified in the regulations, and hotel accommodation and restaurant services are certainly included. Therefore, taking that into account, my party would ideally like to see us push for the biggest reduction of VAT possible — a reduction to 5% — for the hospitality sector.

5.15 pm

The motion uses the phrase:

"pursue the case with HM Treasury",

and that is vital. The links to Westminster are fundamental, and we must be able to negotiate at the highest level in arguing the case for Northern Ireland. I note that, in the past, we have been successful at that. I think specifically of my time on the Policing Board, when an extra £100 million was secured for the Chief Constable to marshal effectively the growing and severe dissident threat. Another example was the Budget exchange scheme, which replaced end-year flexibility and improved the management of public spending across years. However, the current situation with corporation tax does not bode well.

The First Minister and the deputy First Minister, along with the Finance Minister and the Minister of Enterprise, Trade and Investment, went into negotiations with the Treasury with a view to delivering on the devolution of corporation tax powers, something that, most of us in the House agree, would greatly help in promoting growth and rebalancing our economy. The Treasury report in March 2011 looked at the cost of devolving corporation tax, as has the Finance Committee, but, following meetings of the ministerial working group, various reports now put that cost at as much as £700 million. If we are to successfully lobby the Treasury for the reduction of VAT for the hospitality sector, it will need to be handled more effectively than the corporation tax negotiations.

I want to develop a point that was raised by my colleague, which is that the rate of VAT is declining in the Republic of Ireland.

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr Cree: In July 2011, the VAT rate for hospitality and tourism businesses was cut from 13.5% to 9%.

Mr Deputy Speaker: Your time is up.

Mr Cree: I will leave it there.

Mr A Maginness: I am not certain that there is much left to be said in the debate. I think that we should just hear from the Minister.

There is an irresistible argument that a reduction in VAT in the hospitality sector will in fact produce jobs. The evidence is there in the Irish Republic, as Mr Hamilton referred to in moving the motion; in Germany, with an increase of 10,000 new jobs; and in France, with an increase of 53,000 jobs since 2009. Therefore, the argument is very clear: it will act as a stimulus for additional jobs in the hospitality sector here in Northern Ireland and, indeed, in the rest of the UK.

I suppose that it has to be said that, because VAT is a national tax in the sense that it has to be spread throughout the state, you could not have a regional variation of that particular tax. We must therefore request that the British Treasury reduce the rate of tax for the hospitality sector. I doubt very much whether we will succeed in that. It seems very clear from the Treasury Ministers at Westminster that they are not in favour of it and, indeed, that they would resist it because of a loss of revenue in the region of £1 billion per annum. That is a real difficulty, but it is a difficulty that we have encountered with many other things, such as air passenger duty and fuel tax. I refer to it as the dead hand of the Treasury, which is very restrictive not just of the level of taxes but of the way in which we administer our moneys. That kills innovation at a regional level, and we should examine that on a holistic

basis some time in the future, à la Calman commission in Scotland, which dealt not just with tax but with powers for the Scottish Parliament and was not simply referable to fiscal policy. At some stage, we as an Assembly should set up some sort of body to look at fiscal powers and how we can administer the moneys that we receive from Westminster.

The same argument applies to the point that Mrs Overend made about the construction industry, particularly the renovation of houses: there should be a lower rate of VAT. That would of course stimulate a lot of building work, particularly for small firms in Northern Ireland, and we have many small construction firms. The chances of getting that, I think, are remote, given the way in which the Treasury is strapped for money and in which it seems to control the way government actually performs, not just simply the rate of taxation.

It has to be said that my party supports a reduction, and we see the good example south of the border. We see the necessity of this. We see the Pubs of Ulster, the Federation of Small Businesses and indeed other organisations asking for the reduction. I hope that we can persuade Westminster, but the signs are not good at this moment. We will have to exert massive pressure.

Mr Deputy Speaker: Will the Member bring his remarks to a close?

Mr A Maginness: I ask, in that spirit, that the whole House support the motion, which is timely and helpful —

Mr Deputy Speaker: Time is up.

Mr A Maginness: — and give it our full support.

Mr Mitchel McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I support the motion. I think that Members will be familiar with the Sinn Féin position. We believe that the Assembly should pursue the devolution of full fiscal control if it is ever to successfully address the number one objective that we have set ourselves: rebalancing the economy. You will be glad to hear that I will not rehearse that argument in detail, but I support the motion on the basis that there is something we should continually remind ourselves about. It is a two-stage process, the first stage being that we debate, consider and then pursue the objective of acquiring the powers, and the second stage is our consideration as an Assembly of how we would apply them, whether we would use them at all, whether we would introduce them in an incremental, phased fashion or whether we would do our own economic modelling as to the impact of initiatives that, at least in the circumstance of the devolution of fiscal powers, we would have the option of. We do not have them at present.

I listened with some interest to the letter of reply to Naomi Long that Trevor Lunn read out. It was familiar territory. That was exactly what they said when corporation tax was first mentioned and we were told that the Azores ruling prohibited the devolution to regional Assemblies, when in fact the opposite was true.

I strongly welcome having an all-party position because we are told in engagements with the British Government that the transfer of fiscal powers is an available option and is not an excepted matter but would require all-party agreement. We have to work towards that and iron out whatever issues are between us in achieving that

unanimous position. The motion is important in addressing that overall objective.

The question of the ability to devolve VAT powers to regional Assemblies, for me, given the lessons of the corporation tax debate, is not a given. I want to take a look at that. I am reminded that, within the structures of permanent government, you will always find that they will give reasons why you cannot do things. Sometimes, you have to pursue, confront and challenge them to give you options of how you can achieve what you want to. Often, they take the easy option of trying to dissuade and to steer us past it. However, we have set proper goals to rebalance this economy. We have to take cognisance of our nearest neighbours. We have to recognise that this is a time for coming up with ideas to stimulate economic recovery or, indeed — to get us past the global recession — economic activity. That is because each daily, monthly and quarterly return tells us that we are on a very slippery slope indeed, and it is a dire and very worrying perspective, particularly for our young people. So, the Assembly has a responsibility and the Executive have a direct opportunity to bring forward proposals that are designed to change that perspective and to give hope and expectation where there is, at present, despair and economic gloom.

I will continue to argue the case for devolving the powers, but I will do so on the common sense basis that devolving the powers to the Assembly does not cost a penny of the block grant. It is how we decide to take forward proposals to apply those powers that would have to be carefully calculated and agreed among ourselves.

Mr Agnew: In the short time that I have been in the Assembly, I have heard calls for cuts in corporation tax, air passenger duty — on both long-haul and short-haul flights from some — and on fuel duty. We have a cap on rates and a freeze on regional rates, and, to date, we have refused to introduce water charges. Many of these measures have been quite regressive, in which case I have opposed them. The proposed cut in VAT, as was pointed out by Mr Flanagan, could be a progressive measure in that VAT is a regressive tax. We have to be mindful that these actions and proposals from the Northern Ireland Assembly have come on top of the cuts from Westminster that we have little or no say in.

There are many benefits to reducing the VAT rate for the hospitality sector — they have been mentioned by many others — especially as the UK is one of only three countries in the EU to charge the full VAT rate on the hospitality sector. So, clearly, other nations have seen the merits of the proposal in increasing incoming tourism and staycations, but we have to ask what this measure will cost us. I am surprised: I do not think that anyone has raised in the debate the cost of this to the public finances. Research for the British Association of Leisure Parks, Piers and Attractions estimated the cost to be £1 billion to the UK Treasury. The Exchequer Secretary to the Treasury, David Gauke, stated that the cost to the UK Treasury would be between £8 billion and £10 billion. We need to know what the direct impact would be on the Northern Ireland block grant through the Barnett formula or at least have an estimation, so that, when we propose this, we know the benefits. Those benefits have been laid out by everybody else, but, to date, I have not heard the costs.

We need to know what Northern Ireland's share of this will be. I would like to hear from the Finance Minister where

the axe would fall in terms of the cuts to public expenditure that may result and, to use his oft-repeated phrase, how we will pay for this. At what point do the Assembly and its Ministers think that the cuts, the tax reductions that we propose, the money that resultantly comes out of public expenditure, the consequent loss of public sector jobs and the reduction in the spending power of public sector employees are having a detrimental impact on the Northern Ireland economy overall? Indeed, to go further, what are the social consequences? What is the cumulative effect of the proposed tax cuts on social issues?

We have heard the Health Minister talk today about how health inequality is a major issue for the Assembly to tackle, but many of the inequalities that we face are due to a lack of public services and lack of quality public service provision. So, again, we have to make sure that we have a holistic approach to taking forward those issues.

5.30 pm

We have other issues and priorities that we could take forward as an Assembly to help to promote the tourism sector, such as national parks, which the Environment Minister talked about today and which many in the Assembly have resisted and dragged their feet on. We do not have a regional aviation strategy. We have two airports in Belfast that are continually having to try to undercut each other, when we could be co-ordinating better to improve the aviation industry in Northern Ireland. Indeed, we could be investing in our public transport infrastructure. As a member of the Committee for Enterprise, Trade and Investment, I have heard the Tourist Board citing our poor public transport infrastructure as a barrier to us meeting our target of doubling tourism revenue by 2020.

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr Agnew: I find it hard to support something when I do not know the full detail, and I will be interested to hear from the Minister what the cost of this move might be.

Mr B McCrea: I asked to speak at the end of this debate not knowing what my colleague from the Green Party was going to say. I, like him, share some of the concerns. For example, we have talked long about what we would like to do, but nobody is able to quantify the costs or the benefits. If the benefits are so strong, as various Members have said, why would we not just say to the Treasury, like we did on the issue of corporation tax, "We will give you a contribution because the benefits are so strong. Let's work out what the cost-benefit analysis is.?"

When I saw the motion on the Order Paper, I was somewhat surprised that my colleague from Strangford had tabled it at all, because, as Mr Lunn outlined, there is very little chance of it going through. It seems to be another case of, "We're back here at the Assembly, we had better be seen to be doing something." There are better ways in which we might tackle the downturn in the hospitality sector. I listened to the arguments that were put forward, and there were some quite interesting ones. However, I do not understand why Mr Flanagan ducked the issue. He said that on other issues we would have been demanding a business case and saying, "Who is going to pay for it? Where is the money coming from?" That is proper order.

Mr Flanagan: In fairness to the proposers, and I am not speaking for them, the motion calls for the Executive to explore this with the British Treasury and lobby it. It is at that stage that the full facts will be disclosed, and we can then make a full and frank decision on what to do.

Mr B McCrea: I have to agree with my colleague from the Green Party, and I do not agree with everything that Steven says. How can you support something when you do not know how much it is going to cost, how much it is going to benefit you or whether the particular issues are doable at all? What argument are we going to deploy to the Treasury? The argument about corporation tax is not going terribly well, is it? People have been signalling for ages that that is dead in the water because the Treasury is not going to respond. Mr Lunn, in his helpful contribution, highlighted exactly what the Treasury thinks: it is not going to happen.

On the Benches opposite, I noticed that Mr McLaughlin declined to rehearse his arguments but then gave them to us anyway. He said he wanted to rebalance the economy. How can you rebalance an economy when it is costing approximately £20 billion to run the place, but we are raising only £12 billion in tax? If you take more fiscal responsibility, you are going to be left with a great big hole. Of course, the one way to fill the hole is by raising tax, but we are not talking about raising tax, we are talking about cutting tax. We always talk about cutting tax. We say that we will not charge for water or raise tuition fees or anything else, yet we will not give up any of the programmes that we want to do. We want to find ways of doing more and more.

There are Members who sometimes lecture us about responsible government, but we have to realise that there is a massive deficit in the fiscal position and that what we are trying our best to do is to hang on to the United Kingdom's triple A rating because it lowers the cost to business of borrowing.

Mr Hamilton: Who are the "we"?

Mr B McCrea: I will be more than happy if Mr Hamilton wishes to intervene. He used to be called the Finance Minister-designate or the Finance Minister in waiting. I do not know whether he is still called that. I am not sure whether those plans are still on hold. On the basis of this motion, I am not sure that that advances the particular case.

All I would say on this particular point is that there are important things that we in this part of the world need to address. Of course we support the hospitality sector, but we also support the construction sector and other areas. How do we generate an economy —

Mr Deputy Speaker: Will the Member bring his remarks to a close, please?

Mr B McCrea: On a point of order, Mr Deputy Speaker. I took an intervention.

Mr Deputy Speaker: I do apologise.

Mr B McCrea: I apologise for drawing it to the attention of the Deputy Speaker. *[Interruption.]* Since I am getting cheers from all around, I will continue just for a moment or two longer.

It is not that this issue is not a good thing to discuss. I am interested in hearing what the Minister has to say in his response. Nevertheless, if we are going to talk about these

issues, particularly in one of the first motions on the first day back in a new session, surely we need to take a more concerted and strategic point of view on all this.

At best, my overall position on the motion will be to abstain because I do not know enough to make a proper argument, nor do I think that we can say what we are going to do next until we have that information. If you want to send out a message, by all means let us see what Mr Hamilton does with the Treasury and watch how it progresses. I wish him all the best and no doubt he will keep this horse — I am sorry, this House; the horse has bolted — informed of his progress. *[Laughter.]*

Mr Deputy Speaker: The Member's time is definitely up.

Mr Wilson: First, I welcome the fact that we have had this debate, despite some of the negative attitudes that have been demonstrated during it by those, incidentally, who will probably go through the Lobby and support the motion anyway.

I congratulate Mr Hamilton for securing the debate. It is important because, as Members pointed out, the tourist industry is important to Northern Ireland and it is one of the industries that the Programme for Government identified as a growth industry. It is, of course, already a major employer and revenue raiser in Northern Ireland.

Many people have asked what impact changing the VAT rate would have and whether it would be positive. I suppose that, as with all these things, if we change an economic variable, whether it is a tax rate or spending or whatever, while there are lots of other things happening in the economy, it is not always possible to identify the cause and effect or the size of the effect. What we do know, however, is that a number of governments across Europe have changed the rate of VAT on tourist products and that there has been a change in the industry. I will give Members one example of that. In France in July 2009, the VAT rate was changed to 5.5% and the economic statistics indicated that, as a result, probably about 15,000 bankruptcies and 30,000 job losses were avoided, while 35,000 apprenticeships and 25,000 jobs were created in 2010. It could be argued that other factors influenced those figures. However, the change in the tax rate was bound to have contributed to those statistics. We could give examples in Germany, the Irish Republic, and so on. It is not an exact science. When I taught economics, a central precept that I taught youngsters was always to remember *ceteris paribus* — all other things being equal. All other things do not stay equal, because we live and work in a dynamic economy. Nevertheless, there is bound to be a positive effect, and the economic evidence shows that there is. Can it be measured totally? The answer is probably no.

A second question was asked: why bring the issue forward at this time? Is it not just a cynical exercise by Mr Hamilton, knowing that there is no chance of its being accepted by the Treasury? It is important that the issue be brought forward at this time. I do not believe that it is a cynical exercise, because Mr Hamilton, unlike me, is not a cynic. He is an idealist and too young to be a cynic. *[Laughter.]* There is a huge debate going on in the coalition Government at Westminster, where even those who were dyed-in-the-wool austerity economists in the Conservative Party and their natural supporters, the CBI, the chambers of commerce and the Institute of Directors, are beginning

to say that maybe austerity has gone too far. An economic debate is going on, and Mr Hamilton was right to bring the matter forward, because it is not only here that I have heard this suggestion. I have heard MPs at Westminster ask why we do not have targeted interventions. It is not simply a case of bringing tax down generally but looking at where it could be targeted and have a major impact. The call from the Assembly, added to the calls and debate from inside and outside the coalition Government, is worthwhile. It adds to the debate. There is no doubt that the Chancellor is starting to look for things that he can do to stimulate the economy, and it may be that he will dismiss this idea and say that if he were to reduce taxes, he would reduce them on something else. He may say that if he were to invigorate the economy, he would spend money on something else. However, the call and the debate in the Assembly today is useful in contributing to the issue.

A third point was made, mostly from the Ulster Unionist Benches, that we need to do something now. There were three contributions. Mrs Overend took us back to Mr Beggs in 2004 calling for a reduction in VAT.

Mr Hamilton: Whatever happened to him?

Mr Wilson: I would not like to say what happened to him.

She went back in history. She then said that we should focus on what we can do. That is right: it is about what we can do now rather than waiting for the Treasury. What was her suggestion? Her suggestion was an action plan. I then waited for suggestions about what might be in that action plan; there were no suggestions. However, Mr Cree had the opportunity to remedy the situation. He called for some positive action. What was that positive action? I heard no examples of positive action. Mr McCrea came in at the end — Mr McCrea always comes in at the end. He really should learn not to come in at the end of a debate without first having listened to the debate. Had he listened, he would at least have understood that one of his very first remarks was a nonsense. He said that we should find out the cost, after which we will make our contribution. Had he been in the House during the debate, he would have found out from the eloquent Mr Lunn, and from Mr Maginness, that you cannot simply change VAT for a particular region, even if you want to make a contribution. It has to be done nationally. However, he did not hear that because he was outside and then came in and waffled. What was his suggestion?

5.45 pm

Mr B McCrea: On a point of information —

Mr Wilson: I do not have time for a point of information. Had the Member been here for the whole debate —

Mr B McCrea: On a point of order, Mr Deputy Speaker.

Mr Deputy Speaker: I hope that it is a point of order.

Mr B McCrea: The point of order, Mr Deputy Speaker, is that I was present to hear Mr Lunn and Mr Maginness speak.

Mr Wilson: That is even worse. *[Laughter.]* He had the benefit of their knowledge, and he still got it wrong. At least I was giving him the benefit of the doubt. *[Interruption.]*

Mr Deputy Speaker: Order, please. I am sure that the Minister will allow me the luxury of responding to the point

of order. *[Laughter.]* Mr McCrea has made his point, and it is on the record. Minister, you can now continue.

Mr Wilson: We have had an “action plan” and we have had “positive action”, so what was Mr McCrea’s suggestion? It was that we should look at things. What things did he want us to look at? I do not have a clue.

Mrs Overend: Will the Minister give way?

Mr Wilson: No, because I am about to give the Member some information that she might find very useful. She rightly focused on the fact that if we cannot get this matter devolved now, we should concentrate on what we can do. Let me go through some of what the Enterprise Minister and some other Ministers are already doing and the impact that they have had. There has been £300 million worth of investment in infrastructure, £60 million investment by the Tourist Board, which leveraged another £90 million into investment projects, which, for example —

Mr B McCrea: Why are the numbers wrong?

Mr Wilson: Let me give some numbers. The Titanic signature project, for example, had 450,000 visitors in its first three months, 67% of whom were from outside Northern Ireland. The Giant’s Causeway signature project has had 192,000 visitors, 62% of whom were from outside Northern Ireland. There is investment in projects that are bringing new spending power into Northern Ireland. As a result of promotions and the money that the Executive have put into various projects, such as the MTV awards, the Titanic signature project, the Open golf championship at Portrush, etc, hotel occupancy in June in Northern Ireland was the same as in parts of central London — nearly 80%. Those are the kinds of things —

Mr B McCrea: So we do not need to lower VAT?

Mr Deputy Speaker: Order, please. Sorry, the Minister will take his seat. I must emphasise that Members, especially on the first day back, must make their remarks through the Chair.

Mr Wilson: It is not just a case, Mr Deputy Speaker —

Mr B McCrea: Will the Minister give way?

Mr Wilson: No, I will not. Look, will the Member sit down. He is up and down like a blooming jack-in-the-box. If he wants to take part in the debate, he should come in at the start of the debate —

Mr Deputy Speaker: Order.

Mr Wilson: — and stay for the debate. Then we might have some respect for him.

Mr Deputy Speaker: Order, please. Minister, will you be seated? I asked Members to make their remarks through the Chair. The same applies to the Minister.

Mr Wilson: I stand corrected, Mr Deputy Speaker. Of course, I will make my remarks through the Chair. In fact, I was making them through the Chair, but I will not be making them through that chair over there, anyway. I can tell you that much. *[Laughter.]* I want to come to Mr Flanagan in a moment.

Mrs Overend: I thank the Minister for giving way. I was here from the beginning of the debate, and I appreciate that point.

I just want to clarify that what I was calling for, and have continually called for, is for the Minister to provide a tourism strategy. The likes of the Northern Ireland Tourist Board and the National Trust are making plans and promoting Northern Ireland, and they are basing their decisions on a draft tourism strategy.

Mr Wilson: I would have thought that the results of actions taken by the Minister of Enterprise, Trade and Investment, some of which I have already spoken about here today, such as the number of new visitors, and the increased hotel occupancy and the money that they generate, are much better than some paper exercise, which is what the Member seems to want. I would have thought that, at least, if she was going to talk about a strategy, she would have given us some idea of what she wants in a strategy, rather than empty words and paper exercises for this and paper exercises for that. That does not bring people into Northern Ireland. It is the real actions of Ministers and their vision and foresight that will do the job.

The next point was that if the Treasury will not give us this, we should demand full fiscal control. That is Mr McLaughlin's favourite theme. I was going to call Mr Flanagan "the wrecker", but I know that Sinn Féin has changed, turned a corner and everything else. It seems that, for Mr Flanagan, it is hard to make the change. He got so excited that he broke a chair. At least I have never done that; I have broken people's hearts on occasions, but I have never broken a chair. *[Laughter.]* Mr Flanagan and Mr McLaughlin talked about getting the full devolution of those powers. If Westminster will not give us it, they said, let us take it ourselves. Mr Hamilton has been responsible in the way that he has tabled the motion. It is one thing to say that the powers should be devolved and that the cost be borne as a part of a decision at Westminster either to borrow more or to spend less to fill the initial gap that there might be in tax revenue. It is a totally different thing for Northern Ireland to ask for that devolution and then to bear the costs ourselves. I do not even know whether you could ask for the devolution of VAT powers just for tourist purposes; it would probably be the devolution of VAT powers totally. Mr Agnew and Mr Lunn both made the point that every time we talk about the devolution of tax, it is about devolution so that we can reduce the tax, but no one ever tells us where the gap will be filled. Mr McLaughlin did not want to get into discussing full fiscal control; that does not surprise me because I suspect that when we start examining the devolution of full fiscal control, Sinn Féin might have some difficulty in explaining how we will fill the £9 billion fiscal deficit in Northern Ireland.

Mr Deputy Speaker: Will the Minister bring his remarks to a close?

Mr Wilson: Let me conclude. The motion is sensible, but we should not ignore the fact that we can do things ourselves. That is exactly what we are doing, and that has had some success, even in a period of recession. This is an industry that demands our attention because it is one that has potential for growth in Northern Ireland.

Mr D McIlveen: It is never an enviable task to follow the Minister of Finance and Personnel, so I will keep my remarks brief. As a number of Members said, most of the comments on this important issue have been made already. It has been an interesting and constructive debate, and I thank and congratulate my colleague for bringing the motion to the Floor of the House.

We cannot dispute that this idea has already been tried and tested, and a number of reports have been done around Europe that suggest that there is merit and mileage in looking at this. For example, the Copenhagen Economics study looked at six countries where the VAT rate had been lowered, and it was affirmed that there was a full pass-through of the benefits as 50% of the money that was previously spent on VAT would be used to lower prices. That, in turn, would increase demand in the hospitality sector, and new businesses would open, which would generate work opportunities.

Some Members asked how we will pay for this, but, as the Minister said already, it is effectively a defunct argument, bearing in mind that it would be a national initiative if it were to go through. That said, we cannot deny that creating over 3,000 jobs will bring more money and more spending into the economy is basic economics. Bearing in mind that our pubs, in particular, already pay a 30% social levy, it is also securing businesses that are ultimately giving back to the economy. So, I think that the arguments that are coming from some parts of the Assembly are somewhat lacking in detail. We have to look at the detail of this quite seriously. I encourage the Minister to urge the Treasury to look at this, and I thank him for undertaking to do so.

We sometimes underestimate the power of devolution. We have other devolved Administrations in Scotland and Wales. If we were to be able to set the wheels in motion here in Northern Ireland, other devolved parts of the United Kingdom — Scotland and Wales — would, hopefully, then take forward the proposals. We could go forward with one voice and try to encourage the Treasury to take a very serious look at this to benefit our local hospitality industry in Northern Ireland.

I also have to say that some unexpected political steps have been taken here today, particularly on the opposite side of the House. The Member for North Antrim articulated very clearly that Northern Ireland is not punching at its weight as far as tourism is concerned. Mr McGlone mentioned that we should not be in a race to the bottom when it comes to competing with the Republic of Ireland. Mr Flanagan said that it has to be Dublin or Belfast. It is very good that there is a recognition that we are competitors with the Republic of Ireland rather than partners. I welcome that, as we are obviously in a competitive market when it comes to our tourism.

This may even open up the debate on how long term we look at tourism in this part of the United Kingdom. We have to acknowledge that Tourism Ireland has not been delivering, particularly where the amount of traffic that comes from the rest of the United Kingdom is concerned. The facts on that speak for themselves. We could perhaps even open up a further conversation on how that will look in the future.

I thank everyone who contributed to the debate. I welcome the apparent united response in support of the motion, which we certainly commend to the House. I look forward to hearing the results when the Finance Minister returns.

Question put and agreed to.

Resolved:

That this Assembly welcomes the strong commitments contained in the Programme for Government and the

economic strategy that are aimed at developing tourism potential; notes the key role that the hospitality sector will play in achieving tourism targets; further notes the Republic of Ireland's reduced rate of VAT for some tourism-related services; and calls on the Executive to pursue the case with HM Treasury for a reduced rate of VAT for tourism-related services in Northern Ireland.

Adjourned at 5.58 pm.

Northern Ireland Assembly

Tuesday 11 September 2012

The Assembly met at 10.30 am (Mr Speaker in the Chair).

Members observed two minutes' silence.

Ministerial Statement

Higher Education: Widening Participation

Dr Farry (The Minister for Employment and Learning):

Mr Speaker, thank you for this opportunity to make a statement to the Assembly on fair access to higher education in Northern Ireland. In particular, I want to advise Members of the launch of Access to Success, the new integrated regional strategy for widening participation in higher education.

Widening participation in higher education by students from the sections of society that are currently under-represented, in particular students from disadvantaged backgrounds and those with disabilities and learning difficulties, is one of my Department's key strategic goals. My Department's vision for widening participation is that any qualified individual in Northern Ireland should be able to gain access to higher education that is right for them, irrespective of their personal or social background. Students should enter higher education on the basis of their ability to learn, not their ability to pay.

At almost 50%, Northern Ireland now has the highest participation rate of any area of the United Kingdom. In addition, we also have the best record in the UK of attracting students from low-income backgrounds into higher education. We have, therefore, already been considerably successful in achieving our objectives of raising the motivation, aspirations and performance of students who otherwise may not have considered going into higher education. I take this opportunity to congratulate our universities, further education colleges and schools on their work in this vital area. Nevertheless, there remain some stubborn pockets of under-representation, including those from socio-economic classification groups 5 to 7 and from low-participation/high-deprivation areas, and that is why my Department has been leading on the development of a new integrated regional strategy for widening participation in higher education in Northern Ireland. The widening participation strategy seeks to assist individuals with the greatest need by targeting resources on where they will have the greatest effect and impact, with the focus kept firmly on the most able but least likely. Specifically, the strategy will target individuals from socio-economic classification groups 5 to 7; students with a disability, whether physical, sensory and/or learning; individuals from low-participation neighbourhoods — that is, areas of high deprivation; and young Protestant males from areas of high deprivation.

There are many benefits that graduates, as individuals, and society generally may derive from higher education. Research studies show that participation in higher education may lead not only to more rewarding jobs with higher pay but to a range of personal benefits, including a higher sense of well-being and personal confidence. Research has also shown the direct correlation between higher-level qualifications and skills and higher levels of employability. Higher education is also about much more than just getting a degree. It is also about personal fulfilment, forging new friendships and developing skills in preparation for the rest of one's adult life. Above all, it is about investing in the future.

Access to Success recognises higher education as more than the traditional three- or four-year primary degree. It includes all qualifications beyond level 4, including intermediate-level qualifications, in which Northern Ireland currently has recognised skills shortages, as identified in my Department's skills strategy, Success through Skills. The skills strategy considers the current skills base and identifies the skills that we are likely to need in the future to grow the Northern Ireland economy. It forecasts that, by 2020, there is likely to be increased demand for higher-level skills: science, technology, engineering and mathematic (STEM) skills; management and leadership skills; the upskilling of the current workforce; and attracting moderate levels of appropriately skilled people to Northern Ireland. Access to Success will, therefore, seek to increase the number of learners studying full time or part time for a foundation degree to 2,500 in 2015 from a baseline of 1,132 in 2010. Foundation degrees are delivered by the further education regional colleges and offer a close-to-home opportunity for people who face travel barriers to participation in higher education. I therefore recognise the importance of ensuring that we continue to provide all our people with the opportunity to avail themselves of the benefits of higher education. In that context, last September, the Executive and I decided to freeze tuition fee levels for local students at local institutions and to sustain the level of funding of the higher education sector. Widening participation in higher education is vital for achieving economic competitiveness as well as social justice. It is also crucial to the economy that we harness the talents of all our people. To achieve the very highest standards, our higher education institutions must have access to the very best pools of talent. If we are to position ourselves in the global economy and to make this country world-class, we must encourage participation from people who would not have traditionally benefited from higher education.

In 2010, my Department established a higher education widening participation regional strategy group and four expert working groups comprising relevant experts from education, the public and private sectors and other government Departments to consider the issues involved and to begin to outline a new approach. In 2011, my Department published a public consultation document based on the findings of the regional strategy group to ensure that as many views as possible were considered in the development of the widening participation strategy. I thank everyone who participated in the steering group and in the expert working groups and everyone who gave evidence to those groups or responded to the formal public consultation. Access to Success, therefore, represents the first fully integrated regional approach to addressing this issue. The overall thrust of the new strategy will be to focus, as much as possible, on individual students. The twin keys to the strategy are integration and regionality. It is about getting all our higher education providers to work to common definitions and measures for widening participation, while developing their own unique approach within a common framework. The strategy will be delivered through 11 key actions that support the five key themes that underpin the vision. Those themes are understanding the demand-side needs; raising aspiration and attainment; enhancing recruitment and selection; improving the quality and relevance of support for retention and progression; and streamlining the structures for involvement and investment.

I will now briefly outline a number of the key actions. To understand the demand-side needs, my Department will work closely with higher education providers to identify more clearly at individual level, where possible, the most disadvantaged students applying to higher education. That will help to increase our understanding of the patterns of application and acceptance and help to direct and focus institutional efforts to support wider participation. The identification system developed should be able to assess an individual's need for support and recommend the level and type of assistance required. There is evidence that personal circumstances and background can have a very significant effect on participation in higher education. To put it another way, almost three times as many young people with parents in professional positions will attend university as young people whose parents are in lower-paid occupations. Research shows that a lack of role models in a young person's life can lead to them never even considering that higher education could be a realistic option for them. We need to find ways to instil confidence in those young people to help them to raise their personal aspirations and to help them to see that university is as relevant to them as to anyone else. To raise aspiration and attainment, my Department, working in conjunction with higher education providers, will develop and implement a centralised campaign to raise awareness of the potential value and accessibility of higher education to all in the community. That programme will be augmented by community outreach programmes and should help to reduce early community barriers to participation.

Let me be clear that my vision for widening participation does not include quotas or the lowering of academic standards; rather, my vision of widening participation is about raising aspirations, challenging stereotypes and empowering those who are most able but least likely to enter our universities. Widening participation in higher

education is not about dumbing down. If we are to expect the next generation to compete in the world, there can be no reduction in academic standards; rather, we need to find ways to raise attainment levels across the entire education system to ensure that Northern Ireland has a ready supply of suitably qualified young people equipped to take advantage of higher education. Therefore, my Department will make funding available to expand the range of aspiration- and attainment-raising programmes at school and college, in the community and the workplace. All institutions offering higher education courses will be encouraged to offer community outreach programmes designed to raise the educational attainment levels of students to enable entry to higher education. Outreach activity should be undertaken not only with local schools and colleges in under-represented areas, but with adult learners in the workplace and in local communities. The outreach programmes will be overtly linked to the single awareness-raising programme and must incorporate an attainment-raising element.

In Northern Ireland, the higher education institutions are frequently asked to take into account exceptional circumstances when considering applications to higher education courses and, on occasions, may adjust their offer criteria if the circumstances of the individual applicant are considered to be sufficiently extraordinary. However, there are two main problems with that process: the systems are not standardised and not publicised, thereby potentially increasing unfairness between those who have the presence of mind to make the appeal and those, perhaps less familiar with higher education, who do not. Therefore, to enhance recruitment and selection, my Department will encourage the higher education institutions to develop and pilot regional standardised exceptional application procedures for the most disadvantaged applicants. To maintain a close targeting of the most able but least likely, eligibility criteria should be strict and eliminate all but the most disadvantaged applicants. To benefit from the programme, an applicant should be clearly identifiable as a person of multiple disadvantage, meet the minimum entry requirements for the relevant course and provide satisfactory evidence of how their disadvantage or disability has negatively affected educational attainment.

10.45 am

Increasing the number of people from under-represented sections of society will not be enough. Having got them there, we will need to ensure that they have adequate support, direct and indirect, that is appropriate to their needs and will give them the best chance to complete their studies and emerge with the all-important qualification at the end. The dropout rate in higher education has become a specific area of concern in recent years. The issue is a particularly complex one, and research has shown that many factors may impact on dropout, including finance, gender, educational background and, of course, the subject being studied. My Department will seek to improve retention and progression rates in higher education among students from disadvantaged backgrounds. My Department will continue to recognise the additional costs associated with the recruitment and retention of students from disadvantaged backgrounds through the payment of premium funding based on the number of identified widening participation students attending the relevant

institution. Higher education providers will be expected to provide supplementary support systems for those students as they enter into and progress through higher education. That support will be tailored to individual needs and based on identified multiple disadvantages. The emphasis must be on value for money in each support initiative, rather than large cash bursaries for individuals. Targeted bursaries are a legitimate way to pursue fair access, but they should be payable only to students on the lowest household income levels.

Student loans represent a significant cost to the Northern Ireland Budget. The focus should be on fee waivers and other forms of direct support, as those would lower the cost to the student and the public purse and can be much more effective than bursaries. In addition, community-based scholarship programmes have the potential to help break down community barriers to participation in higher education and improve university and community liaison. My Department will work with motivated communities to help build capacity at local level, identify private sector bodies as potential sponsors and develop an operational model for delivery, including application, adjudication and selection criteria.

The development of the widening participation strategy has been conducted in tandem with the development of the higher education strategy and policies on tuition fees and student support. Care has been taken to ensure that the consultation document is aligned with other departmental strategy approaches, such as Success through Skills, FE Means Business and the Executive's economic and social development strategies.

The starting point for institutional expenditure on widening participation from 2012 onwards will be the current levels of expenditure. Departmental funding will be directly linked to widening participation activities and achievements. Institutions must ensure that their widening access and participation support is clearly set out and publicly available and that students are advised of that support for the duration of their course before they begin their studies. The overall thrust of the widening participation strategy will be to focus, as much as possible, on individual students. Universities will be expected to reduce blanket bursary programmes in favour of more tailored support for targeted individuals. The recording and reporting infrastructures around widening participation will be simplified but will also be expanded to cover all funded institutions offering higher education courses, including the further education colleges. I propose to rationalise the existing requirement for higher education institutions to submit annual access agreements and separate strategic assessments to the Department to a single document that will outline the institution's widening participation strategy and its achievements against specified targets. Since the fees regime in Northern Ireland has not changed, there is no proposal to change the current sanctions for non-compliance. However, my Department will continue to monitor the arrangements in Great Britain and in the Republic of Ireland to ensure that neither our institutions nor our students are disadvantaged in any way. It is envisaged that the projects would phase in the necessary changes to existing widening participation structures between 2012 and the end of March 2015.

Today is about retaining Northern Ireland's commitment to widening participation in higher education, raising

aspirations and promoting opportunity. I trust that the House will join me in that undertaking.

Mr B McCrea (The Chairperson of the Committee for Employment and Learning): The Speaker will appreciate that this is a comprehensive statement by the Minister; it is some five pages in length. The Minister will be approaching the Committee tomorrow, and I have no doubt that members will wish to bring up some of the issues in detail. However, there are a number of points on which the Minister might like to expand.

Page 1 of the statement states that, specifically, the strategy will target young Protestant males in areas of high deprivation. The Minister also mentions students with a disability and others. Can the Minister tell us the current baseline figures for participation in the areas that are being specifically targeted? What does the Minister anticipate the participation level will be as a result of his strategy? I note that, towards the end of his statement, he proposes to revamp the reporting structure in all of this. I am interested to know how we are planning to do that.

My second point — I will only make two points, Mr Speaker, because I know that others will wish to speak — is that it seems to me that the crux of all of this about participation is environmental and family support. I think the Committee would be interested to know, Minister, how we intend to get to individuals and, specifically, to their parents and people in their peer group to encourage them to take forward education. I do not think that it is enough to merely say that, aspirationally, we want to do this; the Committee would be interested in how, specifically, you plan to reach those people.

Dr Farry: I thank the Chair of the Committee. We will certainly be happy to explore this tomorrow, and my officials will be happy to attend the Committee in the future for even more detailed scrutiny of the new strategy. The Chair raised three issues, not two, but I will endeavour to address all three.

The first point relates to the specific areas that we seek to work with. The point that I want to stress is that, first, we have to talk about multiple disadvantage. If we talk about people from areas of deprivation or people with disabilities etc, we are, very quickly, talking about 70% of the population of Northern Ireland. If we are talking in those terms, we will not have a targeted strategy. We are, therefore, talking about people who will tick a number of boxes. Within that, there are particular pockets that we need to address. Let me take the issue of young Protestant males from the socio-economic groups 5 to 7. At present, 3.7% of enrolments in 2008-09, which are the most recent figures I have available, come from that cohort of society. That is clearly a sign of considerable under-representation. We are not setting formal targets for the universities in that regard, because we have to respect that they are autonomous bodies will base their decisions on admission upon attainment. However, be in no doubt: we have to drive up those levels of engagement and ensure that we give everyone in society a fair opportunity to access higher education. We will all benefit from that.

I will jump ahead to the third question; I think this goes to the crux of the matter. This is a strategy that has been approved by the Executive. It is cross-cutting. Virtually all the actions directly in the strategy pertain to my Department, but, of course, that will work only as part of

an overall initiative from the Executive to address issues regarding deprivation and lack of opportunity in Northern Ireland. The Executive now have the framework in the Delivering Social Change agenda, and this very much reinforces that. Obviously, there is work to be done by the health sector in addressing health inequalities. There is also work to be done with regard to employment, and that is something to which my Department can contribute by providing people with proper jobs and incomes. Clearly, there is also a major task for the education system to drive up levels of attainment and encourage people to think of higher education.

The final point that I will make about how this all operates is that each university is required to produce an access agreement. Any university in the UK, in return for the ability to charge tuition fees that — I speak from memory — are above about £1,300, is required to produce an annual access agreement. Those agreements have to be approved by my Department, and those are the means by which we will police it and ensure that universities will deliver on those very important commitments.

Mr Buchanan: Mr Speaker, if you will give me the latitude, I have two issues to mention. I welcome the statement. As the Chair of the Committee said, it is comprehensive. I note the Department's key strategic goals, which are to target and focus on students from disadvantaged backgrounds, those with disabilities, those with learning difficulties, those from under-represented areas, those who have not traditionally benefited from higher education and those who suffer from multiple disadvantages, but one thing that is missing from the statement if we want to see those key objectives delivered is the whole issue of community —

Mr Speaker: I encourage the Member to come to his question.

Mr Buchanan: — of community transport. That is a big issue in rural areas. While we have the programmes here, we do not have the transport available. What discussions has the Minister had with other Departments to ensure that the proper community transport is in place to get these objectives delivered? I have one other very brief issue, and that is on —

Mr Speaker: Order. I have given the Member quite a bit of latitude.

Mr Buchanan: OK, Speaker. Thank you.

Dr Farry: The Member can hold that thought until tomorrow morning, and I look forward to his second question then.

Obviously, community transport is an area that the Department for Regional Development can help us to deliver, and we are happy to take such discussions forward as part of the implementation of the strategy. However, the point that I will particularly stress to the Member at this stage is that we recognise that access and ease of access to higher education is an issue. That is why we are keen to develop higher education within the further education sector, and we have increased the number of places in recent months in that regard. We also have major plans for significant increases in the provision of foundation degrees, which can also be taken forward through the FE sector. The Member may also recall that in the higher education strategy we talked about trying to find a local

point from which university services could be delivered as a pilot. That is likely to be taken forward in the next number of years, and I am sure that the Member will make a bid for the south-west and west of Northern Ireland in that regard.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. I welcome the statement. It is a hugely important issue. I have two points. Students from the North not being able to gain admission to universities in the South because A levels are disregarded is a huge issue, and something needed to be said in the statement about that. I have e-mails from students who are trying to get into universities in Dublin, but the CAO will not accept the additional points.

Mr Speaker: I encourage the Member to come to his question.

Mr McElduff: Will the Minister make a commitment to tackle that issue in a thorough way? Secondly, there are rural communities and areas west of the Bann that are furthest from a university presence, such as Omagh and Enniskillen. Can I get an assurance that there will be a greater university presence in the regional college there?

Dr Farry: I thank Mr McElduff for his questions. We are acutely aware of the issue about the recognition of qualifications in the South of the island. My colleague John O'Dowd and I have raised the issue with Ruairí Quinn, the Minister for Education and Skills in the Republic. John O'Dowd is leading on that issue on our behalf, and I am keeping a close eye on it. I believe that we are making some progress in that regard, though we have not got the issue over the line just yet.

Access in rural areas was mentioned, and Mr McElduff made points to reinforce Mr Buchanan's points. We are very much committed to rural access. That is why we are keen to expand higher education within further education and why we are doing a pilot whereby one of the universities delivers one of its services in a different part of Northern Ireland. Obviously, the south-west, including the area that the Member represents, will be a very clear candidate for that.

11.00 am

Mr P Ramsey: I welcome the Minister's statement. Like him, I thank the steering group for its work. One area that I discussed with the group was regional disparity. Minister, given that your focus has clearly been on empowering those who are able but least likely to access higher education, how do you propose to do that in my constituency, when Magee is turning away so many young people from low-income families who cannot afford to send their children away to study?

Dr Farry: I thank Mr Ramsey for his question. That is a common theme that we have been discussing over the past number of months. There is considerable interest in applying to universities in Northern Ireland. Some people who apply elsewhere do so by choice, but sometimes they do so because they cannot get a place in Northern Ireland. We have a fixed number of places, so we have to have a financial control on those places to ensure that we can survive within our budgets. However, the Member will be aware that, last year, we secured additional places at local universities as part of the tuition fee settlement, and that is now being rolled out.

The overall level of applications from Northern Ireland students to universities here has, essentially, remained constant. I think that we have managed to achieve that because we took the decision to freeze fees. We have seen a significant drop in the number of applications to universities elsewhere in the UK. Similarly, there has been a drop in applications throughout the UK. I have no doubt that that is a reflection of the impact of tuition fees and of the fact that students are thinking about their future.

We will re-examine the issue of places in Northern Ireland after we have gained sufficient evidence. At the moment, we have consistency in the level of applications, but if pressure is demonstrated over a number of years, I have the ability to go back to the Executive to seek additional places. Those places will be allocated to universities, which will make their own decisions.

Obviously, the University of Ulster has a major commitment to the expansion of Magee. Personally, I would be delighted to see Magee expand. I understand the importance of Magee to the economy in the north-west. However, we have to take decisions that are based primarily on the interests of the higher education system in Northern Ireland. I welcome any benefits to the north-west, but those will be the outworkings of other decisions that we take.

Mr Lyttle: I welcome the announcement of the strategy and the commitment that the Minister is showing to addressing the barriers to access to higher education for people from disadvantaged backgrounds. Minister, how important is consistently high-quality careers guidance in all our schools to widening participation in higher education? What work is his Department and the Department of Education doing to ensure that careers guidance for all young people is of the highest possible quality?

Dr Farry: I thank Mr Lyttle for his question. Careers are dealt with jointly by my Department and the Department of Education. Schools have their own careers teachers. However, my Department also provides a Careers Service across Northern Ireland that is available in jobs and benefits offices and at a number of dedicated sites. We also seek to go into schools. I am disappointed that although we have access to about 99% of schools, we do not yet have access to 100% of them. It is important that young people think about their futures at an early stage. Most of the time, careers guidance starts at 16, but there may be a case for expanding it to those aged 14.

A review of careers policy is very much on my agenda, and I have spoken to the Education Minister, John O'Dowd, about it. The review is scheduled for 2014, but we will see whether we can bring that forward somewhat. I also am aware that the Committee for Employment and Learning is undertaking an inquiry into careers. I very much welcome that and believe that it will reinforce the work that my Department does in due course. It will be an important contribution to emerging policy on the future development of careers.

Mr Douglas: I thank the Minister for his statement. In it, he says:

"The starting point for institutional expenditure on widening participation from 2012 onwards will be the current levels of expenditure."

Obviously, therefore, no new money is being announced today. What are the Minister's plans to link with other Departments to try to realise the strategy? I am thinking of the likes of the Office of the First Minister and deputy First Minister, which manages the social investment fund, and the Department for Social Development.

Dr Farry: I thank Mr Douglas for his question, which reflects the era that we are in. We are in a very tight public expenditure environment. Nevertheless, a considerable amount of money is being spent on widening participation. To put that in some context; my Department spends around £2.3 million annually to support universities in that regard. That includes funding of £1.3 million that goes directly to the institutions. There is further funding of around £500,000 for the Step-Up campaign, which the University of Ulster runs in conjunction with schools. There is another £200,000 for the Discovering Queen's project. There is also funding for widening access, which supports people in institutions who need such support. Collectively, that funding amounts to around £2.3 million. On top of that, the universities spend over £12 million on widening participation. Therefore, it is a major element of all our budgets. Those levels of investment will certainly be maintained into the future.

We seek to redirect existing funding to ensure that we use the money most efficiently and effectively. In particular, I want to draw attention to points that I made about shifting away from the broad, wide use of bursaries, which sometimes may have a bit of a dead-weight effect and may not have the same impact as other measures. We are trying to shift the budget more towards targeted bursaries, greater use of fee waivers and greater expenditure on community-outreach activities.

Of course, we are very willing to work with other Departments. Obviously, the Department of Education is a key partner. Again, we will look at any other additional funding mechanisms that are available to allow us to expand what we are doing.

Mr Ó hOisín: Cuirim fáilte roimh an ráiteas. I welcome the Minister's statement. A Cheann Comhairle, I understand that, in 2012, some 36,000 young people left school without GCSEs. Given that the Minister said in his statement that he intends to work with local communities, can he elaborate on that and explain the modalities of it? Go raibh maith agat, a Cheann Comhairle.

Dr Farry: I thank the Member for his question. It is worth stressing that there is a two-tier education system in Northern Ireland. At times, it produces young people with some of the best results anywhere in these islands, and that is a source of celebration. However, the system often fails many young people. Too many young people emerge from education with little or no qualifications. The Department of Education has ambitious targets for raising the percentage of young people who achieve grades A to C in at least five GCSEs. I believe that 70% is the target that we want to achieve. For those who slip out, there are other programmes. In particular, there is the NEETs — not in education, employment or training — strategy, which we published in June.

The direct action that we are taking through this strategy is much more focused on community outreach. It involves the universities going out and working with schools and communities. Rather than have a fragmented system in

which different people do different bits and perhaps do not co-ordinate with one another, we are trying to bring the strategy under a unified campaign — a central, branded campaign on widening participation — and are talking to and trying to encourage people to think about higher education and their future careers.

Mr Kinahan: I also thank the Minister for his comprehensive statement. There is much in it that is great to see. However, I long to see action on its specific details. I want to see Northern Ireland back leading the world with its skills and expertise. We know, for example, that €60 billion is being targeted at the agenda for new skills and jobs and other strategies. How does the Minister specifically see that fitting into his skills strategy?

Mr Speaker: I urge the Member to come to his question.

Mr Kinahan: I am just getting there, Mr Speaker. How does the Minister see that European spend fitting into his skills strategy and the widening of participation?

Dr Farry: I thank the Member for his question, and I will certainly echo the comments that he makes about the importance of skills to the future of the Northern Ireland economy. We have a clearly identifiable need for an increase in higher-level skills through to 2020, as identified in the skills strategy. We know what the future labour market needs of this society are going to be, and it is important that we encourage people to upskill across a very broad front, but in particular within the STEM — science, technology, engineering and mathematics — subjects, as, sometimes, they are most relevant to some of the growth sectors.

We are already investing heavily in skills in Northern Ireland but, of course, we are always very open to any new sources of funding. We already benefit from the European social fund, and a large element of that goes into supporting employability projects. European moneys are already going into developing skills in Northern Ireland. I have certainly sought, in discussions with the European Commission, to see whether any additional moneys are available during this current round of the European Union budget, although that is, perhaps, unlikely. We await with great interest the next European Union budget, which it is set to strike beyond 2014.

Mr Molloy: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement and congratulate him on the development of the further education colleges. However, has he any plans to ensure that the practical shop-floor training that engages people for work can be brought forward, something along the lines of the former Government training centres? I know, particularly responding to neighbourhood renewal areas and areas of high deprivation, that those skills are very important to allow people to take up the jobs that are being advertised, particularly in engineering.

Dr Farry: Again, I thank the Member for his question. He touches on a number of themes. First of all, in-work training is critical, and I draw the attention of the Member to the employer engagement plan that we published last March in relation to the skills strategy. We talk about employers engaging more with my Department through the skills solution service to help them with their training needs, and also the importance of giving accredited qualifications and training to people already in work. It is fair to say that if we look into the future, 10 years from

now, almost 80% of the workforce of a decade ahead are already in the workplace. So, we must not forget them, but ensure that we continue to invest in those skills.

We are also very keen to work at a community level, and the Member will be aware that we have just confirmed the mainstreaming of the learner access and engagement programme, and procurement for the programme will be rolled out over the next number of months.

Finally, the Member talked about engineering skills. I am acutely aware of some of the concerns raised by that sector, and that is why we have created an engineering skills working group, which will have its first meeting next week. I will be chairing that group to ensure that we address and plan for the future of what is a very important sector for a large part of Northern Ireland.

Mr Byrne: I, too, welcome the statement but I have to say, Minister, that I am disappointed by the content of the statement. In five pages of text, only one sentence relates to facts. I am disappointed that you are only increasing foundation degree posts in further education colleges from 1,132 in 2010 to 2,500 in 2015. Why are you so low in your expectations?

Dr Farry: I thank Mr Byrne for his question. I am sorry to disappoint him — in that a 100% increase is disappointing over a three-year period — but we will ever reach for the stars in that regard. The comprehensive strategy, which contains 50 pages of facts and full details of all the action points, is now available on the Department's website, and I certainly encourage Mr Byrne to have a very good read of that in a few hours' time.

Mrs Cochrane: I, too, thank the Minister for his statement. Many of the young people he wants to target for a move into further education will often have studied BTEC diplomas, etc, instead of A levels. UCAS already publishes equivalency tables for those qualifications to inform entrance criteria, but some of the universities do not take those into consideration. How does the Minister propose to deal with that?

11.15 am

Dr Farry: Universities are encouraged to look at non-traditional routes for qualifications. It is important that everyone is given fair access and it is important to recognise that not everyone does A levels. Often, people from some of the more disadvantaged sections of society are more likely to have had a non-traditional educational route. That theme is very much central to the strategy.

Mr Dallat: I also welcome the Minister's statement. I am sure that the Minister would agree with me that one of the greatest achievements in recent years was the performance of our further education colleges in reaching out to people who were failed by the education system. How does the Minister plan to create a renaissance that will put the further education colleges right back to centre stage and doing the work that they historically did extremely well?

Dr Farry: I thank Mr Dallat for his comments. He raised a very important point. The FE sector is incredibly flexible and very broad in the areas that it addresses. That ranges from essential skills in literacy, numeracy and ICT, through to foundation degrees, which are higher level qualifications in their own right and which are often very much tailored

to the specific needs of employers. FE colleges are also the main deliverers of vocational education and are often the main partners in the provision of vocational training for apprentices. Colleges are absolutely central to the Northern Ireland economy.

One of the other pieces of work that I intend to take forward over the coming months is to look again at the further education sector in Northern Ireland. The governing document for the sector, 'FE Means Business', dates back to 2004, so it is time that we had a fresh look at that. I do not anticipate that the underlying vision and role of the FE sector as a key component of the economy will fundamentally change. However, I think that we need to look again at how the sector can best contribute to the economy and education in Northern Ireland in the current context.

Mr Rogers: Thanks to the Minister for his statement. Many of those who avail themselves of foundation degrees have childcare responsibilities; many are young mothers. I have met many of them who, as well as having childcare responsibilities, have to work at night to keep the bread on the table. Will the Minister elaborate on the bursary scheme and the income threshold for the availability of bursaries?

Dr Farry: I thank the Member for his comments. There are probably two things that I want to stress. First, the Member's comments about childcare in the context of foundation degrees probably lend themselves to a broader point about the importance of the FE sector and, in relation to this statement, higher education providers working very closely with students once they are through the door. It is not just about how we get people to apply and get accepted to universities but how we work to retain them. That involves the universities putting in place new programmes that are very much tailored to the individual needs of students, monitoring the attendance of those who come from any of the widening participation categories and trying to intervene if anyone is at particular risk. It is also about showing flexibility to those who have very particular personal circumstances.

It is up to the universities rather than my Department to set the levels of bursaries. Each year, the universities provide access agreements that set out all they intend to do and how they intend to spend their budgets to support students. However, the direction of travel that we want to encourage is a move away from blanket bursaries towards more targeted bursaries, fee waivers and an increased spend on community outreach. We are encouraging the higher education providers to shift the balance of their budgets.

Mr Allister: The Minister rightly identifies Protestant young men from disadvantaged backgrounds as a target group. It is delivery for that group that I am interested in. The Minister seems sympathetic to targeted bursaries, which do seem to me to be the most obvious incentive. Could he help us by telling us what his ambition is as to the number of targeted bursaries that will be available for that particular sector? Without just telling us that it is a matter for the universities, will he tell us what his ambition is as Minister for that group in terms of targeted bursaries?

Dr Farry: I thank Mr Allister for his question. I hate to disappoint him by saying that the issue of specific numbers is one for the universities, but that is the simple fact of

the matter. Let me respond in this way: to be very clear, I want to drive up levels of attainment and opportunity right across every section of society, and that includes young Protestant males, alongside everyone else. Institutions will always base their entry decisions on the qualifications of students and, indeed, sometimes their potential. We cannot interfere with that proper, independent process. However, if we get the strategy right and invest properly, and, indeed, if government works in a joined-up manner, we will be investing in all sections of society and, in the very near future, we should see the application and acceptance levels from that particular cohort and others increasing.

Mr D McIlveen: I thank the Minister for his statement and apologise for missing the start of it. Minister, you will obviously be aware that other countries that have widened higher education participation have found themselves in a position of having astrophysicists almost brushing the streets. Will you assure the House about the steps you are going to take to ensure that academia and the economy do not become disjointed? For example, are you going to be working with the Minister of Enterprise, Trade and Investment to ensure that the right students are coming out with the right skills to drive our economy forward?

Dr Farry: I thank the Member for his question. Obviously, everything that we are doing is geared towards the future economic needs of society. We have a difficult economic situation at present. The message that I am very keen to get out to young people in particular is that although they may look at a figure of 20% youth unemployment and despair, if they break those figures down and look at people with degrees or other higher-level qualifications, they will see that the unemployment figure is below 10%. Already, people can see that a major bonus for employability prospects is to be found in investing in training and education. Of course, an unemployment level in the high single figures is itself a major problem, and that is a reflection of the wider economy. There is also a related problem at times; people who have a degree may, at present, be in a job for which they do not technically need a degree. That is a problem that we call underemployment. To a certain extent, that is a reflection of some skills mismatches, but it is also a reflection of the underlying economic situation.

I draw the Member's attention again to the skills strategy for Northern Ireland. It has a very clear message that we need more and more people with higher-level qualifications across a wide range of areas, in particular qualifications in STEM subjects. Independently produced reports from economists are telling us very clearly that that is what we need.

Last June, I published a report into the potential skills needs of the Northern Ireland economy in the context of a lower level of corporation tax. I know that that is something that we are working hard on with the new Secretary of State. Again, that reinforces the message of the skills strategy and, indeed, suggests that the skills needs of the Northern Ireland economy will accelerate in the context of that lower rate of corporation tax. All the indicators are showing us that, notwithstanding the current economic difficulties, we will need more and more people with higher-level skills in the future. Our main competitors are also investing in skills. This is a race to the top, not a race to the bottom.

Mrs Overend: I thank the Minister for his statement. I just want to tease out a little bit more about the bursaries and the fee waiver scheme. Will the Minister explain how the fee waivers will be targeted and how that will lower the cost to the public purse?

Dr Farry: I thank the Member for her question. General bursaries may not be targeting the people who are most in need of support to attend higher education. Also, the nature of the funding may not necessarily be addressed purely at educational costs. Targeted bursaries, on the other hand, will hone in on the students who, potentially, best and most need the financial support. When we talk about moving towards fee waivers, that support is very much aimed at addressing the direct costs that students must spend money on in paying their tuition fees and other student support costs. Where a fee waiver is granted and a university supports a young person, there is an impact on the student support costs that my Department would otherwise be picking up.

Executive Committee Business

Charities Bill: Second Stage

Mr McCausland (The Minister for Social Development):
I beg to move

*That the Second Stage of the Charities Bill
[NIA 11/11-15] be agreed.*

The primary reason for this Bill is to amend the public benefit provision in the Charities Act (Northern Ireland) 2008, and my opening remarks will concentrate on this issue. The 2008 Act provided for a new regulatory framework for the charitable sector in Northern Ireland, consistent with developments in the other two UK jurisdictions and also in the Republic of Ireland. This was Northern Ireland's first major piece of charities legislation in more than 40 years. One of the most prominent changes introduced by the 2008 Act was a comprehensive definition of a charity. Express provision was made in section 2 of the Act, showing which purposes constitute charitable purposes. Similarly, section 3 specified the elements of the public benefit test to be met if an institution that was established exclusively for charitable purposes were to constitute a charity.

In June 2010, following a public consultation by the Charity Commission for Northern Ireland on the draft public benefit guidance document, attention was drawn to the construction of section 3 of the 2008 Act. This is a complex issue, and legal opinion was sought on application of this public benefit test in Northern Ireland. In simple terms, legal opinion concluded that the current section 3, which comprises elements of the public benefit provisions in the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Act 2006 in England and Wales, produced a hybrid public benefit test that is not legislatively compatible with section 2, which makes provision about what constitutes charitable purposes.

On taking up my ministerial post in May 2011, I reviewed all of the evidence and consulted with various parties to bring the matter to resolution. I agreed that the inclusion of the Scottish provision created a technical difficulty, preventing the application of the definition of a charity. I was convinced that the Scottish provision did not provide a more rigorous and robust public benefit requirement as originally anticipated in the policy proposals leading to the 2008 Act. I am, therefore, recommending this Bill to bring the public benefit requirement into line with that in place in England and Wales.

Throughout the journey to resolve the legal issue, the Department and the Charity Commission worked together to enable the Department to bring forward subordinate legislation, which empowered the Commission to fulfil its regulatory role. In addition to the amendment to the public benefit test, the Bill provides a legislative vehicle for other necessary amendments to the 2008 Act. Company law references in the 2008 Act are amended to take account of the provisions of the Companies Act 2006, which were commenced following the enactment of the 2008 Act. Amendments made to charity legislation in England and Wales prior to consolidation by the Charities Act 2011 are replicated to modernise language, clarify existing legislation, repeal provisions that are now obsolete and

make consequential amendments that were previously missed.

The Bill also provides for the transfer of functions that are of a regulatory nature, but that still remain within the Department's jurisdiction, to the Charity Commission. It also re-enacts a provision in the Charities Act (Northern Ireland) 1964 that was repealed by the 2008 Act but that, on reconsideration, was believed to be a worthwhile mechanism for saving a charitable gift that would otherwise fail.

(Mr Deputy Speaker [Mr Beggs] in the Chair)

The Bill does not make changes to policy regarding charity law but clarifies the public benefit test, which is now called the public benefit requirement. This will enable the commission to engage in public consultation on its draft public benefit guidance. That will build on the comprehensive guidance in place in other UK Administrations, and local charities will have a direct opportunity to shape the public benefit requirements in Northern Ireland. Furthermore, the Bill makes best use of the opportunity to tidy up elements of the 2008 Act. It retains a level playing field for all charities in Northern Ireland. I am convinced that this is the right way to proceed and that it will provide a sound basis on which to take forward regulation of the charities sector.

11.30 am

Mr Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a LeasCheann Comhairle. I apologise to the Minister for missing his opening remarks. I was called away on personal business.

The Committee thanks the Minister for tailoring this Charities Bill. It has already given it some consideration, and that will continue at Committee Stage. The Committee welcomes the Bill in so far as its key element, as has been outlined, is to deal with the matter of public benefit. Clearly, the Charities Act 2008 was designed to introduce a system of registration, regulation, supervision and support for registered charities, but it was also designed to give the public confidence so that, when a person wishes to donate to an organisation, they know that it is a bona fide charitable organisation, and that their money, which is usually hard earned, will be spent on the purposes that the charity outlined in its appeal. Evidence tells us that society here is very generous, so it is important that we get this sector right.

The Committee considered the Bill having initially had a briefing from the Department. We then put out an early call for evidence to ensure that the Committee, in its deliberations, does not take too much time, which would unnecessarily hold the Bill up. The Committee is determined to deal with the Bill as quickly as possible in order to assist the Minister and the Department in having the legislation enacted. The key principle is the public benefit, and it is important that the Bill is passed as quickly as possible. That will enable the Charities Commission to consult further on the precise definition of what the public benefit will be determined to be, which will allow the commencement of the reform of the registration process and the further ongoing regulation of the system. To that extent, the Committee welcomes the Bill and looks forward to considering it in more detail at Committee Stage.

Ms P Bradley: I thank the Minister for bringing the Bill to the House today. As we are all aware, charities in Northern Ireland provide an invaluable service, not just to society but in supporting and helping the work of our statutory agencies. Charities rely heavily on the goodwill and support of the public in order to let them continue in this vital work. Philanthropy is at the heart of this goodwill, and charities need to ensure that philanthropists are confident that the financial and time resources that they give to charities go to the area of need that the charity has been established to address. To that end, the Charities Act attempted to help charities in giving that guarantee by establishing a Charity Commission with a remit that covers a range of responsibilities to protect, not just the charities, but their donors.

The most prominent of these responsibilities for me was the role in determining what constitutes a charity, as well as compiling a list of charities that would be accessible to anyone needing to verify whether a charity is genuine. Sadly, in this day and age, some unscrupulous people will invent false charities that people will donate to in good faith. That practice not only takes potential financial support from genuine charities but can lead to any potential philanthropist becoming jaded and cynical, therefore reducing the level of support that genuine charities can get. It is right and proper, however, that the legal ambiguities are investigated and checked, before such a register is fully operational, to ensure that all applicable organisations are included and that the criteria are fair and equal to everyone who applies. I am interested to know whether the Minister can use this opportunity to reassure the faith sector about the public benefit trust.

I also note that, despite the legal technicalities, the commission has begun to work on a deemed list of charities using the criterion of an organisation having registered with Her Majesty's Revenue and Customs (HMRC) for charitable purposes. It has also accepted that, until a proper list can be compiled, such organisations fall under the commission's jurisdiction. That practice has meant that, in the interim, the commission has been able to carry out its other roles and responsibilities.

I believe that the commission supports the clarification of the legal issues, which thus far have prevented the register being compiled. I also believe that the charities want the issue to be clarified and streamlined and that the public want the commission to be brought into full functionality as soon as possible. For that reason, I fully support the motion.

Mr Swann: I welcome the opportunity to speak in place of Michael Copeland, who is unavailable.

The Ulster Unionist Party believes that it is only appropriate to acknowledge the Charity Commission for the work that it has carried out to date in often challenging and unclear circumstances. Although the Charity Commission has been unable to carry out key responsibilities, we are pleased that the time between the initial legal queries and now has not been spent totally in vain. The commission has produced a deemed list of charities over which it has been able to exercise limited powers.

As a former director of a number of charities who was not a Member in the previous mandate and who has not benefited from departmental briefings at the Committee,

I think that the most obvious question that comes to mind is why the original Charities Act (Northern Ireland) 2008 was not sufficiently worded to ensure that we did not have to carry out a tidying-up exercise, such as producing this Bill. It seems peculiar to me that Northern Ireland opted to include the element of the public benefit provision that was in the 2005 Scottish Act rather than the determination of the public benefit requirement being based on the law relating to charities in Northern Ireland. Had the 2008 Act been drafted a bit more vigilantly and there had been clarity in requirements to determine whether an institution was or was not a charity in the meaning of the word, I believe that the recent years of uncertainty and the delay in the Charity Commission carrying out even the most basic of its tasks, such as putting together a registry, could have been avoided. I thank the Minister for clarifying those issues in his opening remarks.

The Bill, the Second Stage of which we are being asked to agree, will effectively put to rest the dispute over public benefit. However, I note that the Minister has already identified this as an appropriate opportunity to rectify a number of outstanding, mainly technical, issues that would probably have required additional legislative change in the future. I am also reassured that the Department has now come down on the side of public consensus and agreed that the public benefit provision of the 2008 Act should replicate that already in force in England and Wales.

I am sure that at the initial discussion of the Charities Act (Northern Ireland) 2008 there was a robust debate about the need to recognise that, although regulation and harmonisation are important, it was, and still is, vital that charities are not drowned under a mountain of paperwork. It is crucial that flexibility and realism are used in the Charity Commission's day-to-day operations. I accept and understand why all charities, regardless of purpose, will be required to adhere to strict processes and to submit annual reports and statements of accounts to the Charity Commission. However, it is vital that we also acknowledge that some organisations are undoubtedly in a better position than others in being able to regularly provide such information. Northern Ireland has many large charities with significant incomes, which affords them the staff to look after the accounts and to make sure that everything is done by the book. However, we must remember that such charities are also the minority. Like many Members, most charities that I know and that I have been involved with will go week by week, if not day by day, scrutinising how every pound is spent. Those groups do not have the money to pay full-time admin staff, because they need to direct every available penny to front line services.

However, in point 8 of the explanatory and financial memorandum, I was surprised to read that it was deemed that "a public consultation was ... unnecessary". Although I accept that the technical changes in the transfer of a number of functions from the Department to the commission would little interest the public, I believe that they and all relevant stakeholders should have had the opportunity to have their opinions on the legislation known. That therefore places even greater importance on the consultation, which we expect the Charity Commission for Northern Ireland to conduct on its guidance on the public benefit test. Despite that, I do not want to take away from the welcome step forward that is being taken today.

Hopefully, by this time next year, the Charity Commission for Northern Ireland will be getting close to pulling together a comprehensive list of all the charities in the Province. It will not be easy, and it certainly will not be met without unease by many of the groups. It is crucial that the commission bring public opinion alongside it, for if it does not, it is effectively doomed to fail.

In conclusion, the Ulster Unionist Party supports the passage of the Charities Bill at this stage. It should never have had to come to this, and when it was clear that there was an issue, it still took far too long to resolve. At least we are rectifying that today.

Mr Durkan: I support the Charities Bill. The Bill's passage through the Assembly is certainly a welcome step in rectifying the problem with charity regulation in Northern Ireland. Prior to the introduction of the Bill, it had been increasingly difficult for the Charity Commission to make full determinations on whether an organisation is a charity, as the definition in the 2008 Act could not be applied until the public benefit issue had been resolved. That has caused considerable frustration to the commission, charities and the wider public.

The commission states that, over the past six months, 40% of the enquiries that it has received have been on charity registration. Until now, the Charity Commission has been unable to exert statutory authority to carry out its registration and regulatory functions owing to the fact that the public benefit requirement defined by section 3 of the Act is not workable on a technical, legal or practical level.

The problem mostly manifests itself in section 3, which relates to the public benefit requirement. The current legislation is, as the Minister identified, a hybrid of the drafting in English and Welsh charity legislation and Scottish charity legislation. Those pieces of legislation contain a different public benefit requirement, and therefore neither set of requirements can ever fully be complied with by charities in Northern Ireland.

It is certainly a welcome move that the Department has brought forward the Bill with a view to creating a consistent approach with the English and Welsh legislation so that the commission can work towards establishing a system that will allow regulation and accountability for the charity sector.

If the Bill is passed, it will allow the Charity Commission for Northern Ireland to begin consulting on its public benefit guidance and begin registration of charities. Thus, regulation will be able to begin. Although the Bill is only the beginning in creating a regulated charity sector, it is imperative that we support the Department's endeavours to create a viable system that supports charities and, most importantly, their beneficiaries.

The rewording of section 3 of the 2008 Act in clause 1 means that the Bill not only achieves parity with the legislative position in England and Wales but requires all charities seeking to be registered as thus to satisfy the same public benefit requirement. Therefore, it is fair and enhances accountability. That will create a system that will not only be easier for the commission to administer but will give the public confidence in knowing which charitable organisations are regulated. It will also undoubtedly provide donors with certainty that funds will be allocated to the cause that they seek to support.

The Charities Bill provides for much more, however, than the technical change to section 3 of the Charities Act 2008. It also sets out the transfer of some functions from the Department for Social Development to the commission and contains other minor and consequential amendments. One action that is worth noting is that the Bill will restore a provision for gifts of mixed purpose that was previously in place in Northern Ireland. Contained in clause 2, the provision has the potential to safeguard charitable assets that could be lost to the sector if the clause did not exist. It accounts for assets that can potentially be deemed to be or made charitable. Clause 2 allows the court or the commission to prevent a gift from failing to satisfy charity status if an intention to give charity can be shown. This is a welcome addition to the legislation.

11.45 am

I am pleased to have had the opportunity to speak on the Bill today, as it presents a chance for us to really focus on the crucial need for advancement of this long-awaited legislation. The role of the Charity Commission, and how the Assembly moves to support it, is central to the development of the charities sector.

Recently, the Social Development Committee discussed the issue of gift aid and the possibility of making gift aid an automatic donation. One issue raised during that meeting was that, currently, the proposals relate only to charities of a certain size. We are concerned that the smaller charities will miss out on this opportunity. That is a debate for another day, but I am hopeful that the increased role of the Charity Commission here will allow it to assist smaller charities and, with the Department, help to open up matters such as this. I support the Bill.

Mrs Cochrane: I, too, welcome the opportunity to speak on the Bill today. As has already been said, the primary reasons for the Bill are to amend the public benefit provisions of the Charities Act (Northern Ireland) 2008 and to transfer functions from the Department for Social Development to the Charity Commission for Northern Ireland.

Others have already stated what each clause sets out to do, so I will not repeat that, but, having met representatives of various charities and the Charity Commission, I know that they are keen for the Bill to progress so that the commission can formally commence the registration process for charities as set out in the 2008 Act.

The UK consistently lags behind our Western counterparts such as the US in relation to charitable donations and philanthropy. Often, that is thought to be due to concerns about bogus and foreign charities being used to exploit the charitable system. Therefore, it seems that the best way to address those concerns, and to encourage more donations and strengthen the sector, is to have a fully operational Charity Commission.

I offer my support to the principles and objectives of the Bill at Second Stage.

Ms Brown: I welcome the Second Stage of the Bill. It is designed to transfer existing powers retained by the Department for Social Development to the newly established Charity Commission. The Charity Commission's role is to regulate charities and operate a system of registration in order to ensure good governance in which people can have confidence.

The people of Northern Ireland are known for their generous giving to a wide range of charities and good causes. Even in these times of economic uncertainty, when families are being faced with the rising cost of basic necessities such as food, fuel, clothing and other essentials, people still manage to donate consistently and generously to others who are less fortunate than themselves.

In these days when every penny counts, people need that extra reassurance that their donations are, indeed, going to worthy and reputable causes. Sadly, there are those in our society who are willing to abuse the good nature of donors for their own personal and fraudulent gain.

It is not always possible in the midst of a busy town centre to examine fully the detail on a collection box or a clipboard. This Bill, when fully implemented, should help give us the confidence that our money is indeed going to the most needy and deserving causes without fear or doubt.

The primary reason for the Bill is to amend the public benefit provisions of the Charities Act (Northern Ireland) 2008. That should provide clarity in determining whether an institution is or is not a charity within the meaning of the 2008 Act.

Given that many of the Bill's clauses are technical, I will say nothing more at this point. I look forward to working with colleagues to ensure that the Bill receives the necessary scrutiny to allow people in Northern Ireland to continue giving generously and supporting good causes. I support the motion.

Mr Allister: I support the Bill, but I recognise the sense of embarrassment that should attach to the Assembly in bringing it forward. It is an admission that, after 40 years of being well served by the Charities Act (Northern Ireland) 1964, when this Assembly got round to reviewing and amending that legislation in 2008 it got it hopelessly wrong. No doubt on that occasion, as has happened today, many Members stood up and read from prepared scripts — prepared by whoever — exalting the contents of the 2008 Bill, which then became an Act, and telling us how necessary, wise and right it all was.

Yet here we are today having to acknowledge how wrong it was got. Who got it wrong? Who were the advisers? What was the Department doing to get it so wrong in 2008? I acknowledge that the present Minister was not the Minister then — that dubious honour fell to someone else in these circumstances — but it was the same Department. Expert advisers in the Department brought forward legislation that was supposed to be considered and thought out and supposed to address precisely what was seen to be the legislative need, but they patently got it wrong.

Perhaps when the Minister comes to answer, he will begin to explain how the Department got it so wrong in 2008, why we have to pick up the pieces today, and why, in the meantime, the work of the charity commissioners has been stymied, with their being unable even to complete a register of charities in Northern Ireland. Some in the House would be very quick, glad and eager to blame this on direct rule, but this was a mistake of this House. It was a faux pas made in Stormont. How was it made? Some explanation might be useful.

I said that the 1964 legislation, which was the creature of another Stormont, served us well, and so it did. It is significant that today we are returning significantly and substantially to the very terminology of that Act. Indeed, we are restating exactly what section 24 of the 1964 Act said about how you deal with cy-près schemes and make the adjustment when, in time, adjustment is required to benevolent and other bequests of a charitable nature. Here we are reinstating exactly what was taken out and discovering that what was right 50-plus years ago is still right and necessary today.

Clause 1 of the Bill attracts a little bit of my attention because of the manner in which it is drafted. It will substitute section 3 of the 2008 Act with a new section 3. The Minister might like to explain a little more of proposed new section 3(3) to the House. It states:

"In this Act any reference to the public benefit is a reference to the public benefit as that term is understood for the purposes of the law relating to charities in Northern Ireland."

There are obvious questions. Understood by whom? Does it provide for a moving feast? Does that terminology provide for lack of certainty as to what will be defined as a public benefit? Maybe there is good reason for saying that matters can evolve and, therefore, as the courts decree on and decide issues, we should have a definition that evolves with it. If that is the explanation, let us hear it. However, legislation, by its nature, tends to be more specific than how it is couched in that clause. I would certainly like to hear some amplification of the detail of what will be section 3(3) of the 2008 Act as amended.

Will the Minister also advise us whether the changes to the public benefit provision will have any implications from the HMRC perspective? No doubt this has been checked with the Treasury, so what is the result of that checking? Those comments apart, I think that this is necessary legislation. I repeat my surprise that we got to this point, but it is better to put things right now than to never put them right. Having said that, I support the Bill.

Mr McCausland: I start by thanking Members for their contributions to today's debate. Charity is a subject that will resonate with all Members of the Assembly. Each of us has knowledge and experience of the charitable sector in its varying forms in all our constituencies and indeed throughout the country.

The valuable contributions that charities make to our society have been referenced not only in this debate but in many other debates in the Assembly. I firmly believe in the need for a framework that will protect and support the charitable sector, that will encourage good governance and that will secure public confidence in charitable giving.

This is important legislation that will enable full effect to be given to the 2008 Act. It will make it possible to develop the intended framework for the regulation of charities and fully empower the Charity Commission to promote best practice and regulate the management and governance of the charitable sector. It is a crucial step towards the open and transparent regulation of charities in a way that will preserve public trust and confidence in the sector.

I want to turn to some of the issues that have been raised during the debate. I will pick up on the point raised by Robin Swann that some organisations are large and more

sophisticated while others are small, lack the same degree of sophistication and may not be as well placed to meet the requirements of the legislation. The Charity Commission for Northern Ireland will be tasked with producing detailed guidance for charities on the requirements for reporting. There will be different requirements depending on the annual turnover of the charity, and, therefore, those requirements will be proportionate as regards oversight and obligations. For well-run charities, no matter what their size, there should be no cause for concern in this legislation. I hope that the Member will be reassured by that.

Mr Allister asked why the wording was not drafted correctly in the 2008 Act. I point out, as he has done already, that it was not my responsibility at the time; it was the responsibility of another Member who was Minister then. However, to put the matter on record, the charity advisory group in Northern Ireland recommended a hybrid approach, blending the English and Welsh legislation with the Scottish legislation and blending the best of the public benefit provisions. That approach was then agreed through public consultation. However, legal counsel opinion was that this approach was open to challenge. Therefore, I was satisfied that the amendment that we are bringing forward in this legislation was required to achieve certainty for the sector.

Mr Allister also made the point about Her Majesty's Revenue and Customs. One of the key elements in bringing forward this legislation has been the discussion and correspondence with HMRC on the whole matter. Members will realise that for many charities it is the tax benefit that they get through gift aid, the tax relief, that is of particular value to them in supporting their work and in ensuring that they maximise their income.

We have liaised closely with HMRC and, indeed, Her Majesty's Treasury on the matter, and we are certain, on the basis of those discussions, that we are moving in the right direction. In fact, this is the direction in which they require us to move, rather than some others that might be contemplated. It is important that that is noted, and we have done that very thoroughly. Those were the main points covered. If I have missed any others, I apologise and will respond to Members in writing.

This is good legislation. It clarifies and corrects something that would have created a difficulty for us. It will enable the Charity Commission to undertake its work and carry it forward in the fullest possible way, and it will be of benefit to the charities, those who support charities and those who are helped by the charities. I assure you that I will closely examine the report of today's debate. If specific points have been raised that I have not addressed, I will write to the Member who made them. I commend the Bill for the Assembly's approval.

Question put and agreed to.

Resolved:

That the Second Stage of the Charities Bill [NIA 11/11-15] be agreed.

12.00 noon

Occupational and Personal Pension Schemes (Levies) (Amendment) Regulations (Northern Ireland) 2012

Mr McCausland (The Minister for Social Development): I beg to move

That the Occupational and Personal Pension Schemes (Levies) (Amendment) Regulations (Northern Ireland) 2012 be approved.

The regulations change the rates at which the pension protection fund's administration levy and the general levy on occupational and personal pension schemes are payable in respect of 2012-13 and subsequent years. Members may find it helpful if I provide some background to the provisions.

The Pensions Act 2004 set up the pension protection fund to provide compensation for members of eligible occupational pension schemes where the sponsoring employer is insolvent and the scheme has insufficient assets to pay benefits at the fund compensation levels. I am sure that Members will agree that it is important to ensure that the pension protection fund has the resources to carry out its very important task effectively and efficiently. The pension protection fund is funded through an annual levy charged to all qualifying defined benefit occupational pension schemes. A separate levy on eligible schemes means that the schemes, rather than the general taxpayer, fund the board of the pension protection fund's administration costs.

Section 170 of the Pension Schemes (Northern Ireland) Act 1993 allows for the administration costs of the Pensions Regulator, the Pensions Advisory Service and the Pensions Ombudsman to be recovered by means of an annual general levy on occupational and personal pension schemes. Those pensions bodies play a vital role in ensuring that schemes' members' interests are safeguarded and that members have access to impartial advice. Both levies are payable by eligible pension schemes, and the amounts payable are calculated on a sliding scale depending on the number of scheme members. The levies are collected annually by the Pensions Regulator on behalf of the Department and the Department for Work and Pensions. In simple terms, the combined effect of the regulations that are to be confirmed today and the corresponding Great Britain regulations is a reduction in the rate of both levies. Members will be interested to know that those levies have remained unchanged since April 2008. The rates for the pension protection fund's administration levy and the general levy are set to meet forecast future administration costs for the respective pensions bodies and are reviewed annually. The reduction in the rates is based on the analysis of scheme data and levy collection rates. The rates are set to avoid frequent changes and to smooth any annual deficits or surpluses over a number of years. For example, in light of a surplus of £6.4 million, the pension protection fund's administration levy is now set at the level necessary to collect £16 million, instead of £22 million, to cover running costs for 2012-13 onwards. Basically, the levies have reduced because a surplus has accumulated and because of reduced administrative costs. I am sure that the reduced

rates are welcomed by levy payers, as well as pension scheme trustees, members and sponsoring employees.

Mr Brady (The Deputy Chairperson of the Committee for Social Development): Go raibh maith agat, a LeasCheann Comhairle. The Committee considered the original SL1 pertaining to this statutory rule at its meeting on 1 March 2012 and was content at that time for the rule to be made. As noted by the Minister, the rates applied to the levies are reviewed annually and have been unchanged for a number of years. It is reasonable to provide funding for members of eligible occupational pension schemes where the sponsoring employer is insolvent and the scheme has insufficient assets to pay benefits at fund compensation levels. In that regard, it is important to note that the levies are applied only to all qualifying defined benefit occupational pension schemes and not to the general taxpayer. As the rule simply amends an existing statutory levy regime and, as advised by the Department, has only a negligible impact on cost for business, charities or voluntary bodies, the Committee is content to support it.

Mr Deputy Speaker: The Minister may wish to make some concluding remarks.

Mr McCausland: I am pleased that we have the support of the Committee. I thank its members for the positive way in which they have dealt with the matter. The reduced rates for levies meet forecast future administration costs for the pensions bodies and lessen, therefore, the cost pressures on pension schemes. The regulations apply to 2012-13 and subsequent financial years. The rates are reviewed yearly, and further regulations will be brought forward when it is considered that a change to the rates will be needed. I commend the motion to the House.

Question put and agreed to.

Resolved:

That the Occupational and Personal Pension Schemes (Levies) (Amendment) Regulations (Northern Ireland) 2012 be approved.

Pensions (2008 Act) (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Provisions) Regulations (Northern Ireland) 2012

Mr Deputy Speaker: The next two items of business are motions to approve statutory rules that deal with matters related to the abolition of contracting-out for defined contribution pension schemes and the associated protected rights. There will be a separate debate on each statutory rule. However, during the first debate, the Minister and Members will be allowed some latitude to address the broad policy issues that are common to both motions. I hope that the House will find that helpful.

Mr McCausland (The Minister for Social Development): I beg to move

That the Pensions (2008 Act) (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Provisions) Regulations (Northern Ireland) 2012 be approved.

I am very conscious that, in dealing with pensions, it is all too easy to get lost in the maze of technical provisions and pensions jargon. Anyone who has read the rules that we are considering today will know that they are complex and highly technical. I will try, however, to keep my comments at a fairly high level, and, although some jargon is unfortunately inevitable, I will try to keep it to a minimum.

Perhaps it would be helpful if I outlined what is meant by contracting out. Basically, contracting out is using a pension scheme to provide benefits in place of the additional state pension, now known as state second pension. In view of the fact that additional state pension is not payable, the state partially funds these schemes through national insurance rebates, tax relief etc.

In 2005, the independent Pensions Commission chaired by Adair Turner recommended the abolition of contracting out on a defined contribution basis. In a defined contribution scheme, the amount of a person's pension pot depends on two main elements: the amount paid in and the performance of the markets in which the contributions are invested. The commission's view was that the contracting out/contracting in choice added complexity to the UK pensions system and was poorly understood. There was widespread agreement that it was difficult, even for experts, to judge whether a particular person would be better off contracted into the state additional pension or contracted out into a defined contribution scheme. The commission's recommendation was accepted, and the Pensions Act (Northern Ireland) 2008 and the Pensions (No. 2) Act (Northern Ireland) 2008 provided for the abolition of contracting out for occupational and personal pension schemes that contract out on a defined contribution basis, as well as for the abolition of the rules governing contracted-out rights in such schemes, known as protected rights.

The rule, together with the Pensions (2008 No. 2 Act) (Abolition of Protected Rights) (Consequential Provisions) Order (Northern Ireland) 2012, makes changes to primary and secondary legislation consequential on abolition. They remove the rules and references relating to contracting out on a defined contribution basis and associated protection rights, with effect from 6 April 2012. However, some provisions will remain in place for a transitional period until

2015 to allow for the completion of necessary actions, such as those relating to late paid contributions. For example, the regulations make transitional provision for the three years following the abolition date, for example, to cover late payments to the schemes, and they omit or replace references to and provisions that relate to schemes that are contracted out on a defined contribution basis.

The regulations also make amendments to provide that defined contribution contracted-out schemes must inform affected members that the scheme has ceased to be contracted-out and explain the effect of that change on members' entitlement to state additional pension within certain time limits, and they make amendments relating to transfers to be made from defined benefit contracted-out schemes to other schemes, such as defined contribution schemes, as long as certain safeguards are met.

The rules that we are considering today make technical consequential provision flowing from the Assembly's decision to provide for the abolition of contracting out on a defined contribution basis in the Pensions Act 2008.

Mr Brady (The Deputy Chairperson of the Committee for Social Development): A LeasCheann Comhairle, this rule and the following order on the abolition of protected rights are linked. They amend the existing law consequential on the abolition of contracting out for defined contribution pension schemes and the associated protected rights. For example, both rules remove obsolete references and make transitional provision. As Members might remember from the debate on the Pensions Bill, such issues are notoriously technical and often little understood outside a relatively small number of experts whose word we often have to take as true.

Contracting out provides a private pension alternative to the state additional pension. However, the independent Pensions Commission recommended abolishing contracting out for occupational, personal and stakeholder pension schemes that contract out on a defined contribution basis as far back as 2005, in part because the rules were too complex and poorly understood. That left people in a position where it was difficult to determine whether it was advantageous to contract out into a defined contribution pension scheme or stay with the state additional pension scheme.

I think that we would all agree that transparency in financial matters is to be welcomed. Among other things, the regulations provide for members of such schemes to be informed of the cessation of the scheme and to have the effect of that change on members' entitlement to state additional pensions explained to them within certain time limits. Additionally, they make amendments relating to transfers to be made from defined benefit contracted-out schemes to other schemes, as long as certain safeguards are met.

At its meeting on 23 June 2011, the Committee had no objections to the original SL1 pertaining to the legislation, and, at its meeting on 6 September, it agreed that the regulations should be confirmed by the Assembly. The Committee is therefore content to support the regulations. Go raibh maith agat.

12.15 pm

Mr McCausland: Mr Deputy Speaker, I thank the Social Development Committee for the positive way in which it has dealt with these matters. The provisions contained in the rule support the delivery of abolition of defined contribution contracting out. I commend the motion to the House.

Question put and agreed to.

Resolved:

That the Pensions (2008 Act) (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Provisions) Regulations (Northern Ireland) 2012 be approved.

Pensions (2008 No. 2 Act) (Abolition of Protected Rights) (Consequential Provisions) Order (Northern Ireland) 2012

Mr McCausland (The Minister for Social Development): I beg to move

That the Pensions (2008 No. 2 Act) (Abolition of Protected Rights) (Consequential Provisions) Order (Northern Ireland) 2012 be approved.

The rule makes changes to primary and secondary legislation in consequence of the abolition of protected rights. "Protected rights" is the collective term used for the national insurance rebate, tax relief and associated investment returns. In short, it is the state's contribution to the defined contribution pension scheme.

Under the defined contribution contracting-out system, there were special rules applicable to protected rights. There were, for example, restrictions on the type of scheme in which protected rights could be invested or to which they could be transferred. Protected rights had to be recorded separately from other scheme rights, adding to the complexity and cost associated with running the pension scheme. Abolition removes such rules, and what were protected rights are now treated in the same way as other scheme benefits.

The order makes the necessary largely technical consequential amendments. For example, it omits or replaces references to and provisions that relate to protected rights; provides for a minimum payment provision for late rebate payments and recoveries; makes transitional provision for the three years following the abolition date; amends the disclosure of information requirements with which schemes must comply for the abolition of protected rights; provides for a single contracted-out deduction rate for survivors' pensions from the abolition date; and provides for age-related payments etc to be made to another scheme or the individual, rather than the former contracted-out scheme, where the earner is no longer a member of that scheme.

In summary, the combined effect of the order and the regulations that we considered earlier is to make consequential provision following abolition of contracting out on a defined contribution basis and associated protection rights.

Mr Brady (The Deputy Chairperson of the Committee for Social Development): Go raibh maith agat, a LeasCheann Comhairle. I apologise if this sounds repetitive.

Protected rights are pension rights derived from the state's contribution to the pension scheme through lower national insurance contributions and payments from HMRC and so on. Protected rights are subject to special rules and have to be kept separate from other pension rights under the scheme.

The order makes amendments to primary and subordinate legislation in consequence of the abolition of protected rights. For example, it makes transitional provision for the three years following the abolition date; amends the disclosure of information requirements that schemes must comply with for their contracting-out status; and provides that, from the abolition date, a contracted-out deduction from a survivor's state additional pension entitlement of

50% is to be applied to a survivor of a member of a former defined contribution contracted-out scheme in all cases. Currently, it is 100% or 50%, depending on whether the member dies before annuitising their protected rights. The order also provides for age-related payments and so on to be made to another scheme or the individual, rather than the former contracted-out scheme, where the earner is no longer a member of that scheme.

The Committee had no objections to the original SL1 pertaining to the legislation at its meeting on 23 June 2011 and agreed at its meeting of 6 September that it should be confirmed by the Assembly. The Committee is, therefore, content to support the order.

Mr McCausland: Again, I thank the Chair and the Deputy Chair of the Social Development Committee for the manner in which they have dealt with the matter. I am pleased that there is support for the order across the Assembly, and I am happy to commend the motion to the House.

Question put and agreed to.

Resolved:

That the Pensions (2008 No. 2 Act) (Abolition of Protected Rights) (Consequential Provisions) Order (Northern Ireland) 2012 be approved.

Mr Deputy Speaker: The Business Committee has arranged to meet after the lunchtime suspension. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

The sitting was suspended at 12.20 pm.

On resuming (Mr Speaker in the Chair) —

2.00 pm

Oral Answers to Questions

Finance and Personnel

Executive: Tax Receipts

1. **Mr Boylan** asked the Minister of Finance and Personnel whether the reduction in the receipt of British Government tax receipts will have any impact on the public finance available to the Executive. (AQO 2385/11-15)

Mr Wilson (The Minister of Finance and Personnel):

The recently announced fall in Government receipts will not have any direct immediate impact on the resources that are available to the Executive because the public expenditure period for the UK is for four years up to 2014-15. The funds have been allocated to us, principally through the Barnett formula, for that period. However, I am sure that the July increase in net borrowing is disappointing for the Government. If it continues, it will have longer-term implications and, as I have said to the Assembly on previous occasions, looking ahead beyond the current period, the Office for Budget Responsibility has indicated that there will be further spending constraints, at least for the first two years of the next spending period and, indeed, the Prime Minister has indicated that the austerity measures could extend up to 2020.

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his reply. In the event of further austerity measures, has the Minister any proposals for mitigating any reductions to the Executive?

Mr Wilson: Our Budget is protected for the period up to 2014-15. However, as I have made clear to the Assembly time and again, we have to prepare in the longer run for what we can do to restructure the way we spend money. Almost every week in the Assembly, there are demands for more money to be spent on one thing or another. The first thing that we should not be doing is making commitments that are unfunded for the future because it puts further pressure on budgets that are a bit uncertain anyhow. Secondly, and this will require very hard economic decisions, we have to look at some of the restructuring that we need to do. For example, what do we do with some of our public services where, currently, we cannot bring in private sector money, pension fund money or other additional resources to do some of the infrastructure work because it scores against the departmental expenditure limit? That may well mean that we have to make hard decisions about the structure of some of the public organisations that we have in Northern Ireland that cannot at present draw in private money. Lastly, we have to ask about many of the assets we have. Sometimes people defend them, and we have even had people talking about us selling off the family silver, etc. If we have assets that we are not using or fully using, do we dispose of them to bring in additional revenue? There may well also be hard decisions to be taken about additional revenue streams that we need for the future.

Mr McDevitt: Given that the dogs in the streets of Whitehall have been barking all summer about the fact that there is a further crisis in public expenditure ahead of us, can the Minister give us some good news and inform us that he has successfully concluded the negotiations on the transfer of corporation tax powers to this region and give us a date by which we can expect to get that power back in our hands?

Mr Wilson: I wish that I could give that kind of news, but the transfer of those powers is dependent upon not just the willingness of the Executive to have them but the willingness of the Government at Westminster to make that devolution.

This ties in well with Mr Boylan's question. As I have said to the Assembly time and again, if we are going to make commitments — for example, on the devolution of corporation tax — the Assembly will expect me and the rest of the negotiating team from the Executive to ensure that it comes to us with the least possible cost, especially if there are to be further austerity measures and pressures on the Budget in the future. For that reason, we will continue to fight with the Treasury over the cost of the devolution of corporation tax. We know that we will have to pay a price, but we want to make sure that it is fair, reasonable and a realistic assessment of the true cost.

Mr Beggs: The Minister has indicated that there is no short-term implication as regards the reduction of taxation receipts. Her Majesty's Government have announced additional capital projects in the past few months. Can the Minister indicate whether there are any Barnett consequentials for ourselves that will enable further capital expenditure in Northern Ireland?

Mr Wilson: We examine every announcement from the Government to see whether there are Barnett consequentials for Northern Ireland. There is always a bit of trading over that, and, at times, I feel that the Treasury tries to indicate that there is no Barnett consequential when there is. I have reported to the Assembly many times that there were clearly Barnett consequentials in respect of spending on the Olympics, and Scotland, Wales and ourselves fought a long battle with the Treasury and finally got some small compensation, although I do not believe that we got all the compensation that we should have got. So, we will examine any capital announcements very closely, and if we believe that there is a Barnett consequential — something that should have a United Kingdom-wide impact — we will negotiate with the Treasury and demand that we get that. Do not forget, in the most recent monitoring round, there was, I think, about £13.5 million of Barnett consequentials for distribution to Departments in June.

Mr Allister: The Minister might have reminded the tabler of the question that if we had followed his advice, we would be in a bankrupt Republic with no comfort of a block grant or Barnett formula. However, one thing that would impact on our spending capacity and Treasury receipts is the folly of the transfer of corporation tax. Can the Minister update us on what would now be the expected hit on the block grant if corporation tax was transferred?

Mr Wilson: Had the Member been here yesterday, he would have known that when Sinn Féin Members talked about full fiscal devolution, I made the point that that would include the devolution of the £9,000 million deficit that we

have every year. Even with all the economic expertise that rests on the Benches across the way, I do not know how they would have ever been able to fill that particular gap.

We are still fighting with the Treasury over the full cost of corporation tax, and that is already in the public domain. If we were to go with the last discussion that we had with the Treasury on this issue — although there have been negotiations over the summer, and I understand that there is at least some softening on this — the initial figure plus the method by which the Treasury established the ongoing assessment of our corporation tax liability would have increased the cost of corporation tax devolution to £700 million per year.

Rates: Empty Homes

2. **Mr Irwin** asked the Minister of Finance and Personnel whether he will consider additional media publicity to ensure that ratepayers are not unnecessarily paying rates on empty homes which are in a dilapidated state and unfit for human habitation. (AQO 2386/11-15)

Mr Wilson: There has already been significant publicity on the rating of empty homes. The Department, through Land and Property Services, issued a mailshot, which includes a fact sheet, and when people get their rates bills, that information is conveyed to them. There is also information on the Northern Ireland Direct website. That kind of targeted advertisement and communication is best, rather than a widespread advertising campaign. So, I am convinced that we are doing all that we can to convey to people that empty homes will be rated, that they can have exemptions, how they can apply for exemptions and who will qualify for exemptions. Therefore, there are no plans to have any further campaign on this issue.

Mr Irwin: I thank the Minister for his reply. How many exclusions from the rating of empty homes have been granted since the introduction of the measure?

Mr Wilson: There have been a number of exclusions. First, I will go through what some of the exclusions are. People can apply for exclusions once those have gone on to the list. The vast majority of exclusions — I think that, to date, there have been 5,400 — are developers' exclusions. In the current climate, we do not want house building to stop. We want to have a supply of houses available to people. So, when a developer builds a house and a completion certificate has been issued, they have an exclusion of up to 18 months. I think that there are around 5,400 developers' exclusions. There have been about 1,500 exclusions where people have claimed that their properties are not habitable and are, therefore, exempt from rates. There have also been 2,500 exemptions for premises that have a net annual valuation of less than £20,000.

Mr Kinahan: Is there a clear and unambiguous definition of "dilapidated" and "unfit for human habitation" in respect of domestic dwellings?

Mr Wilson: When it comes to a definition, the circumstances in different homes will, obviously, differ. In fact, I think that one of the difficulties of having a very strict definition — we talked about this when the legislation was going through — is that if you say a house that does not have a, b, c and d will be exempt, you will almost encourage people who have an empty property to put it into that position. So, there is a certain degree of

subjectivity when it comes to making a judgement. That is why, when people appeal, the valuer will go out and look at the state of the house. In some cases, it may be that a house is not capable of being lived in because the floors have collapsed. In other cases, it may be that the house does not have certain facilities, such as electricity or whatever. So, we do not make a prescribed list. There is guidance, and valuers will go out and make a judgement. I think that that is probably the best way to ensure that we do not have abuse of the system.

Mr Durkan: What exemptions exist for business premises?

Mr Wilson: If business premises are unoccupied, there is a 50% rate reduction. Of course, even if those business premises are put into use but have been empty for a year, there will be a 50% extension for that year to encourage businesses to enter the premises. So, there is a 50% rate exemption for such properties.

Flooding: Agency Funding

3. **Mrs Cochrane** asked the Minister of Finance and Personnel what funding the Executive will give to the various Departments broken down by different agency to alleviate flooding. (AQO 2387/11-15)

Mr Wilson: I cannot comment on any potential funding that there may be for flood alleviation because that will, of course, depend on what money becomes available in monitoring rounds and how the Executive decide to allocate that money. However, Ministers can prioritise their spending within the existing budgets for the Department for Regional Development or the Department of Agriculture and Rural Development (DARD), for example. They can prioritise their capital budgets so that, where flood problems arise, schemes can be quickly put in place. So, there are two things. There is the potential for funding in the future, which is up to the Executive, and there is the immediate availability of money where individual Ministers decide to prioritise schemes.

Mrs Cochrane: I thank the Minister for his answer, although I am not sure that I got exactly what I was looking for. You made an announcement earlier in the summer to say that money had been set aside to deal with cases such as the summer flooding. Can you confirm that there is now secured finance for the entire Connswater Community Greenway scheme to be completed, including the associated flood alleviation works?

2.15 pm

Mr Wilson: I am sorry if the answer that I gave the Member was not the one that she wanted. However, the question that she asked was about what money would be given. Of course, I cannot anticipate what money would be available or how it would be allocated.

The Connswater scheme was mentioned. The Executive made a decision on three areas: Sicily Park; Cushendall; and the Connswater greenway. The Executive's commitment was that the funding that is required for the Rivers Agency's part of the scheme would be funded from the Department of Agriculture and Rural Development's budget because, as the Member will know, much more work is involved on the greenway than just flood alleviation. It was the Executive's view that those resources were available given the fact that, two years

ago, DARD made a capital bid to the Budget of £50.2 million for flood alleviation, only around half of which was eventually allocated for that. It is, therefore, a question for the Minister to re-prioritise spending.

Mr Cree: I thank the Minister for his response and particularly for the tactical nature of decisions. Have any strategic decisions been made on funding for that sort of project during the remainder of the current spending period?

Mr Wilson: It is really up to individual Ministers to make strategic decisions. The Member will be aware that the performance and efficiency delivery unit (PEDU) was called in to review flooding incidents and recommend what our response should be. That report should be with the Executive shortly. It will recommend not only some short-term measures but some strategic ways in which Ministers should respond. One thing that I have to say is that, where problems are identified that cause people's houses to flood three or four times in one year — I have seen some of those houses — priority should be given to try to deal with those problems. Why would we pay out £1,000 a time to those people when, sometimes, strategic spending could avoid having to pay that out and the households having to go through that trauma three or four times a year?

Mr Storey: Following on from his comments on PEDU, I commend the Minister for the work that PEDU has done, particularly in areas such as education with regard to transport and school meals. Can he assure the House that the PEDU team has looked at other areas where there are particular flooding problems, such as Scotland, where work was recently carried out by the Scottish Executive to ensure that flooding issues were resourced appropriately and Departments were held to account for those issues?

Mr Wilson: One thing that I must say about the PEDU team is that it is very thorough when it goes in to look at an issue. We are not proud of those issues and we want to learn from other people who have had experiences, and one thing that PEDU has sought to do is to look at what has happened in other Administrations and how some of the lessons that have been learnt there can be transferred to Northern Ireland.

Ulster Bank: Compensation

4. **Mr Gardiner** asked the Minister of Finance and Personnel whether he has communicated with the Ulster Bank over the level of compensation being paid to customers. (AQO 2388/11-15)

Mr Wilson: I have not had any specific discussions with the Ulster Bank about the actual level of compensation. However, as I reported to the House on a number of occasions, I met and have spoken to the Ulster Bank regularly since the problem occurred with its computer system. Indeed, a couple of days before the compensation scheme was announced, I was in communication with the Ulster Bank to talk about the detail of the scheme and to advise it, based on my experience, of what I believed should be included in it.

Mr Gardiner: I thank the Minister for his very positive answer. In one sense, it was neither clear nor beneficial. Does he think that the £20 that was paid to the Ulster Bank's customers was adequate?

Mr Wilson: I do not know whether I was being complimented there or not — it was neither clear nor beneficial. *[Laughter.]* Anyhow, I will take it as a compliment, although I am not sure that it was intended as such.

I do not think that the £20 compensation was adequate. I did not experience it. When I was told that that was the level, I thought that many people might well regard it as derisory. That was a decision that Ulster Bank had to make, and it made it in concert with the Financial Services Authority (FSA). It is part of a package, of course, because there is not just the refund to consider but the reimbursement. Where there was reimbursement, there will be an additional 20% top-up to, I think, a maximum of £100. There was also the reassurance to customers about credit rating and a recognition that difficulties were caused by individuals.

I suspect that, at the end of the day, despite what the Ulster Bank will do to compensate them for the problems, many people will still be very unhappy. In discussions with the Ulster Bank, I indicated that, in some cases, especially in some that I heard about, money will really not be the way to compensate people anyway, given that they went through a horrific time. The important thing now is that the Financial Services Authority has demanded a review of what happened and of why it took so long to sort out, and I am looking forward to seeing that report.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I suspect that there is consensus across the House that the communication between the bank and customers was absolutely diabolical over the summer. Given that there needs to be systems of accountability and confidence in banks, should some members of the senior management in the bank not now be considering their positions?

Mr Wilson: I suppose that until we see the outcome of the review of what went wrong, why it went wrong, what was done to fix it and whether everything that could have been done to fix it was done, it is probably a bit premature simply to say that people should fall on their swords. Who do we want to fall on their swords? I am sure that the Member is not conversant with all the details of how things went wrong or, indeed, with whether local management was even involved in how things went wrong.

As far as the communication with customers was concerned, as I say, I met and talked with members of management regularly. One of the points that I made to them — this is what was coming through to me — was that they should be honest with customers. I said that if the issue was going to take five weeks to sort out, they should tell customers that it will be five weeks, not five days, because that would be the worst possible thing. I think that, at the end of the day, that advice was taken rather belatedly, and much more realistic timescales were communicated to customers.

Lord Morrow: I sure that it has not missed the Minister's attention that the Northern Bank lost a large sum of money at one time, so I wonder whether any experiences could be drawn from that. Can the Minister assure the House that he is totally satisfied that the Ulster Bank has put in all the necessary resources to sort out this matter? As you intimated, a lot of clients and customers had a lot of inconvenience to put up with.

Mr Wilson: When I met Sir Philip Hampton, that was the first question I put to him. I asked, "Has this dragged on because you are simply playing at it, and what resources have you been putting into it?". From my understanding, this was a technical problem, so it was not a case of just anybody in the bank being able to sort it out. A very small group of people were capable of sorting it out, and they worked on it diligently.

When I met them, I also indicated that, as far as people having to present themselves at the banks was concerned, the banks should open for longer hours in the evening and at weekends. Indeed, and this was probably a big resource demand on the bank, the banks were open even during the holiday over the Twelfth fortnight so that people could have access. The point that I made during any conversations I had with the Ulster Bank was that, regardless of what it costs, customers must have access to their money, and if that meant bringing in additional staff to interface with customers, that should be done. Opening times were extended, and the number of staff doing that work, right up even to manager level, was increased.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra go dtí seo. Tá pointe beag agam le hardú leis. The Minister will no doubt be aware of the deep dissatisfaction among Ulster Bank customers with the compensation scheme. Has he reflected or will he reflect that dissatisfaction in his discussions with the bank?

Mr Wilson: At the end of the day, it is for the Ulster Bank to decide what compensation scheme is adopted. As I said to the Member, before the compensation scheme was announced, its detail was communicated to me, and I indicated that I believed that there would be some dissatisfaction with some of the compensation offers that were made. The bank assured me that it was a result of its discussions with the FSA, its business customers, and so on. The Ulster Bank will bear the consequences of how customers view the compensation package that has been offered.

Government: Revenue Raising

5. **Mr Dallat** asked the Minister of Finance and Personnel to outline what revenue-raising initiatives he has identified for consideration over the remainder of this Assembly term. (AQO 2389/11-15)

Mr Wilson: As part of the Budget process, the Executive explored a wide range of initiatives that would generate additional revenue. Some £90 million of additional revenue-raising measures were included in the Budget over the next four years. Those measures are, of course, reviewed regularly by the ministerial Budget review group, which ensures that the targets are realised and looks at additional revenue-raising initiatives. The Budget review group will continue that work in the future.

Mr Dallat: Will the Minister tell us why many of those revenue-raising initiatives did not reach the level predicted in that famous draft Budget speech, which, I am sure, every Member reads nightly, after their evening prayers of course?

Mr Wilson: I must say that the Member leads a very sad life if he reads the Budget statement nightly. I do not know which particular measures he is referring to. We

have exceeded the amount of capital receipts raised, with, I think, £170 million raised against a target of £142 million. There are, of course, some capital receipts that have not been realised yet, and the Minister for Regional Development is working on the £40 million that we intend to raise from the Belfast Harbour Commissioners. However, given that that money was not to be raised until the last two years of the Budget period, it was not due to be realised by this time anyway. We have already raised money from the housing associations by changing —

Mr Hamilton: Despite the scepticism of his Minister.

Mr Wilson: Yes. As I am reminded, we have done that despite the scepticism that there was. The housing associations are happily working away and realising the money. We are also realising the money from the regional rates increase, so I am not too sure to which particular measure the Member is referring.

Mr Mitchel McLaughlin: Go raibh maith agat, a Cheann Comhairle. Does the Minister remain confident that we will meet the targets on receipts from asset sales during this Budget period?

Mr Wilson: We set ourselves a very challenging target, and, only this morning, we had a story on the news about how asset prices have fallen over the period. It will be a challenging target, and throughout the Budget discussions, I made it clear that there are lots of variables that could impact on it. Nevertheless, we realised all the capital receipt targets, and more, for the first year of the Budget, and, with our best endeavours, we will continue to ensure that that happens for the rest of the Budget period. The reason why the Budget review group is in place is so that it does not suddenly hit us that we have not realised our target. The group is there to ensure that there is an early warning system in place, and we can then decide what adjustments need to be made.

2.30 pm

Mr G Robinson: Will the Minister provide a breakdown of the initial £900 million of additional revenue-raising proposals incorporated into the Budget 2011-15?

Mr Wilson: First of all, it was £900 million. I think I said £90 million, but it was £900 million, in case somebody picks up on that. The main sources included the additional rates revenue, which was £200 million over the year. That was simply keeping rates in line with inflation. There was also the money from Belfast Port, £40 million. Capital receipts that were identified within Departments were £444 million, and the asset management unit was to identify an additional £100 million capital receipts. We had then carried over some money, and there was the money from housing associations. We were saying that we would reduce the amount of grant to housing associations and they would then draw on their reserves. That was our way of tapping into the housing associations' reserves and of course we have met the targets on all of those things to date.

Health, Social Services and Public Safety

Mr Speaker: Questions 6 and 9 have been withdrawn and expect a written answer.

Causeway Hospital: Maternity Services

1. **Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety whether he can give a commitment that there will not be a reduction in the provision of maternity services at the Causeway Hospital. (AQO 2398/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): I am aware of the concerns of the local community in the Causeway area in relation to access to key hospital services such as maternity care. I am advised that the Northern Trust has no plans to reduce maternity services in Causeway Hospital. Indeed, from March 2012, the trust enhanced the maternity services in Causeway by providing the option of midwifery-led care for those women who are assessed as having a low-risk pregnancy.

I acknowledge that the Northern Trust area draft population plan does make reference to maternity services. It highlights the fact that, in the future, a review of maternity services provision will be required to identify the most appropriate configuration of services to meet the needs of the local population and to develop more choice for women. Such a review would be subject to local consultation. I want to ensure that every baby has the best possible start in life. That requires not just a focus on hospital services but a recognition that care starts at the pre-conception advice stage and continues through antenatal, intrapartum and postnatal care. A focus on the spectrum of maternity services is required if we are to improve outcomes for the mother, baby and partner.

Mr McGimpsey: I thank the Minister for his answer, which appears to confirm that there will be no reduction in the provision of the maternity service in Causeway Hospital as an acute service. There are other acute services there, such as inpatient medical and surgical services, urology, diagnostics and 24/7 A&E, as well as obstetrics and gynaecology. Can the Minister confirm to the House that there is no question of there being a reduction in those services?

Mr Poots: The Member is aware of the 'Transforming Your Care' report and he is aware that we have received the population plans and are about to commence a consultation process. I think that it would be inappropriate to give out what the intentions are within that consultation process before it is actually made public.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answers thus far, and I take on board the issue of local trusts going out to local consultation on the issues. On the issue of the regional maternity hospital, will the Minister use this opportunity to give us an update on where we are actually sitting on the new regional site?

Mr Poots: There is nothing new to add to what has previously been the case. The commitments have been made for the development of that particular site. The timescales have been identified in that previous commitment, and nothing has come to me subsequently to indicate that that has been changed at all at this point.

Mr Storey: I am delighted to see that Members from South Belfast can take a keen interest in what happens in the Causeway Hospital. I hope that their local representatives take the same interest and attend all of the meetings that

are scheduled when discussions are being held in regard to the future of the hospital.

The Minister referred to what he called “appropriate configuration”. Does he have a view on whether it would also be an appropriate configuration for the Causeway Hospital to consider collaboration with Altnagelvin as opposed to what seems to be the case — always this persistent head towards Antrim? For some of my constituents, that might be more beneficial.

Mr Poots: The important thing is that we deliver what works. We always need to recognise that a considerable population lives in the Causeway area for 365 days a year, and that population is enhanced considerably during the summer. We always have to give due consideration to what works best. If the Member is indicating that he does not think that the linkage with Antrim works as well as it should, we are prepared to look at and consider that.

Mr McDevitt: I will keep up the South Belfast interest in this issue. I welcome the Minister’s attempt to clarify the situation around maternity services. Does he agree that there is an inevitable degree of uncertainty and confusion in the community as a result of Transforming Your Care, the population plans and whatnot? Can he give the House a guarantee that he will move to eliminate as much uncertainty as possible and to put in place a very clear framework for the future of health service provision in this region as soon as possible?

Mr Poots: The proposals for the population plans were printed in late June 2012, and we are moving to the point of having them checked and put out for full consultation. Once full consultation is completed, which will hopefully be in early January, we can proceed with making the decisions. The health service is always fluid; there are always changes. Transforming Your Care should, perhaps, give us a much more focused change than has been the case heretofore, but a lot of people did not predict the closure of the emergency services at the Mid-Ulster Hospital, for example. A lot of people did not predict the closures that happened at Whiteabbey Hospital, but they happened in the previous term. That was not planned, and there was no early notification or anything else. At least with Transforming Your Care, we are engaging with the public. I want that to be a very powerful engagement and for the public voice to be heard so that we get the right solutions to the healthcare needs of our population.

Accident and Emergency: Nurses

2. **Ms Boyle** asked the Minister of Health, Social Services and Public Safety for an update on the proposal to upskill nurses to allow them to discharge patients following the recent problems with accident and emergency departments. (AQO 2399/11-15)

Mr Poots: In my announcement in March this year about tackling emergency department waiting times, I said that improvement could only be achieved through a broad approach involving all areas of the health service. I listed a range of areas to be explored. These included allowing senior nurses to discharge patients over weekends and public holidays, and exploring options to deal with patients who turn up inappropriately at emergency departments, by, for example, having triage nurses discharge individuals.

Nurse-led or nurse-facilitated discharge by skilled and experienced nursing staff is and has been in place in many of our hospitals for some time. Nurse-led or nurse-facilitated discharge is one part of the process that could improve the patient journey and make a substantial contribution to the efficient management of patients’ stays and timely discharge. Health and social care trusts have been working with the multidisciplinary teams at ward level to improve this process, which includes training, support and reviewing local policies and procedures.

Ms Boyle: I thank the Minister for his answer. Some nurses may not feel comfortable doing that. Will nurses need to be regraded as part of this retraining and reskilling?

Mr Poots: That is a matter for the trusts to deal with. It is important that the trusts have nurses with the necessary skills to take on that responsibility. I am sure that discussions will be had between the trusts and the nurses’ representative bodies to ensure that they are appropriately paid for the responsible job that they carry out.

Mr P Ramsey: I thank the Minister for his response. Will the Minister assure the House that there are sufficient beds and staff in accident and emergency departments to cater for any potential winter outbreaks?

Mr Poots: One problem that accident and emergency departments can have is the entire hospital being full. We could have a situation where, on one hand, we want our hospitals operating as efficiently as possible; therefore, we do not want lots of empty beds in a hospital on a regular basis. On the other hand, if we have a significant flu outbreak or increase in ill health over a period, that would put incredible pressure on our hospitals. I want to ensure that our hospitals can operate as efficiently as possible. We have introduced a series of steps whereby we can have faster, better discharges from hospital, and that certainly is one of the things that can help us. Pharmacy is another area where we can do more. So, there are areas in hospitals where we can improve efficiencies.

Mr Gardiner: Minister, how much time is set aside for the task of discharge — planning the work programme of discharge, whether by a doctor or nurse?

Mr Poots: Obviously, we have more nurses than consultants on the wards, so it would make sense to have nurses discharging, where it is safe and appropriate to do so. That is because the task of discharge can be time-consuming on occasions, particularly when it involves social services and other bodies, which can lead to further delays. All of that takes time, and it is appropriate to use the right people to deliver for us.

Royal Victoria Hospital: Paediatric Congenital Cardiac Services

3. **Mr Buchanan** asked the Minister of Health, Social Services and Public Safety for an update on the future of paediatric congenital cardiac services at the Royal Victoria Hospital. (AQO 2400/11-15)

5. **Mr Boylan** asked the Minister of Health, Social Services and Public Safety to outline his plans for paediatric cardiac care following the recent report by the Health and Social Care Board. (AQO 2402/11-15)

10. **Mr Eastwood** asked the Minister of Health, Social Services and Public Safety what guarantees he can give that paediatric congenital cardiac services will be maintained at the Royal Victoria Hospital. (AQO 2407/11-15)

12. **Dr McDonnell** asked the Minister of Health, Social Services and Public Safety, in addition to discussions on the retention of paediatric congenital cardiac services at the Royal Victoria Hospital, to outline what discussions he has had with Minister James Reilly about cross-border co-operation in the provision of this service. (AQO 2409/11-15)

Mr Poots: Mr Speaker, with your permission, I propose to take questions 3, 5, 10 and 12 together, as they all relate to the same subject. I also refer Members to my written statement on 1 August, in which I give an assurance that I will not be making any decision on the future of paediatric congenital cardiac services (PCCS) until I am satisfied that there has been a full, open and transparent consultation and that all options for future delivery of PCCS have been robustly considered.

My overriding concern must be, and is, to ensure that the service that we provide is safe and sustainable. The review panel did not find any immediate safety concerns, and that is good news, but it did note that the paediatric congenital cardiac surgery service in Belfast is not sustainable and that potential risks should be addressed within six months.

I have asked the Health and Social Care Board, working with the Public Health Agency (PHA), to develop proposed criteria to provide a clear, objective basis for future decisions on PCCS and related services, and to draw up a commissioning specification for the delivery of the service in Northern Ireland. This work is being taken forward by a working group, which I asked the board and PHA to establish. That group includes patient representatives, parents and clinicians in its membership. There will be a full, open and transparent consultation on the criterion service specification and potential impact on service models. I expect the consultation to begin in October 2012. The consultation responses will help to inform the way forward in identifying the preferred service model for children from Northern Ireland who need specialist cardiac care, and I hope to be in a position to announce my decision early in 2013.

PCCS is a regular item for discussion at North/South Ministerial Council meetings, and, most recently, on 18 July, I met the Minister for Health for the Republic of Ireland, Dr James Reilly, and discussed our mutual wish to fully explore the potential for services on an all-island basis. Officials from both jurisdictions have been engaged in discussions on this matter, and the Republic will have every opportunity to demonstrate potential to deliver this service.

Mr Buchanan: I thank the Minister for his response, but can he assure the House that the parent group representatives will get to play a full role on the working group that he has established and that their voice and concerns will be heard?

Mr Poots: As I indicated, I have asked the Health and Social Care Board, with the Public Health Agency, to do just that and to ensure that parents are represented on that board — and not just represented on the board but have their voices heard. For many people, the quality of care

is, of course, the number one priority, but often families have other children. Families must try to work and retain some income during the child's illness, and all of these things can be huge stresses, particularly if they have to go to England to get treatment. So, in all these things, we will give due consideration to these issues and to the concerns that parents raise.

2.45 pm

Mr Boylan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. He clearly indicated that he had some discussions with the Minister of Health in Dublin. Will he outline those discussions, and will he agree that we should be developing an all-island approach in this matter?

Mr Poots: There are a number of issues, including capacity. The facility in Dublin is not the best in the world as things currently stand. However, they are committed to building a new hospital, which has been agreed through their Cabinet, by 2016. There are other issues too. For example, although we have no questions about the quality of work, the recording is not up to the standards adopted in the UK. However, we are anticipating receiving records for the past three years in the not-too-distant future.

It is incumbent on me to be very frank with the House. I do not want a second-class service for parents and children in Northern Ireland. I want a local service. These are the conundrums with which we are grappling. I do not have the answers as to whether I can deliver this service without going to the one in England. However, we are going to do our best to ensure that that is the case. We want to work closely with the Republic of Ireland, because that gives us close to the requisite number of children that will require a surgical team to be in place. I think that that is the outcome many parents are looking for.

Dr McDonnell: I thank the Minister for his honesty and frankness on this matter. This is indeed something that hurts, worries, and frightens the people, the families and the parents, involved. It is a very sensitive issue.

I have met, and I ask the Minister to meet, the Heartbeat Trust, which is the parents' organisation. Its deep concern is that when a child is seriously ill and is at death's door, it is very difficult to put that child on a plane and difficult for parents to get organised, particularly women who are just a few hours after coming out of labour. We should see no politics —

Mr Speaker: I encourage the Member to come to his question.

Dr McDonnell: I urge the Minister to see no politics or constitutional issues in this matter. It is question of getting a service. I know that he will take that approach. These people are desperate, with children whose lives are threatened, and this is the one circumstance in which co-operation on healthcare across the border could be very useful.

Mr Poots: I fully understand the concerns of the parents, whether it is about travelling to Dublin or to Great Britain, especially if there are other children in the family. At this stage, of the 140 operations that take place, around 90 take place in Belfast and about 50 already take place elsewhere. Many of those cases involve the sickest children, who travel to Birmingham at the moment. The

evidence indicates that we are achieving very good outcomes as a consequence.

Clinically, the arguments for going to Birmingham stack up at this stage. However, this is not just a clinical decision, and I want some assurance that we can match the clinical outcomes in Birmingham and ensure that we have the service provided here. It is more likely that the service will be provided in Dublin, but, if possible, I would like to have something in Belfast as well. I do not know whether that is achievable at this point.

Mr Dickson: Thank you, Minister, for your answers so far. I declare an interest as the great-uncle of a baby who received life-saving surgery in the Royal Victoria Hospital a number of days after his birth. It was impossible for his mother, who had had a Caesarian section, to travel anywhere other than from the Ulster Hospital to the Royal Victoria Hospital. This House, and much more important than that, the parents and the community, demand from you the absolute assurance that you will do your best to ensure that Belfast and Dublin co-operate fully to deliver an appropriate service that is as good as or better than that in Birmingham.

Mr Poots: I give the Member that assurance.

Mr McCallister: Like other colleagues, I have been receiving huge concerns from the community about this issue.

Has the Minister given any consideration to the impact the reorganisation of health services in England will have on the number of people that we send to Birmingham?

Mr Poots: I am confident that, if we decided to take up the Birmingham option, it would be met. That is the clear recommendation from the review team. We cannot easily dismiss the expertise of the review team, and it would be foolish to do so out of hand. At the same time, however, we should explore every opportunity that is available to us to maintain a more localised service without dropping the standards that we would expect, and we expect the best. I know that I would go to the far end of the world if it meant getting the right service for my family, but where we can deliver that quality of service at a local level, we should seek to ensure that we do so.

Nursing and Midwifery Students

4. **Mr Dallat** asked the Minister of Health, Social Services and Public Safety whether he intends to reverse his proposal to reduce bursaries for nursing and midwifery students. (AQO 2401/11-15)

Mr Poots: I instructed my officials to carry out a review of HSC student bursaries earlier this year to work towards harmonising the level and type of health and social care student support provided by my Department. Following public consultation, I made a decision on the way forward, and I do not intend to reverse it. I have, however, directed my officials to continue to monitor the impact of the reduction. I will review my decision in light of any evidence received that indicates a difficulty in filling training places for nursing and midwifery courses. My Department will also continue to monitor the student profile in line with its commitment to widening participation in education and training.

Mr Dallat: I thank the Minister for his answer, which I take as positive. Will he assure us that there are no plans to slash bursaries for other medical or social care students during the lifetime of this Assembly?

Mr Poots: It was because of the existing differential between the nursing bursary and other bursaries that we looked at this issue and addressed it. We believed that there was an inequality. Bursaries are there to encourage people to come into certain professions, and the bursary for the nursing community has been hugely oversubscribed for a number of years. When those bursaries were set, there were no student fees, but now other students have to pay over £3,000 in fees, so we are in different circumstances. Nevertheless, I hope that this is now fixed for a time, and there is no indication that we will look at other bursaries at this point.

Mr Beggs: Is the Minister aware of the injustice felt by these students, in that they cannot work in the periods when they are on clinical placements, and that the conditions have been changed since they originally applied for the course?

Mr Poots: Actually, the matter was being looked at when I came into office. I said that we would not do it last year because it was too late. The consultation has taken place, and the review started in February 2012. I will look and see how many drop out. The fact that we are investing around £35,000 in training each nurse is an indication that we are committed to bringing quality nurses into the profession. We are prepared to make that investment, and I think that we have done the right thing in this instance.

Mr Speaker: Question 5 has been answered. Question 6 has been withdrawn.

Attendance Allowance

7. **Mr B McCrea** asked the Minister of Health, Social Services and Public Safety for his assessment of the effectiveness of the attendance allowance in supporting older people with a disability. (AQO 2404/11-15)

Mr Poots: While attendance allowance can be paid to older people who have a disability, it is a matter for DSD to determine the effectiveness of allowances and benefits that are intended to support people with disabilities regardless of age. As with any incapacity allowance or benefit, attendance allowance can be used in conjunction with other benefits and services to help older people to maintain their independence and remain in their own home and community while it is safe to do so.

Mr B McCrea: That is fair enough, but I wonder whether the Minister thinks that the attendance allowance is actually effective. Perhaps he has a different idea about how he might use the money if it were at his disposal.

Mr Poots: Unlike any other part of the United Kingdom, we pay for the allowances and support that we give to elderly people to stay in their own home. In other regions of the United Kingdom, people have to pay for that themselves. If the Member is proposing and if it is Ulster Unionist Party's policy that we should start charging older people for care in their own home, I would be very interested to hear about it. Let us have a debate on that some day. At this stage, we have decided that we should seek to continue to provide that type of care for older people and to maintain them in their own home. I think that it is much more cost-effective

and better for the individual to have them in their own home than to have them in a hospital or a nursing home.

DHSSPS: Capital Projects

8. **Mr Givan** asked the Minister of Health, Social Services and Public Safety for an update on the priority list for capital projects. (AQO 2405/11-15)

Mr Poots: DHSSPS has been allocated £962 million for the four-year period ending in March 2015 against an assessed need of £1.8 billion. Of that funding, £756 million relates to the remaining three years of the current Budget period. Key projects that are planned or under way include the Royal hospital critical care building; the Royal maternity unit; Gransha mental health crisis unit; Omagh local hospital; Antrim hospital A&E; Antrim hospital 24-bed unit; Ulster Hospital phase B; and the north-west radiotherapy unit. Also included are Old See House; Ballymena Health and Care Centre; Banbridge health and care centre; Belfast mental health inpatient unit; the Bluestone extension at Craigavon; Craigavon hospital theatres; and further redevelopment at Altnagelvin hospital. In addition, almost £100 million is provided annually for capital works to support and maintain the extensive HSC and public safety estate, equipment and vehicle fleet.

ISNI 3, which has recently been approved by the Executive for consideration, contains proposals for revenue-funded infrastructure in addition to existing capital provision. Any such investment will be subject to business case approval, demonstration of value for money and affordability. That may allow me to progress some currently unfunded projects more quickly.

Mr Givan: I acknowledge that the Minister has a difficult job, given the capital need and the resources that he has at his disposal. However, he will be aware of the ongoing development of a business case to develop the Lagan Valley Hospital site. Is the Minister able to provide an update on where we are with that business case?

Mr Poots: The SOC has already been approved, and the business case is being developed. We believe that, as set out in 'Transforming Your Care', health and care centres are part of the community provision that will greatly assist us in moving away from the reliance on hospital provision. As part of the business case, the trust will have to identify options that we will consider carefully. I expect that the business case will be completed and submitted to my Department for scrutiny in October. Lisburn and Newry have the two health and care clinics in respect of which we are looking at the possibility of investment from outside the Health and Social Care Board's current funds. We will seek to go to the market to get funding to develop those cases, should the finances stack up.

Mr McDevitt: Given that 'Transforming Your Care' identifies the need for quite significant investment in new integrated primary care facilities, can he take the opportunity to assure the House that he does not envisage that that investment will be delivered principally by the private sector?

Mr Poots: I read out what we have money for and what we are spending money on. If we are to deliver those primary care clinics, the funding to deliver them does not exist in the public purse as it stands, so we will go to the private

sector. We will go to the market to look for that funding. The thought process behind that is that, if savings are achieved because we deliver more care in the community and primary sector and, therefore, use fewer hospital beds, an affordability will be created to develop the new facilities that are so badly needed. So, some thinking outside the box is being done to ensure that we have a quality health service in Northern Ireland, as opposed to just depending on the traditional methods.

Mr Speaker: That ends Question Time. I ask the House to take its ease until we move to the next item of business.

3.00 pm

Executive Committee Business

Tobacco Advertising and Promotion (Display of Prices) Regulations (Northern Ireland) 2012

Mr Poots (The Minister of Health, Social Services and Public Safety): I beg to move

That the draft Tobacco Advertising and Promotion (Display of Prices) Regulations (Northern Ireland) 2012 be approved.

I seek the Assembly's approval to introduce the aforementioned statutory rule. Subject to the Assembly's approval, the rule will regulate the display of tobacco price lists and price labels to coincide with the removal of tobacco displays. The main aim of the legislation is to enable retailers to let customers know which tobacco products are for sale and at what price, as retailers will no longer be allowed to display tobacco products openly. In addition, the regulations have been drafted in such a way as to prevent tobacco price lists from being exploited and turned into brand promotions.

Members will recall agreeing in March 2009 to the extension of certain tobacco-related provisions in the Westminster Health Act to Northern Ireland. Those provisions provided my Department with powers to lay four separate sets of regulations relating to the display of tobacco products in retail outlets and the sale of tobacco from vending machines. All four sets of draft regulations were the subject of a public consultation in the latter half of 2010, and a summary of the consultation responses was published on my Department's website on 23 August 2011. All consultation responses were carefully considered and helped to inform the final regulations.

The Protection from Tobacco (Sales from Vending Machines) Regulations (Northern Ireland) 2012 were debated in the Assembly on 17 January and commenced from 1 March 2012. Two further sets of regulations on removing tobacco displays and on specialist tobacconists were laid on 20 June 2012 under the negative resolution procedure.

Today, I move the motion to approve the Tobacco Advertising and Promotion (Display of Prices) Regulations (Northern Ireland) 2012. The regulations set out the size, appearance and number of price lists and price labels that retailers are permitted to use to allow them to inform customers about the tobacco products that are available for sale. Although Members may be concerned that the regulations are too prescriptive, I wish to clarify that they have been designed in such a way as to prevent them being exploited by the tobacco industry for the purposes of advertising or promotion.

The regulations specify that retailers are permitted to display prices of tobacco products in three ways. The first is by using poster-style lists up to A3 in size, which can be permanently on show. The second is through a list, including pictures of products, which must not be left on permanent show but can be shown to any customer aged 18 or over who asks for information about the tobacco products sold. The final way is through price labels, which

can be placed on shelving, storage units or tobacco jars. The regulations will bring Northern Ireland into line with the rest of the UK, where similar regulations have either already been commenced or are due to be introduced in the near future.

The ultimate aim of introducing the new tobacco control legislation is to prevent young people from taking up smoking. Members will be aware that smoking remains the greatest cause of premature death and avoidable illnesses in Northern Ireland, killing around 2,300 people each year. The burden of smoking-related death is spread unequally across society, impacting more severely on those who face socio-economic deprivation. As well as being a major risk factor for coronary heart disease, strokes, cancer and other diseases of the circulatory system, smoking is a major cause of health inequalities. I find it unacceptable that, in the 21st century and with all we know about the dangers of tobacco use, a person living in one of the most deprived areas of Northern Ireland is twice as likely to die from smoke-related lung cancer as someone who lives in the least deprived area. While we will never, we hope, see a return to the very high smoking prevalence rates witnessed in the 1950s, when smoking was viewed as an aspirational activity, our current adult prevalence rate of 24% is unacceptable, particularly when we compare it with rates in other developed countries such as Canada and Australia. In spite of comprehensive health promotion programmes carried out by the statutory and voluntary sectors alike and existing restrictions on promotion and advertising, the tobacco industry manages every year to recruit large numbers of young people into smoking. I say "young people" because the vast majority of new smokers take up the habit while still in their teens, most before they are even old enough to purchase cigarettes legally. The 2010 young persons behaviour and attitudes survey revealed that 8% of 11- to 16-year-olds in Northern Ireland are smokers. It is clear that further action is required. While I am not claiming that my Department's new tobacco control regulations will solve the problem of youth smoking, I believe that putting tobacco products and branding out of sight will help to put it out of mind for a number of young people.

In brief, the new regulations will ensure that the brightly lit gantries displaying row upon row of tobacco products are a thing of the past; set out clearly what is permitted in terms of the pricing of tobacco products to prevent price lists being used to promote various tobacco brands; and offer workable solutions for different types of businesses, including specialist tobacconists and duty-free shops. By introducing the new tobacco control regulations from 31 October this year for large shops, we will remove a source of tobacco promotion not only from thousands of underage children but from the huge numbers of smokers who try to quit each year. The addictive nature of tobacco is not in doubt. Last year, over 34,000 set a quit date with smoking cessation services, and that does not take into account the many thousands who will have tried to quit smoking without professional help. Stopping smoking is the most important health improvement decision that many people will ever make. Surely we can make it easier for them by saving them from constant exposure to the one thing that they are trying so hard to give up.

The new regulations will necessarily involve some change for retailers. Enforcement of the legislation will be the responsibility of the environmental health officers

in local councils, who will do all they can to ensure that businesses are fully aware of what they must do to comply with the new regulations. Out of consideration for smaller businesses in these constrained economic times, they will not be expected to comply with the tobacco display and display of prices regulations until 6 April 2015, in line with England and Wales. As I have stated, the regulations will, however, commence for large businesses from 31 October 2012. As similar legislation has been in place in England from April this year for many of the multinationals, adaptations in Northern Ireland will be straightforward. The display of prices regulations strike the correct balance between protecting public health and offering a workable solution for businesses. I commend the motion to Members.

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a Cheann Comhairle. The Minister has explained the purpose of the statutory rule, and I do not need to go into it in detail. He said that it will allow retailers to display the price lists for customers and ensure that they are not exploited as advertisement. The Committee is content with the legislation and believes that it strikes the right balance. We considered the draft rule on 4 July and recommend that it be affirmed by the Assembly. On behalf of the Committee, I am happy to announce that we support the motion.

Mr Speaker: I call Jim Wells. I hardly knew the Member with his hair cut.

Mr Wells: That has thrown me completely, Mr Speaker.

I enthusiastically support the Minister's decision on this issue, and I want to recount the story of two personal friends, both of whom died from lung cancer: one lady who worked with my wife in education and another lady who worked in local government. Both were heavy smokers, and both started smoking as teenage girls at a time when smoking was seen as a very glamorous and exciting thing to do. Both bitterly regretted the day and hour they ever touched a cigarette and spent most of their life trying to give up smoking. Both died horrible, lingering and torturously painful deaths. No one in Northern Ireland deserves to go through the pain and agony that both those women went through long before their time.

This legislation is part of a suite of regulations and rules that are quite rightly being brought in by the Minister to try to discourage young people from taking up the awful scourge of smoking. We have already seen some very successful initiatives. We have seen the ban on smoking in restaurants and pubs. Is there anybody out there today who does not believe that that was a good thing? At the time, I remember that we agonised in the Chamber about the introduction of that legislation. When I turned on — as I very seldom do — to RTÉ one night — not that usual, I have to say — and I saw —

Ms S Ramsey: Do you have it on your TV?

Mr Wells: No, I do not have it on my TV; it was on somebody else's TV. *[Laughter.]* When I saw a programme in which a spit-and-sawdust pub in the west of County Mayo successfully implemented a ban on cigarette smoking, I thought that if it can be done there, it can certainly be done in Northern Ireland. I am glad that the Assembly had the courage to back direct rule Ministers at

that time and introduce the ban, which undoubtedly has helped enormously.

Then we had the ban on the display of tobacco in vending machines, which was introduced in March 2012. In response to questions from me, the Minister indicated that there seems to have been a universal observance of those regulations. There does not seem to be any pub, restaurant or shop that has tried to circumvent the legislation by continuing to sell tobacco products through vending machines. That was so important, because it was proved conclusively that vending machines were being used by young people to get access to tobacco long before they were old enough to make that decision. Therefore, that is a thing of the past; it has been settled and there has been no difficulty, despite the few people out there who said that it would cause doom and gloom and economic destruction for those concerned. That has not happened.

We have seen the Minister introduce the legislation on sunbeds, which has prevented those who are under 18 from using those particular devices, which can cause such a prevalence of skin cancer.

Mr McCallister: I think that it was his predecessor.

Mr Wells: No, it was this Minister who confirmed the regulations and introduced them. It was this Minister who had the courage of his convictions to carry forward that work and go ahead and outlaw the use of sunbeds for young people. As a result, we expect to see a significant reduction in melanoma — skin cancers — a horrible condition that can lead to an extraordinarily painful death.

We have now moved on to these regulations. I have been lobbied — not to any great extent, I have to say — by the tobacco industry, which said that this will cost a considerable amount of money. It has been well signposted for many years that this was coming. Therefore, the sector has had time to adjust, particularly the big multinationals. The supermarkets of this world have had time to adjust to the changes. Not only have they had warning from the Executive and this Minister, they have seen the example in the rest of the United Kingdom and in many other countries that have had to grasp the nettle and realise that the days of going into a shop, standing at the counter and seeing massive levels of in-your-face advertising, which tried to portray the message that tobacco was glamorous and exciting and that you were one of the lads if you smoked tobacco when, frankly, you were making a terrible mistake if you ever touched the stuff, is a thing of the past. That will no longer be the case for the big supermarkets and large shops.

The Minister has been balanced in the sense that he has given warning to the smaller retailers — the corner-shop tobacconists and newsagents — that it is coming their way as well and they will have to adjust. They have been given time to make that adjustment and go down the same route as many other parts of Europe and, of course, our own United Kingdom. Therefore, it is a balanced approach.

Ultimately, we must, as a society, provide support to the 81% of tobacco users who want to give up. The legislation is not antismoker; it is antismoking. It is trying to discourage people from taking up the habit and give help and assistance to the huge number of people who want to stop.

Mr McCallister: Will the Member give way?

Mr Wells: I certainly will.

Mr McCallister: I am getting great support here from my colleague. I encourage the Member to continue to support me in making sure that this Minister brings legislation to ban smoking in cars carrying young children or, indeed, ban smoking in cars, full stop. Not only are there health implications for children; that is where they see and may be encouraged to take up the disgusting habit, as he rightly called it.

3.15 pm

Mr Wells: Yes, indeed. The Member will recall that, against my better nature, I was an enthusiastic supporter of his private Member's motion on that very subject. I have no doubt that that will be used against me in the 'Mourne Observer' at a later stage. Even though it was he who proposed it, I still thought it a very good idea and was very keen that the Minister consider it. As he knows, the Minister has a tobacco control strategy out, and one suggestion is that we move to the situation where smoking is banned in cars with young people. I think that we should go further. Maybe we should consider having no smoking in cars full stop, because, inevitably, people who are non-smokers will use those vehicles. We already have the precedent; in vehicles used by window cleaners, building contractors and so on, it is not legal to smoke, because those vehicles are used for commercial purposes. Maybe we need to move on that.

Mr Givan: I appreciate the Member giving way. I just want to reinforce the point that he makes about banning smoking in vehicles full stop. I recently purchased a second-hand vehicle. The previous owner, whom I do not know, was obviously a very heavy smoker. It has taken a considerable number of months to try to get the smell out of that vehicle. It is still there. I have a very mild form of asthma, usually related to sport activity. However, using the vehicle, at the start, did trigger the necessity for me to use my Ventolin inhaler, because of the impact from that vehicle having previously been owned by a smoker.

Mr Wells: It is points like that that may well mean that the rationale for banning smoking in all vehicles is overwhelming.

Can I tell an interesting story? I understand that I am not time limited. A few years ago, I travelled to Bulgaria, on Assembly business, on one of the few airlines in the world —

Ms S Ramsey: Aer Lingus.

Mr Wells: It was not Aer Lingus, I can assure you. I travelled on one of the few airlines in the world that still allows smoking. That was a major shock to the system. I cannot recall ever in my life before travelling on a plane that allowed smoking. Not only did this airline allow smoking, but it sold the large, very long multipacks that you get on aircraft —

Mr McDevitt: Duty-free.

Mr Wells: Duty-free; that is right. I never frequent such places, but you know what I mean: the duty-free shops. They sold those on trolleys on the plane. If you purchased a multipack, you did not have to have your cigarette lighter on you. The stewardess produced a flamethrower and lit the cigarette for you on the plane. My thought was, "What is the life expectancy of a stewardess in that company?"

The whole housing of the plane was brown or cream as a result of thousands and thousands of people, over the years, smoking on the plane. Yet I, as a non-smoker, had to walk into that situation and fly for four hours to Sofia. Of course, the first six rows were non-smoking; the rest of the plane was smoking. Frankly, it made absolutely no difference whether or not the first six rows were non-smoking. The reality was that, by the time we got to Sofia, it was just a cloud. The very fact that it is now so unimaginable that that would happen in Northern Ireland indicates how society has moved on and how we have readily accepted major controls over public behaviour in order to restrict smoking.

We need to move further. Just before the recess, there was a presentation in the Assembly by people from those parts of the world where they have banned the advertising of cigarette products on the packets. At the moment, the packets are still trying to present a glamorous image of cigarettes. In places like Nova Scotia and Australia, the packets are pure white, with the name of the company and the number of cigarettes included simply stamped on them. There is no bright-coloured, gold packaging; no red, white or blue, or whatever it is that is used to try to portray a glamorous image of cigarettes.

Mr Kennedy: Green.

Mr Wells: And some green, as well.

Should we in Northern Ireland be considering a ban on bright cigarette packaging with advertising? I think there is a very strong argument for that. I know that that is something that can be considered by the Assembly, albeit in conjunction with HMRC.

Ultimately, maybe we should consider going down the line of some district councils in England, which have banned smoking in children's play parks. How often do you see young children playing on the swings and the roundabout and the parents sitting there, smoking, for all the children to see? It has to be a realistic consideration that that be looked at. I can see all sorts of practical problems; I accept that. However, there are issues that we have to address.

At the end of the day, as the Minister said, and this is where it gets deadly serious, 2,300 people a year die in Northern Ireland as a direct result of the consumption of tobacco products. That is the population of somewhere like Moira and probably similar to the population of Comber. Some 2,300 people die every year. If 2,300 people were to die every year in Northern Ireland on our roads or as a result of farming accidents, there would be absolute uproar, but we allow 2,300 people to die very nasty, horrible deaths, and we need to take action to prevent that from happening.

One of the most telling things that happened to me during my time as Chair of the Health Committee happened when we went to see Paddy Johnston, who is one of the leading cancer surgeons, not only in Northern Ireland but in Europe. I am not going to reveal any names, but Mr McCallister was with us, and he is not one of the guilty parties. Some of us remember very clearly that Paddy produced jars full of formaldehyde. In those jars were the lungs of two people who had died from lung cancer and the lung from someone who had never smoked and who had died in a traffic accident. The lung from the traffic accident victim was pink; the lungs from the two lung cancer sufferers were black. What did two of our Committee do

at the tea break? They went for a smoke. I am not saying that in any judgmental sense — I am not. I am saying it because the fact that anyone could sit through what Paddy Johnston told us that day and still go out to smoke gives some indication of the hold that tobacco products have on people. What made me particularly sad that day in the City Hospital was that when those members went out to smoke at the front of the hospital, who was standing there smoking but lung cancer sufferers in their nightgowns, with their little drips on trolleys. That is the grip that tobacco has on people's lives.

We have to give those people the support and incentive to give up the ghastly, horrible habit. By the way, Members, you may have detected that I am a non-smoker. We certainly need to give people the strength and support to give up, because if we do not, we will still have several thousands of people dying every year absolutely needlessly.

I have just sat through a presentation in the Long Gallery, which was organised by Cancer Research UK, and heard some pretty graphic stuff about what is going on. It is absolutely behind these regulations, and it has my total support. I hope that the Minister will be coming back several times more to introduce more regulations to make it as easy as possible for people to give up the dreaded tobacco.

Mr McCarthy: I fully support the regulations brought to the House this afternoon. In fact, I will support any proposal that will help to reduce deaths from cancers which come from the practice of smoking tobacco products. I would almost go to the point of banning the manufacture or import of tobacco products altogether, but that is a long way off.

I commend all our local organisations in Northern Ireland and throughout these islands for the excellent work in cancer research, cancer care and in dealing with the effects of this terrible disease. Every family has been hit at some time with a member falling victim to the disease. Unfortunately, as recently as about three months ago, I lost a young nephew, aged 46, to this horrible disease. What a loss. What a loss to his wife, young family and extended family. Unfortunately, that happens all too often, and anything the House can do to prevent such a loss must be supported.

I fully support our tobacco control strategy and commend everyone involved in its work. Hopefully, it will help to reduce tobacco use and, eventually, reduce the horrible deaths.

Research tells us that tobacco smoking remains the largest preventable cause of death. Think about it; it is preventable. We are told that some 2,300 Northern Irish people die from smoking each year. That is a staggering figure, and it should not happen. Keeping tobacco products away from our young people has to be paramount, and education of youngsters, at a very early age, about the deadly outcome of starting to smoke must always be to the forefront of our minds.

I am glad to acknowledge the reduction in the number of children smoking, due to the advertising ban some time ago, particularly at sports grounds, where children are very often to be found. Progress is being made and we are duty-bound to keep at it. The measure before us today goes further. It may be a slow programme, but I am

convinced that every little helps and, certainly, the Alliance Party fully supports the regulations brought today by the Health Minister.

Mr Poots: I thank the three Members who contributed to the debate. I take the fact that only three Members made contributions not as disinterest but as satisfaction that there is no opposition to this proposal and that people wish us to proceed with reducing the level of glamourisation of cigarettes all the time.

I remember the classical photographs of Marilyn Monroe holding a cigarette and looking absolutely stunning. For many years, that was the image that many young people had of smoking. Movie stars, sportspeople and pop stars all smoked, and it was something chic and classy to do. Now that image has largely been derided and most people know that it is a smelly, filthy habit. Smoking causes huge damage to people's lives, and kills one of every two people who participate in it.

I have many older friends who have smoked all their lives. They would have loved to have been able to give up smoking, but nicotine has such a grip on them that they cannot give it up, in spite of making many trial efforts to do so. Therefore, it is incumbent on us to take every step possible to ensure that people do not get caught in the habit of smoking, do not get addicted to nicotine in those early years and do not get the hankering to have another cigarette, even if they have given up for a period.

In all this, we are taking the right steps. I give Mr McCallister an assurance that we will consult on the issue of smoking in cars before the end of the year. I look at what is happening in other parts of the world. Some of it is draconian, and some could be accused of running a nanny state. Nonetheless, in Northern Ireland at this point, we are taking the appropriate steps and we need to constantly review this.

Mr Wells was very vociferous in what he said, so if you think I am bad, just wait to see what you get next. As he made clear, this measure is not meant to be anti-smoker. The 24% of our population who smoke are largely decent people who are caught in a particular habit. What we are about is anti-smoking. In a generation's time, we do not want there to be 24% of the population smoking. I trust that the steps that we take today, those that we have taken and, indeed, the steps that the former Minister took, and probably those which future Ministers will take, will help to ensure that that is the case.

Question put and agreed to.

Resolved:

That the draft Tobacco Advertising and Promotion (Display of Prices) Regulations (Northern Ireland) 2012 be approved.

Motion made:

That the Assembly do now adjourn. — [Mr Speaker.]

Adjournment

Flooding: East Belfast

Mr Speaker: The proposer of the topic will have 15 minutes, the Minister will have 10 minutes to respond and all other Members who are called to speak will have approximately seven minutes.

Mr Newton: Mr Speaker, I am grateful to you for being in the Chamber today. I also want to thank the Minister for Regional Development for being in attendance. I wrote to him and to the Minister of Agriculture and Rural Development on the matter. The Minister of Agriculture and Rural Development has responsibility for the Rivers Agency. I have to confess to being disappointed, in the sense that I wrote to her on 16 July.

3.30 pm

I got a letter back dated 8 August, which, at the most, arrived one or two days later. The letter indicated that she was not available to accept my invitation to meet flood victims, who were essentially my constituents, and, indeed, that her officers would be in contact with me shortly to discuss a date for a suitable meeting. That letter was dated 8 August. As I stand here at the moment, I have not had any contact from the Rivers Agency, and I am still waiting to hear from her officials.

I deeply regret that the Minister of Agriculture and Rural Development is not available to be in attendance today. I believe that she has a major role to play in this issue, and I acknowledge that the Minister for Regional Development also has a role to play. For many, particularly, but not exclusively, in East Belfast, this is a very serious ongoing problem to which there is not perceived to be a solution.

Mr Speaker, you will remember that, only a few years ago, we were being told that the first major flooding was a once-in-100-years experience. It is not, particularly not in East Belfast. With every downpour, there is concern that we are in for another bout of flooding. In fact, on 27 June, 720 homes in the Belfast boundary were granted the £1,000 emergency payment. That £1,000 in no way compensates the flood victim. There were 329 victims in the Castlereagh area of the borough of Castlereagh, which is in the East Belfast constituency. Therefore, 1,049 people in that constituency were flooded out of their homes, and, for many of them, it was not the first time. In fact, I understand that one lady cannot get insurance for her home now because it has been flooded five times. I do not mean that a drop of water came in through the front door; I mean that her house was flooded from the front door out through the back door.

Following the Executive's announcement on 5 July, there was some anticipation regarding the acceleration of projects. There was an expectation from many of those flood victims that additional money would be made available for flood alleviation schemes. I understand that, particularly for the Department of Agriculture and Rural Development (DARD), the cost of flood alleviation works in East Belfast amounts to around £11 million. I

further understand that the Minister of Agriculture and Rural Development has had discussions regarding the prioritisation of her budget for flood alleviation works. However, my constituents and I need to know what priority she is attaching to the necessary capital funding. They need to know what level of priority is being attached to delivering to them a solution to their problem. We need to know how often the Minister has met the Finance Minister on the matter and what priority she is giving to East Belfast residents for what is virtually a crisis. I understand that she has confirmed the reprioritisation of her budget to deal with the flooding problems to the Finance Minister, but my constituents have no information on the matter.

Just a few days ago, it was announced that we are going to build a new DARD headquarters up in Londonderry. Mr Speaker, I am sure that you will not be opposed to that, and I understand that, from your perspective, you want to see additional financial capital projects in the north-west. DARD's capital budget is somewhere in the region of £23 million for 2013-14 and around £30 million for 2014-15, which is not an insignificant amount. My constituents view that as sufficient to deal with their nightmare of problems, with plenty left over. They just do not understand how the Rivers Agency has lost out on funding, how increases in funding to the rural development fund have taken place and why DARD is prioritising a new capital build project for its HQ in the north-west — all while senior citizens, sick children and disabled people are being flooded. To them, that shows a very low level of concern about the problem. In fact, one lady described it to me as bizarre prioritisation. Is that what people should expect from a devolved Assembly that was established to take up their concerns? In the minds of some people, it is more important to have posh offices for officers of DARD than it is to invest in flood alleviation schemes.

Mr McDevitt: I appreciate Mr Newton giving way, as I will not be able to stay for very long. I echo his sentiments from a perspective across the constituency boundary in South Belfast. There are very many people — Mr McGimpsey, who is in the Chamber, will know this — in the Finaghy area, particularly the Orchardville area, who will wonder why the Rivers Agency cannot take seriously some of the very significant structural issues and why it cannot come forward with proper investment programmes and proper management plans to turn what is effectively an informal river system into a well-managed watercourse. That is an area to which the House needs to turn its attention.

I acknowledge the efforts made by the Minister for Regional Development at the height of the floods. I want to thank him for paying a visit to the constituency and showing some personal interest, but we need the Minister of Agriculture and Rural Development to take the same level of interest.

Mr Newton: I thank the Member for his intervention. He agrees with me about the prioritisation of the budget, and I echo what my constituent said: it is bizarre.

There is, of course, a project in East Belfast — this will not impact on the Member's constituency — called the Connswater greenway project, which includes a proposed flood alleviation scheme. Unfortunately, there were contractual disputes, and the contract was halted. We are out to tender again, and I hope that the Minister will ensure that the Rivers Agency has the finance in place and is prepared and ready to go as soon as the new contract is in

place. As I said, I welcome the fact that Minister Kennedy is here.

Many areas across the constituencies have been flooded, and that is very much due to the historical fact that we have a drainage system that handles water and sewage in the same pipes and is no longer capable of handling the torrential downpours that we have been experiencing. There is a strong belief — I have seen this with my own eyes and do not understand it — that a simple thing like cleaning gratings and gullies, which I understand used to happen twice yearly, now happens once a year at most. I am sure that the Minister will confirm that. I know that when a lorry arrived to clean the drains at the 14-storey block of flats in Clarawood, which was one of the areas flooded, it could not get to them because the drains were in the car park, with cars or lorries parked on top of them, and there was no way that the guy could have found out who owned the cars. That is just an example of bad siting.

The old joint water and sewerage system is well past being able to handle today's problems. An investment is required, and that investment needs to be bid for. I regard that as additional investment. Minister, you know the flood areas in the east of the city. On the night of the most recent flooding on 27 June, I did not need to be told which areas had flooded. I went straight to them, because they have a history of flooding.

Areas that I visited immediately included Clonduff, which has frequent severe flooding, which has resulted in many householders being unable to get insurance.

There is a human side to this. In one of the flooded homes lives a family with a young severely disabled child, who lives in an extension to the home. They were forced out of their home for weeks. The child needs specialist medical care. That should not happen in the 21st century. Elderly residents, unable to handle the trauma of being flooded and flooded again; disabled residents completely flooded out of their homes; children moved to the care of other family members; and, so often, just a feeling of despair among those who have suffered this. In the Larkfield area of Sydenham, residents were up to their knees, not just in water, but in water and sewage flowing into their homes. The same applies to houses in Orangefield Park. In fact, there is a meeting taking place at this moment between the Lord Mayor of Belfast and the residents of Orangefield Park. Clarawood, Cregagh and many other areas were affected — this should not be happening in this century.

The flooding has occurred. Emergency responses are taking place. We need to learn some things from this. Even some simple messages need to be learned. A couple of weeks ago, I made the point in the press that Northern Ireland Water made some good profits. I am not opposed to its making good profits: I know that it is not all cash. However, we need to see where that money is going. I suspect that the Minister will make a bid for it. It should be invested in local infrastructure. Where there is frequent flooding, we need to give residents the ability to help themselves. In many cases, it was too late before sandbags arrived with residents. Homes were already flooded. Homes that have a history of flooding deserve for us to provide some sort of what I describe as a "bespoke flood mechanism". These are not expensive. We need a corporate approach to it, whether it is in East Belfast or other parts of Northern Ireland.

I understand that the Rivers Agency, to its credit, has commissioned a report on the effectiveness of flood defence mechanisms. I look forward to the outcomes of that report, but residents need to see swift action when the forecasted rain occurs or when it happens in a flash flood-type situation. They do not need to rely on statutory bodies swinging into action, or otherwise, to protect their homes. Past experiences have not been good for them.

I welcome one small decision by Belfast City Council to locate stockpiles of sandbags close to those areas that are described as being most at threat. That is a welcome step. However, good communication lines with residents are of the utmost importance. It sounds simple that we communicate with those who are in danger of being flooded, but it does not work; it has not worked. The emergency procedures have not made it work. If residents knew that there was a communication system for them when an emergency happens, it would build confidence and trust among potential flood victims. On the night of 27 June, residents were directed to the emergency flooding line. The flood line was unable to handle the high volume of calls. On that night, Government bodies needed to communicate with residents.

Mr Speaker: Will the Member draw his remarks to a close?

Mr Newton: I will just make the point that communication is important, Mr Speaker.

Finally, I look forward to the conclusions on what the operational agencies are doing in their report on this latest emergency, following the standing down of the response plans. We have a lot to learn.

Mr Speaker: I call Fra McCann. The Member has approximately seven minutes in which to speak.

Mr F McCann: Go raibh míle maith agat, a Cheann Comhairle. I thank the Member for bringing this important issue to the Floor of the Assembly. I know that because he is from East Belfast, the Member is concentrating on his constituency, but it is a Belfast problem. Many areas of Belfast suffered equally in the flooding earlier in the year, but one thing that he rightly said was that it is not a newfangled thing; it has been going on for a number of years. In fact, I remember having a conversation some years ago in the St James's area and heard stories that when Belfast city centre used to flood, one mechanism used was that sluice gates were closed in local areas, which meant that local areas flooded to save the water from getting down into the city centre. Those areas still flood. As a matter of fact, in 2008, a new underpass was completely flooded and most of that came about because grilles in a local river that led to it were blocked. More checks need to be made of local rivers, grating systems and grilles to ensure that there are no blockages.

3.45 pm

The Member mentioned Belfast City Council. In my understanding, the Belfast City Council operation to deal with the situation kicked in quite quickly. In fact, the council needs to be commended. How do we ensure that other areas act as quickly? How do we ensure that there is one site that operates across not only the city but the North, where senior people from each of the agencies come together, sit down and plot out a course that allows them to deal effectively with what has become a nightmare for people who live in different areas of Belfast?

I heard comments from local people in the Twinbrook and Poleglass areas of Belfast. They said that when the rivers flooded, it was like a tsunami coming down at them, with the water running right down into their houses, and all that happened in a matter of minutes. Some precautionary tactics would probably have ensured that that did not take place.

My colleague Alex Maskey has been calling in his local bulletin for a lead person to be appointed by the Executive to ensure that all this is taken into consideration and that among the agencies that have a responsibility, whether for the local drains and grilles, the provision of sandbags or assistance after flooding, one person has responsibility. After the operation that took place in Belfast, could Belfast become the centre point of an operation that stretches right out to cover other areas?

We need to get our act together to ensure that this does not happen again. We need to pull people together, knock heads together and bring senior people together to ensure that they are not having conferences over the phone but are sitting face to face, talking about issues and how they could be dealt with.

Mr McGimpsey: I am grateful to Robin Newton for bringing this forward. This is, of course, an issue that has come to us as local representatives in Belfast on more than one occasion. The fact that it is recurrent is particularly intolerable for householders in our areas. I speak as somebody who represents South Belfast, which has had more than its share of flooding, but I am also aware of the problems in East Belfast and areas such as Lisburn.

The points have been made but I will run over them briefly. The first thing is communication. If you are in a house in south or east Belfast, and the house starts to flood, and because it is a shared system, it is not simply dirty water but sewage coming through the front door, you need to be able to talk to the appropriate authorities. So, the first thing is communication, the central telephone hotline, and it is important that when you ring it up, somebody answers. You do not want to ring it up and discover it is engaged or you are made to wait. Communication is the very first thing that people expect and require.

The second thing that has to happen is immediate and quick action. There is a lack of co-ordination and that has been apparent with the various bodies, whether it is the Water Service, Roads Service, the Rivers Agency, and so on. You need to have a central authority responsible, certainly in Belfast. To me, the obvious and most effective authority, certainly in Belfast, is, of course, Belfast City Council, which, through the City Hall, has people on the ground and the capacity to respond quickly to an emergency, providing it is given support from the Executive. It seems to me that that is the second step. So, people who need sandbags or even need to be rescued should have support available to them, and using City Hall seems to me to be one of the best ways to go forward.

The other thing when the problem is dealt with is the provision of some form of compensation. Compensation claims are being accepted by the Executive and moneys are available, but that does not begin to deal with the distress that householders feel. It seems to me that the cheapest and most economic compensation the Executive could offer is an investment in infrastructure. The reason

why this is happening is, firstly, weather patterns, and the weather patterns over the past number of years have been peculiar to say the least. As I understand it, the best predictions are that this will continue. This will not be a one-off; we will continue to see these types of extreme weather patterns and deluges. Therefore, we need the infrastructure to cope. The other problem with the infrastructure, which cannot cope because the diameter of the pipes is not great enough, is, of course, that we have seen large amounts of development in the affected areas but that development has not been matched by infrastructure investment. We are, therefore, seeing a lack of capacity in the sewerage pipes. We also have an integrated single system, rather than the dual system that we probably should have.

The Water Service is aware of all that and knows what is required. It has the plans, and it can sort it out, but it requires the resources to make that investment. As I understand it, the sewerage scheme at Glenmachan Street would cost around £35 million and would alleviate the problems in the Lisburn Road/Finaghy area — and not just in that area. It seems to me that those are the sorts of investment moneys that need to be found by the Executive. Other sewerage schemes are also available around the Sydenham area. The point is that the Water Service has not been taken totally by surprise by this. Its planners understand what is happening, and it understands, with the amount of development that has happened, the calibre of pipes that are required. It has very advanced plans in place, and it seems that those plans and the investment and infrastructure could be delivered within a matter of a year or two to ensure that this does not happen again. As I said, this is one of the worst things that can happen to a household — an act of God, a deluge or a flood — and it keeps happening again and again. These are houses in good residential areas of Belfast — in South Belfast and East Belfast — that have proper roads and sewers, as the residents understand it. They are paying a proper rate to the local authority. They find it very unacceptable to say the least that this problem should be recurring.

We have a duty to those householders and to the public in general. If flooding is happening today in South Belfast, East Belfast or Lagmore in Lisburn, there are other areas throughout Northern Ireland that are equally vulnerable. We need to see those plans —

Mr F McCann: Will the Member give way?

Mr McGimpsey: Yes, indeed.

Mr F McCann: I have two points. First, I could not understand what you said about people in South Belfast and East Belfast paying a proper rate and where that fits in with people in North Belfast and West Belfast. Maybe you could clarify that. Secondly, do you not think that there should be a review of the phone system, and especially of the numbers that were given to elected representatives? When they phoned in, it was impossible to get through. There should be a review of that system.

Mr McGimpsey: Mr McCann, I referred to South Belfast and East Belfast, but East Belfast is what the Adjournment debate is about. I have gatecrashed the debate as I am a member for South Belfast, but, as I said, my comments apply equally to Lagmore in Lisburn, North Belfast and all parts of Northern Ireland where people pay their rates and

believe that they are entitled to have that type of support and protection.

The first thing that I referred to was communication. The most aggravating and frustrating thing when something like this happens is that you cannot get through to the appropriate authorities because the phones are engaged, the telephones are not manned and no one is answering at the other end of the line. Communication and the provision of telephone hotlines are some of the key things, but, after that, it has to be about communication that produces something, so that if you need the sandbags, you get the sandbags, and if you need some other sort of support, you get that. It seems to me that we all understand the problem and we all understand the remedy. It is about the Department delivering that remedy through investment in the Water Service, which has the plans and knows what needs to be done. Let us get on with it and do it.

Mrs Cochrane: I, too, welcome the opportunity to speak on such a vital issue, and I thank the honourable Member for securing this Adjournment debate. Many of the issues that I want to raise have already been mentioned, so I will try my best not to repeat them. I also thank the Minister for his attendance.

The flooding on 27 June affected many residents of East Belfast, many of whom had never experienced flooding in their properties before. That is an indication of the severity of the weather conditions that evening. However, unfortunately, I fear that we will experience more and more similar downpours in the future. That evening, when I saw the water levels in my own back garden, which does not normally flood, I knew that the rainfall was having a major impact on my constituents. I located my husband's wellies and out I went to try to see if I could be of assistance. Only a few streets away, in the Tullycarnet area, I was faced with residents who were knee-deep in water, desperately trying to unblock drains to let the water get away.

Mr Newton mentioned the cleaning of the gullies. I have asked Roads Service whether it has a plan of the areas that are more susceptible to flooding, so that when heavy rain is forecast, an extra clean can be carried out in those areas in addition to the annual cleaning schedule. I am awaiting a response on that.

I also found other residents trying desperately to get through to Floodline to get assistance. In an emergency such as that, people's primary concern is obtaining an urgent response. As others have said, it is simply unacceptable that they had to wait on hold for a considerable time before being told that, in fact, they needed to ring a different number. Constituents continually say that there is confusion between the different statutory bodies that deal with flooding and that better communication between the agencies is essential in times of emergency.

When the rain stopped, many householders were fortunate enough that the water had not got into their properties, although the levels were right up to their front doors. We asked whether some of those roads could be closed until the water had drained away, but, unfortunately, the PSNI refused to do that. It was extremely frustrating when cars drove down those streets, sending waves of water into houses that, until that point, had remained dry. That situation could so easily have been prevented.

Another preventative measure that could have been taken was to do with the distribution of sandbags in advance of homes being flooded. Many residents were again told that sandbags could only be provided once a home was flooded. Indeed, sandbags were given out in some areas where the flood levels were so high that the sandbags would provide no defence. In fact, if those sandbags had been distributed to the areas where the flooding was not as severe, they could have at least prevented some homes from being flooded, instead of none.

Although sandbags have their limitations — for example, many elderly people are unable to move them — the issue of consistency in provision across council areas must also be addressed. Many constituents do not see their council boundary. Rather, they simply see someone in the next street being given sandbags and overnight assistance while they are not because of their address.

We also cannot deny the impact of development on the increasing incidence of flooding that we are seeing in urban areas such as east Belfast. Although I understand that the Planning Service does aim to consult with the relevant agencies where possible for larger developments, the fact that no single body is responsible for flooding and flood prevention can make matters more difficult. There was severe flooding on the Gilnahirk Road, much of it, seemingly, due to garden-grabbing developments that have impacted on river flow in the area. The cumulative impact of small developments, extensions, and even concreting and paving, also causes problems. Perhaps rate subsidies for more permeable surfaces, for example, could be one way of encouraging people to consider the impact of drainage in their area.

There was also confusion and some miscommunication about the flood payments in some areas. Some residents believed that they were not entitled to them, as they were only for those who did not have insurance. Although the £1,000 payments were welcome, and many constituents relied on them, I feel that I need to raise the matter of reactionary payments being made in contrast to substantial investment in our infrastructure. I understand that people are naturally frustrated with the authorities, and perhaps the last thing they would wish to consider is paying more, given the poor level of service, but we simply cannot continue to talk about how we should react better to, or contain, disasters each time a crisis occurs. Whether it was the big freeze and thaw of December 2010 or these floods, we must act now to reduce the risk of repetition and also to improve the information and crisis response services that were lacking in June.

4.00 pm

Mr Lyttle: I thank the Member who secured the Adjournment debate on this important issue. Like many Members from East Belfast, I spent the night of Wednesday 27 June up to my knees in water in homes, businesses and neighbourhoods across the area. I spent much of the summer, along with my colleagues, meeting representatives and residents who are concerned, and rightly irate, about the treatment that they received and the lack of investment from the Departments responsible for these services. We still have not got round everyone.

(Mr Principal Deputy Speaker [Mr Molloy] in the Chair)

Some families had the ground floors of their homes destroyed and now face insurance chaos. I encountered older people confined to their beds in fear of losing their oxygen supply through losing their electricity supply. Businesses were devastated. I am grateful to the Minister for Regional Development for visiting the Bloomfield commercial centre. I welcome his attendance today, but I had hoped that a few other Ministers would have been here, given the cross-departmental responsibility for the issue.

Thousands of pounds' worth of damage was done to businesses, including signage companies, electronics firms and self-employed carpenters. People faced the choice of saving their business or their home, knowing that they faced the irreparable loss of one. There were, allegedly, failed pumping stations in East Belfast, and streets ran with water for lack of adequate drainage. Witnesses said that they saw the phenomenon of streets suddenly clearing as if plugs had been pulled, which suggests a strange drainage configuration in some areas. There was a failure to close roads quickly enough and redirect traffic, and buses were going down flooded side streets. There was a total failure to deal with the emergency as it unfolded.

Members also referenced the Floodline fiasco. It is my understanding that what was meant to be a one-stop shop for all flooding concerns had as few as two active call handlers at one point of the evening. That is totally unacceptable, although, unfortunately, it is not new. We have seen it before, as was mentioned, and urgent action needs to be taken. Thankfully, we have seen some interim responses. There are plans, and work is being done to see whether we can have localised emergency plans, whereby residents who want to help one other are given the resources to enable them to do so. Floodline needs to be sorted out, as was mentioned. We need adequate investment in our water and sewerage networks and adequate planning control. From that point of view, it is disappointing that only the Regional Development Minister is here this evening, given the responsibilities of the Department of the Environment and the Rivers Agency.

In July, the Executive finally agreed, further to this fiasco, to fast-track £10 million for flood alleviation schemes, including the East Belfast scheme integrated in the Connswater Community Greenway project. This is to be welcomed wholeheartedly. However, even now, in September, the Minister of Finance gave a vague answer to my colleague Judith Cochrane's question in the Chamber today about how much of that money will go to East Belfast and when the Rivers Agency, Belfast City Council and the Connswater Community Greenway project will be allowed to get on with delivering the integrated East Belfast flood alleviation scheme. Answers to that have yet to come forward. The professionals on the ground who are eager and ready to deliver that scheme deserve those answers in a much more timely fashion than we have seen to date.

A cross-departmental response is required. I thank the Minister for Regional Development for his presence today and, in fairness, for his presence on the ground during the flooding that occurred. We hope to see a greater level of presence and action from his ministerial colleagues to ensure that the immediate action that residents and businesses in East Belfast now demand in a very forceful fashion is taken as soon as possible.

Mr Kennedy (The Minister for Regional Development):

Thank you very much for the opportunity to respond to the debate. I thank Mr Newton for tabling the Adjournment topic and all Members for their contributions and attendance. I will seek to cover all the points and issues that Members raised. However, given the time restraints, my officials and I will study the Hansard report when it is published to pick up any additional or outstanding points.

I place on record and express my own sincere and genuine sympathy for those householders and businesses that suffered from the very real upset, inconvenience and, indeed, expense of flooding, not only in East Belfast but in other parts of Northern Ireland after extreme rainfall, particularly that in June. As some Members are aware, and as we heard and had confirmed, I spent some time at the emergency control room in Belfast City Council on the evening of 27 June talking to those who were involved in the emergency response. I thank Belfast City Council and its officials for the work that they undertook. Indeed, I thank my own officials in Roads Service and Northern Ireland Water for all the work that was done on the ground. As Members are aware, I went on site on 28 June to see for myself the impact in various parts of Belfast, such as Castlereagh and Cregagh in east Belfast, as well as parts of south and west Belfast. Since the events, I have met Members and several party delegations, and, through correspondence, I have been dealing with some of the issues that have been raised.

Members highlighted the hardship and difficulties that residents, particularly the vulnerable and the elderly, have faced. I assure the House and the public that I take this issue very seriously. I am responding to the debate on behalf of the Executive. Members will know that that is the manner in which business is conducted. However, I also want to say that I am keen to play my part in reducing the risk and impact of flooding. In early July, I presented a report on the flooding to Executive colleagues, seeking support from them for the measures that are necessary to begin to address the issue. I welcome the Executive decisions that were announced following our meeting, and when it reports, I look forward to considering the review's findings with colleagues.

As Minister for Regional Development, I am responsible for Roads Service and Northern Ireland Water. They clearly have very important roles to play in ensuring that our roads and sewerage networks continue to function when we experience heavy rainfall. It has been highlighted, and Members will be aware, that the Department of Agriculture and Rural Development is the statutory drainage and flood defence authority for Northern Ireland. The Department of Finance and Personnel hosts the flood incident line, and the Department of the Environment is responsible for local councils and planning, as well as for hardship payments. On the issue of hardship payments, Members will be interested to know that approximately £1.25 million has been provided for those householders who were affected by the flooding in June. I understand that that does not and cannot compensate for the distress or inconvenience that were caused. It is an acknowledgement of the matter on behalf of the Executive, but the underlying issue remains that there needs to be greater investment in our overall infrastructure.

As well as those government bodies, individual householders and landowners all have roles and

responsibilities when it comes to flooding. As I said in the House on 2 July, addressing flooding requires co-ordination. That is something that I expect the Executive-commissioned review, which the Department of Finance and Personnel is carrying out, to consider in detail.

There are, of course, many reasons why some areas are more likely than others to flood. Those include geology and historical patterns of development. Ultimately, the cause of flooding is easy to identify: it is more rainfall than our gullies, sewers and modified watercourses are designed to cope with. That is a crucial point, because our infrastructure in most areas performed to design. However, its design capacity was simply insufficient to cope with the volume of water passing through it.

Managing the risk of flooding in any area requires careful consideration and planning. Regrettably, even if we had far more resources than we have now, we could not eliminate the risk of flooding completely. Leaving aside the unpredictable weather and drainage issues, infrastructure can only be built to deal with a determinant volume of liquid. Periodic inspections of culverts and gullies are not fail-safe, and there are limits to planning controls, and so on. Nonetheless, that should not prevent us from putting in place a long-term strategy to improve the current situation and to better prepare for a future in which we may well see more frequent extreme weather events.

I have already touched on the need to improve co-ordination between government bodies. I have heard that message here today and agree with it. I expect the Executive's review to report shortly, after which we will decide collectively as an Executive, across the relevant Departments, how best to proceed. At a time when there is significantly less money to spend on public services, I believe that investment in our water and sewerage system represents value for money, and it will be something that I will continue to press for at Executive level. I will argue the case in the Executive for the prioritisation of flood defence and alleviation measures. Primarily, of course, it is the responsibility of the Rivers Agency. I will also ensure, given the proposer of the debate's remarks, that I address those issues directly with Minister O'Neill. I will also make the case for additional resources for Northern Ireland Water for capital investment in infrastructure.

I have seen at first hand the devastation that flooding causes. I would not want it in my house and I would not want it visited on any other house or family. Therefore, I am firmly committed to ensuring that preventing internal household flooding remains a priority in investment plans and for the Executive themselves.

I will address very quickly some of the points raised. Communication is key. The failure of Floodline in the evening at the end of June was a contributory factor. We have a system whereby gullies are inspected and cleaned regularly. That will continue. There are issues that we need to continue to address. However, most specifically, we need further investment in our overall infrastructure. That is the solution to the issue. That is the outcome that I want to see, as Minister for Regional Development, along with the shared responsibilities that I and others around the Executive table have. I will continue to work for, and to, that end.

Adjourned at 4.14 pm.

Northern Ireland Assembly

Monday 17 September 2012

The Assembly met at 12.00 noon (Mr Speaker in the Chair).

Members observed two minutes' silence.

Matter of the Day

Spence Family Tragedy

Mr Speaker: Mr Edwin Poots has been given leave to make a statement on the Spence family tragedy, which fulfils the criteria set out in Standing Order 24. I remind the House of the recent changes to the arrangements for speaking on matters of the day. Mr Poots and any other member who is called will have up to three minutes to speak on the subject. Members other than Mr Poots should indicate clearly that they wish to be called by rising in their place and should continue to do so as happens at Question Time. I know that Members from all sides of the House want to make a contribution this afternoon to mark the tragedy and send condolences to the Spence family. I ask Members, as far as possible, to be very brief, and we will try to allow as many Members as possible to make a contribution.

Mr Poots: At 7.00 pm on Saturday we were hosting a charity barbecue when I got a phone call from someone who had intended to come, saying that the Spence family had been hit by a serious tragedy, that two bodies had been found in a tank and that they were looking for two other bodies. The atmosphere was stunned as a consequence of the news that came through. Many people knew the Spence family. I have known Noel and Essie for over 30 years. They attended the same church as me, and they used to help out in the youth club. They used to take Mr Craig to that youth club many years ago. The family is well known throughout the community. They built up a very successful farm. Graham came home to work on that farm; he has two lovely little children. Nevin helped out on the farm when he was not playing rugby for Ulster and had come to be very well known for his skill on the rugby field. The Spences were all very physically strong men. Graham was also a very good rugby player. Nevin matched his strength with speed and agility, and he really was a phenomenal rugby player who would have gone far. Ulster will replace a centre — perhaps with one who is not as good as Nevin Spence — but the family will never replace the empty chair in the home of a brother and son, nor that of Noel, a father and husband, nor that of Graham, a father, brother and son.

When we visited the home yesterday, the sense of shock in the entire community was palpable. Many people will have been at the wakes of those who have passed away in different circumstances. There can be a degree of conviviality at those wakes. However, this house was just very, very quiet, as a consequence of the death of the three men of the house. The Spence family have farmed in

the area for five generations, and the community has come to know and love them. Two things will give them some crumbs of comfort. First, Emma, who was rescued by local farmers who were quickly on the scene and were then supported very ably by the Ambulance Service, the Fire Service and the Police Service, is home from hospital and will make a full recovery, certainly physically. Secondly, the Spences have a strong personal faith in the Lord Jesus Christ. Noel, Graham and Nevin all sought Jesus Christ as their personal saviour. As a result, that family believes that it will be reunited. They have absolute confidence that they will be reunited in a place where there is no more pain, sorrow or tears.

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. I start by expressing my sympathy and that of Sinn Féin to the Spence family of Hillsborough. The tragic events of Saturday evening have shocked not just the farming community and the sporting community but the wider community base. People are genuinely shocked. Our thoughts and prayers are with the family at this very difficult time. One can only imagine the impact that this tragic loss of life is having on the family.

Farm safety is an issue that we all take very seriously. All opportunities need to be taken to raise awareness. Earlier this year, Minister Foster and I launched the farm safety partnership, which is an attempt to highlight the dangers and pick up on some of the facts that we are all aware of. Farming is one of the most dangerous occupations. People often work for long periods on their own. They can be out for hours on end, working with heavy machinery. It is a difficult occupation to be involved in. We need to continue to raise awareness and work to improve farm safety.

I do not know the Spence family personally, but, by all accounts, including that of Minister Poots, they were a loving, gentle and hard-working family with a deep sense of family loyalty and a great faith. As we extend our sympathies, prayers and thoughts to the entire family at this very difficult time, we hope that they will find some solace or strength in the widespread public sympathies that have been offered.

Mr B McCrea: There are times when it is difficult to know what to say. There are circumstances that are so tragic that you have to ask yourself whether there is anything that can be said that will actually help matters. I think that I speak for all here and all in the community when I talk about the profound sense of tragedy, loss and sheer disbelief at how things could happen in such a manner. Given how the story unfolded, people can only imagine the tragedy in the last few minutes, how it must have felt and what people tried to do.

The nature of Northern Ireland is that we all know people. Members of my family spoke to Nevin at the rugby just the day before. My nieces talked to the family when they were coming back from Portugal. As Minister Poots said, they are a wonderful family and very well connected with the community and their church. You have to wonder how we can help and support the rest of the family. It is important to say, although I did not know all of the family, that it is a family tragedy. Not only was it Noel, Nevin and Graham, but all of the other people associated with it. In the wee small hours and the coming days, weeks and months, we will all do what we can to help the family and the surrounding community.

I conclude my remarks by offering, on behalf of the party, our absolute sympathy and condolences to the family. We really have to find a way of preventing such tragedies, which happen occasionally and repeatedly.

Dr McDonnell: I, too, offer my heartfelt sympathy and that of the SDLP to the surviving members of the Spence family. Mrs Spence Snr, her two daughters and Graham's wife and children are in the thoughts and prayers of our entire community. My condolences also go out to the wider family circle, the neighbours and the wider farming community in the area where they lived.

Slurry tanks are dangerous, and, unfortunately, familiarity can often lead to unguardedness when it comes to safety. An unguarded moment can lead to a terrible tragedy, as we had in this case on Saturday evening.

The Spence tragedy has become international news because of the affection in which Nevin Spence was held in a much wider field. Nevin was not just an outstanding rugby player; he was an exceptional human being. My two children met him on many occasions, and they spent Sunday grief-stricken. That is how far his reach went. My sympathy goes out to Ballynahinch Rugby Football Club, with which he was associated, to Ulster and to the Irish rugby fraternity and to rugby players and supporters across Ireland and far beyond whose lives have been touched by this outstanding young man.

It is a tragedy for all of us, but it is a particular tragedy for those they have left behind: the mother, the sisters, the wife and the young family. I hope the prayers and sympathy of the whole community will continue to be with them in the coming days.

Mr Lunn: On behalf of my party and as a Lagan Valley MLA, I offer our sympathy, prayers and condolences to the remaining members of the Spence family. An unimaginable tragedy has happened. I understand from news media and from Minister Poots and others that the family has a strong faith. They will need that faith in the days to come, and I hope that it sustains them.

I was in church yesterday — Mr Givan was there also — and by coincidence the minister was the chaplain to Ulster Rugby, Andrew Thompson. I watched and listened to him struggling with words yesterday. He had been speaking to Nevin just the day before. I give thanks that Emma has been spared, and I hope that the family can somehow come to terms with this. I wish them well. It is hard to comprehend what has happened.

Mr Ross: It is difficult to comprehend the magnitude of the grief that the Spence family are going through following the tragic deaths of Noel, Graham and Nevin on Saturday

evening. The tribute from my colleague Edwin Poots was moving, and I am sure that everyone in the House will want to associate themselves with his words.

I met Nevin a few times, most recently as Chairman of the all-party group on rugby. On behalf of all of the members of that all-party group, I pass on our sincere condolences to the Spence family and indeed all those associated with Ulster Rugby, whom we have worked very closely with over the past number of months. Nevin was admired not just for his performances in an Ulster shirt but, as other Members have said, for the way he conducted himself off the pitch. The tributes that have come in from right across the world, not just from the rugby community but from the whole sporting community, are testament to the high regard in which he was held. I have no doubt that the entire rugby community — indeed, the sporting community, not just throughout Northern Ireland and Ireland but much wider than that — along with the farming community and the church community in Northern Ireland will come together to remember Noel, Graham and Nevin and give whatever support they can to the family as they go through this most difficult of times.

12.15 pm

Mr Byrne: As the agriculture spokesperson for the SDLP, I also extend sympathy to the family on the tragedy and, indeed, to the wider farming community. I also want to mention a young man who was killed in Fermanagh last week, Brian óg Maguire. Again, he was a great sporting individual, and, again, his family are suffering pain and loss. At this time, it is very important that we empathise with and support the families, who are suffering such tragedy.

Mr Ó hOisín: I also offer my sympathy to the Spence family. As a rugby fan, I know that the wider rugby community will be very affected by this. Nevin played 42 times for Ulster, and we were always very hopeful of his talent and ability. I also pay tribute to Brian óg Maguire, and I offer our sympathy to his parents, Brian and Eileen; his sisters, Roisin and Eimear; and his girlfriend, Maeve. Last week, young Brian took Lisnaskea Emmetts to their first senior final in 15 years. He was captain of the all-Ireland intermediate winning team last year. He represented Ireland at international rules, and he also played soccer with Lisnaskea Rovers. I offer my sympathy to his comrades in St Comhghall's High School and St Mary's University College. Go ndéana Dia trócaire ar a anam uasal. May the Lord have mercy on his soul.

Mr Givan: Yesterday, I was able to spend some time at the family home. The brokenness of that home is so clear, yet the dignity and the Christian spirit are so evident. I know that, as everyone across Northern Ireland is supporting the family, we are praying for that family. It puts into context the things that you worry about in life. You really get a clear perspective of what really matters, the brevity of life, how important your family and your friends are and, of course, your faith. I am so pleased that we have a hope that the members of the Spence family who have been lost are united in heaven and that their family will join them again. We mourn with them now, but let us all pray that God will comfort them in that knowledge and surety that, again, they will be able to meet together.

Mrs Dobson: The entire farming community in Northern Ireland is in such a deep state of shock and sadness. For

one member of a family to be lost in such circumstances is devastating, but three men dying like this cannot be adequately put into words. My thoughts turn especially to the women: Mrs Spence, her daughters, Laura and Emma, and Graham's wife and their two children. They will be trying so hard to come to terms with their loss. Farming families rely on tight bonds of love, and we hear in an act of true love that, when they got into difficulties, they were trying desperately to help one another. Farmers are a tight-knit community, and, from the many phone calls that I have received over the weekend, I know that farmers like myself are all grieving too. As a member of a farming family, I cannot help but think that it could so easily have been my own family, friends or neighbours where this tragedy occurred. I am sure that farmers across Northern Ireland will be having the same thoughts this morning. My thoughts and prayers are with the Spence family and the wider family circle.

Mr Craig: I join with my condolences to the Spence family. Edwin and I were at the same fundraising event when the tragic news came through. In many respects, it is a double tragedy for Edwin and me, in that these are lifelong friends. They are people we have known from our youth. I knew Noel's wife very well. Along with my aunt, we ran a small Bible club locally for children. I can recall teaching both Nevin and Graham in that club, so this tragedy has really struck home very close. All the major family connections in that area are absolutely devastated by what has happened. The entire male population of the family has been wiped out.

It was one of the largest farming families in our local community, and the tragedy has just absolutely devastated the communities in Annahilt and Drumlough, which, as has been said, are very close-knit. I praise my neighbours, who helped the family on the night and helped prevent further tragedy, and I give much praise to the local farming community, who have rallied around to help and are helping the family even as we speak to run the farm at a time when the family circle has no one left to run it. Much praise to all those who have done that.

I will never forget yesterday going into that home. Essie embraced me, and the pair of us wept because words failed us both. What does anyone say to someone in those circumstances? I hope and pray that lessons will be learned from all of this that will stop further tragedies for other families. The one thing that I am absolutely certain of is the faith that that family has. That faith is based in Christ and Christ alone, and he is the one who will carry the rest of the family through this situation.

Mr Allister: If we in this House are all touched and shaken by this triple tragedy, as we clearly are, we can only imagine the depth of devastation in the Spence family as two generations of a farming family were wiped out in an instant, as one gave their life seeking to help the other. As Mr Poots said, there was a prestigious rugby talent in young Nevin, but the place in a rugby team will be filled; the places in this home will be vacant and empty. Therefore, I join in the condolences to the two widows and mothers, the fatherless children, the sisters and the wider family in expressing the heartfelt feelings that we all have about this tragedy. Human sympathy and support have their limitations, but I believe that this family, from its faith, will derive the knowledge and experience that the God of all comfort will be with them. That is the prayer of us all.

Mr Agnew: I offer my condolences to the Spence family on behalf of the Green Party at this very difficult time. Life is too short, and these lives were cut short much too soon. Each of us in the Chamber will have different experiences of the loss of loved ones, and we can only speculate and empathise with the emotions of the family and friends of Noel, Graham and Nevin. The one positive is that Emma is doing well, and I hope that the family, particularly Emma, will receive all the support possible from the community. I am sure that that will be the case. I share in offering condolences with the rest of the House.

Lord Morrow: I rise to speak simply because Mrs Spence is a native of Dungannon. The family home was at the hamlet of Bush, which lies midway between Dungannon and Coalisland. I extend my sincere sympathy and heartfelt grief at this time to the family. She was a member of a highly respected family, and her brother had great expertise in another sporting world and still lives in Dungannon. I would like to be associated with all the remarks that have been made here this afternoon.

Assembly Business

Extension of Sitting

Mr Speaker: I wish to advise the House that I have been given notice by members of the Business Committee of a motion to extend today's sitting beyond 7.00 pm. Under Standing Order 10(3A), the Question on the motion will be put without debate.

Resolved:

That, in accordance with Standing Order 10(3A), the sitting on Monday 17 September 2012 be extended to no later than 8.30 pm. — [Ms Ruane.]

Committee Membership

Mr Speaker: As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Ms Michaela Boyle be appointed as a member of the Audit Committee. — [Ms Ruane.]

Ministerial Statements

FG Wilson: Job Losses

Mrs Foster (The Minister of Enterprise, Trade and Investment): Before I make my statement to the House, as the Minister responsible for the Health and Safety Executive, I give my deep condolences to the Spence family on this horrific tragedy. The executive will complete a thorough and professional investigation as quickly as possible and will bring its findings to me. I felt it appropriate to let the House know that that is the case.

Mr Speaker, with your permission I wish to make a statement. Last Thursday, Northern Ireland was shocked by the announcement that one of our major engineering employers, Caterpillar, intends to implement a redundancy programme that will see up to 760 people lose their job. Those redundancies will be completed by the end of 2012 and felt by the employees and their families across all four of the company's Northern Ireland facilities at Larne, Belfast, Springvale and Monkstown. As I said last week, on one of the worst news days for our economy in many years, this is a devastating blow for the employees, their families and their communities. They are at the forefront of my thoughts at this time.

Caterpillar has made it very clear that its decision is no reflection on the skills, productivity or flexibility of its workforce, and I am somewhat encouraged that, for the employees ultimately affected, the company is striving to reduce some of the impact by offering an enhanced voluntary redundancy package. It will also help to redeploy displaced workers by providing training on new skill sets, partnering with potential Northern Ireland employers to host job fairs and hiring a placement service. For its part, Invest Northern Ireland has already been in discussion with senior executives of Caterpillar to develop a joint approach to assisting the employees as far as possible. It will work with colleagues from across government, particularly those in the Department for Employment and Learning, which will offer a redundancy advice service and work in partnership with the Social Security Agency, further education colleges, HMRC and other agencies to provide information and professional advice about the options and support available.

In addition, I am able to announce a very positive and welcome development. Members will be aware that, for over a year, Invest Northern Ireland has not been in a position to deliver a full business support programme to individuals interested in starting their own business because of a legal challenge launched following the original procurement exercise. As a consequence, a further tender competition was held, the outcome of which is being advised to the tenderers today. As with all such procurement exercises, a 10-day period will follow before the contract becomes operational and the successful tenderer can begin to deliver the contract. That means that, after over a year of being unable to provide a full support service to individuals who are interested in starting their own business, Invest NI will shortly be in a position to reintroduce a new business start programme.

Last week's news follows on from the announcement, earlier in the summer, that, for cost-competitive reasons, the company was releasing 160 agency staff as a result of

its decision to move production of its 400 Series smaller generator sets aimed at the retail market.

12.30 pm

At that time, it also announced the launch of a global strategic review of Caterpillar's electric power division that aims to improve the company's longer-term competitiveness. It is the outworkings of that that we are now beginning to see and feel here in Northern Ireland.

Ongoing uncertainty in the euro zone has led to a drop in demand in the market. Although there is growth in Asian markets, new low-cost competitors have located in those markets, making the manufacture in western Europe of small generators very challenging. The reality is that the types of products that are being lost are relatively cheap retail generator sets for domestic and light commercial use that people buy on price. In Europe, demand has decreased substantially, and, in Asia, they are being duplicated in China at a much lower cost point. As a result, the company's global strategic review concluded that to maintain the overall competitiveness of the Caterpillar group it is necessary to manufacture smaller products closer to the marketplace where it can achieve the required economies of scale. It is those macroeconomic factors that led to the decisions announced last week.

Major multinational companies are constantly assessing and adjusting their business models to ensure that they remain competitive and efficient. On many occasions in recent years, Northern Ireland has been a beneficiary of such decisions, by attracting new inward investors of the calibre of NYSE Euronext, CME, Citi, and Allen and Overy. Unfortunately, as we saw last week, sometimes we are not so fortunate. When the company announced 160 job losses in July and a global review, we feared that further bad news would follow.

We are fully aware of the challenges of the global economy and the continual shift of low-cost manufacturing eastwards. Over the years, we have seen it in textiles, shipbuilding, aerospace and other manufacturing sectors. Therefore, we were shocked by the numbers, if not by the trend. We know that a long-term sustainable economy cannot be based on low-cost functions, but we were completely shocked by the magnitude of last week's announcement, which came to light only a few days before the public announcement.

As soon as I was made aware, I immediately contacted Bill Rohner, vice-president of Caterpillar's electric power division, and made contact with Doug Oberhelman, Caterpillar's chairman and CEO, expressing my grave concern at the number of potential job losses and seeking the opportunity to meet him and his team to discuss the decision in more detail. Mr Rohner told me that it was a difficult decision, taken in the face of increasingly competitive global economic pressures. I sought assurances from him that the company is still committed to Northern Ireland, and he assured me that that is the case and that it intends to maintain a presence in Northern Ireland — an assurance that I have also received in writing from Doug Oberhelman.

I was already scheduled to travel to the United States next week, along with the chief executive of Invest Northern Ireland, to support Invest Northern Ireland's ongoing work to attract high-quality inward investment and build trade

opportunities for our local exporters. I will be meeting Bill Rohner during that visit to get a better understanding of the potential future impact and to see whether there are opportunities for us to mitigate the outworkings of this recent announcement.

Despite last week's news, we must not lose sight of the fact that, even once this very painful process has been completed, Caterpillar will remain a significant part of the Northern Ireland economy. Since acquiring FG Wilson in 1999, Caterpillar has invested £43 million on research and development activities, £129 million of capital expenditure and paid £30 million in corporation tax. In growing its business over the past 12 years, it has also paid around £700 million in wages and salaries, which has also had a substantial impact on the wider economy as that money has been spent.

In support, Invest Northern Ireland has provided £25 million of assistance, most of it in the early years as the company grew its workforce significantly. The support provided in more recent years has included £2 million for skills development, £2 million in research and development and the development of an engineering centre of excellence to help move up the value chain and help us attract those new functions.

In recent years, Invest Northern Ireland has worked closely with Caterpillar management to build its capability to focus on higher added-value activities and identify and exploit new business opportunities. The company will continue to manufacture higher-value, larger gen sets in Northern Ireland — products that can continue to be manufactured on a competitive basis locally. We have also been successful in attracting various elements of the company's support functions to Northern Ireland, thanks to the skills of our workforce. As a result, we now have over 200 people employed supporting Caterpillar's IT and finance functions.

The company has confirmed to us that, if, as a consequence of last week's announcement, it has any financial liability to Invest NI, it will honour that liability. I will use our meeting next week to try to identify whether there may be opportunities to grow those Caterpillar operations further and, indeed, to see whether there may be other functions in the group's operations that could be competitively serviced from a Northern Ireland base.

If last week's terrible news tells us anything, it is that the strategy, which we, through the Executive, set and endorsed in the Chamber to rebalance, rebuild and grow our economy, is the right one. Now, perhaps more than ever, we need to collectively focus on increasing the size, competitiveness and value of our economy by embedding innovation, growing our local companies to scale, increasing our export base and attracting high-quality inward investment.

As I mentioned, no modern economy can compete on price alone; that is a race to the bottom. However, we can compete and succeed on quality, and we are doing so successfully. As our traditional sectors have faced the challenge of low-cost competition, we have done two things. First, we have worked with many of our manufacturing companies to help them to move up the value chain by embracing innovation in its widest sense. We have also helped them to not only invest in research and development but enhance the skills of their workforce,

apply new processes and technologies and break in to new markets. That approach has yielded substantial results, most notably in our aerospace sector, where Bombardier has played a tremendously important role in developing the overall capability of the sector. However, there are plenty of other examples of success, such as Wrightbus, which, from its Ballymena headquarters, is successfully exporting its StreetCar product to Las Vegas and Hong Kong.

Secondly, we have replaced many of our traditional sectors with new ones, which are growing. Our financial services sector employs 26,500 people in over 1,200 companies; our business services sector employs over 15,000; and our growing technology and creative industries sector employs 15,000.

Last year alone, the average salaries of jobs from new inward investment increased by some 31% on the previous year. That illustrates the absolute quality of jobs that we are attracting from companies such as CVS Caremark, Axiom, Cowen Group and Intune Network, many of which have average salaries that are well in excess of £40,000. Those are exactly the types of projects and jobs that we need to continue to focus on attracting to Northern Ireland.

We have an enviable reputation in areas of advanced manufacturing through companies such as Andor Technology and Schrader Electronics, and we are global players in advanced composites engineering. There are also major opportunities to grow emerging sectors such as legal services, e-health and renewables. Many global names now have a presence in Northern Ireland, and, following the recent arrival of Chicago Mercantile Exchange to join NYSE Euronext, Belfast is the only European city, apart from London, to have two major stock exchanges.

Since April this year, Invest NI has made over 1,800 offers of support worth over £36 million and has a healthy level of potential projects in hand, which, if they all come to fruition, could see almost a £500 million investment in our economy and the creation of some 2,700 jobs from foreign investors and locally owned companies. That means that we are well on track to deliver against the 25,000 jobs in the Programme for Government.

However, although we are supporting the creation of new, good jobs, in some sectors, such as retail and construction, jobs continue to be cut more quickly. We continue to encourage our local businesses to literally push their boundaries by exploring new export markets, and we now have a market presence in 27 countries across the world to help them to identify and exploit opportunities. However, we recognise that some of those jobs will be put in place over a period of years, and we continue to encourage businesses to make use of the jobs fund, which was specifically designed to enable businesses to create jobs quickly. It too is delivering, having created 1,600 jobs over the past 18 months, a number that is expected to rise to 2,400 by the end of the financial year.

We are also widening our support to enable many more businesses. Through the Boosting Business campaign, over 10,000 enquiries have been made to Invest NI's business support team, and 1,500 new projects are in the pipeline, over 80% of which have come from companies

that, historically, would not have been engaged with Invest Northern Ireland.

To support economic development, we will unashamedly use every tool that we can and we will continue to press for the devolution of corporation tax. My Executive colleagues and I are pushing to get a conclusion to the corporation tax discussions this autumn. That work now requires a political decision to be taken at Westminster. Whilst it would not solve all our economic challenges, it would, in my view, be a significant game changer. We estimate that it would enable us to double the number of jobs we secure from inward investment, resulting in 50,000 new jobs by 2031. Equally importantly, it would enable many more of our local businesses to release funds to fuel their future growth.

Last Thursday, a meeting was held for Executive Ministers who hold portfolios that directly relate to the economy. At the meeting, we discussed what more we can do to support our local economy at this difficult time. Areas that we discussed included: looking at how Invest NI could provide additional finance for working capital in businesses; how the planning system could help boost the economy; how we could provide additional funding for roads maintenance; how we can assist our towns and cities by lessening the impact of car parking charges; and looking at our rating policies. Work is now going on across all Departments, and we will have a further meeting of the Executive on economic matters in late October.

Members can all agree that last Thursday was a dark day in the history of our economy. While our immediate priority is, rightly, to focus on the needs of the individuals, I hope that we can all also agree that, collectively, we need to focus on continuing to build the high value economy that will deliver sustainable, quality employment opportunities.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht an ráitis sin. I thank the Minister for her statement. Before I respond to it, I, too, wish to be associated with the comments of the House in expressing sympathy with the Spence family. It was an awful tragedy that shocked everybody who lives in rural areas. There is a great sense of loss, and our thoughts and prayers are with the family at this time.

In regard to the Minister's statement, last Thursday, as we sat at the ETI Committee, we heard the news of this sudden body blow to the entire community, as we saw hundreds of jobs disappearing at the whim of an international pen. The Assembly has a collective responsibility to do what we can to help people through these very difficult and traumatic times. The Minister is attending the ETI Committee meeting on Thursday, and it would be helpful if she could go into the sequence of events in some more detail. However, as I mentioned earlier, it is for us all to work together to help and to see people through these difficult times. It was drawn to my attention this morning that a European globalisation adjustment fund exists. If there have been a minimum of 500 redundancies, an application can be made through a member state for people to get job search assistance, careers advice, training and retraining, a job search allowance and a mobility allowance. That helps not only those who work in the company but their suppliers. Given the magnitude of this particular layoff, I think that it would

be a very useful route to at least explore. I look forward to hearing from the Minister.

Mrs Foster: It was remiss of me not to congratulate the new Chairman of the ETI Committee at Question Time last Monday and to thank the outgoing Chairman for the work that he carried out with the Committee. We had a good, if, at times, robust relationship, and I am sure that that will continue.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

The Chairman mentioned a number of issues. First, in relation to the sequence of events leading up to last week's announcement, as I have indicated, in July, we were made aware that some agency jobs were being moved out of Caterpillar. Indeed, they were going to look at it from a global point of view and to have a company come in and look at Caterpillar in relation to its competitiveness. If the Member has the press release from the company, he will note that, in the headline, it talks about long-term competitiveness, moving forward. That is where it is looking at this from. Therefore, in July, we were aware that that work was taking place. However, as I said in my statement, we knew where the trend was in relation to small generator sets, but we were not aware of the scale of the reduction until early last week. I immediately contacted the vice-president, Bill Rohner, who has direct responsibility for the electric power division, and I also made contact with the CEO and chairman of the company. I actually asked the chief executive to wait until I had the opportunity to speak directly to him before he made the announcement in order to see whether there was anything further we could do. However, he decided to go ahead with the announcement. That does not take away from the fact that I will meet Bill Rohner early next week to explore all the avenues and to see what we can do at all the plants owned by Caterpillar in Northern Ireland.

12.45 pm

I am very interested to hear what the Member has to say in relation to the globalisation reduction fund. I will explore that immediately, if Invest NI has not already looked into it.

The Member makes a very good point in relation to the supply chain to FG Wilson. I understand that the supply chain to FG Wilson is large but perhaps not as large as the one to some of the aerospace companies. However, suppliers are dotted right across Northern Ireland, not least in my constituency. In relation to that reduction, it is important that we work not just with Caterpillar but with all the supply chain companies to help them through these difficulties.

Mr Deputy Speaker: I remind Members that, although the Chairman is given a certain amount of latitude, that is not extended to others.

Mr Ross: FG Wilson is obviously part of the fabric of east Antrim, with plants in Larne and Monkstown, and the impact has been severe since the announcement on Thursday. Obviously, there are short-term and longer-term challenges. Many of the short-term challenges, in respect of training and support for those who have lost their jobs, will perhaps be addressed in the next statement from the Minister for Employment and Learning. In respect of FG Wilson's longer-term sustainability, will the Minister tell the House what support Invest NI can give to help the company maintain its global competitiveness in the future?

From her conversations with Caterpillar, can she give an assurance that it is still intending to commit to Northern Ireland in the future, particularly in the manufacturing of higher-end, more expensive generator units?

Mrs Foster: I thank the Member for his question. Back in July when the initial job losses were announced, I said that we needed to look to higher-value jobs and, indeed, manufacturing, and that has been shown to be the case. Invest Northern Ireland will work with the company to search out other work that Caterpillar is carrying out across its global sites in order to see whether we can assist with that in Northern Ireland. As I said, we have been able to do that with some very large companies that operate on a global basis. I think that there are opportunities for us to do the same with Caterpillar and to bring some work to Northern Ireland, in particular the sort of high value-added work that, we believe, we can do very well.

Over the past number of years, we have been working with Caterpillar to encourage it to do more research and development at its sites here. Indeed, as I said in my statement, it availed itself of £2 million of assistance from Invest Northern Ireland to carry out some research and development at the Larne site. We will look for more of those opportunities in the coming weeks.

As I indicated, I wrote to the CEO and chairman of Caterpillar. In his letter to me, dated 11 September, he said:

"Please be aware that our current plan is to continue to manufacture large gen sets from Northern Ireland and are actively looking for other work we can bring to our Northern Ireland facilities."

I take that as an opportunity, and I intend to follow it up next week. There is certainly recognition of the skills and ability of the local workforce at FG Wilson, and I very much hope that we can bring further work to the company, be it in Larne, Monkstown or, indeed, Springvale in Belfast.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. Minister, I was heartened by what you said. You did say:

"growing our local companies to scale".

Does the Minister agree with me — indeed, from your statement today, I take this to be the case — that now is the time to robustly embark on a programme of enhancing what is already there to promote SMEs in rural areas? Quite a lot of the workers at FG Wilson come from rural areas. While in those areas we have small and medium-sized enterprises —

Mr Deputy Speaker: Can we have a question, please?

Mr McMullan: — that continue to grow, they do need more help. Invest NI has got some programmes there, but we need more funding and help. Minister, would you agree that now is the time to embark on that programme?

Mrs Foster: Last year, 70% of Invest Northern Ireland's money went towards helping indigenous companies. There is a fallacy going around that Invest NI helps only foreign direct investment. That is not true at all. If you look at the money and the way it was spent last year, you will see that 70% of its budget went towards helping indigenous companies. I am very encouraged by that, but we can do

more in relation to access to finance. We have talked on many occasions about the role of the banks in helping the economy to grow in Northern Ireland. Unfortunately, that role does not appear to be forthcoming. Therefore, Invest Northern Ireland set up the growth loan fund, a £50 million fund that could be accessed by companies that were not able to get money from banks but had growth plans. I am very pleased to say that there have been a huge number of enquiries to the fund, resulting in 28 business plans at present. Do not forget that the fund has been open for only a short period, and five of those loans have been approved for companies right across Northern Ireland. I am looking to see whether I can make an additional bid to the Finance Minister for more money to go into the fund because the single issue I am always faced with when I talk to companies is working capital and the fact that the banks are bearing down heavily on companies. I take Mr McMullan's point about helping indigenous companies. That is exactly what we are doing.

Mrs Overend: I and my Ulster Unionist Party colleagues are, obviously, shocked at the scale of the job losses at FG Wilson and are concerned about not only those families that have now lost the major breadwinner but how this will impact on the Northern Ireland economy.

I refer the Minister to page 3 of her statement and the announcement in early July of the 160 jobs losses. Since the announcement last week, Alastair Hamilton said that the company was contacted and there were meetings at ministerial level with Caterpillar and FG Wilson, yet the Minister herself said that there was none. I would like clarification on what the Minister or her ministerial colleagues did between July and the time of these announcements on jobs. What specific contact was made between July and now?

Mrs Foster: I am glad the Ulster Unionist Party is now addressing the issue at hand instead of putting out unbelievable press statements, as it did on Thursday. They were mawkish and grotesque, frankly, when we should have been concentrating on the families. Indeed, her party colleague was sitting beside me at the Executive table looking for solutions to the difficulties that were in front of us and which continue to be in front of us, but the party was more interested in putting out statements that were, frankly, beneath contempt.

I have to say that that does not surprise me, because, since the Member became the economic spokesperson for the Ulster Unionist Party, we have had many statements from her, none of them strategic. It has been hugely disappointing how the Ulster Unionist Party has addressed the issue before us. All other parties have managed to come to the table and try to address the issues that are in front of us.

However, I will address the issue that the Member has now brought before the House. It is the case that in July we were told that there was a trend developing. Invest Northern Ireland had many interventions with the company to see what could be done, but we were not aware of the outcome of its global investigations until early last week, when the company made contact with Invest Northern Ireland. I immediately contacted Bill Rohner, the vice-president, and the chairman and CEO. I spoke to the vice-president after he made the initial announcements in July, and we did everything we could, but the fact is that we are dealing with a global management of a global firm. In many

cases we are going to have to lift our game in respect of manufacturing excellence.

It is disappointing that the small gen sets will now be made in China, but, unfortunately, that is not surprising. FG Wilson and Caterpillar were bringing in products from China, fitting them into the small gen sets and sending those sets back to Asia. Unfortunately, that is not a sustainable way to do business. We now have to find higher value pieces of work that we can bring to Northern Ireland so that we can continue to grow our manufacturing industry.

Mr Dickson: Minister, thank you for your statement. As an East Antrim MLA, I make no apology for concentrating my questions on what will actually happen to the people in Larne, Monkstown, and in the constituency of East Antrim, who will lose their jobs. I appreciate that you have a wider remit in respect of these matters.

I attended the meeting of Larne Borough Council and Larne Enterprise Development Company (LEDCOM) on Friday morning, at which your ministerial colleague Sammy Wilson was also present. It was a highly constructive meeting, and the company has agreed to participate in similar meetings in the future. Minister, what specific efforts do you intend to make, along with the MLAs from East Antrim, to help to deliver jobs for the people of East Antrim, from Larne right through to Monkstown?

Mrs Foster: As the Member rightly acknowledged, I am not just the Minister for Enterprise, Trade and Investment for East Antrim but have to perform that task for the whole of Northern Ireland. I am sure that he recognises that.

I very much welcome the task force that has been set up by the council in conjunction with the other elected representatives. The company and Invest Northern Ireland will also participate in that. Representatives from different regions often come to me and ask me about directing companies specifically to their regions. I have to say to the Member that the skills that are available in East Antrim will, in and of themselves, be attractive to companies that are looking for those sorts of skills. They should continue to build up the excellence of those skills. That will draw companies to them.

Mr Hilditch: I thank the Minister for her statement. I probably should declare an interest, as one of my sons is an employee of the company. Indeed, he is there only because he lost his apprenticeship when another small business went down the tubes.

Hopefully things can stabilise, but it is clear that the emerging situation has far-reaching implications for my constituency. My question is similar to Mr Dickson's. Minister, what can be done, in conjunction with the local economic development units in Carrickfergus, Larne and Newtownabbey, to deal with the impact of these job losses?

Mrs Foster: I thank the Member. I recognise that this is very much a human story. Sometimes, when we talk about figures and statistics in the House, we forget that. Indeed, I attended a funeral on Sunday, and I was approached by a member of staff from FG Wilson who wanted to talk to me about the implications of the job losses.

As I said in my previous answer, all the agencies in east Antrim need to work together. I know that my ministerial colleague will have a lot to say about the work that DEL

will do in the site in east Antrim. Indeed, I understand that DEL has had a presence in the plant since the announcement was made in July. It is about working in partnership with DEL and its redundancy service, the Social Security Agency, further education colleges, HMRC and, importantly, the company. As I understand it, the company very much wants to work with us as we move forward. I think that that is a very helpful way to move the whole debate forward.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. I note that, in her response to Mrs Overend, the Minister took a bit of a swipe at the UUP and its approach to the issue. I am a wee bit disappointed that she missed taking a swipe at it on its plan B. The UUP put out several press statements on its plan B, but there were no plans or suggestions in those statements. Maybe she is waiting for the party leader to get up to address that one.

Returning to the issue, the Minister and the broader Executive have responded very proactively to the crisis, and rightly so. Will the Minister clarify whether a similar process is put in train every time there is a significant announcement of impending or planned job losses? About a fortnight before the announcement at FG Wilson, there was an announcement that —

Mr Deputy Speaker: Could we have a question please?

Mr Flanagan: — 390 jobs were to go in Target Express —

Mr Deputy Speaker: Sorry, we need a question on the statement.

Mr Flanagan: — with 150 jobs going in Lisnaskea, Newry, Derry, Nutts Corner and Cookstown. What action did the Minister take to address those job losses?

1.00 pm

Mrs Foster: There are about three questions there. It is vital to remember that the Ulster Unionist plan B is a simple plan; that is the key. As for coming together at a time of job losses, we were, in fact, coming together to address the unemployment statistics, which had been published the previous day. Those unemployment statistics, which, for the first time, had risen above the UK average, contained some telling issues. Sometimes, it is easy to look at the headlines, but we need to look beyond them. Some 8,000 people have come off the economically inactive register and onto the unemployment register or into a job. We need to find out which is the case. Have they come off one register and gone onto another, or are they finding employment? For the first time since the second quarter of 2008, the number of jobs created has increased, which was a significant issue that we needed to address. It was helpful that Executive colleagues, at the request of the First Minister, all came together, because, as the Member will acknowledge, the economy is much more than DETI; it is about construction jobs, town centre retail jobs and car-parking and rating issues. For me, it was a very helpful discussion, which, as I said, we will continue at the end of October.

The Member and his colleague have raised the issue of Target Express on a number of occasions. I want to clarify something in relation to Target Express: I have not been asked by the company to intervene with the Revenue Commissioners in the Republic of Ireland. Neither Mr

Lynch nor Mr Flanagan has requested that I do so. They have asked me questions about the matter, but they have not asked me to intervene. I cannot intervene in particular companies whenever I feel that I should do so. I have to be asked to intervene, and, indeed, I have intervened. Mr McElduff asked me to intervene on two occasions, and I have done so. If there is a particular issue that they wish me to intervene on with the Revenue Commissioners, I will do so, but I cannot do that of my own volition.

Mr Deputy Speaker: I remind Members that questions should be brief and must relate to the ministerial statement.

Mr Girvan: I appreciate that those words are probably said to keep me in line. What are the long-term prospects for FG Wilson, on the understanding that China is a very — I will use the term — unregulated area? As far as patents are concerned, it seems simply to fly in the face of everything. I am worried that that line of the business will disappear and that ultimately the rest of the business could also go away on the basis of what has happened with the small gen sets.

Mrs Foster: I understand the Member's concern, which I know is genuinely held. Indeed, a number of people have raised that concern with me. All I can say to the Member is that the main market for small gen sets is Asia. The euro zone market for small gen sets has all but collapsed. The company was finding it more and more difficult to be competitive in Asia because those small gen sets were being made by its competitors. As I said, small gen sets are sold on price, so it really is a race to the bottom. As I mentioned, the CEO and the chairman have indicated that the company will continue to make large generator sets in Northern Ireland and that it is actively looking for other work to bring to our Northern Ireland facilities.

It is up to Invest Northern Ireland, the company and me to take a strategic look at the entire Caterpillar global entity, as it were, to see what opportunities there are for Northern Ireland to follow up on. That is what I have been told. The company has stated in writing that it will be in Northern Ireland for the future. From our perspective, that is important. FG Wilson is an indigenous firm. It was set up in 1966 by Fred Wilson, an uncle of one of my ministerial colleagues. He had a real drive for manufacturing in Northern Ireland, and I want to see the company survive and thrive again. When FG Wilson was taken over by Caterpillar, about 1,800 people were working at the plant. When the redundancies are taken out, that will go down to 1,500. We want to build up the firm again in conjunction with the company, and I am very hopeful that we will do so.

Mr Nesbitt: I acknowledge the Minister's reference to the human impact, which, as she knows, will continue to ripple through supply chains and traders. What is her early assessment of the impact of the multiplier effect? In fact, what multiplier will the Executive use?

Mrs Foster: Invest Northern Ireland is working with the company and hopes to establish a database of FG Wilson's suppliers. Some of those suppliers will be industrial manufacturing suppliers to the company, and it is those that we are most concerned about. We will work with the suppliers to see what we can do to assist them to build up their work again.

Mr A Maginness: I thank the Minister for her statement. Will she give an overall assessment of our economy in the

wake of FG Wilson's announcement? The substance of the announcement reflected the fact that this very large multinational company is capable of moving capital and its workplaces across the globe. If it can happen to FG Wilson, it can happen to any firm in Northern Ireland. We are most vulnerable. What is your assessment of the current position?

Mrs Foster: I take from his question that the Member is asking about the impact on the manufacturing sector in particular. At the lower skill end, we should be very aware that we are competing on a global scale, particularly with global companies. That having been said, there have been some manufacturing successes recently, including B/E Aerospace in Killeel, which continues to invest in research and development. The theme is investment in research and development. B/E Aerospace employs 650 workers in Killeel. Bombardier continues to grow. It has over 5,300 staff and is creating a centre of excellence for what it is doing on Queen's Island. As the Member is aware, Wrightbus continues to work very hard: over 30% of London buses are now manufactured in Ballymena, and it recently secured a £41 million contract to supply 550 double-decker buses to Singapore. In advanced manufacturing, one in five of our computer devices contains a part that has been manufactured in Northern Ireland at Seagate in Londonderry, and, at the other end of the scale, some 40% of the world's mobile stone-crushing and gravel equipment is manufactured in the mid-Ulster area.

There is still a core manufacturing ethos in Northern Ireland. I very much hope that we will have some better news in the manufacturing sector in the near future, and, when that comes, I hope that it will provide opportunities for some of those who have sadly been made redundant.

Mr Dunne: I thank the Minister for her statement today and the actions that she has taken to date to address the issue. Will she advise us what Invest NI is doing to ensure future support for other existing manufacturing businesses so that they can remain competitive in the world markets?

Mrs Foster: That relates to the previous question. We must encourage our manufacturing companies to move higher up the value chain so that they can be competitive in higher-value manufacturing. That is certainly the case for Wrightbus, Bombardier and Seagate. There are opportunities for innovation and research and development even in the area of mobile screening and crushing. Invest Northern Ireland will seek out such opportunities with those firms, as well as working with them to see whether they can help them through the jobs fund, through the Boosting Business campaign or through the growth loan fund, which, as I said, is proving very popular with a lot of companies.

Mr Poots: I thank the Minister for her statement. As she indicated, Fred Wilson was the founder of the company, and he was an uncle of mine. One thing that Fred always ensured was that quality was instilled in manufacturing. Will the Minister give us some assurance that the company will maintain that quality? I have some concern that the smaller gen sets that are to be made in China will not match the quality that has been set in Northern Ireland and will consequently damage the company's reputation. Will she also indicate what other job prospects are in the engineering sector in Northern Ireland, so that the 760 staff might find work?

Mrs Foster: I thank the Member for his question. I indicated that he has a very personal interest in this firm. I share his concerns about quality, and we have made that point to the firm. I have seen the FG Wilson name on generators across the world, and we want to protect the firm's reputation for quality. That is something that I will raise again with Bill Rohner. When I meet him early next week, I will say to him that we are concerned about quality. We want the FG Wilson sticker to denote quality right across the world, and we want to ensure that that is the case.

I hope that there will be further announcements later this week and into next week about job opportunities for those who are to be made redundant. My ministerial colleague will say more about skills and how he intends to work in the coming days with people in the Larne area and, indeed, in west Belfast and Monkstown.

Mr Lunn: I thank the Minister for her statement. There are always positives in such statements. The Minister, rightly, referred to the fact that this business was originally set up in 1966 by Fred Wilson, a long-term resident of, I may say, Lisburn. It was largely based on his inventive genius; everything stemmed from him. So, it is an indigenous business. I am pleased to see in the statement the introduction of a new business start programme after a year's delay, which, I take it, will replace the Go For It programme. Will the Minister give us either an idea of the scale of that programme or any figures for it?

Mrs Foster: I do not have the figures in front of me. The Member will know that I am delighted that it is coming to the end of that process. Of course, we have to allow the settle-down period, in case — heaven forbid — there is another challenge to the procurement. I hope not. I hope that we can get back to offering that full service to start-up companies, because I know that that is something that people have long been waiting for.

Mr Beggs: On top of the previous announcement, the loss of 760 jobs will have a devastating effect on the workers, their families, the local community, suppliers and the retail sector, unless we can encourage fresh job opportunities in Larne, Carrickfergus and Newtownabbey. The chief executive of Invest NI recently indicated that he had thousands of jobs in his pipeline and he was confident that they would be delivered. Is the Minister satisfied that there are adequate opportunities and space for new investment in east Antrim? Will she ensure that such companies are made aware of the skills that are available?

Mrs Foster: As I indicated, one of the strengths of the workforce in the east Antrim area is the skills that it can offer to anybody who is looking at opportunities. Certainly, when there is a skills surplus, we always like to draw it to the attention of people who are looking for opportunities. That is exactly what we will do. We are pleased to see that the foreign direct investment pipeline has opened up a little more recently. It closed down at the beginning of the year, but it has opened a bit more now, and we are confident that we will be bringing more jobs announcements before the end of this financial year.

Mrs D Kelly: The Minister referred in her statement to trends and broadened the debate over and above the manufacturing industry. I know that the Executive are committed to growing the agrifood sector, for example, in tourism. Will the Minister indicate whether the new

Agri-Food Strategy Board has a budget with which to work? What are her hopes for job creation by Christmas, particularly in the agrifood sector?

Mrs Foster: I thank the Member for her question. She has, rightly, pointed out the excellence of our agrifood sector. The agrifood board has not yet reported or given its initial findings to either the Minister of Agriculture and Rural Development or me. Of course, we have been very clear with the board that we want this to succeed, because it is an industry that continues to give us growth figures year on year and we want to help it, particularly in new and emerging markets and, dare I say it, in places such as China, which we have been talking about a lot today. We will support them in any way that we can, and, if that means more money, we will push for more money for the agrifood sector. Obviously, I will have to compete with other colleagues for that, but I very much believe in the agrifood sector.

1.15 pm

Mr Allister: In what might be a surprise to the people of Larne, the Minister tells us that her strategy is working. The reality is that, five years into the DUP/Sinn Féin coalition, unemployment has spiralled by 150%, from 26,000 people to over 60,000. Meanwhile, the Executive have been thrashing about, talking a good talk but still presiding over economic decline with no policy, it seems, other than perhaps attacking and reducing the amount of money available in the block grant —

Mr Deputy Speaker: Can we have a question, please?

Mr Allister: — through chasing the rainbow of corporation tax powers. Is it not time that the Executive fronted up and admitted their failings?

Mrs Foster: Is it not time that the Member looked beyond his constituency and realised that we are in the middle of a global recession? Maybe he does not realise that; maybe it has not hit his local newspaper.

Mr Allister: Excuses.

Mrs Foster: “Excuses”, he says. This is the man who did not even want us to have devolution. This is the man who did not want us to be here. If the Member believes that we would be better off with direct rule, that is a matter for him. Devolution has delivered more jobs for this part of the United Kingdom, and, if he does not believe that, let him look at the facts. He is a great believer in the facts, but it is about time he started to look at them.

Mr Allister: Unemployment is a fact.

Mr Deputy Speaker: Order. It has been a long time since I had to remind Members not to make remarks from a sedentary position.

Mr Agnew: The Minister made reference to 1,800 offers of support, worth some £36 million, from Invest NI. In the past, many of these offers of support have not been taken up due to companies' inability to gain match financing. Will the Minister assure us that we will not see further Invest NI money handed back to the Executive because of the inability to find match funding for projects, or has she reason to believe that we should be more confident?

Mrs Foster: Unfortunately, I cannot find match finance for companies, although I have been trying to assist

with access to finance through the growth loan fund. We are in the middle of a global recession. We are taking all the applications that we can. Of course, Mr Allister is completely against us having the lever of corporation tax powers. As I indicated in my answer, £30 million of corporation tax was paid by this company and, if we had corporation tax powers, that would have allowed for reinvestment by that company, making it more competitive. Mr Allister sticks his head in the sand and does not accept that.

In relation to Mr Agnew's point, we will continue to work closely alongside companies to look for answers to all the difficulties that they face. The Boosting Business project has been going well for companies, as has been universally recognised. Of course, had Mr Allister had his way, we would not have had any of that at all.

FG Wilson: Job Losses

Dr Farry (The Minister for Employment and Learning):

Thank you, Mr Deputy Speaker, for the opportunity to make a statement on the actions that I and my Department are taking in relation to the job losses at FG Wilson.

First, I join my colleague the Minister of Enterprise, Trade and Investment in expressing my sympathy for and solidarity with the workers who face redundancy and, indeed, others who will be affected by the economic impact of this development. I and my officials have been proactive in determining what steps we can take to assist with redundancies, to provide upskilling and to identify alternative employment.

Under employment law, redundancies of this scale do not come into effect for 90 days. My officials have been engaging with FG Wilson in relation to redundancies since the earlier announcement was made in June. FG Wilson management has expressed a clear commitment to working with the Department and other agencies to assist employees. Tomorrow, my officials are meeting with FG Wilson to plan further for the delivery of advice clinics. In offering the redundancy advice service, my officials will work in partnership with the Social Security Agency, further education colleges, HMRC and other relevant agencies. This free service is crucial in supporting employees to determine their next steps. I am keen to ensure that DEL services are offered to those affected across all three affected sites, and I will encourage those employees to avail themselves of the help and support available. I will ensure, with our partners in the redundancy advice service, that employees at each of the three sites, in Larne, Springvale and Monkstown, will be provided with information and professional advice about the options and support available to them, including benefits, employment, training and education opportunities, as well as careers and taxation advice.

The redundancy advice service will arrange a series of initial group sessions, followed by individual meetings with each of the employees affected. The initial group presentations will outline all services available to them, and the redundancy advisory service partners will have information stands and staff available during group and one-to-one sessions. More detailed and personalised one-to-one sessions will be available for all employees, either at follow-up sessions, held preferably at FG Wilson's premises, or at an office of one of the redundancy advisory service partners.

The workers affected by the job losses have high technical skills, good employability skills and a wealth of experience. Some of the identified skill sets in the FG Wilson workforce include those of engineers, research and development specialists, managers, supervisors, administrators and manufacturing operatives. Evidence shows that, frequently, people with such a background can leave the unemployment register more rapidly than is average and, indeed, may never even join it. However, there can sometimes be a need to refresh skills or convert general skills to meet the new specific demands of alternative employers. Accordingly, my Department has already been in discussion with the further education sector — the Northern Regional College in particular — on the critical role that it can play in providing assistance to employees. The Northern Regional College is itself a centre of excellence in manufacturing and mechanical

engineering. Based at the Farm Lodge campus, this centre of excellence has a long track record of developing and delivering courses to meet the needs of employers. Strategic partnerships have been developed with key employers, including Michelin, Toyota, Ryobi, Bosch, Wrightbus, Schlumberger and Langford Lodge, providing tailored training provision to meet particular business needs. Through the centre of excellence, the college can offer a range of manufacturing engineering courses at levels 3, 4 and 5 delivered by highly skilled lecturing staff. Testament to the training expertise of staff was the college winning the UTV Business Eye award for its partnership work with Ryobi Aluminium Casting, as well as the Apprentice of the Year Partnership award. Recently, the college worked with FG Wilson to provide a range of courses to its employees. The college's business support unit also has experience in supporting previous redundancies in its catchment area.

In light of the importance of the engineering industry to the Northern Ireland economy, the college, along with the Belfast Metropolitan College at Springvale, is offering to conduct a skills audit of individual members of FG Wilson staff to assess their current levels of skill, identify any skills gaps they may have and deliver training provision on a flexible basis to meet their needs and match them with potential job opportunities. This service will be supplemented by my careers advisers, who can also carry out a detailed skills assessment.

The challenge then becomes one of finding new jobs for such skilled workers. Therefore, it is timely that I am due to convene the first meeting of an advanced manufacturing and engineering services working group later this week. The creation of this body follows concerns raised by employers in the manufacturing and engineering sectors about a shortage of engineering skills. I asked the Northern Ireland Adviser on Employment and Skills, Bill McGinnis, to meet employers in the sector to help me to gain a more thorough understanding of their skills needs. At a stakeholder meeting on 25 June 2012, the adviser gave an overview of his findings. A short report outlining his findings, together with an analysis of the sector, is available on my Department's website.

The working group includes business leaders from the sector, employer representative bodies, representatives from the colleges and universities and other Departments and agencies, including DETI, the Department of Education and Invest Northern Ireland. FG Wilson is represented on the working group as a nominee of the Northern Ireland Chamber of Commerce. The aim of the working group will be to put in place an action plan to address the current and future skill needs of the sector. When I meet this group on Wednesday, we will consider the FG Wilson job losses and, especially, the fact that employees have the opportunity to have their skills assessed and to participate in a tailored programme of training to meet the needs of any employer. I fully intend to use this opportunity to talk to employers in the sector to see what more we can do collectively to help to redeploy these skilled and experienced people in the manufacturing sector to help meet existing skill needs.

In considering the redundancies at FG Wilson, some care needs to be taken against the temptation to make general assumptions based on some cases. Of course, given the very dynamic nature of the global

economy and, in particular, the continued rise of other locations of economic activity, the nature of international competition will change and will have implications for local manufacturing. Northern Ireland should not and, indeed, cannot seek to compete on low cost of labour. We can only compete in the context of high-quality products produced by highly skilled workers and backed up by excellence in innovation, research and development.

In considering the job losses we need to set them in the proper context. The manufacturing sector remains critical to the Northern Ireland economy and will be pivotal in determining and improving our economic performance. Although locally there clearly has been a significant loss of manufacturing jobs over recent decades and a shift to the service sector — a shift shared with most western economies — Northern Ireland nevertheless retains a significant manufacturing presence. Estimates suggest that the sector accounts for 11% of total Northern Ireland jobs in 2012, with the main subsectors being food manufacturing, fabricated metal, transport equipment and rubber and plastic manufacturing. The importance of the manufacturing sector is also clear, in that it accounts for over 15% of Northern Ireland's gross value added and generates sales of over £12 billion in markets outside the region. Running across this range of activities and products, we have a particular strength in engineering and advanced manufacturing and possess a range of world-class companies.

The Executive's economic strategy reflects our shared objective of expanding the private sector in Northern Ireland and promoting export-driven growth. In addition, the strategy reflects the recommendations of MATRIX, the science and industry panel, and identifies advanced engineering as a clear potential growth area. My Department's skills strategy, 'Success through Skills — Transforming Futures', sets out the likely skill requirements over the next decade. It includes a general emphasis on demand for higher-level skills and specifically for qualifications in science, technology, engineering and mathematics, more commonly known as STEM. Earlier this year, I announced that my Department's employment and skills provision would be focused on a number of priority sectors. The advanced manufacturing and advanced engineering sectors are included in that list. That decision was informed not only by MATRIX but by the report of my adviser on employment and skills entitled 'Identification of Priority Skill Areas for Northern Ireland'. The purpose of that report was to advise on the imbalances between skills demand and supply and the skill areas that should be prioritised to encourage more people to train and acquire the economically valuable skills needed to help develop the Northern Ireland economy. At present, our local universities are producing over 800 engineering graduates across all levels of study every year. Similarly, there are over 700 engineering apprentices in training. Moreover, I will announce shortly the creation of Northern Ireland's first higher-level apprenticeships at level 4, starting with ICT and engineering. Therefore, investing in engineering skills remains of strategic importance to Northern Ireland in order to meet potential new growth opportunities.

1.30 pm

A reduction in the rate of corporation tax here has been identified as a key economic tool for attracting and

retaining investment in Northern Ireland. The Executive have committed, in the Programme for Government and in the economic strategy, to press for the devolution of corporation tax and to reduce its level. That resolve remains and, indeed, has been strengthened by recent developments.

Increased demand for higher level skills will continue to exist even without a reduced rate of corporation tax. However, an external report, which I commissioned this year, into the potential skills requirements arising from a lower level of corporation tax indicates that a reduction in the rate to 12.5% could create double the number of jobs that would otherwise be produced locally. That equates to 58,000 additional jobs by 2030.

The baseline scenario within the current corporation tax regime shows there will be an additional 57,000 jobs by 2030 compared to 2012. Therefore, including the 58,000 additional jobs from a lower tax regime could result in 115,000 net additional jobs overall. Of the 58,000 additional net jobs created as a result of a lower corporation tax rate, 2,000 are expected to be in the advanced manufacturing sector from across new FDI firms. There will also be multiplier effects for existing businesses in Northern Ireland. The research shows that our skills base, in particular in STEM subjects, will be critical in driving out the full benefits of a lower corporate tax regime.

Northern Ireland retains a strong footprint in manufacturing. Indeed, in advanced manufacturing and engineering, it has the potential to expand. Beyond the immediate management of the redundancy issues of those affected by the job losses at FG Wilson and indeed elsewhere, my priorities focus on offering reskilling opportunities in line with Northern Ireland's economic strategy and emerging opportunities.

Mr B McCrea (The Chairperson of the Committee for Employment and Learning): Minister, once again that was a long and comprehensive statement. At the risk of getting your ire, I will say that sometimes we might say more by saying less. It takes a long time to deal with these issues. I have no doubt that the Committee will have a number of questions about your specific initiatives. First, at the Committee meeting last week, we talked to you about the 29 consecutive months in which Northern Ireland had the highest, or second highest, claimant levels. Will you tell us whether there are any other shocks in the system? Have you done a risk analysis of the vulnerable companies and the big employers in our society and economy? What steps are we taking to mitigate those risks?

Secondly, I am sure that the Minister agrees that manufacturing is still at the very core of Northern Ireland's economic prosperity and that it adds value and gives real jobs. What steps will he take to reassure the people of Northern Ireland that engineering and manufacturing are the future and that one disappointment does not mean that there are not really good opportunities?

Finally, the European Commission proposed a €7.4 million fund from the globalisation fund for former workers of the Vestas Group in Denmark who previously made wind turbines. That market has downturned and gone to China. It is not dissimilar to what has happened here. Has the Minister had any interaction with that fund? What can we do to make sure that the workers of FG Wilson get the best

possible help and support to ensure that their absolutely wonderful skills are not left on the scrapheap?

Dr Farry: I thank the Chair of the Committee for his questions. There are four different areas to respond to him on, the first of which is unemployment. There is no getting away from the fact that we have a serious problem with unemployment. It is a growing problem that has been with us over the past number of years. It is also a problem that we share with many other regions of the UK and, indeed, elsewhere in Europe. It is a complex, multifaceted and multidimensional issue. We need to look at the number of jobs that have been created and the fact that we are shifting people from economic inactivity into the labour market. We want them to move into jobs, of course, but the fact that we are tackling economic inactivity is a good thing in itself.

The Member also mentioned risk assessment, and I fully understand his point. DETI and Invest Northern Ireland would probably wish to take forward the issue, but it is important to stress that, regrettably, some companies in Northern Ireland will decrease in size and, sometimes, shed jobs as markets change and the relevance of products changes. Equally, new companies will come into existence and provide new sources of employment, and other companies will grow. We have to ensure that the latter outstrips the rate of decline of the former.

That brings me to the Member's other point about the importance of the manufacturing and advanced engineering sector. The reason that I made the statement in the manner that I did was that I did not want simply to refer to the immediate steps that we are taking on redundancy and support for upskilling and finding new opportunities. It is important that we stress the importance of the manufacturing sector to Northern Ireland and say that it is very much part of our futures.

The profile of manufacturing will change, of course, as the nature of global competition changes. Indeed, there may be areas of low-value-added manufacturing in which we will not be as competitive as we were. However, there are areas such as agrifoods, which has already been mentioned, and advanced engineering in which we have the potential to turn out world-class competitive products. It is important that we back up those sectors by investing in higher skills to meet employers' demands.

Finally, the Member refers to the European Union globalisation fund, which the ETI Minister has undertaken to explore. Certainly, she and I have open minds on the issue, although I suspect that the attitude of our parent member state is not overly accommodating about it. No doubt, we will report back to Members on those discussions.

Mr Buchanan: I thank the Minister for his statement. He said that his officials have been engaging with FG Wilson since June this year. Will he elaborate on the nature of those negotiations? In light of increasing levels of unemployment, which is of grave concern to all Members, will he assure the House that the services and initiatives to which he referred in his statement will be provided in a timely fashion so that the workers at FG Wilson benefit from them at this very trying time?

Dr Farry: I am grateful for the Member's comments. I am happy to confirm that we will be proactive in providing services to any member of the FG Wilson workforce who

faces redundancy. Individuals may not be fully aware as to which jobs will be going. We have had ongoing dialogue with FG Wilson over the past number of years. The reference to June concerns the work that we have done on the assistance by the redundancy advice service and to staff who were in the first tranche of redundancies. Before that, we had been in ongoing discussions with, and providing services to, FG Wilson on skills support and facilitating some upskilling. Indeed, the Northern Regional College has an established track record in that regard.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. I have read the statement, which has no reference to rural dwellers. That may not be an omission on his part, but the issue needs to be brought up because the redundancies affect not only urban areas but rural areas. All the problems that arise from people not being able to avail themselves of further education training are felt in rural areas. Will the Minister assure the House that the difficulties that rural dwellers face today on further education, and so on, will be borne in mind when his programme is rolled out?

Dr Farry: I thank Mr McMullan for his comments. Certainly, we are always sensitive to the rural aspects of Northern Ireland. He referred to further education, and I recognise and welcome the flexibility of that system and its ability to respond to the direct and ongoing needs of business and workers who face challenges from retraining around their skills knowledge. There is a commitment from the Northern Regional College that if we put in place a number of conversion courses or, indeed, other types of training, they will be developed very flexibly. That is primarily geared at reflecting the fact that, over the next 90 days, the people who are affected by redundancy will still be in post. They will be holding down jobs, so we need to talk with FG Wilson about how we can ensure that business can continue while we invest in the future of the workers who are about to lose their job. I recognise that that flexibility also extends to people who have difficulty with transport. Ultimately, the bottom line is that we will try very hard to find alternative sources of employment, but those may not necessarily be in Larne, where people have had jobs in the past. There is a great strength in engineering across Northern Ireland, but opportunities may become available beyond the immediate travel-to-work areas. We need to factor that in, and I am sure that my colleagues from East Antrim will bend my ear on that in a few minutes' time.

Mr P Ramsey: I welcome the Minister's statement. In these times, it is not an easy issue for any Minister to have to contend with. The Minister's statement is about reskilling and re-employment initiatives. As part of the personalised interviews with each individual member of staff, will the company audit the skills base of all the staff? Will the Minister assure the House that, as well as meeting members of the business community and employer bodies, he will meet other stakeholders, including training providers in the area to ensure that localised training programmes are necessary in this case?

Dr Farry: I thank Mr Ramsey for his question, and I commit that we will work with an open mind with anyone who can provide a solution to the issue of retraining. Our priority is to try to channel it through the Northern Regional College. It is important that there be a single interface with the company, but, below that level, there

may be a whole range of different avenues and options that we can explore. I am very keen that we devote that to the individual level and that we look at each worker as a person, rather than simply as a number, and place people in very general approaches. We need to specialise and see where people's individual aptitudes are and what we can do to support each person individually.

Mr Dickson: Thank you, Minister, for your statement. You will forgive me for asking questions on matters that directly affect constituents of mine in East Antrim, as I did of the previous Minister who spoke. Although I appreciate the work that your Department is doing to deliver redundancy advice and, indeed, provide training, can we be assured that that will also be delivered very locally, and be very focused locally? In addition to the employees who are unfortunately losing their jobs in FG Wilson, can you assure us that you will also be looking out for the knock-on effect on suppliers and traders — for example in the town of Larne — to ensure that they get similar support from your Department?

Dr Farry: I thank Mr Dickson for his question. The preference is to deliver the advice service in-house for the workers who are affected by the redundancies. That means delivering it directly on the premises of FG Wilson. That works best for the company and best for the individuals who are affected, to minimise disruption and maximise the opportunities to consider alternative options. Of course, there are other strong engineering companies in east Antrim. Schrader and Ryobi are two that immediately spring to mind, and, no doubt, there are others as well. The issue will be one of what levels of vacancies exist elsewhere, what issues regarding shortages and mismatches exist, and to what extent we can match the skills sets of the people who are unfortunately leaving FG Wilson with those alternative companies.

It is also important to acknowledge the Member's other point. The focus on skills support does not apply only to workers from FG Wilson. My Department is available for any company in Northern Ireland to discuss their skills needs, and any company that needs to enquire about retraining of existing staff should contact the skills solutions service in DEL to discuss its individual company needs.

1.45 pm

Mr Ross: In his statement, the Minister correctly said that many of the individuals who are leaving FG Wilson are skilled and experienced workers who could be an asset to other companies. He mentioned two other east Antrim companies, Schrader and Ryobi, in the previous answer. Could he indicate the level of interest that other Northern Ireland companies have shown in being willing to work with his Department to reskill some of the workers who are losing their jobs and in potentially providing employment for them?

Dr Farry: I thank Mr Ross for his question. It probably takes me into the realms of the advanced manufacturing engineering services working group, which we are convening on Wednesday. Over the past number of months, a lot of Members have reflected, from their own constituencies, engineering companies that are seeking to grow and that have their own inherent strengths but that, at times, have expressed a mixture of concerns about skills and difficulties in attracting personnel. So, we are hoping

to initiate a discussion on Wednesday — FG Wilson will hopefully be at the table — about companies' profiles and any vacancies and skills requirements that they have. We are also hoping to see how we commence the challenge of trying to match those workers who are, unfortunately, leaving FG Wilson, of seeing whether there are some immediate new opportunities available and, indeed, whether, with some additional training and conversion courses, further people could be placed.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. These are very dark times, especially in my constituency of West Belfast, which already suffers from high unemployment. That not only affects those who are losing their jobs but, as someone said, the surrounding businesspeople will take a knock. The Minister of Enterprise, Trade and Investment spoke earlier about new employment opportunities that may come before the end of this financial year. Will the Minister tap into that and, with that knowledge, will the people who may lose their jobs in this situation be reskilled and trained to take up any opportunities that might come down the road?

Dr Farry: I thank the Member for his comments, and we appreciate the impact on West Belfast. The Member will be pleased to know that Belfast Metropolitan College is willing to partner the Northern Regional College in the provision of upskilling, and that will hopefully be delivered at the Springvale campus in west Belfast.

I cannot comment directly on what may or may not be in the Invest Northern Ireland pipeline, but a lot of good work is going on behind the scenes. However, I will confirm that my Department works very closely with Invest Northern Ireland on the skill needs of companies that wish to either grow in Northern Ireland or to invest in Northern Ireland. We have a programme called Assured Skills, which is very much about us giving a quality assurance to an investor that the skill requirements are either in Northern Ireland at present or that, where we identify deficiencies, we will put in place tailored programmes to provide workers with the skill requirements that the investing companies require. That type of provision will often be delivered through the further education sector.

Mr D McIlveen: I thank the Minister for his statement. Minister, you will be aware that the public probably prefer to interface with their politic representatives through local constituency offices rather than through Parliament Buildings. With that in mind, will you be prepared to make staff from the redundancy advice service available to speak with staff in constituency offices to make sure that they are adequately prepared to give the advice that is needed?

Dr Farry: I do not want to give an absolute definitive answer to that, because we have to take into account some of the resourcing considerations of that. However, if it is possible to do it, I will certainly ensure that it is done, because the commitment is to try to tailor and individualise service as best as possible. I see merits and value in the service being delivered in FG Wilson itself in the first instance. I think that that suits all the parties, but whether we are talking about the CAB or a local constituency office in individual cases, we will be happy to try to consider that one-to-one support, if that is the most effective way of addressing needs.

Mr Beggs: Thank you for your statement, Minister. The scale of FG Wilson job losses has been unprecedented in recent years, and there will be a knock-on effect on suppliers, the service sector and even retailing. Given that dramatic effect, will the Minister do everything to try to draw down from the globalisation fund, which would effectively double the funds available for training and assistance to encourage those people to be reskilled and re-employed? Will he speak to the Secretary of State to have that argued for in Cabinet so that the Government will support it at Westminster?

Dr Farry: There is no arguing with or getting away from the scale of the redundancies that have been announced. We are dealing with a very sobering reality, and no doubt it is felt most acutely in Larne, Monkstown and west Belfast. As has been said by the Minister of Enterprise, Trade and Investment, it is something that we are happy to consider and explore fully. That certainly means discussions with the UK Government, but I want to caution the House that, although we will give it consideration, that does not mean that there will be no unintended consequences. We want to be sure that it is something that we can deliver. I do not want to unnecessarily raise expectations that there is a magic pot of money out there from which we can draw down. The Member certainly has my commitment that we will give it full discussion and exploration.

Mr Lyttle: As a Member for a constituency that has also grappled with global change in manufacturing, I extend my thoughts to the workers affected by this brutal development. I also recognise the immediate support that has been offered to the workers. What action is the Minister taking to ensure that, on a long-term basis, people in Northern Ireland meet the skills demands of a modern manufacturing and engineering sector?

Dr Farry: Obviously, there is a much wider dimension beyond what we do to assist the workers directly affected by this. I and my ministerial colleague make the point that Northern Ireland can only compete internationally based on the quality of our products and, in particular, of our skilled workforce.

We have an economic strategy in place that has a very strong theme around skills. My Department has its own skills strategy and we have an employer engagement plan associated with it. We have a very clear plan to drive up skills across a very broad front. We will need to increase the higher-level skills — level 4 and above — from a baseline of 33% to around 52% by 2020. We have a very strong need to increase the number of people who are trained in the STEM subjects as well.

The projections show that Northern Ireland can create a lot more jobs over the coming decade, once we are through the current economic difficulties. However, the vast majority of those jobs will require higher-level skills, so there is an imperative that we act now to drive up skills in anticipation of the jobs that, I hope, will come in future years.

Mrs Overend: I thank the Minister for his statement and for the ongoing work he and his officials have done. I have experienced that work in my constituency.

It is disappointing that the advanced manufacturing and engineering services working group will begin its first meeting with firefighting. I hope that the Minister will assure us that those businesses will be listened to, and

that the working group will be more than just a talking shop. With that in mind, I ask the Minister to make the House aware of the outcome of that first meeting. Will he communicate with those affected at FG Wilson about any actions stemming from the working group that might help them?

Dr Farry: I am happy to give Mrs Overend an assurance that the discussions of the working group will be transparent, and we will give ongoing reports of its activities. I do not accept her comments about firefighting. A strategic decision was taken to set up the working group. Indeed, we still have almost 90 days before the redundancies come into effect during which we can take immediate steps to address the situation.

These working groups are certainly not PR exercises or window dressing. The engineering working group follows a path tried and tested over the past year, during which we have set up two other industry-specific working groups on ICT and the agrifood industry. Two action plans for those respective sectors have already been agreed and published and are being actioned. I am keeping a close eye on the delivery of the various action points, and I am happy to answer to those in due course. I expect that the engineering working group will follow that tried and tested pattern and produce its own action plan in the very near future, hopefully within less than six months. Beyond what has happened with FG Wilson, we have an inherent strength in advanced engineering, and it is important that we capitalise on that and drive out any skills shortages and mismatches to ensure that we can fully capitalise on opportunities for Northern Ireland.

Mr Kinahan: I also thank the Minister for his statement. Many of the employees of FG Wilson are in Ballyclare and Newtownabbey, in the South Antrim patch. One of the difficulties over employing is employability. Here we have a need. I wonder whether the Minister is looking at what extra skills are needed to make those same people employable worldwide. Are we listening to companies from outside as to what they need to do so that they can go away and use their skills worldwide and come back and, maybe, create more employment for us here?

Dr Farry: I thank the Member for his question. Obviously, we recognise that this is not just an issue for east Antrim or west Belfast. Workers come from a whole range of constituencies. Indeed, market forces do not simply start and finish at the arbitrary boundaries of Assembly constituencies. I expect that the workers in FG Wilson will already have very strong employability skills, that is, the ability to actually work in a workplace. They will also have strong essential skills, and most of them will have very strong technical skills. The only real issue probably relates to what needs to be done to update, refresh and add on new technical skills to meet different specific needs that different businesses may have. I would like to think that we will be looking to find alternative employment within Northern Ireland. The days of the brain drain need to be over, and we have to reverse that. The challenge for the Executive is to ensure that we create new opportunities in Northern Ireland to place workers who have, unfortunately, lost their jobs.

Mr Allister: When in nominal opposition, the Minister, as Alliance spokesman, had this to say:

“The Executive needs to move away from its cheap populism and reinvest resources in the economy. Our Executive has not taken the bold initiatives that have characterised the fiscal stimuli in other jurisdictions.”

and:

“The Executive has not taken the opportunity to re-balance and modernise the local economy.”

Has anything changed since he became a gamekeeper, or are we still going backwards with the second-highest unemployment for 29 consecutive months for most of which he was the Minister?

Dr Farry: I am pleased that the Member has the opportunity to do some frivolous research at a time when we need to focus on the task in hand. I am part of a collective Executive. I am satisfied that we have a robust Programme for Government that places the economy at its heart. I believe that we have a very good economic strategy that places skills as a clear theme within that. Unemployment in Northern Ireland has been rising over the past five years, which reflects the global economic downturn. What has happened in Northern Ireland, in terms of the broad change in employment figures, is no different to other regions of the UK, the Republic of Ireland, other parts of the European Union or North America. Within that, however, we will have our own particular aspects, and that is where the Executive can make a real difference. People should be in no doubt whatsoever: we, as an Executive, are committed to doing everything in our power. Let us bear in mind that we are a devolved region, which brings opportunities to do things that the UK Government would not do or would not care about doing. However, it also has its limitations, and corporation tax is one of those, but we will not be found wanting in using every lever and pressing every button at our disposal to address the economic situation in Northern Ireland.

2.00 pm

Mr Agnew: The Minister made reference to some pretty impressive figures for job creation by 2020, were corporation tax to be reduced. I do not often agree with the Finance Minister, nor he with me, but in a previous discussion on the issue he made comments to the effect that 20-year economic modelling in the current economic circumstances, given the fluctuations in Europe and further afield, was unreliable at best. Does the Minister accept that the figures that he has presented today are, at best, “guessonomics” or, even, “wishonomics”, and that they are certainly not sound economic projections?

Dr Farry: I certainly agree with Mr Agnew that he is finding a range of strange company these days in some of the arguments that he is making. The report that I referenced sets out the job opportunities arising from a lower level of corporation tax through to 2030. It was produced by Oxford Economics, which is a well-renowned consultancy company. I have certainly no doubt about the reliability of the report that it has made. It is not something that was politically skewed or fixed in some way. We asked Oxford Economics to do a piece of work, and it came back with the results. The reason why we have to do those types of studies looking ahead to the number of jobs to be created is so that we can ensure that we properly plan for the future, because we are asking people to invest in particular subjects and to plan careers for the future. It is

important, therefore, that we try to anticipate what aspects of the economy are likely to grow most rapidly and where those jobs are going to be created. That enables us to ensure that we match supply and demand and place the right emphasis on skills to meet the likely new companies and areas of investment. If we do not, we will have skills shortages, skills mismatches and inefficiency in our economy. I do not think that anyone wants that.

Mr Douglas: I thank the Minister for his statement, which, I am sure, he found quite difficult to make. Twelve years ago, I was a member of the Harland and Wolff task force. I have every sympathy with the people who lost their jobs and with their families. Looking back, I remember that we helped people with issues regarding redundancy, benefits and a whole range of things. One of the key issues at that time was that LEDU helped people who wanted to become self-employed or set up their own business. Do you have any plans to work with other agencies to ensure that we try to create a bit of enterprise for some of the most highly skilled workers in the United Kingdom?

Dr Farry: I thank Mr Douglas for his comments. As the nature of manufacturing in Northern Ireland has changed, this, unfortunately, is a well-trodden path in some respects, and we have been down this road before. We will certainly look very closely to see if self-employment is an option for some people. That is why it is important that my Department and, in particular, the redundancy advisory service, partners other agencies in exploring self-employment options, and I include DETI very much in that regard. The points he makes will be encompassed within the service that we provide through the redundancy advisory service.

I am very keen to avoid a situation in which the people affected will have to go to a multitude of people to get advice. That makes things even more stressful for people who are already in an incredibly stressful situation. It would also mean that we would have a duplication in how government is responding, which would mean we are acting inefficiently. The more that we can channel people through a one-stop shop, the better we all will be.

North/South Ministerial Council: Health and Food Safety

Mr Poots (The Minister of Health, Social Services and Public Safety): I wish to make the following statement on the fourteenth North/South Ministerial Council (NSMC) meeting in the health and food safety sectoral format, which was held in the NSMC joint secretariat offices in Armagh on Wednesday 18 July 2012. This has been the earliest opportunity to make the statement to the Assembly following the summer recess.

Minister Michelle O'Neill and I represented the Northern Ireland Executive at the meeting. The Irish Government were represented by Dr James Reilly TD, Minister for Health, and Frances Fitzgerald TD, Minister for Children and Youth Affairs. The meeting was chaired by Minister Reilly. The statement has been agreed with Minister O'Neill, and I am making it on behalf of both of us.

Ministers received a presentation from Cooperation and Working Together (CAWT). It was delivered by Tom Daly and Bernie McCrory, director general and chief officer of CAWT, respectively, and Mairead McAlinden, chief executive of the Southern Health and Social Care Trust. We noted the launch of the CAWT 2011 annual report and congratulated CAWT on its work over the past 20 years to improve the health and well-being of border populations. We also welcomed progress made in the implementation of the CAWT-managed €30 million EU INTERREG IVA Putting Patients, Clients and Families First project. More than 20,000 patients and clients have benefited from this project, which has resulted in improved patient welfare and the delivery of savings to the two Health Departments. The participation of CAWT in the Northern Periphery Programme was also welcomed.

In the health promotion field, Ministers noted the development of strategies in both jurisdictions on alcohol misuse. Those include ongoing collaboration on minimum unit price for alcohol and proposals for a North/South alcohol forum. We also noted the measures proposed in the new Northern Ireland ten-year tobacco strategy, which aims to reduce the availability and appeal of tobacco products to young people, and proposed legislation prohibiting smoking in cars where children are present is being developed in Ireland.

Ministers discussed the progress made by the special action group on obesity in Ireland, and we noted that the Caloriewise scheme, which aims to encourage consumers to make more informed choices when eating out or on the go, is being trialled by eight local businesses in Northern Ireland.

Ministers noted that the business planning process is well advanced for the establishment of a radiotherapy unit at Altnagelvin and that construction remains on target to commence in 2013, with a view to the unit being operational by 2016. Officials are working together to finalise arrangements that will ensure effective delivery of the project.

We discussed progress on the implementation of the revised memorandum of understanding (MOU) for the Ireland-Northern Ireland-National Cancer Institute Cancer Consortium and noted that joint research projects undertaken through the previous MOU have indicated improved strategies for cancer prevention or treatment.

Progress on the development of new collaborative health research projects through the US-Ireland research and development partnership was also noted.

In relation to suicide prevention, Ministers welcomed the publication of the refreshed Protect Life strategy in Northern Ireland and noted progress on the review of the Reach Out suicide prevention strategy in Ireland.

We also welcomed the commencement of the Men's Health Forum pilot projects, one of which will focus on the Colin area in Belfast, which has previously suffered from high levels of young male suicide, and the second of which leverages social media to reach out to young men in Ireland.

Ministers noted that the registry of self-harm is now in place in all hospital trusts in Northern Ireland, which means that there is complete coverage across the island of Ireland. We endorsed revised all-island media guidelines, which seek to promote positive reporting of suicide, and welcomed the Please Talk campaign, which links students who are in distress with college supports, and which is operational in campuses in both jurisdictions.

Ministers noted and welcomed the proposed future work programme for the child protection steering group, which is to be taken forward through five specific work streams focusing on: knowledge exchange; quality and effectiveness; deaths of children in care; cultural competence in safeguarding; and specialist services.

Turning to the food safety sector, the Council received a presentation on the work of Safefood from the CEO, Martin Higgins. The report highlighted scientific and promotional activities, as well as the success of the Safefood obesity awareness campaign Stop the Spread, which won the gold award in the healthcare sector at the 2012 An Post Integrated Direct Marketing Awards. Ministers reviewed progress on the development of the Safefood business plan and budget 2012, and noted the Safefood 2011 annual report and accounts.

The publication of the Safefood report entitled 'Infectious Intestinal Diseases on the Island of Ireland 2000-2010' was welcomed, and Ministers acknowledged Safefood's ongoing work on infectious intestinal diseases. They noted that the report and ongoing studies of trends advance the epidemiological understanding of food-borne diseases and help to underpin future prevention strategies for Safefood.

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement and welcome the update on the NSMC.

Minister, you mentioned that there was a presentation and update from CAWT. Will you tell us whether all-island paediatric cardiac care was discussed or mentioned at the meeting? Will you give us more information and detail on how the child protection steering group will tie in with the Safeguarding Board, which you are due to launch, I think, tomorrow or Wednesday?

Mr Poots: I had a separate meeting with Dr Reilly at which we discussed paediatric cardiac care. We are working closely together to try to achieve a positive outcome. The House knows — Members will have received a lot of letters about the issue from constituents — that there is a huge amount of anxiety that paediatric care may not be available to the public here without the need to fly to England. We

certainly want to avoid that if at all possible. We need to achieve a number of things. A clear demonstration is needed that the results in the Republic of Ireland back up the work there. My suspicion is that the quality of care is good, but we do not have the evidence to support that. We are getting evidence that will support that, which will help us to move forward. I think that we are getting feedback on the outcome of operations that have taken place over the past three years. It would be very useful if we could come to an agreed outcome with the Republic of Ireland.

The child protection officials group will share information with the Safeguarding Board for Northern Ireland (SBNI) on the work being undertaken in the new work programme and each of the five specific areas of focus. It will invite the SBNI to contribute directly to the work of the five subgroups as appropriate. It will also consider any representations and suggestions made by the SBNI with a view to improving practice in Northern Ireland and cross-border. The officials group also intends to host an all-Ireland conference with a focus on knowledge exchange in child protection between the two jurisdictions. The conference will afford the SBNI and the newly established child protection agency in the Republic of Ireland the opportunity to reach a wider audience of policymakers, practitioners and managers in child protection services and to develop working relationships with service delivery systems. I do not believe that any border or stretch of water should be a mechanism that allows paedophiles to engage in their activities without the rigours of the law being applied to them. It is incumbent on us to do everything that we can to ensure that paedophiles are brought to justice.

Mr Wells: Minister, in a recent article in the media, the Chief Medical Officer highlighted the problems of alcohol and drug addiction and the huge burden that that places on our health service. I was interested to hear that he raised both issues during a recent meeting. What can be done to break the vicious cycle of addiction that has such a profound impact on those who are hooked and to address the burden that it places on the health service generally?

Mr Poots: Research shows that the misuse of alcohol in Northern Ireland costs up to £900 million every year, and around £250 million of those costs are borne by the health and social care sector. I do not think that it is reasonable that we should accept that. People are doing themselves an awful lot of harm, particularly through binge drinking, and steps need to be taken to discourage it.

I welcome the fact that we are having discussions with our counterparts in the Republic of Ireland and, indeed, Scotland about the potential to raise the minimum price of alcohol. I also welcome the fact that in more recent days, David Cameron, who appeared at one stage to be totally opposed to minimum pricing, has done an about-turn and now appears to be quite supportive of the idea. Having a minimum price for alcohol across the British Isles is considerably easier to enforce than it would be if just Scotland or Northern Ireland were doing it.

2.15 pm

It is also quite beneficial that Scotland is ahead of us on the issue, because all the judicial reviews out of which lawyers' and QCs' income can get fatter will be borne by Scotland rather than Northern Ireland. That makes a change, so I am glad that the fat cat lawyers in Scotland will be able to get their income. However, the fat cat

lawyers in Northern Ireland will not be able to squeeze it out of us, because we will be able to take the evidence from Scotland.

Mr Beggs: The paediatric cardiology proposals are an issue of great concern to many constituents. Many years ago, I had to spend a couple of nights in hospital to comfort a young son prior to an operation. Why was the North/South sectoral meeting on health not deemed to be an appropriate occasion at which to raise the subject and try to come up with a satisfactory solution, and why did the Minister adopt a different forum for doing so?

Mr Poots: The meeting took place on 18 July, and I think that the report was received in August, so that would be one reason. However, we were aware that work for the report was taking place, so that is why it was deemed important enough to have a conversation.

We cannot easily ignore a report from experts who say that what is currently available in Belfast is unsustainable. It would be foolhardy simply to say that we are going ahead and ignoring the report. At the same time, I think carefully about a mother who has just given birth by caesarian section to a baby who needs surgery immediately. That baby has to be flown to England to get that surgery, and the mother cannot be flown to England. Perhaps the baby loses its life while in England, and the mother is not there at that very important time.

Although the vast majority of children would receive the best possible care, at some point those things would happen, so we need to reflect on those things. This is a very important clinical decision but not a clinical decision alone. It is also about people's personal circumstances. Therefore, it is important for us to seek to ensure that we maximise the clinical excellence in the care that is provided and, hopefully, try to do that somewhere here on the island of Ireland, and preferably keep some sort of service in Belfast if that is at all possible. I do not know whether that is possible, but we need to test everything over the next number of months to see how we can maximise the service that is provided locally.

Mr McDevitt: I welcome the Minister's remarks on paediatric cardiac services. Given what we have learnt over the summer about the threat to paediatric cardiac services in our region, is it not time perhaps to think about scoping out with Dr James Reilly in the Republic those other areas of specialist medical services that could be sustainable on an all-island basis and that may well be under threat if we continue to look at them simply in a regional context?

Mr Poots: There are two issues. There will be services that are available only whenever you have a population threshold. If it suits us to do that with the Republic of Ireland, I am very happy to do that. If it suits us to do it with the north-west of England or with Scotland, I am happy to do that as well. We need to be outward-looking to ensure that we have the best possible healthcare.

We also have the regional issues, where, for example, the option for people in Donegal is to travel long distances, but perhaps we can provide them with a better service at Altnagelvin or, indeed, the new hospital at Enniskillen. The same may apply to counties such as Monaghan and Cavan, and so forth. Therefore, we need to have a conversation on what services we in Northern Ireland can provide to people from the Republic of Ireland, and vice

versa. That is not a conversation that I will run away from. I do not believe that it is a political issue; I think that it is a health issue. It would be very sad, particularly for the people of Fermanagh, who have an excellent new hospital, to open a hospital of that quality but not ensure that its services can be sustained. So, by bringing more numbers and a wider population into a facility like that, we can ensure that the entire population of County Fermanagh and the south-west of Northern Ireland can have the best possible services locally and will not have to travel to Belfast, Altnagelvin or elsewhere as a result of services having been removed.

Mr McCarthy: I welcome the Minister's statement this afternoon. I also congratulate Cooperation and Working Together for its excellent work and leadership over some 20 years. In his statement, the Minister acknowledged that CAWT is undertaking a €30 million project that has helped some 20,000 patients. Given that that €30 million will undoubtedly run out, will the Minister tell the House whether he is aware of any further or follow-up investment being made available so that we can help many more patients across the island?

Mr Poots: We are identifying where other programme funds could come from for CAWT and its work. For example, CAWT was invited to become a partner of an INTERREG IVa health committee with partners in Greenland, Iceland, Norway, Scotland, Sweden and Canada. That project, which is called Recruit and Retain, will be managed by CAWT and will, for example, set out to find solutions to the persistent difficulties of recruiting and retaining high-quality public sector workers in remote areas of northern Europe. So, we need to look at how we can identify resources to do that.

We are also looking at making savings in both health Departments, and, in and of themselves, INTERREG IVa projects represent significant savings for the Departments and health agencies in each jurisdiction. To date, more than 21,000 patients and clients have received services that would otherwise have required funding from respective systems. In many cases, patients and clients were waiting for services for up to four years. For example, in the Cavan/Monaghan Hospital Group in the HSE, children were waiting for more than three years for audiology services. However, as a result of a CAWT project, no child or, indeed, adult will wait any longer than nine months for a first appointment, and, for urgent cases, no one will wait any longer than two weeks. The cumulative savings that are made at the end of that measure should equate to the cost of services or treatment for at least 30,000 patients. So, we need to be clever about how we do things and, where we can, we need to work together and identify savings. I think that it is incumbent on us to do that and to create savings that can be reinvested in the health and social care system.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Minister, in your statement you referred to the Men's Health Forum and to a pilot project in the Colin area of west Belfast. Will you give us some more detail on what that project involves?

Mr Poots: Men's health has, of course, not been as well looked after as women's health, and we are in a situation where men live for considerably shorter periods than women. So, we want to encourage men to look after themselves better. Some people might suggest that

that happens because men have tougher lives than the ladies, but I would not dare to make such a suggestion. I encourage men to take greater care of themselves and to ensure that they eat properly and do all those types of things.

There has been a trial in the Colin area, which has, obviously, experienced a cluster of suicides. The project there works with young men and incorporates support, mentoring, reflection and practical action. We have learned from that project, and I think that there is much that we can take from it when implementing and rolling out other programmes.

Ms Brown: I thank the Minister for his statement. In light of the Minister's discussions regarding progress made by the Special Action Group on Obesity in Ireland, will the Minister tell us what has been done to tackle obesity?

Mr Poots: We do have a problem with obesity, because — I will repeat it again — 59% of us have been measured as overweight or obese, with 36% overweight and 23% obese. In relation to children aged two to 15, 27% were assessed as overweight or obese, with 19% overweight and 8% obese. That is obviously something that we need to work on. The Department has developed a framework for preventing and addressing overweight and obesity, 'A Fitter Future for All'. It was launched in March 2012 and implementation is now being taken forward by the Department of Health and the Public Health Agency. The framework recognises the complex nature of obesity and will address the issues through a co-ordinated, integrated, cross-departmental and cross-sectoral approach. It contains a range of outcomes designed to create an environment that will support and promote a physically active lifestyle and healthy diet, which will benefit long-term health.

One of the key challenges in overweight and obesity prevention is bringing about a behavioural change in individuals through all life course stages and settings, and the framework aims to empower the population to adopt a healthier lifestyle. My Department cannot do it on its own. We need the other Departments such as the Department of Education, and the Department of Culture, Arts and Leisure to work very closely together to develop, for example, the use of school sports fields at night by the public and to encourage more people to engage in sporting activities.

What I am encouraging the public to do, I also encourage Members of the Assembly to do, because I think that if we carried out a test on whether 59% of Members of the House were overweight or obese, it might reflect the situation with the public.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. Minister, can you reassure the people of Derry, Strabane, Donegal and the wider area that the planned radiotherapy unit at Altnagelvin is on target for 2013? At what stage is the delivery of the project?

Mr Deputy Speaker: I ask the Minister to be brief because Question Time is at 2.30 pm.

Mr Poots: OK. The business planning process for the establishment of a radiotherapy unit at Altnagelvin is well advanced. It has taken full account of the capacity needed to accommodate Donegal patients. Construction will commence in 2013 with an operational date in 2016, so we are still on time.

Mr Deputy Speaker: I am sorry to interrupt questions on the statement, but, as Question Time is due to start at 2.30 pm, I ask the House to take its ease for a moment. We will return to the health statement after Question Time, when Paula Bradley will be called to ask a question.

2.30 pm

(Mr Speaker in the Chair)

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Sexual Orientation Strategy

1. **Ms Ruane** asked the First Minister and deputy First Minister whether they intend to re-establish the sexual orientation working group to discuss the development of the draft sexual orientation strategy. (AQO 2412/11-15)

Mr P Robinson (The First Minister): With your permission, Mr Speaker, I will ask junior Minister Jonathan Bell to answer this question.

Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister): We have no plans to re-establish the sexual orientation working group. However, we will continue to liaise with the sector regarding the development of the sexual orientation strategy that we are committed to producing before the end of 2012.

Ms Ruane: Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the junior Minister for his answer, but I would like to know whether he will confirm, as previously stated, that the sexual orientation strategy will be published by December 2012.

Mr Bell: We are working to ensure that the draft is put out for public consultation by the end of this year, which is a confirmation to have that draft ready and out for consultation by the end of 2012.

Mr Buchanan: Can the junior Minister confirm to the House that there are no plans to change the definition of marriage here in Northern Ireland?

Mr Bell: I can confirm that there are no plans to change the definition of marriage in Northern Ireland. To do so, as Members know, would require the agreement of the Executive, and parties on the Executive are hopelessly divided in reaching a position on that. The DUP is very clear that it sees gay marriage as an oxymoron; it sees marriage as being between a man and a woman. The Alliance Party and Sinn Féin are united in their support for gay marriage, and, if you want to hear both sides of the argument, you can ask Mike Nesbitt or Alasdair McDonnell, because, depending on which of their MLAs you speak to, one will agree and another will not.

Mr McDevitt: It is always illuminating to come here and listen to the Minister give his opinion of other parties' business. Can I ask him about his own business as a Minister, if that is in order, Mr Speaker? Does he believe that the delay that there has been in the production of a sexual orientation strategy is acceptable? Will he give a commitment to the House that it will absolutely, definitively be published by the end of this year?

Mr Bell: I note that the SDLP's Member for South Belfast did not tell us which SDLP side he was on. I suspect that his party remains hopelessly divided on the issue. I do not know whether he is a pro or an anti.

I have been clear, since the very first time that I spoke about the sexual orientation strategy from this Dispatch Box, that we would seek to have the draft strategy out for public consultation by the end of this year. That is the timeline we have set our officials, and that is the timeline we are working to.

Mr Agnew: Will the issue of homophobic bullying in schools be tackled in the sexual orientation strategy, as well as the issue of teachers expressing their personal opinion on sexual orientation?

Mr Bell: I do not want to give the strategy out before it has been drafted, but let me be absolutely clear in respect of any form of bullying, whether it is on the basis of someone's sexual orientation, the colour of their skin, their ethnic minority status or their gender — all of that bullying — that we do not need to wait for a strategy for it: it is unacceptable, it is unlawful, and it should not be tolerated by any party in the House.

Corporation Tax: Joint Ministerial Working Group

2. **Ms Maeve McLaughlin** asked the First Minister and deputy First Minister for an update on the work of the joint ministerial working group on corporation tax. (AQO 2413/11-15)

Mr P Robinson: A reduction in the rate of corporation tax would provide a major stimulus to the local economy. One of the key commitments in our Programme for Government is to press for the devolution of corporation tax-setting powers and to reduce its level. The joint ministerial working group examining the issues involved in devolving responsibility for the rate of corporation tax to the Executive has met on three occasions, most recently on 25 June. Although some good progress has been made, a number of critical issues remain outstanding. In particular, we are concerned that the approach being proposed by the Treasury would result in the cost of a rate reduction being prohibitively expensive. Cost is a very important issue, and this needs to be affordable if it is to work.

We still need to agree some issues in respect of the proposed approach to the block grant adjustment. The working group will meet again in London on 18 October, with a view to resolving the outstanding issues. The United Kingdom Government will then decide on whether the Executive should be offered the opportunity to take responsibility for corporation tax setting.

Ms Maeve McLaughlin: Go raibh maith agat. Will the Minister outline what mitigating measures could be taken to offset the cost of a reduced rate of corporation tax?

Mr P Robinson: I assume that the question relates to mitigating the impact on the block grant, and, of course, several steps can be taken. You can determine the level to which you reduce corporation tax: 12.5% is, I believe, equivalent to the rate in the Republic of Ireland, but it does not have to be the level that we move to. Subject to European law, you can look at what services you can align with a lower level of corporation tax, or, indeed, you can determine at what level you have a lower rate of corporation tax. So, you could have several levels of corporation tax. There is a series of steps that you can take. The cleanest and by far the best way is to have, as soon as is possible, a lower level of corporation tax that

makes us competitive. Most of our competition is not with the rest of the United Kingdom but with the rest of this island.

Mr Douglas: The Finance Minister indicated that the cost to the block grant of devolving corporation tax could be as much as £700 million. Does the First Minister agree with me that any devolution of corporation tax should be agreed at a price that we can afford?

Mr P Robinson: I certainly agree. In indicating that the cost could be as much as £700 million, the Finance Minister was, I think, indicating that it is important that the mechanism that is used to determine future corporation tax levels from Northern Ireland is affordable. At the moment, the Treasury's favoured option would ratchet up the level over time. So, it could be £700 million in 15 years' time. Obviously, you want to have a system that does not mean we have to double our level of corporation tax vis-à-vis the rest of the United Kingdom in order to have the benefits arising from it. It is important that it is affordable. It is also important that the level of corporation tax taken from the block grant does not impinge on our ability to provide front line services. So, it is important that it is at a level that is affordable, but I still believe that it is the one key element of rebalancing our economy that is, as yet, untried. Certainly, the Government, who have indicated that they are committed to rebalancing the economy, have suggested no other alternative.

Mrs Overend: I thank the First Minister for his answers, and I welcome the ongoing negotiations, which are vital to the Northern Ireland economy. As part of those negotiations, have the Executive looked at the option of devolving corporation tax for the small profits rate, or are they sticking to one plan and one plan only for the overall corporation tax? I agree that that is the best option, but do we need to look at a plan B?

Mr P Robinson: First, I am not exactly sure that I would use the term "negotiation" when dealing with the Treasury. We have a working group that is looking at what legislative changes would be required and how it would be done in Northern Ireland were the matter to be devolved. Those are fairly technical issues, and I do not see there being a difficulty with either of those matters. The one area that is outstanding is the impact on the block grant. In answering the initial question, I indicated that there are several ways that you can look at reducing the impact on the block grant, one of which is to look at differential levels of corporation tax for various levels of profit. Those are decisions that the Executive will not and cannot take until they see the proposal from the United Kingdom Government and the impact it will have on the block grant. It is something that we can look at, but it would not be our first option.

Dr McDonnell: I thank the First Minister for his answers so far. What is his assessment of whether the newly appointed Secretary of State has the same enthusiasm for the reduction in corporation tax as the outgoing Secretary of State? In your opinion, will she increase or decrease the momentum that has been built up behind the demand for the reduction in corporation tax?

Mr P Robinson: I very much welcome the meeting that I had with the new Secretary of State and her commitment to following on with the role of recognising that the ability of the devolved Administration to set levels of corporation tax was a positive step. She recognises that there are

outstanding matters that have to be resolved. As for a comparison, the outgoing Secretary of State was able to demonstrate his commitment over a long time and in many different ways, whereas the present Secretary of State has not had the opportunity to do so. I suppose that, when we have our next ministerial meeting, we will find out for certain which corner the new Secretary of State is fighting in, whether she is with the Treasury or the Northern Ireland Executive.

Parades

3. **Mr Humphrey** asked the First Minister and deputy First Minister for their assessment of the importance of mutual respect and tolerance in resolving the issue of disputed parades and counterprotests. (AQO 2414/11-15)

4. **Mr Allister** asked the First Minister and deputy First Minister for their assessment of the impact on community relations as a result of the republican parade and paramilitary displays in Dungiven on 5 August 2012. (AQO 2415/11-15)

Mr P Robinson: With your permission, Mr Speaker, I will answer questions 3 and 4 together.

We are convinced that the principles of mutual respect and tolerance are key to resolving the issue of disputed parades and counterparades. The presumption of both the right to assembly and the right to express cultural identity is at the heart of the proposals agreed at Hillsborough on parades and protests. However, that was within the context that such demonstrations of cultural identity should be carried out responsibly. Likewise, the principle of tolerance is at the centre of both the proposed parades and protest legislation and the good relations strategy that we will publish shortly.

In relation to measuring community relations impacts, there is no robust or accurate way for the Department to assess this in the time frame outlined in the question. However, we are all well aware of the potential detrimental impact of certain events or activities within the community, especially if those include activities that glorify terrorism.

Mr Humphrey: I thank the First Minister for his answer. Over the summer, I had the privilege — if that is what it was — to visit the Parades Commission four times. Clearly, the commission's determinations demonstrate that it is discredited, out of touch and part of the problem, not the solution. Does the First Minister agree that there is real anger in the unionist community about the way in which the loyal orders are treated and the way in which the republican community is treated, for example at Whitewell in north Belfast and Dungiven in County Londonderry?

Mr P Robinson: It is worth saying that I have heard complaints about the Parades Commission from all sections of our community. Clearly, people have been unhappy with decisions that have been taken. At the same time, we recognise that there is a need for a mechanism to deal with parades, particularly where there is some dispute about them. The deputy First Minister and I and our colleagues put forward proposals arising from the Hillsborough Castle discussions. Those proposals are still on the shelf. If any organisation or individual wishes to put forward an alternative proposal or wishes to see whether agreement could be reached on some amendment to those proposals, we would very much welcome that.

However, we are committed to lifting that issue off the shelf to see whether we can get community agreement. It is essential that we get a way forward that has support across the community.

Coming from the unionist community, I accept that there is a strong feeling that there is some inequality in the way in which parades are dealt with, not just by the Parades Commission. The Member mentioned Dungiven. I was appalled to learn that the police had reached an agreement with the people who organised the event that the police would stay out of Dungiven. The police should not abdicate responsibility for any area in Northern Ireland. I hope that colleagues on the Policing Board will take that matter up with the Chief Constable.

2.45 pm

Mr Allister: Is the First Minister so beholden to Sinn Féin that he cannot, today in the House, condemn his deputy for fronting the terror-fest in Dungiven, where terrorism was glorified by individuals dressed as IRA terrorists and sporting what were said to be Armalites and republican bands stopped to play rebel music outside a Church of Ireland place of worship? Will the First Minister now condemn his deputy for fronting such an occasion?

Mr P Robinson: I have already said that respect and tolerance are the whole basis on which we will successfully take forward the parades issue. On the Sinn Féin website, I noticed a broadcast of the events at Dungiven lasting, I think, about 17 minutes. I cannot see that it can be wrong for music to be played outside a Catholic church and right for music to be played outside a Protestant church. The organisers of that parade must recognise that their impact on community relations is not only directly in that area but on wider community relations throughout Northern Ireland.

Mr Lyttle: That shelf of shelved strategies and documents must be getting pretty heavy these days.

Regardless of one's personal view on the Parades Commission, will the First Minister make it clear that it is incumbent on every member of a democratic society to respect the rule of law?

Mr P Robinson: It is a bit rich for somebody who walked away from taking decisions on matters to lecture anybody on decisions that are on a shelf.

All of us in the House should believe that respect for the law must be upheld and encourage everybody else to do so.

Mr Maskey: Go raibh maith agat, a Cheann Comhairle. Will the First Minister confirm that, as far as he and the deputy First Minister are concerned, dialogue that seeks to ensure local solutions is an essential requirement when dealing with contentious parades?

Mr P Robinson: I think that everybody knows that the proposals arising from Hillsborough, which the deputy First Minister and I put forward, indicated the benefit that could be derived from reaching agreements through dialogue. However, at the same time, we put in place mechanisms by which, when it was not possible to have such dialogue, disputes could be resolved. Obviously, if it is possible to have dialogue at a local level and the dispute can be resolved at that level, that is best. If not, we clearly need a mechanism for taking a decision, and that also requires us, unlike the Parades Commission, to have a forum in which

people can state their case, know what others are saying to the commission and be able to counter anything that they believe to be inaccurate.

Mr Swann: I want to clarify something with the First Minister. The original agreement after Hillsborough was between the DUP and Sinn Féin. The First Minister talked about dialogue. Has been any dialogue between either the DUP or Sinn Féin and the groups who objected to that original agreement on whether they could produce an alternative?

Mr P Robinson: I am not sure to whom the Member refers when he talks about the groups who disagreed. The main group that disagreed was Grand Lodge. Of course, the Orange had a representative on the working group and was aware of and, indeed, had agreed to the move that we were making. So the proposal would not have surprised any of the leadership of the Orange Institution. If Grand Lodge found it unacceptable, I would very much welcome conversations with its representatives about how the proposal could be improved or about another proposal capable of getting support across the community. Equally, we are open to hearing the views of political parties in the Assembly, and, shortly, the deputy First Minister and I will outline a mechanism by which this can be done.

Mr McClarty: Do the First Minister and deputy First Minister have any plans to liaise with the organisers of all disputed parades, whether republican or loyalist, to sort out future issues?

Mr P Robinson: The deputy First Minister and I released a statement in which we indicated that we were looking at three particular aspects arising from the difficulties in north Belfast. One was to encourage an end to the immediate violence that had occurred; the second was to attempt to encourage a resolution on the parade at the end of this month; and a third was to look at long-term proposals to deal with parades more generally. We have already committed ourselves to doing that, so we will not restrict those who should want to contribute to it. All those who have an interest — all stakeholders — will be able to make a contribution. It is hoped that if we can get all-party support for proposals, that will strengthen the proposals considerably. We will look at that aspect.

Mr A Maginness: Given the forthcoming Ulster covenant parade on 29 September, is it not incumbent on all political leaders and parties, the loyal orders and those in the community to support the rule of law? That includes the Executive, particularly the Minister for Social Development. Does the First Minister agree that that is the very least that one should expect from a Minister?

Mr P Robinson: I am always pleased that all my party's Ministers fully support the rule of law. I always find it interesting to hear the SDLP condemn those who are not prepared to attack civil disobedience, considering that the SDLP was formed out of and advocated civil disobedience. Now, it has become holier than thou and points the finger in every other direction. That party should remember that, when it points the finger at the Social Development Minister, there are three fingers pointing back at it.

Northern Ireland Human Rights Commission: 'Is that right?'

5. **Mr D Bradley** asked the First Minister and deputy First Minister for their assessment of the Northern Ireland Human Rights Commission document 'Is that right?'. (AQO 2416/11-15)

Mr P Robinson: The Northern Ireland Human Rights Commission published a document titled 'Is that right? Fact and Fiction on a Bill of Rights' on 6 September 2012. We understand that its purpose is to stimulate discussion on a bill of rights. As Members will be aware, responsibility for a bill of rights lies with the United Kingdom Government.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an gCéad-Aire as ucht a fhreagra, ach tá ceist bheag agam air go fóill.

What steps are the Office of the First Minister and deputy First Minister taking to ensure that a bill of rights is placed firmly back on the agenda here?

Mr P Robinson: The role of determining whether there should be a bill of rights of course lies with the United Kingdom Government. Our responsibility is to ensure that the bill of rights requirements of the Act of Parliament and the European convention are upheld by all Departments. We will continue to do that. The Member will be aware that perhaps every party in the Chamber holds different views on the worthiness of a bill of rights. In many ways, the previous Human Rights Commission damaged the cause of a Northern Ireland bill of rights by extending and expanding it in the way that it did. Many of us, even on this side of the House, could have contemplated a bill of rights at a high level. However, when we started to get down into social and economic policy, it became much more problematical.

Mr Weir: What responsibility does a public body such as the Northern Ireland Human Rights Commission have to bring forward a balanced document to inform a debate on human rights, rather than one that simply promotes a particular agenda?

Mr P Robinson: If you look at the document provided by the Northern Ireland Human Rights Commission, you will see that it does not pretend to be a balanced document. It is certainly not a balanced document. To some extent, I think that the present commission is attempting to reframe the argument because of the damage caused by the previous commission. However, the document does not give a balanced view for and against a bill of rights. It puts up straw men so that it can knock down a number of the arguments that have been made. If the Human Rights Commission strongly believes that there should be a bill of rights, there is no reason why it cannot express that view, but it certainly should not be taken by anybody as a balanced, impartial or independent view of the subject.

Ms Fearon: Go raibh maith agat. Given that OFMDFM has the lead responsibility for the UN Convention on the Rights of the Child, will the First Minister assure the Assembly that the Programme for Government commitment to extend age discrimination legislation will also apply to children and young people?

Mr P Robinson: No matter what element of the policy the office has, any human rights requirement is a matter that

Ministers will have to take into account when they deal with policy matters, whether they relate to children, disabled people or older people.

Mr McCarthy: Has the First Minister or his Department had any conversations with the UK Government and, in particular, their representative here, the Secretary of State, on this very important issue?

Mr P Robinson: I certainly discussed it with the previous Secretary of State. I have had only one meeting with the new Secretary of State, so it has not been discussed as yet with her. There have been a number of letters, pieces of correspondence and discussion with the United Kingdom Government on the issue more generally. It was the Secretary of State's clear view — I think that this was shared by the Cabinet — that they were cold on the idea of a UK bill of rights and would not move on a Northern Ireland bill of rights unless this Assembly asked them to.

Institutional Child Abuse

Ms McCorley: Ceist uimhir a sé, le do thoil.

Mr Speaker: Can the Member translate?

Ms McCorley: Question 6, please.

6. **Ms McCorley** asked the First Minister and deputy First Minister for an update on the historical institutional abuse inquiry. (AQO 2417/11-15)

Mr P Robinson: Oh, right. With your permission, Mr Speaker, I will ask junior Minister Jonathan Bell to answer this question.

Mr Bell: I am pleased to say that, since the House was last updated, significant progress has been made towards the inquiry's establishment. The inquiry's chairman, Sir Anthony Hart, and his team have been fully engaged in preparatory work to develop the structures and protocols under which the inquiry will operate. We are now very close to the point where the inquiry will launch its registration scheme. That will allow those who suffered in institutions as children to register to have their experiences heard by the acknowledgement forum. We are reaching an important milestone in the inquiry's life, and I know that it will also be a significant moment for victims and survivors. The Inquiry into Historical Institutional Abuse Bill continues its legislative passage and is currently under the scrutiny of the OFMDFM Committee. We are totally committed to providing all the support that the Committee needs so that we can move forward without further delay. Through conversations with victims and survivors, I understand that, for many, the inquiry will be the culmination of a lifetime's struggle. I take this opportunity to say that their interests remain our top priority.

Ms McCorley: Go raibh maith agat, a Cheann Comhairle, agus gabhaim buíochas leis an Aire as a fhreagra go dtí seo. I thank the junior Minister for his answers up to now. Will he confirm that, in establishing the inquiry into historical institutional abuse, there is no intention to consider or treat those who were victims of abuse that occurred outside the terms of the inquiry as in any way second-class, as some may fear?

Mr Bell: No. There is absolutely no intention to do that, nor would I allow it to happen. Every working day, for 21 years of my life, I worked in social services with victims of child sexual abuse. Sadly, I had to deal with hundreds

of children and adults. Let us be very clear: there is a clear protocol, and criminal investigations and criminal compensation payments will continue. This is not an either/or.

The inquiry was established specifically because there were many people who could not go home to a mum or a dad, a stepmum or a stepdad or other caregiver where abuse occurred.

I acknowledge that abuse often occurred in the home. However, people in residential and state care could not go outside the environment where the abuse occurred; they had no one to go to. That is the specific reason why the historical institutional abuse inquiry is dealing directly with those people. There is no intention to make any differentiation. The legal and criminal procedures go on regardless. We are looking at those who were in residential care because, quite frankly, those boys and girls had nowhere else to go.

3.00 pm

Regional Development

Railways: Ballykelly

1. **Mr McAleer** asked the Minister for Regional Development, given the announcement on the relocation of the Department of Agriculture and Rural Development headquarters, whether the option of providing a railway halt or station at Ballykelly will be examined. (AQO 2427/11-15)

Mr Kennedy (The Minister for Regional Development): At the outset, I join ministerial colleagues and Members in extending my profound sympathy to the Spence family on the tragic loss of Noel, Graham and Nevin. I trust that the family circle and wider friends will all know God's blessing as they try to come to terms with their enormous loss.

My Department has not received any approaches from the Department of Agriculture and Rural Development (DARD) for a new rail link to its proposed new headquarters at Ballykelly. For such an option to be considered, a business case would be required to test its commercial viability and funding would need to be found. In the current Budget, no funding is available for my Department for a station or halt at the Ballykelly site.

Mr McAleer: Go raibh maith agat, a Cheann Comhairle. Does the Minister agree that a relatively minor adjustment of the plans to insert passing loops could be made to accommodate such a halt?

Mr Kennedy: As I said in my original answer, my Department was not consulted in relation to the announcement made by the Minister of Agriculture and Rural Development. No preliminary work has been carried out. Of course we would look at any such proposal. However, I must reiterate that there is no funding in my current budget for a station or halt at the Ballykelly site.

Mr McClarty: Will the Minister to give us an update on the ongoing work on the line between Coleraine and Londonderry?

Mr Kennedy: The Member will know that I secured the necessary funding and the approval of the Assembly

and Executive to bring forward the renewals work on the Coleraine to Londonderry railway track. The project started on time in July 2012, and it will be completed in three phases. The first phase is the relaying of the ends of the section of the line and the completion of essential bridge work during the closure of the line between July 2012 and April 2013. While the line is closed, other essential track safety improvements work covering the middle section of the line will also be completed. Phase 1 of the work will cost around £27 million. The contracts have been agreed and have commenced. Work is ongoing.

The second phase, to be completed during 2015, involves resignalling works and the construction of a new passing loop. The cost of this phase is estimated at around £20 million. In order to proceed with the work, an economic appraisal was approved by the Department of Finance and Personnel (DFP). The third phase will be the full relay of the line. That will not be completed until 2021, and, as such, the necessary Budget cover has still to be secured. Work is ongoing and progressing. I am optimistic that the line will reopen in April 2013, as scheduled.

Mr G Robinson: I believe that the Minister is aware of the interest of my colleague Gregory Campbell and myself in the upgrade of the Coleraine to Londonderry line as a whole. Given the very welcome news of the relocation of DARD's headquarters to Ballykelly, which we both lobbied for, does the Minister agree that a halt would benefit the new potential workforce and the wider local community? It would be beneficial if some money could be found and a request from the DARD Minister were forthcoming.

Mr Kennedy: I am grateful to the Member for his supplementary question and his interest in this particular issue. I have clearly outlined that both me and my Department were unsighted by Minister O'Neill's announcement of the relocation of the Department of Agriculture and Rural Development. We have not had any conversations or correspondence, to the best of our knowledge, on the issue. If such a request is made, of course we will seek to co-operate.

Mr Dallat: I can assure the Minister that a letter on the subject is winding its way to him. Does he agree that the investment that he found for the work that is taking place on the railway — for which I thank him very much; it is great that a Newry man put the money into the north-west — coupled with the announcement from the Department of Agriculture, makes it imperative that we do not miss yet another opportunity to build rail travel into the way we move about?

Mr Kennedy: I am grateful for the Member's supplementary question and the compliment that he bestowed upon me.

Of course, if a request is made by Minister O'Neill to explore the possibilities, what I am clearly saying is that within my current budget, there is no provision. Also, we were unsighted when this announcement was made. I have no doubt that the Member, along with other constituency representatives, will continue to press the case for upgraded and improved rail facilities to that area.

Mr Speaker: The next question is question 2. Dolores Kelly is not in her place. From now on, Members who put down questions to Ministers but are not here to listen to the answers will be named in the Chamber.

A2: Bangor to Belfast

3. **Mr Dunne** asked the Minister for Regional Development what long-term proposals are being developed to improve road safety and traffic flows on the Belfast to Bangor A2 dual carriageway. (AQO 2429/11-15)

Mr Kennedy: I am grateful to the Member for his question. In respect of question 2, I had stacks of answers ready, which were really good. You are missing a treat. *[Laughter.]* The A2 Belfast to Bangor road is part of the strategic road network and carries approximately 45,000 vehicles a day. The Member will be aware that Roads Service's longer-term plans include proposals to widen the busiest section of that route — the Sydenham bypass — to three lanes in each direction to improve capacity and reduce delays at peak times. The progression of that scheme will be subject to satisfactory completion of the statutory processes and the availability of funding, which in turn will be dependent on the outcome of the investment strategy for Northern Ireland, which is under consideration, and future Budget settlements.

About one quarter of the route, between Holywood and Ballyrobert, is single four-lane carriageway. Roads Service also has long-term plans to improve a number of the junctions along that section to improve road safety.

Mr Dunne: I thank the Minister for his answer. Is he aware that, due to road safety implications at at least two of the junctions, namely Carney Hill and Larch Hill, which fall between Ballyrobert and Holywood, planning applications for newbuild homes have been refused due to the dangerous junctions with the A2 dual carriageway?

Mr Kennedy: I am grateful to the Member for his supplementary question. As to whether Roads Service has any proposals to improve the Carney Hill junction, I can indicate that Roads Service has identified a potential improvement at the Carney Hill junction to provide a right-turn pocket from the Belfast direction to reduce the risk of rear-end shunts. However, that scheme is a lower priority compared with other improvements along that route and is unlikely to proceed in the foreseeable future due to the limited availability of funding.

The Member also asked about Larch Hill and the junction there. I am aware that there are difficulties for motorists getting in and out of side roads such as Larch Hill along this busy route. It is not realistic or desirable for Roads Service to install traffic signals at every junction. However, the introduction of the speed-monitoring system by the PSNI in 2008 has helped to improve driver behaviour and reduce collisions along this route. Roads Service has provided appropriate warning signs and road markings at this junction, and adjustments were made to the signal timing at the nearby Seahill junction to improve gaps for vehicles exiting Larch Hill, but Roads Service currently has no plans to make improvements to this junction.

Mr Cree: On the issue of improving traffic flows, can the Minister detail whether he will review the Roads Service proposals for Craigtantlet crossroads and bring forward a scheme that avoids the Craigtantlet cottages?

Mr Kennedy: I am grateful to the Member for his supplementary question and, indeed, his interest and that of other Members and public representatives generally on the issue of Craigtantlet crossroads. The Member will know that I am well aware of the concerns of local

residents about the junction improvement proposals at Craigtantlet. I met community representatives recently on a number of occasions, and, indeed, I have been out on site, where he was present, to hear the concerns at first hand. The proposals are currently under consideration by the Planning Service, and we await its independent view on the acceptability of the scheme in overall planning terms. Nevertheless, on the point that he raised, I have asked officials to give serious consideration to alternative layouts that have been suggested by the local residents and which would have less impact on Craigtantlet cottages. I will consider the outcome of this work before making any decision on the way forward.

Mr Agnew: Can the Minister give an assurance that the proposals for Craigtantlet crossroads are not simply phase 1 of creating an alternative dual carriageway?

Mr Kennedy: I am grateful to the Member for his supplementary question. I am not sure whether he was available to attend the meeting that was held on site. It was a very useful discussion with residents and other local representatives. We do not want to solve one problem by creating another, so the Department will look at potential alternatives. Ultimately, I will seek to find a way forward.

Water Treatment: Mid Ulster

4. **Mrs Overend** asked the Minister for Regional Development to provide an overview of Northern Ireland Water's programme for capital investment in water treatment in the Mid Ulster constituency. (AQO 2430/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water that there has and will continue to be investment in water and sewerage across the Mid Ulster constituency. Investment already completed, planned and already delivered in the Mid Ulster area totals £62 million since 2010-11, projecting forward to the end of the current Programme for Government in 2014-15. Of this investment, £26 million was directed towards water treatment and water mains, and the remainder was invested in sewage collection and wastewater treatment.

Highlights of this investment include: the completion of the Castor Bay to Dungannon trunk main, which allowed the replacement of Altmore water treatment works and improved water quality; upgrades to the wastewater treatment works at Magherafelt, Maghera, Bush, Moygashel, Coalisland, Draperstown and Coagh; capacity increases at Carland service reservoir; upgrades to the sewerage network in Draperstown, including the upgrade of discharges to rivers and the reduction in flood risk of a number of properties; the delivery of water main upgrades across the Cookstown area; and the delivery of infrastructure to, and new connections within, developments in the constituency area.

Drinking water in the Mid Ulster constituency is supplied by three water treatment works, namely Lough Fea, Castor Bay and Moyola. Lough Fea is operated by Northern Ireland Water, while Castor Bay and Moyola are operated through a public-private partnership agreement with Dalriada Water. Northern Ireland Water is satisfied that all the works are operating effectively, and while they are subject to ongoing maintenance to sustain operational outputs, there are no current plans or need for significant capital investment at any of these works. Surely that

answer is of enough merit to not require a supplementary question.

3.15 pm

Mrs Overend: I thank the Minister for such a lengthy answer that details his commitment to the Mid Ulster constituency, and I commend him for his efforts on that. Could he detail the overall projected capital investment in Northern Ireland over the next number of years? How will he ensure that it is most suitably targeted?

Mr Kennedy: I thank the Member for her kind comments, and I will simply say that the total investment across Northern Ireland in the five-year period is projected to be £837 million. That capital investment is targeted to achieve the maximum possible benefit for the people of Northern Ireland through engagement with a wide range of stakeholders including the Department for Regional Development, the Utility Regulator, the Northern Ireland Environment Agency, the Drinking Water Inspectorate and the Consumer Council of Northern Ireland.

Mr I McCrea: I, too, welcome the Minister's commitment to the Mid Ulster constituency through the provision of funding for capital projects. The Minister detailed a number of those, and I do not have any issue to bring to his attention. Given the good state of finances for Mid Ulster, will the Minister continue to push for funding for any request that comes forward?

Mr Kennedy: I am grateful to the Member for his detailed supplementary question. I am very happy to outline the progress that has been made. It shows ongoing commitment, not only on my part but on that of my Department, to continue to improve and upgrade the overall infrastructure. That is key not only in Mid Ulster but all over Northern Ireland, and I will continue to lobby and seek additional funds from Executive colleagues, particularly the Finance Minister, as we move forward because of the need to keep making progress with our water and sewerage infrastructure.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire chomh maith as a chuid freagraí. I have a few specific questions. The Minister may not have the detail with him today, but I ask him to look at and advise on the investment potential to enhance the capacity of the sewage disposal works in Cookstown. Likewise, I noticed recently that there seems to have been a problem at Killymuck water mains scheme with the reduction of the number of —

Mr Speaker: Order. I believe that I know where the Member might be going. [Interruption.] Order. This is a specific question on Mid Ulster, and he maybe could in some way look at weaving Mid Ulster into Cookstown. Is that a possibility?

Mr McGlone: I thought that I was giving a guided tour around it rightly, Mr Speaker. The specific question is about Killymuck Road, which is in the constituency, and a pattern seems to be emerging of reduction in the number of contractors working on the scheme, which significantly delayed the scheme by about six weeks.

Mr Kennedy: I am happy to explore that in further detail, and I will write to the Member with a more detailed reply about Killymuck.

Ms Lo: Will the Minister outline which specific areas in Belfast have been identified for improvement in water and sewage systems after the recent flooding?

Mr Speaker: Order. Once again, the supplementary question is well outside the original question on the Order Paper. I will leave it up to the Minister. We need to be careful that supplementary questions in some way relate to the original question on the Order Paper. Members will know that I am reasonably flexible if Members can in some way weave their supplementary question into the original question.

Mr Kennedy: I am grateful for your guidance, Mr Speaker, and I am also grateful for the supplementary question. I know the interest that the Member has in her constituency. The officials in my Department, in conjunction with officials from NI Water, are exploring how best we can address some of the very serious issues that emerged over the summer period in the south Belfast area and in other parts of Northern Ireland, such as east Belfast and west Belfast, areas of east Antrim, Cushendall and, indeed, in Armagh city in my constituency. We are seeking to identify schemes and projects that can alleviate some of the conditions that were so unacceptable for people during the summer period.

Buses

5. **Ms Boyle** asked the Minister for Regional Development what is the extent and effect of the introduction of the GX buses. (AQO 2431/11-15)

Mr Kennedy: Two Goldline express services are operated by Translink. Those are the 212 Goldline service between Londonderry and Belfast via Glenshane. There has been an increase in customers using that service, and Translink, which has operational responsibility for the provision of services, has advised me that, to deal with that, it has introduced an additional morning and evening journey on the route with effect from 3 September 2012. The two new services are at 6.10 am from Londonderry to Belfast and at 5.45 pm from Belfast to Londonderry. Translink has also decided to reduce the number of stops en route on the two additional services to offer the fastest journey time. Translink will continue to monitor the change to ensure that it meets customer needs. The bus will display GX212 as its service number to enable passengers to identify the two reduced stop services.

Ms Boyle: I thank the Minister for his response. What is the average miles-per-gallon fuel usage for the new GX buses, and how does it compare with that of the current fleet? [Laughter.]

Mr Kennedy: I am very grateful to the Member for her supplementary question. If she were to ask me a question on sport, I would have a better chance of answering. However, we will provide the necessary detail as quickly as possible. We had not expected or predicted that level of detail.

Mr Storey: In relation to the Goldline service, I welcome the fact that Translink has introduced a stop at the Causeway Hospital on the 218 service. I have lobbied Translink for that over a period of time. In light of that welcome provision, will the Minister explain how the Translink Goldline service will be enhanced over the

next number of years, given that there is a considerable challenge to his budget in the provision of that service?

Mr Kennedy: I am grateful to the Member for his supplementary question. It impacts on an earlier question that was unfortunately missed and which related to the Translink budget and the challenging period over the next couple of years. My departmental officials are working with Translink officials to ensure that, to our maximum capacity and ability, we will not impact directly on front line services. However, it is a challenge, there is a shortfall, and such questions need to be tackled and addressed. I am confident that with goodwill and assistance from Executive colleagues, particularly from the Minister of Finance and Personnel, we can reach a satisfactory outcome.

Mr Swann: In addition to and including the GX buses, will the Minister detail the level of investment in new buses?

Mr Kennedy: I thank the Member for his supplementary question. I am pleased to inform him that there is good news about bus journeys and new buses. Of the 77 million public transport journeys made last year, 67 million took place on buses. My Department continues to invest heavily in buying new buses and replacing the old fleet. Since 2004-05, over 900 buses have been purchased at a cost of £135 million. As part of the June monitoring round, I have secured additional funding to allow Translink to purchase 53 additional buses in this financial year, of which 39 will be Goldliners.

Mr Rogers: I thank the Minister for his response so far. In the interests of economy and greater efficiency, does Translink have any plans to introduce hybrid buses?

Mr Kennedy: I am grateful to the Member, but I was not quite clear about the term that he used.

Mr Rogers: Hybrid buses.

Mr Kennedy: Hybrid buses; OK. Primarily, of course, those are matters for Translink, but I will endeavour to have a reply sent to the Member on the issue as quickly as possible.

Translink: Staff Uniforms

6. **Mr Brady** asked the Minister for Regional Development what was the total cost of providing new uniforms for staff at Translink. (AQO 2432/11-15)

Mr Kennedy: I have been advised that the cost of providing uniforms to Translink staff in the most recent roll-out is in the region of £785,000. It should be noted that that is an estimate and may be subject to change. Like all transport companies, Translink is a customer-focused organisation, employing close to 4,000 staff — I wish it were more — and it believes that it is imperative that the staff look smart and professional. The number of staff who are provided with uniforms is 3,717. Allocation for the replacement of uniforms was, therefore, factored in to Translink's budget.

Mr Brady: I thank the Minister for his answer. When were the uniforms last replaced?

Mr Kennedy: I am grateful for the supplementary question. My understanding is that, generally, Translink updates its uniforms approximately every 18 months. Such a timescale is on a par with others in the industry, although

the level of provision of the particular items of apparel will change from operator to operator.

Lord Morrow: No doubt, the provision of new uniforms is very important for Translink drivers. Will the Minister tell us whether the chief executive has made up her mind about when she will meet the Committee? Is it his view that it is important that she meets the Committee? Will he confirm that he has given no instructions for her not to meet the Committee?

Mr Kennedy: I am grateful to the Member for his supplementary questions. Obviously, I am aware of ongoing contact between the chief executive and senior executives from Translink and the Committee for Regional Development. I expect that engagement to continue, and I have no difficulty confirming that at no stage would I suggest to anyone that they not meet. I happily confirm that. I think that it is important that there is a full exchange and maximum understanding between the Regional Development Committee and Translink's executives. It is a challenging period for us all, but it is important that information is shared and assistance given — I have no doubt that that can be sought and obtained from the Regional Development Committee — to help to deal with and address some of the significantly challenging issues that Translink has to face.

Mr Speaker: Once again, I remind Members about asking supplementary questions. I know that the Minister was slightly thrown by the last supplementary question from Lord Morrow, which was far outside the original question. I know that the Minister answered the question, but it throws the Minister when a supplementary is asked that has no reference whatsoever to the original question. It is only through the Minister's goodwill that he decided to answer the question. Let us move on.

Mr Kinahan: I thank the Minister for his answers so far. Staying with Translink, can he detail the costs of the concessionary fares scheme, and does his Department receive an equivalent amount from DFP for it? *[Laughter.]*

Mr Kennedy: I am grateful to the Member for his supplementary question. In line with others, perhaps it is slightly out of kilter. Concessionary affairs — sorry, fares, never mind affairs — apply to everyone across the general population who is aged 60 and over, which, I am sure, is nobody in this room, and to other specific categories, such as people who are registered blind.

Last year, we spent nearly £37 million on concessionary fares. That figure is expected to increase this year, on the basis of current passenger journey trends, and I have raised the issue of funding concessionary fares with the Minister of Finance and Personnel.

3.30 pm

Ministerial Statements

North/South Ministerial Council: Health and Food Safety

Business resumed:

Ms P Bradley: I thank the Minister for his statement, and I welcome the work that is being done. My party colleague Mr Wells commented on drug and alcohol abuse. What is being done to combat the issue of legal highs?

Mr Poots: In recent years, we have seen the emergence of so-called legal highs such as mephedrone. At this point, I emphasise that just because substances are labelled as being legal, it does not mean that they are safe. When they are analysed, they are often found to contain illegal substances. I am pleased to say that we have been working closely with our colleagues across the UK and Ireland on the issue, and legislation has been passed in Westminster that will allow emerging substances to be placed under a temporary ban while full consideration is given to their harm. That should help us to react more quickly to stop those substances getting a foothold in the UK.

(Mr Principal Deputy Speaker [Mr Molloy] in the Chair)

In Northern Ireland, we have introduced a drug and alcohol monitoring and information system to help identify new trends in substances at an early stage and to inform key stakeholders. If appropriate, we will pass the information on to the Advisory Council on the Misuse of Drugs and the Home Office. I understand that we have continued to see a range of apparently new substances, such as ocean snow, appear on the market. However, when seized, they often contain substances, including mephedrone, that have already been banned. It is therefore important that we continue to undertake enforcement activity on those substances and on those selling them. It should be noted that the terminology is important and that the term "legal high" is misleading, as the Medicines Act that makes it illegal to sell, supply or advertise for human consumption regulates most of these substances. In addition, we need to consider carefully how we deliver information on the new substances. The last thing that we need to do is inadvertently highlight new substances, which may encourage their use. However, our general message is clear: just because the products are labelled as being legal does not mean that they are safe. In fact, these potentially lethal substances may pose a serious health risk. When tested, many of the substances are shown to contain banned substances, so you risk being prosecuted and getting a criminal record for drug possession.

Mr Allister: Is it still the case that the cross-border body the Food Safety Promotion Board is established and operates exclusively in the Republic of Ireland, employing only staff from there, when we generously continue to support it? As we fast approach the end of 2012, is it the situation that its 2012 budget and business plan have yet to be approved? If so, why? What is the consequence of that on the legality of its ongoing expenditure?

Mr Poots: The first matter was not discussed at the meeting. The second matter is an issue that we are

discussing. The business plan has not been brought forward, because, as yet, I have not given it approval to be brought forward. In conjunction with Minister Reilly, I think that there is a degree of duplication, and we are not content to support duplication of services. Therefore, we are looking at the situation and challenging it. We will seek to ensure that the work that is delivered by the board is work that is absolutely necessary and not work that duplicates other work that is being carried out by other organisations.

Mr Dunne: I thank the Minister for his statement. Can the Minister advise on what is being done to stop internet sites that promote suicide?

Mr Poots: The internet is a very powerful tool. It is a powerful tool for good, but it can also be a powerful tool for bad. It can promote and support awareness of suicide prevention and signposting for vulnerable people. However, the issue of pro-suicide websites should concern all of us. It is an offence to aid, abet or counsel a person in ending their life. The offence carries a maximum penalty of 14 years in prison, and it applies to online as much as offline activity. The law was clarified in 2009 to reflect that position. At present, the people posting or hosting pro-suicide material on the sites are not necessarily breaking the law. However, the updating of legislation has made it easier for internet service providers to restrict the availability of harmful material and to take down inappropriate material when notified of its existence. The UK Council for Child Internet Safety also provides advice to internet service providers. One of the problems is that, almost as quickly as you take one down, another one can spring up. Nonetheless, that is not a reason for us not to pursue those who promote such sites.

Executive Committee Business

Business Improvement Districts Bill: Second Stage

Mr McCausland (The Minister for Social Development):
I beg to move

That the Second Stage of the Business Improvement Districts Bill [NIA 9/11-15] be agreed.

The Bill will provide a statutory basis for the development of business improvement districts or BIDs, as they are known. I believe that we should do all that we can as an Executive to stimulate our economy and help to drive back the effects of the recent recession. Providing a statutory basis for business improvement districts will contribute to that aim.

Business improvement districts date from the 1970s, and the first one was established in Canada by retailers in a small town as a reaction to the loss of trade to out-of-town shopping centres. The retailers got together, drew up a plan of action and agreed to each pay an annual levy to create a pot of money to fund agreed improvements in their area. The first BID was a success, and there are now more than 1,400 BIDs operating worldwide. UK-wide BIDs currently operate in Edinburgh, Aberdeen, Swindon, Swansea, Nottingham and many other towns and cities. There are around 140 BIDs in the UK, with a number also in development. The overwhelming majority — about 90% — have been successful in securing a yes vote in the renewal ballot. That shows that BIDs are working. A couple of successful BIDs have also been established in the Republic of Ireland, in Dublin city centre and Dundalk, and successful votes to renew both BIDs were recently secured.

Here in Northern Ireland, BIDs can currently operate on a voluntary basis. Indeed, there is one established in Ballymena. However, the legislation that I am bringing forward will put an onus on all businesses in a BID area to pay the BID levy if a proposal is agreed by a vote, rather than being able to opt out. Under the current voluntary arrangements, businesses may refuse to pay but still benefit from the investment by others. That is clearly unfair.

A BID might deliver any number of services, such as better access to tourist information, street cleaning and waste disposal services, CCTV coverage, special events to attract visitors and even training courses to assist small businesses. However, those are all in addition to and not instead of public investment. Local businesses are best placed to identify what actions need to be taken and where funding from the BID levy should be focused to improve their physical environment and make it more attractive for consumers to visit, thereby increasing footfall to the area and generating more revenue through increased consumer spending.

The legislation is very flexible to allow various options for a BID, for example by business type, such as clothing shops, by geographical area, or by themes such as tourism, for rural BIDs, BIDs in urban locations, industrial business parks or for a BID that crosses local council boundaries. The onus is therefore on local businesses, in partnership with their local council, to decide if they would like to take forward a BID. Businesses do not have to wait until the legislation is in place to begin drawing up their proposals

for a BID. Indeed, experience from other areas is that it can take between 18 months and two years to get a BID established. It is clear from the consultation responses, the Assembly questions tabled on the topic and meetings involving myself or other departmental officials with local traders, business organisations and local government that there is significant interest in and support for the concept of BIDs. On that basis, I hope that all parties can give the proposals their full support.

Mr Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a Príomh-LeasCheann Comhairle. First, on behalf of the Committee, I thank the Minister for bringing the Bill to the Chamber for its Second Stage.

The Committee obviously welcomes the fact that we now have the Bill for consideration. Indeed, we brought forward our call for evidence earlier in the summer. That was being conducted throughout the summer, and we will hopefully conclude that around 21 September. So, we have not been sitting on this. We have already taken briefings from a variety of stakeholders and departmental officials. The last occasion was 28 June. The Minister clearly laid out what a business improvement district will actually be. It will be, obviously, an area, however defined, in which local businesses can come together with partner agencies to develop a project or programme that will enable them to enhance the business product in that community and to encourage the local economy. Particularly in light of current discussions about FG Wilson and other elements of the economy, it is important that we consider earnestly any measure that will help to improve the local economy and what it has on offer for all concerned.

The Committee will obviously take a lot of other opinions into account when it fully and properly considers the Bill. So far, a number of members have raised issues — they are not so much concerns — that need to be further fleshed out. I appreciate that the Minister has already alluded to that and to the fact that there are a lot of flexibilities in this. One thing I would like to point out, with the little bit of experience that we have had of, for example, recent discussions in Committee of landlord registration, is that a lot of the work will be on secondary legislation or statutory regulations. We discovered recently and have been told that further improvements or development work around that Bill is circumscribed by the original primary legislation. Therefore, people need to be mindful that legislation may eventually be delivered more by way of statutory rules and regulations. We are just flagging that up. Members will be concerned about that, because we have learned a bad lesson from the landlord registration scheme. I cite that as an example of where members felt that they would have liked to improve the current Bill more but were told that that was not really possible given the limitations of the primary legislation. So, when looking at this legislation, we will be mindful that we want to get it right.

Again, thinking of the current economic climate, I am sure that the Minister is aware that in March this year the Housing Minister, Grant Shapps, announced a £500,000 fund for business improvement districts to help town centres access loans for their set-up costs. That is an issue that we will have to deal with. That was obviously part of the implementation of the Portas recommendations. The Minister is, of course, aware that we have been advised that the median cost of setting up a BID will be

in and around £60,000. The Department should look at the possibility of supporting some start-up costs or even finding a way of limiting the time frame within which BID proposals work themselves through, which can be 18 months or two years. All of that could help the local economy and the proposers of BIDs. I ask the Minister and the Department to look at the repercussions, if any, of the £500,000 fund that was set up in Britain. That is something that the Minister can look at. The intention to set up a statutory framework to establish BIDs is very important, but we also need to look at other ways of easing that, either financially or in the process.

3.45 pm

The Committee has also questioned the value of making BIDs mandatory arrangements, but, of course, we understand — the Minister referred to this — that there is the issue of whether or not you make a process mandatory or voluntary. There are arguments on either side of that coin. If people can opt out, they may be able ultimately to benefit from the price that others are prepared to pay. Given that we are likely to move to the mandatory arrangements, the democratic basis of that has to be looked at. When we look at the basis on which businesses can go forward with a BID, we see that the ballot proposal in particular needs to be looked at, more specifically the third of the four conditions. The level of participation of traders within a given area has to be set at only 25%. Many people would think that may be too low, but, again, that is something we will look at.

I referred to the lessons learned about the issue of substantive primary legislation and what may follow by way of regulations, so it is important that we get the primary legislation right. The Committee looks forward in the next weeks to finalising its consideration of the legislation. We will scrutinise it and, as with all these things, the devil is in the detail. We look forward to a successful outcome for the legislation, which, we believe and hope, can encourage small, local businesses and help them to flourish, businesses that, many argue, have been and will continue to be the mainstay of our local economy.

Ms P Bradley: I declare an interest as a member of Newtownabbey Borough Council, which will have some involvement in BIDs. I also feel it is only apt that I should mention that I am a director of a small business.

Improvement districts are a concept that originated in the United States. As the Minister stated, they now work well on the UK mainland and in the Republic of Ireland. It is evident how they can benefit greatly businesses that rely on footfall, such as shops.

My constituency office in Glengormley is in an area that has a number of disadvantages. The general area can look run-down, there is an overabundance of fast food outlets, and there is direct competition from out-of-town shopping centres. I can see how business improvement districts could benefit the shops and retail outlets in the area and help to improve business. However, I can also see how the introduction of the districts could be alarming for tenants such as community and voluntary organisations, which are present on our high streets, as well as businesses that do not rely on footfall.

I understand that BIDs can be for as specific an area as one street or a cluster of streets; that the lead will come

from businesses in the areas, with support, guidance and practical help from local councils; and that safeguards are built into the voting practice to try to ensure that small businesses are not railroaded into a BID. I still have reservations about the level of knowledge among small business owners about the Bill and how it will have the capacity to change what, until now, has been a casual, voluntary arrangement to one whereby, if a small business owner does not support the BID proposal, he or she can be compelled to enter into a BID if the majority in the area agrees to the proposal. I also understand that it is up to the BID proposers to outline and decide on any exceptions to the levy, which may mean that voluntary and community organisations within a BID proposal area may not be automatically exempt from the levy and may, in fact, be compelled to pay a levy if they are on a street that is 90% retail yet may not get any benefit from that levy. In the current economic climate, I worry that the levy may have the potential to double up on services that are already being provided and paid through the regional rate and that the extra financial burden may force businesses into further financial hardship.

Despite those concerns, however, I can also see the benefits of the districts and what they have to offer in areas such as Glengormley. I am encouraged by the high rate of renewal of districts already operational in areas of the UK and the Republic of Ireland. I am also encouraged by the fact that the majority of BIDs are driven by small businesses and that flexibility is built in to allow the BIDs to be as specific as to include, for example, all chip shops in a given area or every business in that area. That may offer some protection to the tenants of high street properties that do not rely on footfall for their business. I also particularly like the concept that this could help small businesses gain the benefit of economies of scale when purchasing electricity or gas supplies. I also welcome the core premise that it will provide local people and businesses with the ability to deal with local issues and come up with local resolutions. Therefore, I am persuaded to support the Bill, despite any reservations I may have outlined.

Mr Copeland: I, too, echo the sentiments of the Members who spoke previously, particularly those of the Chair of the Social Development Committee. I spent many years in the construction industry, which did not really have a massive rates burden, and in retail. I asked myself frequently then what exactly I was paying for, as I did not feel that I got much for it. Indeed, I am also asked that question frequently now by those who are in business and receive rates bills.

I saw Times Square, an area that has benefited from this, both before and after the BID project was attempted. I have to say that the change was remarkable. Today, we are considering what I would describe as a seed that may, at some stage, grow into something good and useful. It will depend largely on how it is sold to small shopkeepers and businessmen. Many of them open their doors at 9.00 am, work until closing time, take their books home and work beyond that. Bringing them together in a way in which they will voluntarily take up additional taxation will require a great deal of good salesmanship, for want of a better word. There will perhaps be a suspicion that the money raised will be replacement funding and will not allow money to be spent in other areas. That suspicion needs to be nailed at a very early stage.

We are considering the Bill's Second Stage, and it has not yet come to the Committee in any workable form. At this stage, my view is to remain completely open-minded and accept that, on the face of it, this appears to be a good idea with merits. However, as the Chair said, the devil in these things is always in the detail.

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I am pleased to see the Bill before the House today. Its subject was initially aired in 2010 by the Minister's predecessor. As Members have outlined, the Bill is geared towards the creation of business partnerships to reinvigorate and regenerate the areas in which they exist. Those groupings will allow businesses to work together to identify and fund additional services to improve their commercial environment.

The Bill will provide a statutory basis for the development of business improvement districts. In practice, full control of a BID will lie with the businesses in an area, which could consist of one street, many streets or, as Paula Bradley outlined, specific business premises. However, BIDs will only be established should a majority of businesses vote to do so.

At a time when businesses are struggling and our town centres are becoming more desolate, giving them the power to establish a BID could help them, through collaboration, to maximise benefit to their area and, hopefully, increase their attractiveness and profitability. A successful BID can make money go further and help local entrepreneurs promote their services and areas locally and further afield. The NIIRTA report, 'Town Centre First', stated that over 1,000 small shops closed in Northern Ireland in 2011. The report anticipates that this trend will continue and that the number of closures will double between 2012 and 2014. That is a chilling prospect for our local economy. The Bill represents an attempt by the Assembly to create a legislative toolbox for local businesses to help them ride out this economic storm by coming together.

We have seen areas in the North look at the use of BIDs. The Minister mentioned Ballymena, and Belfast City Centre Management has published a report that highlights BIDs and how they can be used as a method of financing additional services to improve the trading environment. Indeed, voluntary arrangements such as that have been in existence for many years in many locations across the North. We have also seen how BIDs have succeeded in other jurisdictions. What has been particularly successful in England is local businesses coming together to negotiate with local recycling companies, offsetting the cost of waste collection against payments for some of the recycled materials. This legislation, however, differs from the current position on voluntary BIDs, as business owners will no longer be able to refuse to pay the BID levy but happily avail themselves of the benefits that have been paid for by others. Although that will certainly safeguard against some businesses piggybacking on others, I am concerned — I raised the issue in Committee — that some businesses will be forced to pay for services that they do not want, do not require or cannot afford. The reason why we have so many empty shops on our high streets is that so many cannot afford their overheads. Will giving them an additional bill to pay solve that?

Many businesses may already feel that they pay more than enough in rates. For that reason, the Committee

and the Assembly should look more closely at supporting and funding the establishment of BIDs. The Department has stated that it will not release additional resources to support local businesses with start-up costs, but it has been widely reported that the availability of such funding to support BID development is crucial. BIDs in England have relied heavily on local authority and other development agency funding for start-up costs, as noted by research from the Department for Communities and Local Government in 2007. Therefore, although I support the efforts of the Department in bringing forward this legislation, we need to consider the issue of funding further to maximise its potential for success in practice. Although DSD has stated its inability or unwillingness to provide resources, we could look at initiatives such as temporary rate relief in areas to incentivise and maximise participation and potential for success. Perhaps Departments or local authorities could match fund contributions from BIDs to carry out improvements to an area.

Despite my concerns, it is noteworthy that 35 of 37 respondents to the consultation on the Bill expressed support. I am sure that businesses will be delighted to gain some control over their own environment. They have a much greater understanding of their needs than statutory agencies do. Given the dire economic situation, we as a Government must work with businesses and councils to aid the establishment of BIDs and reassure smaller and not-for-profit businesses of the flexibilities in the legislation, as outlined by Paula Bradley. BIDs can exclude particular types of business in a given area, for example, if that is how the BID is formed, or impose a lower levy or give an exemption for a particular reason, such as for charity shops, if agreed. Done properly, the legislation could bring about tremendous benefits for our businesses, customers, towns and cities. Done badly, it could result in more confusion and closures. I look forward to the Committee Stage of the Bill and our collective efforts to get it right.

Mrs Cochrane: I also welcome the opportunity to speak on the Bill as introduced by the Minister and to discuss its principles. Having first discussed the issue of business improvement districts in Northern Ireland with a number of stakeholders not long after beginning my term in the Assembly, I welcome the arrival of the legislation with a sense of fulfilment.

As things stand, there is little in the way of formal regulation to standardise potential BID schemes, so our community traders and patrons repeatedly find themselves facing difficulties in establishing boundaries, securing local government support and obtaining contributions from prospective beneficiaries. As has already been stated, the Bill primarily provides for statutory provisions to enable BIDs to operate under a legislative charter, giving additional rights and protections to those it serves to benefit and bringing us further into line with what is already in operation throughout Great Britain and the Republic of Ireland.

4.00 pm

The preliminary clauses, rather appropriately, establish the conditions for the role of councils in regulating future BIDs, as, understandably, specific needs and convention will vary on a district-by-district basis. It is envisaged

that councils will make necessary arrangements in their defined areas; that they can, along with others involved, make voluntary financial contributions to fund schemes; and that they will establish ring-fenced revenue accounts to maintain funds raised for specific BID projects. Although certain procedural details remain outstanding from the Bill, the intent and end goal of the measures represents a huge step forward for community business precincts throughout Northern Ireland and, hopefully, a much-needed stimulus to the local economy.

The Bill also makes significant provisions for the regulation of BID approval through the balloting of key stakeholders and, importantly, identified ratepayers; the entitlement to vote and the voting requirements necessary for approval; and the circumstances and rights for vetoing proposals and appealing veto decisions. Those particular clauses place a great deal of emphasis on the discretion, authority and, ultimately, responsibility of the councils in administering proposed BID projects. We should, therefore, be mindful of any implications, be they financial or practical, that any future RPA changes may bear on any proposals that we bring forward.

Further detail found in the Bill and its supporting documentation estimates that the financial effects of the changes will not have any significant implications for DSD, as the Department has reasoned that, owing to the largely supportive role that it will play, as opposed to administering or managing schemes, that commitment can be met from existing resources. However, we must be mindful of the high degree of expectation that may be placed on our councils, which may then need to have in post additional officers with the necessary skills, expertise and enthusiasm to assist stakeholders with BIDs.

I have spoken with a range of stakeholders about how positive an impact the adoption of BIDs legislation could have on Northern Ireland. There has been a particular curiosity around developments in that area from a number of established traders' associations in my East Belfast constituency. Groups such as the Ballyhackamore Business Association, pioneered by local businesswoman Brenda Shankey, have already begun to plant strong seeds of communal development and co-operative improvements, engaging local residents and harvesting a renewed sense of community to the ultimate benefit of traders. It is my hope that that can be built on in the future with the onset of the legislation. I support the Bill's principles and objectives.

Mr Easton: It is a well-known fact of business life that our business community is facing one of its most difficult periods. That is especially true of small towns and villages that have to compete not just with online businesses and retailers that have lower overheads and are easily accessed but with larger towns and cities, as well as out-of-town super-shopping centres. Competition is a good thing, but for many of our smaller towns and villages, the competition is not always fair. Therefore, I believe that our retailers and businesses deserve this Business Improvement Districts Bill.

The Bill will give a level of control to businesses operating in a certain area. It offers a long-term, sustainable source of finance to support an agreed package of services, which will increase business to their premises. It is also about giving local businesses the opportunity to develop local solutions to local issues. This is not a top-down

approach to supporting business. Local businesses, with support and guidance from local government, will be the ones making the decisions. The role of local government will provide a degree of security for those businesses involved, as it will be their duty to establish a ring-fenced BID revenue account to hold funds raised by the local levy. The local council will also be able to veto a BID proposal in certain exceptional circumstances.

I welcome the checks that have been included in the Bill to ensure that one large business cannot force through a BID proposal against smaller businesses. That should reassure anyone who is worried. Providing a legislative framework for BIDs will remove the often voluntary agreements that have already been happening in certain areas. Everyone in a BID area where the ballot is successful will be required to pay a levy, but the underlying belief in having such a levy is that the businesses should aim to achieve levy neutrality. There is so much scope and flexibility in the Bill that, with the correct enthusiasm, guidance and expertise, it will open a number of exciting possibilities. Economies of scale can be used in such districts to promote maximum savings and reduce overheads for businesses that are in the BID areas. I believe that traders in my area of Bangor and Holywood are anxious for such a Bill to become law so that they can develop capacity and make real decisions about what will increase business in their area. After all, they are the experts and can often see what legislators, who are not on the ground day to day, fail to grasp.

We are aware that many towns and cities have already started to develop their BID proposals in anticipation of the legislation. Current evidence suggests that the timescale for developing such a proposal is between 18 months and 24 months, but I would like to see that lowered, if possible. A certain number of steps need to be taken to complete a proposal. That is evidence that the business community has seen the potential of the Bill and is keen to be able to take full advantage of its becoming law.

This is not a new, risky model. We have the benefit of being able to see it in operation not just in the United States, where the idea was developed, but in other areas of the UK and in the Republic of Ireland. I believe that we have a Bill that is open and flexible, with the potential to improve many towns and villages across Northern Ireland. The Bill gives businesses in particular areas more control over their own destinies, and I believe that local businesses in my area want me to support them by supporting the Bill.

Having met traders from High Street in Bangor recently, I heard at first hand about the concerns and positives that they are experiencing in this economic climate. I believe that the Bill, coupled with the Bangor and Holywood 10- to 15-year master plans, is a positive thing. The public realm work for Bangor and Holywood, which will see £8 million and £2 million respectively going into those areas, is also positive. There was also the Minister's announcement last week about Queen's Parade, which will see £250,000 in stop-gap funding to help that area. I believe that the Bill is exciting, and it has my full support.

Ms Brown: As a member of the Social Development Committee, I support the Bill's Second Stage. I also declare an interest as a member of Antrim Borough Council.

The House well knows the damage that the recession is doing to our local town centres up and down the country. Businesses today face more challenges than ever. They cannot rely on the banks, which seem to have forgotten that they owe their very existence to those to whom they now refuse to lend, and pressures on government and family finances mean that less money is around to help retailers to hold their own in these troubled times. Business improvement districts exist in other parts of the United Kingdom, including some of the busiest high streets in London, such as Bond Street, Oxford Street and Regent Street.

Business improvement districts — BIDs for short — relate to a defined area in which businesses voluntarily pay an additional fee to fund improvements within a district's boundaries. Those businesses take charge and decide how those funds are to be used for their mutual benefit and for improving their respective areas. My constituency also has two local authorities — Newtownabbey and Antrim — within its boundaries. Therefore, I welcome clause 2 of the Bill, which sets out arrangements whereby two local authorities may permit the development of one BID within the boundaries of each district.

I support the Bill, and I believe that BIDs offer local businesses and entrepreneurs the chance to improve their respective areas for the benefit of all local businesses and people. It provides local businesses with a level of autonomy, and through funding provided by the payment of an additional rate on those businesses, it also gives them a way to take their own ideas forward for the betterment of the communities in which they operate. I believe that the legislation and BIDs will help to build better relationships between councils and local businesses in a BID area.

I am pleased that the Minister has allowed a generous degree of flexibility in how a scheme is adopted and operated in a local area. That is to be seen in the general framework of the Bill. That is so important, because every area is different. It will also allow different areas to try different approaches that will suit them.

Safeguards also exist in the oversight role of the relevant council, which can veto decisions that the BID makes that it feels are not in line with policy. Local councils' actions are, in turn, overseen by the Department. I, therefore, believe that there is significant merit in the Bill, and BIDs' practice and set-up elsewhere shows us that they are proving successful in having a positive influence in the community. I support the Bill.

Mrs Overend: I welcome the opportunity to speak on the Second Stage of the Business Improvement Districts Bill. This Bill represents an opportunity for businesses in our towns and villages to avail themselves of local measures, on their own terms and conditions, which they are primarily responsible for driving forward, to help improve the local business environment. At the same time, we need to be cautious that, in the current economic climate, businesses are not placed under any additional undue regulation and unreasonable costs.

It is often said that the high street is a visible indication of how well the local community and economy is doing. However, we do not need to be told that. A quick look around many parts of Northern Ireland shows that the downturn has hit our smaller businesses hard. It is a shame that many of our town centres and main shopping

streets are being devastated in the current climate, first, by the larger shopping centres and the emergence of out-of-town retail parks but, secondly, by the squeeze on people's pockets.

Northern Ireland has the highest level of shop vacancy across the United Kingdom. It is a crying shame that almost one in five shops lies vacant. I am sure that we can all identify such areas in our constituencies, and although we can always point to a new shop opening or another expanding, on the whole, the trend is deeply worrying.

Last week's announcement from FG Wilson came out of the blue for many people — not least, it appears, the Executive Ministers. However, it served as an unwelcome reminder of the precarious situation that many businesses in Northern Ireland find themselves in. Not only that, it demonstrated more clearly than anything in some time that the political approach taken thus far to the downturn in Northern Ireland is not working and that Departments need to change tack and step up a gear. Businesses need action.

I am glad that the Minister for Social Development is now following through on previous departmental commitments on BIDs. If we look at England, it is clear that, with sufficient local buy-in, they work. They should be taken in collaboration with a whole series of other initiatives. They have been proven to help local smaller businesses by increasing footfall and consumer spend. They were also a key recommendation of the Mary Portas review of high streets. She stated that town centres need to start running like businesses. I agree, but I also think that businesses should be afforded the space necessary to develop their own solutions. That is why I think that the concept of allowing local businesses to come together in areas defined by their local council, pool resources and use that money on what they determine most suitable is so simple yet so brilliant.

I do not doubt for one moment that, by allowing businesses the power to directly effect change locally, imaginative yet workable solutions will be brought forward without delay across all participating schemes. Given that it is their own cash at risk, businesses will be determined to ensure that resources go only to the most worthy schemes from which there will be maximum return. However, it would be remiss of me not to raise the fact that, ultimately, if this Bill and its secondary legislation is successful, businesses located in an area that opts to become a BID will face additional costs through the levy. Every penny of operating expenditure at the moment is money that will be taken from potential profits. Given the democratic nature of BID schemes, we have to acknowledge that there will always be potential losers: businesses that have lost in their opposition to the scheme and find themselves involuntary levy-paying members of it.

Nevertheless, today's debate is a welcome step. However, I would be grateful if the Minister would explain why it has taken so long to reach this stage. His predecessor in the Department launched the public consultation in December 2010. By the time this Bill receives Royal Assent, it will be the guts of two years since that initial announcement. A lot of businesses have suffered in the meantime, and I hope that the Minister has a suitable answer as to why they have had to wait so long for a relatively simple measure to be brought forward. I welcome the progression of the Bill.

Mr Ross: In many ways, this has been a useful Second Stage. The Second Stage debate is to discuss the general principles of the Bill, and I think that what we have heard from Members right across the Chamber shows that, in general, we support the aims and objectives of the Bill. However, we have also heard varying degrees of scepticism. My colleague Alex Easton said that he was excited about the Bill. I think he used the same phrase in Committee. Mr Durkan has, perhaps, been slightly more on the sceptical wing. However, there are Members on that sliding scale who are generally supportive but have some concerns.

4.15 pm

The Minister, in his opening comments, talked about the need to tackle the decline of UK town centres. All of us recognise that in our constituencies, and it has been on the agenda for quite some time. If BIDs can play a role in reversing that decline, that will, of course, be very welcome. Thursday's news of job losses at FG Wilson has had a huge impact in East Antrim. Meetings of business leaders took place on Friday afternoon, and there will be more on Wednesday afternoon in Larne and Carrick. They are particularly concerned that, after Thursday's news, they will find it even more difficult because the local population will not have the same spending power. They are very concerned about what they can do, and what government can help them with, to regenerate the town centres.

As other Members said, this concept originated in the United States, where, in the main, it has produced cleaner and safer business areas that became more attractive to people. Indeed, much of the research shows increased footfall in those areas, which, of course, we would also welcome.

There are now, as Members also said, in the region of 110 BID areas across the UK and Ireland. In many ways, a BID allows strong leadership at local level to take a lead in the economic development of town centres. That is important and is something that we should encourage because we want to see decisions taken at as low a level as possible. Local decision-making is very important, and we should encourage it.

There has been a question of whether we need legislation at all in this process. It is a question that I asked at Committee: if businesses are free to do this at the moment, why do we need legislation? That led to a Committee discussion on the issue of freeloading. If two businesses at each end of a street wanted to form a BID, but the one in the middle did not, it would not need to pay into the BID but would get all the benefits from it. Of course, that is a difficulty, and this statutory framework tries to address it. However, in doing so, as my colleague Paula Bradley said, it creates other difficulties. If a small business does not want to become part of a BID, but other businesses around it do, it will be obliged to pay into and become part of that BID. Many small businesses that, as other Members said, are perhaps struggling, will be forced into something they do not want to do. Perhaps they will be trapped into it. We need to examine that in further detail when we get to Committee Stage.

As well as potential difficulties, the scheme has a number of benefits, and I will briefly outline what I see those as being. In any BID, the process whereby the businesses

that will directly benefit from it are those that fund it is a fairly good model that has been successful when it has operated elsewhere. It means that those businesses are motivated to ensure that they get value for the money that they put into the BID and to ensure that they get the outcomes that they desire as well. That is a good use of money, and, as I said, it has worked reasonably well elsewhere.

It also provides a degree of stability in terms of the funding available for the BID area. They know what annual revenue will come in from the levy placed on all the BID members, and that gives them a certain security when planning. In many other areas where organisations, or groups of organisations, rely on government funding, that cannot always be said because they are not given security of funding for future years. In a BID process, businesses would come together for a period of, most likely, five years. The length of the BID process would give them a certain security. It would also allow shops and businesses in an area to come together to act as a single economic unit, in much the same way as out-of-town shopping centres have been able to do. That would give them a unity of purpose that can only be a good thing.

Another benefit mentioned by other Members is that this is a good example of where public and private can work together, as private businesses will be able to work with local councils in delivering the BID process. That is a good example of the public and private sectors working in partnership to improve an area. I am keen to see more such partnership working in some of the Assembly's work.

Having said that, there are potential difficulties, as other Members have mentioned, and they need to be flagged up and examined when we get to Committee Stage. First, there are concerns about how long it would take to set up a BID, the cost to all the businesses involved, and, indeed, the amount of volunteer time needed. Perhaps it would be a challenge for smaller businesses to ensure that they are able to have full input into the BID and have personnel who are able to contribute to it. Potentially, it could be a difficult challenge for smaller businesses.

My colleague Mr Easton talked about mechanisms to ensure that smaller businesses are not railroaded and voiceless in the BID process and that one or a number of businesses do not dominate it. Again, we need to look at that during Committee Stage to ensure that it does not happen. With regard to the voluntary aspect, will we look at BIDs to fund volunteers or staff to organise the BID process? We need to look at that issue.

I listened to Judith Cochrane's comments. She mentioned how BIDs would, perhaps, place a further burden on councils because they may have to provide additional staff to organise BIDs and that sort of stuff. Of course, the reverse is also true. There may be concern that if a BID is working particularly well, local councils might take a back seat and not fulfil their economic development role. It is important that where that partnership exists, it functions properly and that councils do not just take a back seat, allow BIDs to operate, and do not fulfil their functions. It is important, therefore, that the Assembly ensures that that partnership exists and that local councils are not allowed to take their eyes off the ball and their economic functions.

In conclusion, it is important to note what local businesses have been saying. They are generally supportive of BIDs

and the Bill. It is important that we listen to them. As I have said, there have been concerns, particularly about whether this will work in many town centres — especially those where, perhaps, there is a higher vacancy rate or there are charity shops and banks. The example of constituency offices in town centres was used. There is concern about whether all those businesses would be able to take part in the BID and whether it is appropriate that they take part. We need to look at that issue.

Therefore, plenty of work needs to be done. There is plenty of scope for the Bill to be a success. As I said, Second Stage is about the general principles of the Bill. I support the Bill's general principles and look forward to examining it in further detail at Committee Stage.

Mr Principal Deputy Speaker: I call Alastair Ross.

Mr Ross: That was me.

Mr Principal Deputy Speaker: Sorry. I call Jim Allister.

Mr Allister: I do not think that any of us need to be persuaded that many of our town centres and hitherto busy trading streets need to be rejuvenated. We can all think of many examples. Indeed, any time that I look out of the window of my constituency office in Charles Street, Ballymoney, I see a classic example of a blot of dereliction, which one only hopes and wishes could be rejuvenated and with it give a bounce to much of the town.

However, the question — and I hope that this is so — is whether BIDs can make a worthwhile contribution to that rejuvenation. On reading the Bill, part of the problem that I have in answering that question for myself is that, by and large, the Bill is a blank canvas. It takes huge refuge in future DSD regulations, in which all sorts of things will become clear when the regulations emerge. Most of them will be subject to negative resolution. Therefore, de facto, the House is being asked to approve the outline framework of a Bill with much of the detail yet to become clear. I have some questions which arise from that.

Ultimately, we are probably fooling ourselves if we think that our hard-pressed businesses can rejuvenate our town centres. Indeed, it would be wrong — I hope that it is not part of the Bill — to pass the buck to the retailers and ratepayers. It is crystal clear that there will have to be a greater and combined effort in which DSD plays a part. I would like to hear from the Minister whether, in tandem with these proposals, he has any thoughts about what contribution DSD might make to the BID arrangements. Or is it a case of "over to you, ratepayers, best of luck, because there is no money here for you". Is that the basic approach? It should not be as easy as that for DSD simply to shirk responsibility through the introduction of the legislation. I trust that that is not what is intended.

Indeed, such is the vagueness of some of the clauses that it is even possible that someone in an arrangement, as things stand, could put an obligation on DSD to contribute. Clause 3(1) states:

"The persons specified in subsection (2) may make financial contributions".

Clause 3(2)(a) goes on to state that those persons are the district council, and, in clause 3(2)(b):

"any other person authorised or required to do so in accordance with the arrangements."

What if some enterprising businesspeople were to write into the arrangement, which they will put to a ballot to other ratepayers, an obligation on DSD to contribute? I suspect that the Minister will very quickly tell us that he will not allow that to happen, and that it will be one of things that he will block, using the regulations. As the Bill stands, however, that would seem to be an option.

Is that an option? Should it be an option? Can it be an option? The Minister needs to wrestle with those questions, because it would appear, according to anything that I have read in the Bill, that, subject to its being negated in the upcoming regulations, part of an arrangement could be an expectation that DSD or some other Department might, in fact, contribute. One wonders whether that option will be there.

Clause 4 makes it clear that district councils that make the BID arrangements must comply with them. That raises the question of whether all ratepayers must comply with them. Here, I think, we come to one of the difficult, touchy areas in the Bill. The levy is to be paid to the council, and the council is then obligated to implement the scheme. However, it could be a scheme that, under the terms of the Bill, comes to the council with the support of only 13% of ratepayers in the given area, because only a majority of as low a poll as 25% is required. Thirteen per cent could say that this is how it is to be, this is what the levy is for, and provided it is backed by 13% of the NAV holders and ratepayers, it passes the test of the Bill.

I have serious reservations about whether that 25% threshold is high enough. It will be in no one's interest to set trader against trader in our town centres and to have people simply trying to say that an arrangement is being imposed on them by, effectively, a minority. You might well ask those people why they did not vote to stop it, but very many people who complain after the event are those who have not voted. We all know that in the House. Do not be surprised if that is also a component of these ballots, which could be held. We should look carefully at the 25% threshold for participation in a vote in favour of a particular arrangement.

4.30 pm

What about those who are outvoted? What about the business striving and struggling to pay its existing rates? No matter how much that business owner's heart might go with a proposition, his head will tell him, "I do not have the money. I cannot pay for it." If he does not have the money to pay for it, is he to be driven out of business? What if he opts for a bit of civil disobedience, a concept with which the Minister may not be unfamiliar? Is he to be hounded through the courts? The Minister can tell us, but presumably the levy, once approved, will become as enforceable as the rates. Someone can be taken to court. Proceedings and default action can be taken, and people can ultimately find themselves bankrupted for not paying the levy. The danger of some small businesses being driven out of business by this proposition needs to be considered.

Does the levy attach to the property? If a levy is attached through one of the ballots, and I sell my small business, presumably the successor in title inherits that obligation. Does the levy in fact attach to the property and go with the property as something that must be enforced? Can the Minister tell us whether the Bill anticipates that among

those enfranchised to vote on the proposition are those who do not pay rates? I refer to charity shops that occupy streets. Are they to be entitled to vote on a proposition that a further levy should be raised? Will they have exemption from that levy? If they do, they will, of course, have no reason not to vote yes on a particular proposition. The reason that I ask that question is that clause 6(2) states:

"When submitting BID proposals to the district council, those who have drawn up the proposals are also to submit a statement as to which eligible ratepayers are to be entitled to vote in the ballot."

Therefore, they make the selection of who will vote in the ballot. It might be a very attractive proposition for politicians to be able to select who may vote in a ballot. However, we are saying here that the proponents of the proposition shall select who will be eligible to vote.

Clause 6(3) is the one that puzzles me a little bit. It states:

"A person is an eligible ratepayer if on the prescribed date that person is chargeable to rates in respect of relevant property."

What does the phrase "chargeable to rates" mean precisely? Does it mean that they are physically paying the rates or does it include a business that has an exemption from rates because it is a charity? That is why I ask whether charity occupiers, who are not ratepayers in the accepted sense, have a vote on the proposals. Will they ultimately be required to pay the levy or will the exemptions that apply to them in rates collection also apply to the collection of the levy? No doubt we will be told that all those things will become clear in the regulations. However, I think that the House should be interested enough to know what is in the Minister's mind and why those details are not in the Bill.

I will now turn to things that are not in the Bill. Clause 9(3) drew my attention. It states:

"The council may veto proposals only in prescribed circumstances".

Surely we need some guidance and framework in the Bill for how and when that could be exercised. We need some indication of criteria. It is not good enough to leave a blanket power that says that councils can veto a proposition without the basis upon which they can veto at least being sketched out in the Bill. Could that not be done?

Again, when it comes to clause 10, which deals with articulating grounds for appeal, where a district council has vetoed something and the proposers want to appeal that veto to the Department, there is a blank canvas with no indication of what the grounds would be for appeal or anything else.

So, although I am not at all saying that there are not merits in business improvement districts and levies, there are so many unanswered questions to which we need to hear the answers so that we can see whether this is a genuine and fair proposition that will help to rejuvenate our town centres and key marketing streets. Is all that still up in the air because it remains with the regulations that we have not seen and do not have to see, in the sense that they will be subject to negative resolution? Therefore, are we

being invited to sign a significant blank cheque for the Bill, whatever the good motivation behind it?

Mr McCausland: I thank the Members who contributed to the debate for their remarks. If my response does not address any specific points, I am happy to write to the Members concerned separately.

The Business Improvement Districts Bill is an important part of the Government's response to the straitened economic times in which we continue to live. It is an opportunity for traders to help themselves by identifying and funding the services that their area needs to become more attractive to consumers. The Bill will ensure that all those whose businesses fall within a proposed BID area will be able to vote for the proposals and will be required by law to pay the BID levy if it has been approved by ballot.

The Bill allows for flexibility so that local solutions can be developed to tackle local issues. It will not involve a great deal of prescriptive rules from central government. Our towns and cities have a unique character, and a one-size-fits-all approach will simply not work. BIDs will be business led and not central or local government led. I am therefore asking for your support for the Second Stage of the Bill so that it can be sent to the Social Development Committee for more detailed scrutiny.

I will now turn to some of the issues that were raised during the debate. The Chairperson of the Social Development Committee, Alex Maskey, mentioned a number of issues that that Committee wants clarification on. I will certainly consider all the issues that members raise during Committee Stage. I hope that the Bill receives the fullest possible scrutiny and that members' input will help to shape how we move forward. Together, we can ensure that the Bill fully meets the needs of all the stakeholders.

The Chairperson also asked about start-up funding for those who wish to start up a BID. Some consultation responses indicated that grant funding should be available for those wishing to start up a BID. However, the practice in most other jurisdictions is that no start-up grant funding is available. In some other areas, upfront BID development costs are borne by the private sector and can be recovered when the BID has been established. That provides a useful test of local business intent. However, local businesses and BID proposers are free to apply to other sources, such as European funds, to secure a grant towards the start-up costs should they so wish. I will look closely at what is happening in other areas before finalising the arrangements here.

Paula Bradley asked about the impact on rates. Although the BID levy is based on the rateable value of a business, it should not be viewed as an increase on its rates. Instead, it should be seen as an investment, made by businesses for businesses, to improve their local trading environment.

Mark Durkan said that businesses may have to pay for services that they do not want or cannot afford. The BID proposal will specify the additional services for which the money raised by the levy will be used. This will vary from BID to BID, and is not specified by legislation. However, examples of what the money might be used for include marketing, promotion of the area, staging of special events, CCTV or waste disposal services. Those services will have to be agreed by businesses as those which will be of benefit to them, and it is unlikely that businesses will

vote in support of a proposal that they feel is of no benefit to them.

Sandra Overend asked why it is taking so long to put this legislation in place. When I took office in May 2011, one of my first actions was to review the outcome of the public consultation and decide on the way forward. This involved finalising the policy, briefing the Social Development Committee and seeking Executive agreement to draft the necessary legislation. Following the resolution of a number of issues, the Business Improvement Districts Bill was introduced to the Assembly on 25 June. Subject to the speed of the legislation through the Assembly Standing Orders process, the Department aims to have the primary legislation in place by the end of this year. This will be followed by secondary legislation and guidance from the Department. Therefore, the Department has indeed been taking the legislation forward as a priority and as quickly as possible.

Michael Copeland asked whether the levy would replace public funding in other areas. The BID proposal will specify the additional services for which the money raised by the levy will be used. This will vary from BID to BID, and is not specified by legislation. However, I have already given examples of what the money might be used for, and this is over and above other public investment. The levy will be ring-fenced and can be spent only on services in the BID area. Several Members raised the issue of start-up funding, and I have already dealt with that.

Sandra Overend also asked for assurance that businesses will not be hit by excessive regulation. This legislation is very flexible, so local businesses can adapt it to suit their particular local needs. It is, essentially, a piece of enabling legislation, which will provide a framework for businesses to help themselves. Alastair Ross asked whether BIDs could work in all towns and cities. The answer to that is yes. If business owners in the proposed BID area in that town or city can reach a consensus on which additional services it would be beneficial to fund, and agree to fund them, it can go ahead. As I have mentioned, the fact is that 90% of the BIDs that have come up for renewal have been renewed. That shows that BIDs work in the significant majority of cases elsewhere, and I believe that Northern Ireland will be no different. However, BIDs may not be suitable for every area, and that is a matter that will lie with the businesses in that area.

Jim Allister told us that he was generally supportive of the concept. At least I think that that is what he said, because he then proceeded to interrogate and find every possible obstacle that he could possibly imagine. I would hate to see him on a bad day, when he is depressed. If this was a good day, he could find plenty to complain about. I see that he is smiling now, so he is obviously in a good mood. I do not want to see him on a bad day.

He raised a number of points. He asked why there is so much that will be included in the secondary legislation. The intention is to make the legislation, including the secondary legislation, as flexible as possible to allow the businesses to decide for themselves whether to proceed. Also, because a lot of the details to be included in the regulations are simply administrative, secondary legislation is largely considered the appropriate vehicle. He spoke about the DSD contribution. The point of BIDs is that they are business led, not government led. This is a tool for businesses to help themselves. BID proposers

cannot simply decide that any given public body will provide funding without that body's agreement. However, BID proposers are entirely welcome to apply for other sources of funding, whether that be council grants, if available, or EU funding. Indeed, Ballymena Borough Council in his constituency has already done that. Those are just examples of what can be done.

4.45 pm

I will touch on the wider issue that he raised in his question. He asked whether DSD was almost shirking its responsibility and not stepping up to the mark. DSD is very committed, as I am personally, to our town and city centres. In the past week, I have visited town centres in Portadown and Lurgan to see the ongoing public realm work there, and I recently visited a town centre — sorry, city centre; I need to be careful about that — in Newry to see the ongoing public realm work there. In towns and cities across the Province, there is ongoing work to improve town centres. Through that public realm work, there have been major investments. For example, in Bangor, my Department is coming into partnership with the local authority. We are putting in £3 million and the local authority is putting in £5 million for a major investment in public realm in the centre of that town.

So, through that work and our ongoing work in response to the Mary Portas document in Great Britain, we have been meeting businesses right across the Province and producing a follow-up local report to look at what can be done to support our town centres. A huge amount of work is being done, and that is getting a positive response from all the representative bodies for local traders. I hope that that addresses Mr Allister's point and reassures him of our full and total commitment to town centres right across the Province.

He raised a question about the 25% turnout in the ballot. That is the same threshold as in Scotland; in England and Wales, no minimum turnout is specified. So, we have taken the example from our kith and kin across the water in Scotland and gone for the 25%. He asked whether people will turn out to vote. I have more faith in our local traders and local businesses, because those folk will look carefully at money matters and realise that it is important for them to express their view and have their say.

Mr Humphrey: Especially in Ballymena.

Mr McCausland: My colleague to the left says “especially in Ballymena”. Those traders will make sure that they turn out for that vote and express their view. I have every confidence that they will do that. In circumstances where the property is sold, the new tenant owner will be responsible for the levy and will know that when purchasing the property or taking it up.

Mr Allister asked about eligible ratepayers and those who do not pay rates and what “chargeable to rates” means and whether it includes those who have rates exemptions. Rates exemptions do not automatically carry forward. For example, charities have an exemption from paying rates, but there is an underlying rates liability on which the BID levy will be based, and the BID proposer can decide on any exemptions, in which case there may not be many.

I will review the report of today's session carefully, and, if my response does not address any specific point, I will

be happy to do that, and I commend the Bill to you for the Assembly's approval.

Question put and agreed to.

Resolved:

That the Second Stage of the Business Improvement Districts Bill [NIA 9/11-15] be agreed.

Committee Business

Inquiry into Historical Institutional Abuse Bill: Extension of Committee Stage

Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 26 October 2012 in relation to the Committee Stage of the Inquiry into Historical Institutional Abuse Bill (NIA Bill 7/11-15).

The Inquiry into Historical Institutional Abuse Bill passed its Second Stage on 25 June 2012 and was referred to the Committee for the Office of the First Minister and deputy First Minister on the same day. The Bill will establish an inquiry into institutional abuse between 1945 and 1995, and its terms of reference were set out in a written statement to the Assembly on 31 May 2012. The Bill is relatively short, with only 23 clauses.

I will now detail the Committee's consideration of the Bill so far. The Committee was briefed by departmental officials on 26 June 2012 on the consultation that the Office of the First Minister and deputy First Minister (OFMDFM) carried out, in preparation for this inquiry, and on the drafting of the Bill. Then, on 4 July, the chairperson of the inquiry, Sir Anthony Hart, briefed the Committee on the Bill. The Committee looks forward to further engagement with the Department and with Sir Anthony Hart, further to the Committee's evidence sessions. The Committee has also written to key stakeholders, seeking their comments on the Bill, and an advert was placed in local newspapers inviting such comments. So far, 15 responses have been received, raising a number of significant issues.

Much work has clearly gone into the Bill by the Department, but a number of concerns have been raised. The 1945 start date for the inquiry's panel investigation was a key concern of many organisations, as it excludes victims for whom abuse ceased before 1945. The Human Rights Commission is also of the view that the Bill does not currently meet the required level of protection under the European Convention on Human Rights. However, the chief commissioner emphasised that the Bill can be amended to give the required level of protection.

On 12 September, the Committee heard from Amnesty International UK, Victim Support, the NEXUS Institute, Contact NI and Ciaran McAteer and Co Solicitors, all of whom favoured including the terms of reference in the Bill rather than in the ministerial statement, and having some form of control in relation to OFMDFM's power to amend the terms of reference. Concern has also been raised as to how the rights of victims of non-institutional clerical abuse are to be met.

In order to allow time to hear all the evidence and raise those concerns with the Department, the Committee has agreed to seek a short extension of its scrutiny of the Bill until 26 October. Committee members are however acutely aware of the importance of this inquiry and the Bill to victims and survivors. Countless individuals have campaigned long and hard to ensure that this inquiry takes place. Therefore, it is essential that our Committee ensures that the Bill is both fit for purpose and that it is

progressed as quickly as possible. For that reason, the Committee unanimously agreed that only a short extension of the Committee Stage would be sought, and it is fully committed to work with the Department to meet its target for Royal Assent.

We are keen to encourage members of the public, victims and survivors to follow the Bill's progress. Committee evidence sessions can be watched live on the Assembly website. DVDs and CDs of the sessions can also be requested online. The Bill, the ministerial statement, which contains the inquiry's terms of reference and related documents — as well as the Official Report of the Committee sessions on the Bill — can be found on the Committee's pages on the Assembly website.

We hope that, over the coming weeks, we can work with the Department and bring forward the necessary amendments to ensure that this Bill is the best it can be for victims and survivors of institutional abuse. I ask the House to support the motion. Thank you.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 26 October 2012 in relation to the Committee Stage of the Inquiry into Historical Institutional Abuse Bill (NIA Bill 7/11-15).

Private Members' Business

Tourism: Visas

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who are selected to speak will have five minutes.

Mr Flanagan: I beg to move

That this Assembly welcomes the success of the Dublin Government's short-stay visa waiver scheme allowing visitors here from 16 emerging tourism markets to travel around the rest of the island without the need for an additional visa application; recognises the potential that a reciprocal approach would have in opening up our tourism industry to new markets; notes, with concern, the British Government's position of preventing the introduction of a similar scheme; and calls for the introduction of a single visa scheme for visitors to the island of Ireland.

I thank the Minister for taking time out of what will be a very busy week for her to come and listen to the debate, and respond to it. I am grateful that she is here for that. As the Minister has constantly reminded us, running through the Programme for Government is the theme of growing our economy and, in particular, our tourism industry. It is one of the Executive's key priorities in the coming years, which is evident through the recent significant funding that has been provided by the Department of Enterprise, Trade and Investment (DETI) for infrastructural development and marketing. In this year alone, the Programme for Government sets an ambitious target of growing overseas visitor numbers to 3.47 million for the 2012-13 year, as well as increasing tourism revenue to £591 million. Those are ambitious and challenging targets. In order to meet those targets, we need to make it as attractive as possible for people who are thinking about taking a holiday and as easy as possible for those considering visiting here, while retaining an acceptable level of security checks and ensuring that they are in place.

Let me state clearly that I am not particularly exercised about how the scheme is administered. I am relaxed about whether it would operate solely on the island of Ireland or whether there would be a single visa for the island of Ireland, Britain, the Isle of Man and the Channel Islands. For me, that is not the big issue. My primary issue is that many people fly into airports around the island of Ireland but have no visa to come to the North. That is a major barrier to the development of our tourism industry and our potential to attract foreign direct investment into this part of the island. If a businessperson travelling from Dubai, for example, wanted to come to Belfast, the easiest way would be to fly into Dublin and then come up the road to Belfast. However, to do so, such a person would need two visas. If people were considering locating a part of their business here, would they really be willing to go through that additional bureaucracy every time they wanted to travel? My concern is that, if people have to go to the hassle of applying for a second visa and all the additional work that that involves, it could put them off visiting this part of the island.

A short-stay visa waiver scheme has been in operation in the South since July 2011. It was introduced as one of a number of measures that the Dublin Government brought forward through its jobs plan. Visitors from China, India, the Russian Federation, Turkey, Saudi Arabia, the United Arab Emirates, Ukraine, Belarus, Montenegro, Serbia, Bahrain, Kuwait, Oman, Qatar, Kazakhstan and Uzbekistan are all eligible for the scheme — I might get a job as a weather broadcaster next. Ultimately, this is a cost-neutral exercise, and as the level of security checks required for a visa here are higher than those in the South, there were no additional security implications. However, problems arose when discussions took place about a reciprocal approach, and to date the British Government have been reluctant to agree such a scheme because they cannot get an agreement with the Dublin Government over the additional required security checks.

In previous responses to questions, Minister Foster has been quite receptive to a reciprocal arrangement for a short-stay visa waiver scheme and stated to me in the Chamber on 14 February:

"It is an issue, and I would like to see it sorted out, but it is a difficult one." [Official Report, Bound Volume 71, p241, col 2].

I hope that that positive approach remains, despite the fact that there has not been any progress to date. I note that the Minister has raised it with the Minister of State in the past.

Many people in the Asian market are only beginning to take notice of Ireland as a potential tourism destination and to consider coming to the island. That is down to the good work of our tourism promotion agencies in promoting the island across the world in positive terms. The Asian market accounts for around one third of the global tourism spend, and it is growing year on year. It is crucial that any barriers identified to growing our tourism sector that are inhibiting our potential are overcome. In the House, I previously outlined my view that tourists travelling from far-flung corners of the world would be discouraged from spending two weeks solely in the North of Ireland and that more needs to be done to promote the island as a whole as a single tourism destination, otherwise there is a chance that they will go elsewhere. As a wise man once said, "Half a loaf is better than no bread at all." One of our regional papers took great umbrage at that suggestion the last time I made it and went to the trouble of producing a full-page spread on how someone could spend a fortnight travelling throughout the Six Counties. In truth, all the activities that it outlined could easily be undertaken in five days.

We need to offer people the chance of a once-in-a-lifetime holiday with positive memories that will remain. Imagine how much easier it would be to attract Asian visitors if we could promote the Giant's Causeway, Titanic Belfast, the lakes of Fermanagh, Dublin city, Connemara and the Ring of Kerry as a single product with only one visa required. In my view, such a holiday would be much more attractive because of the breadth of destinations and activities on offer.

5.00 pm

Mr Newton: I want to take issue with a part of the motion. I accept that one could have some sympathy with the motion, but I take issue with the part of the motion that states that the Assembly:

“notes, with concern, the British Government’s position of preventing the introduction of a similar scheme; and calls for the introduction of a single visa scheme for visitors to the island of Ireland.”

I note that the proposer indicated that he is not concerned about how a scheme might operate or how it is implemented. That is not the big issue for him.

I want to look back on the reason for the introduction of the visa. It was introduced for the benefit of tourism, and the benefits are recognised. It gives visitors to the Republic of Ireland the potential to hold a visa for entry into the UK. Consequently, if nationals from the listed countries that the Member read out arrive in the UK with a valid UK visa, they will be allowed to travel throughout the whole of Ireland — Northern Ireland and the Republic of Ireland — without any further documentation. That is a good arrangement. The Republic of Ireland would benefit from that, and they would know that appropriate security checks had been put in place. That is one of the difficulties, Mr Principal Deputy Speaker, and Sinn Féin knows that. It has asked a number of questions. Mr Molloy — you, Mr Principal Deputy Speaker — asked a question, and the Minister replied to you indicating that the Irish Government needed to come up to the appropriate level of security for the UK. Mr Daithí McKay asked four questions on 15 February and another question on 27 February, all of which were around the same issue. Every answer indicated to Mr McKay that security was an issue. That being the case, any visitor who wants to travel in Northern Ireland and across the Republic of Ireland and wants to come to Dublin first needs to step up to the standards of the UK visa waiver scheme. Only by doing that can that be achieved. In the Minister’s five or six answers to you, she indicated that work was under way in the area and that all the indications were that the UK and the Republic of Ireland were willing to explore the potential for a common visa. There can be no doubt that, if that were achieved, it would allow visitors who want to visit the Republic first to enjoy all the benefits of coming to the Republic and travelling into Northern Ireland and throughout GB. That must be an attraction, but it requires the Republic to step up to the mark on the security issues.

The Home Office has made it clear that it is not in a position to reciprocate on a request for the Irish waiver scheme at this time. I have already said what those problem are. It is, therefore, important for Sinn Féin and Dublin to consider upgrading the scheme. That must be in the interests of all of us. It must be in the interests of the Republic of Ireland Government and of the UK. If they can match the biometric checks in the UK waiver scheme, it would enable progress to be made. Surely, Sinn Féin has TDs in the Dáil who can raise the issue. They have MPs at Westminster who can raise the issue, if they are willing to take their seat. There are methods in the Republic, and there are methods in Westminster to allow them to take their seat, to use their influence, to operate through the Committees, to operate through debates, to operate through —

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Newton: Rather than blame the British Government for the issue, the responsibility lies with Sinn Féin and the Dublin Government.

Mr Kinahan: I thank the Members for bringing the motion to the House, although I think that it is bad timing. It has not been thought through, and there are probably more pressing matters that we should be discussing today. However, I very much welcome the idea that it is being brought forward. We should accept and welcome any initiative that helps to bring jobs to Northern Ireland. We need to learn from it and think our way through it so that we have as good and as all-encompassing a tourist initiative as we can. For example, we should target the Northern Irish people and the Ulster people around the UK and the rest of the world to get them to help us with our jobs. We should also support our airports here. All the way through the debate, the question at the back of my mind has been “Why would you fly to Dublin to come to Northern Ireland when you can fly straight to Belfast?”. I go back to my point: if people were to fly to Belfast, they could get the visa and then go to Ireland afterwards. Therefore, we should look at having more flights to Northern Ireland. I have a sneaking feeling that we are probably losing quite a few jobs to Ireland in the meantime. Although we want to see jobs in Ireland, we want to see jobs in the North too.

We all agree that tourism is key to driving our economy, so maybe we should push for a reciprocal visa waiver scheme for Northern Ireland. Remember, we want more tourists here, and our economy should come first. The problem with looking at what we have been shown today is that there are no statistics to go by, there is no proof, we do not know the effects on jobs, and we do not know the numbers visiting. That is why I say that it is too early to have this debate. We need many more facts.

Alan Shatter indicated that the policy might become a fixture. If that is the case, why on earth are the Irish Government not resourcing it and stepping up to the mark as we have heard? Get them to find out the figures, get them to cost it and come forward, so that the onus is on the Irish Government. The motion implies that Britain is blocking this. It needs better security, but it is not blocking it. It just needs the Irish to resource it better. As we can see from one of the reports, Ireland needs a good fingerprint biometric system that fits, and then we can move forward. Our Minister here has been talking to Minister Swire, and, no doubt, she will raise it again with Minister Penning. When she speaks at the end of the debate, I would like to know whether we have to start again or can just carry on from where we are.

I feel that a large point behind today’s debate is just political to try again to go for a united Ireland, but let us get back to the key point, which is tourism. Let us get back to how well the United Kingdom has done. Just remember that the jubilee and the Olympics probably brought masses of people to the UK and Ireland this year. If the Irish want to go that way, let us get them back into the Commonwealth and maybe even get them back into joining us in the United Kingdom. We oppose the motion.

Ms Lo: I welcome the opportunity to speak on the motion. I have just come back from a week in Sri Lanka, where I attended a Commonwealth conference of parliamentarians. We all got together, and it has to be said that we are very well recognised for our efforts in overcoming the Troubles. However, we are much less well known for our tourism potential.

Since the waiver scheme was introduced in the Republic of Ireland, there has been a reported increase in demand

from tour operators. I am confident that we will see similar results with the recent development of the Titanic museum, the new Giant's Causeway visitor centre, the Lyric Theatre and the Mac. We are actively paving the way for more tourism. By regenerating our cultural heritage with world-class attractions, we are proving how far we have come, and we should make that message heard.

We have seen unprecedented interest in Northern Ireland as a golf tourism destination, which is a niche market that we should capitalise on. Similarly, with more filming projects located here, people want to see our unique natural environment. Any lost income from visa fees will, no doubt, be compensated by increased tourist spending.

Over the years, I have known the problems of non-nationals, be they students, foreign workers or tourists, who have a visa only for the UK but want to cross the border to the South of Ireland. Last month, my constituency staff and I were frantically involved in helping some young people from South Africa who had been invited to visit Belfast for two weeks. They flew into Dublin Airport, because that was the only way or perhaps the cheapest way to get here, not realising that they would need a separate visa to come to Northern Ireland. They had only two weeks, but we managed, with great urgency and difficulty, to help them obtain the right visas. With the Republic of Ireland having a short-term visa waiver scheme, it is unfortunate, not to mention confusing, for visitors that we do not have reciprocal measures.

The introduction of a visa waiver programme is beneficial in attracting tourism from emerging markets. It is an investment issue too, as we should make it easy for investors to come to Northern Ireland. Last October, I had a meeting with the CEO of the Pacific Asia Travel Association, who highlighted his disappointment that Britain and Ireland are not included in the Schengen Agreement. As you will be aware, the 1997 Amsterdam Treaty set up the Schengen zone, which allows tourists visiting participating states to travel freely between other participating states with one visa application. Chinese visitors often avail themselves of the system when coming to Europe and only visit countries in the zone. As the UK is not in the zone, this area is often excluded from European holiday plans. Other Chinese travel agents have talked to me about that, and I think that I have written to the Minister about it as well. Apparently, by 2020, China expects over one million long-haul outbound international tourists a month. Coupled with that, China now has more millionaires than the population of Northern Ireland. It would be foolish not to take advantage of this opportunity for high-end tourism. A visa waiver programme similar to the Republic, while not as beneficial as an extension of the Schengen Agreement, would help to promote tourism here, but I know that that is a matter for Westminster.

Mr Moutray: I welcome the opportunity to speak in the debate. We all know that there is a need to encourage and build on our tourism figures and to improve the ease of business travel, particularly in today's economic climate. I am aware that the scheme operated by the Dublin Government, which is referred to in the motion, has worked well. In a nutshell, it allows people from 16 countries who have obtained a UK visa to travel freely to the Republic of Ireland without having to complete a further visa application. However, they must arrive in the UK before being allowed to do so. That allows ease of travel

and cuts down bureaucracy, particularly for the Dublin Government, as all the checks are carried out by the UK Government. I have always been an advocate of cutting down bureaucracy wherever possible but not until the Irish Government have improved their visa checks and security.

I am aware that Minister Foster has been working on the matter and has raised it with Her Majesty's Government and the Dublin Government. In fact, Minister Foster advised the House, in answer to a question asked in April this year, that she had discussed it with Hugo Swire and that, at the time, there were security and resource implications that prevented the introduction of such a scheme. As I intimated previously, the main difference is the biometric requirement as required by our UK Government. Presently, the Republic of Ireland does not have the capacity to capture such data. For UK visas, this is done in over 150 countries, which means that the UK will in no way put the country's safety in jeopardy by implementing a reciprocal waiver scheme that is not as foolproof as the one it implements. At present, the onus is very much on the Dublin Government to set the wheels in motion to upgrade and tighten their checks and implement the biometrics element of the visa applications. Following that, further work can be done to develop such a scheme.

5.15 pm

Although, I would like to see a reciprocal scheme, I in no way want to see a jeopardising of safety and security when dealing with visa applications and checks. It is of the utmost importance that all necessary checks are completed and that, if any reciprocal scheme is implemented, it does not reduce or diminish the stringent rules and regulations associated with it, given the safety concerns that unfortunately all too often come to the fore.

Although progress on this matter does not lie at the feet of the Minister directly, I know she will continue to lobby for the implementation of such a scheme. I ask that she keeps the House apprised of the matter. However, I would like to condemn — commend her for the many schemes that she has been enacting and implementing in a bid to increase tourism potential and improve and ease the cost of travel for business persons.

In summary, I would like to condemn — *[Laughter.]* — commend the Minister again — sorry, I have condemned her twice — for her interest in this matter.

Mr Allister: You can come over here.

Mr Moutray: That is an offer I will refuse. I call on the Irish Government to take action in dealing with this. The onus on this occasion is on them.

Mr Principal Deputy Speaker: As this is the first debate in which the Assembly will hear from Ms Maeve McLaughlin, I remind the House that it is convention that a maiden speech is made without interruptions.

Ms Maeve McLaughlin: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank you and the wider Assembly staff for the support they have shown me and my colleagues over recent weeks. I look forward to replacing Martina Anderson, and I want to formally record the role that she played in the Assembly in standing up for Derry and the wider north-west. I wish her every success in her new role as an MEP.

I support the motion welcoming the success of the Dublin Government's short-stay visa waiver scheme, and I call for the introduction of that single visa scheme for the island of Ireland. I have always viewed tourism as a key economic driver. In my constituency, our river and walls, the gateway to Donegal and our recent history and the concept of political tourism should not be underestimated. People arrive on our streets and to other parts of the North on a daily basis to hear our stories and to visit our monuments, murals and iconic monuments, such as Free Derry corner.

In our current economic climate, we need and have the opportunity to raise our game. Derry's One Plan, endorsed by the Assembly and contained in the Programme for Government, has recognised the economic impact of tourism on regeneration. The Department of Enterprise, Trade and Investment has committed to increasing visitor numbers to 4.2 million, with a tourism revenue of £6.76 million by 2014. The year 2013 provides us with many opportunities to market and invest in the island of Ireland with events such as "The Gathering", the City of Culture and the Fleadh Cheoil, to name but a few. A total of £39.5 million was generated for the Cavan economy last year as a result of the Fleadh Cheoil. Those benefits should not be prohibited by a double visa system on this island. Since the introduction of the Dublin visa system, business people from 16 countries have been able to travel through Ireland without the need for a separate visa. The scheme has now been extended for four years. Put simply, it is joined-up government in action, and I call on the Department here to lobby for its implementation.

The Assembly needs to help one of our major employers up off their knees. I listened carefully to other comments on statistics. Tourism Ireland has indicated that, since the scheme's inception, the number of tourists from China has more than doubled from July to August 2011. A number of new operator and travel agent itineraries have been created as a result of the programming, including nine new tour operator itineraries from China and 10 from India. Media articles generated by the programme in the target markets amounted to £0.6 million worth of advertising, and there was online communication on the programme to over 800,000 customers and members of the trade.

Why do we need two visa systems to enter the North of Ireland? I do not accept that resource and security arrangements are an obstacle, as has been presented here today and by the British Government. In Dublin, the loss of visa revenue has been well outweighed by increased visitor numbers. As a result of the scheme, 24 new tour operators are programming 26 countries for the first time in 2012, and there is evidence of increased interest in Ireland from individual travellers from those markets. Tourism Ireland is targeting that demographic by highlighting the new short-stay visas.

In 2011, Tourism Ireland indicated that 19,000 Indian tourists would arrive in Dublin, and the Twenty-six Counties Minister stated that 30,000 visitors from targeted countries came to Ireland in 2010. Of the visitors who come to my constituency in the city of Derry, 63% fly through Dublin. Air access and visas remain big issues for this island. Ireland is marketed jointly across the globe, and, given that the island is less than 400 miles long —

Mr Principal Deputy Speaker: Bring your remarks to a close

Ms Maeve McLaughlin: — it is common sense that people who travel to the South should be encouraged north. The introduction of a single visa scheme makes sense and would increase visitor numbers to this island.

Mr Frew: I oppose the motion. There is a responsibility on us all to try to increase the footfall of visitors who come to our Province and country. It is incumbent on us all to try to increase those figures and enhance Northern Ireland as a tourist destination. We must do that in whatever we can and use whatever tools we can. However, we must always be mindful of the implications and indirect actions that can arise from those actions and the motions we put forward. By Mr Flanagan's own admission, he does not care or know what processes would have to be put in place to make this work. However, we have a motion in front of us, we are debating the issue and, if we do not have that level of detail, the House will lose credibility on the issue.

We would love to see more people coming to Northern Ireland, the island of Ireland and the British Isles. That is my point. Once again, Sinn Féin and its lead cheerperson or spokesperson, Mr Flanagan, have belittled Northern Ireland. Only a matter of months ago, Mr Flanagan stated that he could not see how anyone could spend two weeks in his constituency. That is a terrible thing to say about Fermanagh and South Tyrone or anywhere else in Northern Ireland. I believe that you could spend a good two weeks visiting North Antrim, and he should feel the same about his constituency. Again, Sinn Féin has belittled the tourist potential of Northern Ireland. If this debate is going out wide, people will hear that, and that is a bad thing for the world to hear.

Mr Flanagan: I thank the Member for giving way, and I appreciate what he is trying to do. He made two comments, and I will try to deal with them fairly quickly.

Never, at any stage, did I suggest that I did not know or care how the system would operate. I said that I was not exercised about whether it would operate solely on the island of Ireland or incorporate the island of Britain, the Isle of Man and the Channel Islands. Those are two separate issues. I have never dismissed the fact that the problem is that the Dublin Government need to bring their security standards up to the par that the British Government demand. That is fairly simple. The rationale behind that is clear-cut, and I have no problems with it.

Mr Frew comments that I do not envisage how anyone could spend two weeks in Fermanagh and South Tyrone. I think you are paraphrasing a bit there. What I said was that I do not think that it is very attractive for people coming on long-haul holidays to spend two weeks in the Six Counties; they would much prefer to be given a wider access to go to see more things. That was the point that I made. It was not that you could not spend two weeks in Fermanagh. You could very easily do so, but we need to offer a wider range of activities for people.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mr Frew: Thank you very much, Principal Deputy Speaker, and I thank Mr Flanagan for clarifying that. He has clarified it perfectly, at least in relation to the point that I made earlier about it not being attractive to come to Northern Ireland for two weeks. That is mind-numbing, to be honest. He leads on to a very good point. If the Republic of Ireland will not put the money into the security measures that need

to be put in place to enhance the safety of all of us in the British Isles, it should at least educate the world and the potential tourists that would come to this part of the world that, if they get a UK visa, they are able to travel freely across the British Isles and go everywhere. In fact, that is the point that I would like to make.

We have Sinn Féin people saying to us, even today in this debate, that Northern Ireland is too small for a tourist destination. I would say that Ireland could be classed as too small for a tourist destination. Why not widen it out to the British Isles and come into a far greater and bigger market? There is something to be said about tourists coming to these islands knowing full well that their safety is paramount. Nothing will turn off tourists more — we have seen it for decades here in Northern Ireland — than the fact that the country they are going to travel to is dangerous or not safe. It is important that the Assembly puts pressure on the Irish Government to increase security and bring fingerprinting technology into their border controls, which will tighten up everything to do with security on the British Isles. That is what the motion should really say. That is what the motion should be driving at. There is no doubt about it.

We have a great tourist potential here in Northern Ireland. We have a great marketing tool. We have the Giant's Causeway, with its new visitor centre, the Fermanagh lakes and the Mourne mountains. We have everything going for this wee country for tourism. We need to embrace that, encourage it and do as much as we can to enhance that. Trading us within the British Isles, with us as the jewel in the crown of the British Isles, will go some way towards attracting people from all over the world to come to Northern Ireland.

(Mr Deputy Speaker [Mr Beggs] in the Chair)

Mrs Overend: I welcome the opportunity to speak on the motion. My main interest in the motion is the tourism aspect. We know that tourism is a key driver of the economy, and we are all well aware of the benefits that overseas tourists bring. It is frustrating, however, that this afternoon we have a motion from Sinn Féin on visas as opposed to debating the more relevant and recent issues on the economy; namely, how to mitigate the job losses of last week. However, I must restrict my comments to the short-stay waiver scheme in operation in the Republic of Ireland. I have just a few points to make on that.

The background to the scheme in the Republic is fairly simple. As the proposer said, it has been running since July 2011 and means that people who meet certain criteria — such as if they are nationals of one of the 16 countries covered by the scheme; if they have entered the UK on foot of a UK C general visa; or if they have been granted leave to remain in the UK for up to 180 days — can travel to Ireland within the time remaining on a current leave to remain in the UK without the need for an Irish visa and be granted permission to remain in the Republic of Ireland for a maximum of 90 days or the time left on their UK leave to remain, whichever is shorter. I know that the scheme has been subsequently amended to include Bosnia and Herzegovina, as well as residents of countries in the Schengen area. At this stage, I point out that the thinking behind the timing of the scheme was to take advantage of the Olympic and Paralympic Games. Given that it has been extended, the scheme must be considered to be of some worth to the Republic of Ireland.

As my colleague Mr Kinahan said, the motion comes before us today because there is no reciprocal arrangement as regards the UK. However, the reasoning behind changing that at present is difficult for a number of reasons.

5.30 pm

First, neither the Justice Minister, Alan Shatter, nor the Irish Government are able to say exactly how many people have availed themselves of the scheme thus far. It is, therefore, wholly impossible to quantify exactly how effective the scheme has been or whether it has boosted the Irish economy significantly through increased tourism. Secondly, the cost of lost visa fee revenue would need to be looked at. The Irish Government have outlined a figure of €1 million, but we have no reliable calculations of the cost to the UK Government or to the Northern Ireland block grant. I would welcome more information on that.

Mr Flanagan: The Member said that one reason that she will not support the motion is because there are not enough facts on how many people have benefited from it. However, it is quite a simple calculation: if the Government state that €1 million has been lost through visa applications, if you simply divide that by the cost of a visa application, it will give you the number of people who have claimed.

Mrs Overend: I wish it were that easy, right enough.

Thirdly, it must be remembered that people from all the countries eligible under the Irish visa scheme are quite able to come to Northern Ireland using a UK passport. I do not think that we should paint the picture that we are losing out on vast amounts of tourism as a result of not having a waiver in place.

The final issue is security, and I note that the Minister of Enterprise, Trade and Investment has also highlighted that as a concern in her answers to an earlier question for oral answer. In that respect, I agree with the Minister that the ball is in the Irish Government's court: they will have to come up with the appropriate level of security for the UK. That would have resource implications, and we all know that budget reductions in the Republic are substantial. I agree with a reciprocal scheme being put in place in Northern Ireland if the issues that I have referred to could be sorted out. However, the Sinn Féin motion concludes by calling for the introduction of a single visa scheme for the island of Ireland, and as Northern Ireland is obviously part of the United Kingdom, that is not going to happen.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas le Sinn Féin as ucht an moladh a chur os ár gcomhair. I thank Sinn Féin for bringing the subject to our attention today. I presume that it will be a temporary measure lasting for three years and 105 days if we are to believe the president of Sinn Féin, Gerry Adams, who says that we will be one jurisdiction by 2016. *[Laughter.]* I do not see an awful lot of worry about that on the far side of the Chamber, but we will go by what the man says, because he is the man. However, the SDLP supports the motion.

Owing to the Irish Government's assessment of the success of the short-stay visa waiver scheme, it has been extended to cover Bosnia and Herzegovina, as Mrs Overend has pointed out, as well as the original 16 countries, so 17 countries are now covered. It is also worth

nothing that, in essence, the scheme provides for the proposed single visa scheme for visitors to the island of Ireland as long as they arrive in the North first and have a UK multi-entry visa. As such, the four-year extension to the scheme that was announced in March this year is also to be welcomed. Allowing all visitors on short-stay visas to travel freely across this island would bring benefits. There is no disputing that. However, the extent to which we are missing out owing to the lack of a reciprocal scheme is not entirely clear. Perhaps those who tabled the motion have some facts and figures to hand to supplement that.

Let us be honest about the current barriers to a single visa scheme, rather than simply blame the British Government for preventing the introduction of a similar scheme. As the Irish Minister for Justice and Equality and Minister for Defence, Alan Shatter, has already pointed out to the Dáil, the lack of a reciprocal scheme is for technical reasons. The UK Government require all visa applicants from over 150 countries to supply fingerprint and biometric data electronically. The Irish Government do not, and they acknowledge that they lack the capacity to do so. Decisions on the requirements for visa applications are a matter for both Governments.

As the party to my right knows, the UK Government have what they would consider to be sensitive security installations in the North: MI5 has not gone away, you know. However, the current arrangements appear to be unenforceable. Unless the UK Government reinstate border checkpoints on this island, which I hope that they are not going to do, there is no practical way to detect Irish visa holders who are travelling freely across the island in breach of that visa. The only reported breaches of an Irish visa that I recall involved visitors who travelled from Ireland to Britain via a seaport and who were detected as they attempted to re-enter the island of Ireland. So, there is a question mark over the practical value of such apparent travel restrictions on the island. It is a fact that both Governments are committed to developing a common travel area — CTA — visa that would allow tourists and business visitors to travel to the CTA, permitting them to travel freely across and between the islands of Britain and Ireland. That is surely the way forward, and the Assembly should encourage both Governments to make progress on a CTA visa.

We believe that the proposal before us has some merit. An official reciprocal visa waiver scheme to allow visitors to the South to travel freely across the island would certainly benefit our tourism sector. There is no doubt about that. It could play a part in helping to promote this island as a tourist destination globally. That makes practical and good common sense. Until a CTA visa is agreed, however, the UK Border Agency could be tasked with checking visiting visa holders leaving the island of Ireland to ensure that they are not in breach of any travel restrictions. Such an agreement would recognise the realities on the ground. In the meantime, both Governments should continue to work towards their proposed trial CTA visa scheme and co-operate to resolve the practical issues around its introduction. A united call from the Assembly in support of this proposal would be a welcome sign that the economic benefits of practical policies are finally beginning to trump tribal gesturing.

Mr Dunne: I welcome the opportunity to speak in the debate. Maximising the opportunities for travel and tourism

into Northern Ireland is an important issue that, quite rightly, continues to be a top priority for our Executive and Assembly. Indeed, I put on record a word of thanks to my colleague Minister Arlene Foster for all the work that she has done to date to boost tourism and to bring in new tourism markets from around the world.

It is evident that the short-stay visa waiver system has been of benefit to the Republic in persuading tourists from the 16 emerging markets who are visiting the mainland to visit the Republic of Ireland. The waiver system has facilitated an increase in tourism in the Republic, and I agree that we should consider all viable options for maximising visitor opportunities. Visitors who come to the Republic of Ireland through the visa waiver scheme on a UK visa are able to visit Northern Ireland, which is something that we would encourage and build upon.

It is right to recognise that a considerable number of visitors to Northern Ireland travel up from the Irish Republic. Unfortunately, current security and resource limitations make it impossible to have a reciprocal visa waiver scheme in Northern Ireland at the minute. I hope that we will continue to see progress on resolving these issues in the near future. We look forward to seeing tourism figures in the months and years ahead and trust that we will see a continuing improvement, with Northern Ireland showcased around the world as an attractive product and a must-see destination.

In ventures such as ni2012: Our Time Our Place, which incorporates the Titanic signature project and the Giant's Causeway visitor centre, we now have a world-class brand to promote on the world stage. Much good work is ongoing in encouraging overseas tourists to Northern Ireland, particularly through the positive campaigns from Tourism Ireland and the Northern Ireland Tourist Board. It is our job to ensure that Northern Ireland is known around the world to be open for business, and we must continue to ensure that all avenues are fully explored in selling Northern Ireland as a place to visit and to do business.

I welcome the work that has been done to date to promote Northern Ireland. I trust that that good work will continue and that we will see progress in making the place as accessible as possible. I oppose the motion.

Mrs Foster (The Minister of Enterprise, Trade and Investment): I welcome the opportunity to discuss this issue, which, as has been mentioned, has been raised in the House on a number of occasions. It is good to discuss the issue again.

I think that it will be helpful if I clarify the terms of the Republic of Ireland visa waiver scheme. At present, it covers 16 countries, as we have heard, and it was to run until this year but has been extended to October 2016. As has, rightly, been said, it now includes Bosnia and Herzegovina.

It was introduced with the intention of attracting visitors to Ireland who hold a valid visa for entry to the UK. Consequently, if nationals of certain countries, such as China, arrive in the UK with a valid UK visa, that visa is recognised by the Republic of Ireland, so they can travel to and enter the Republic of Ireland without any further documentation. However, for the visa waiver to operate, the visitor must enter the UK first to have that visa validated, and, therefore, for all those who enter the Republic of Ireland under the visa waiver scheme there are

no restrictions to further travel to Northern Ireland, as they already hold a valid UK visa.

Those who travel directly to the Republic of Ireland on an Irish visa, of course, cannot enter Northern Ireland without a valid UK visa. This is an issue that I have been aware of, and I have, on a number of occasions, discussed with Her Majesty's Government the potential for a reciprocal visa waiver scheme. Both Governments are committed to working on this issue.

I think that it was Mr McGlone who mentioned the common travel area. In December 2011, the UK and Irish Governments signed an agreement that, among other things, they are committed to exploring the feasibility of that common travel area visa. Such a visa would allow tourists and business visitors to travel to the common travel area and to travel freely between the Republic of Ireland and the United Kingdom. It is anticipated that such a visa will prove to be an attractive option. I have no doubt that that is the case for tourists and business visitors. However, the Home Office has made it very clear that it will not be in a position to reciprocate the visa waiver scheme at this time because a number of issues on how a reciprocal arrangement might work in practice need to be worked through, not least the security implications.

We can wave our hands and say: "That does not really matter, we need to have this visa waiver scheme right now." I do not think that we should do that. We need to take account of our national security position, and I think that that is very much what the Home Office is doing.

Having discussed this with Minister Swire, it is clear that the security aspects of the Republic of Ireland visa system would need to be significantly upgraded before the UK would consider a visa waiver or, indeed, a common travel area visa. I think that it was Mr McGlone who asked whether I had had discussions with the new Minister of State. I hope to meet the new Minister of State tomorrow to discuss a wide range of issues, and I hope that we can continue the good work that we were able to progress on many fronts with Minister Swire.

I would like to think that most people in the Assembly will understand that, given the times in which we live, the Home Office will have to assure itself that all the proper systems are in place to protect the United Kingdom's national security. It is, therefore, for the Republic of Ireland Government to consider how it can update its immigration system to incorporate modern biometric checks to enable progress on what I accept is a very important issue.

I think that Mr Flanagan made the point that he did not mind how it was completed, he just wanted to see it happen. I understand his desire to see it happen, but the motion is somewhat flawed in that it calls on the British Government to take action, when, in fact, it is the Irish Government that need to take the action on this matter.

Leo Varadkar, my counterpart in the Republic of Ireland, acknowledged, in his speech to the British-Irish Parliamentary Assembly in May, that the current lack of biometric checks conducted by Irish immigration officers means that progress towards visa recognition across both jurisdictions will take a number of years.

5.45 pm

Mr Campbell: I thank the Minister for giving way. Given what she has just said about all-party consensus on where the solution to the problem is — with the Irish Government — does she agree that it is somewhat ironic that it is the party with representation in that Parliament that raises it here rather than in the Parliament where the problem is?

Mrs Foster: I hope that whoever from Sinn Féin makes the winding-up speech on the motion may want to address that issue, which could, I think, be addressed in the Dáil, and maybe we will hear whether that will be the case. I am aware that the Republic of Ireland is looking at options to upgrade its existing visa scheme, and we would very much welcome any progress.

We have been working hard to encourage visitors from further afield and emerging markets to visit Northern Ireland. It was, I think, Mr Kinahan who made the point that we want people to travel directly into our Northern Ireland airports. That is why we, along with Tourism Ireland, have been working with the airports and trying to encourage the areas that we are targeting for tourists to look at direct flights into Belfast International Airport or Belfast City Airport.

As you will be aware, we have secured the devolution of direct long-haul air passenger duty (APD). That very significant achievement by the Executive and Assembly will help to ensure that key business and tourism links with long-haul markets are maintained and, more importantly, built on. Good progress has been made on the devolution of direct long-haul APD. The Finance Act 2012 facilitated the transfer of the power to Northern Ireland, and a Bill to complete the final stages of that devolution will very shortly be introduced to the Assembly.

The Programme for Government commits us to setting a zero rate of APD on all direct long-haul flights, and I understand that it is the Executive's intention to progress the Bill through accelerated passage and introduce the zero rate with effect from 1 April next year. Devolving direct long-haul APD and reducing it to zero will send to other long-haul airlines the very positive message that Northern Ireland can be a viable option for their business. We want to encourage direct access to Northern Ireland from those markets. Visitors could then enter on a UK visa and, with the Republic of Ireland visa waiver scheme, travel freely into the Republic, if that is what they so desire.

I must take issue with Mr Flanagan's repeated comments. As he was speaking, I thought, when you are in a hole, stop digging. However, he continued to dig by saying that long-haul visitors would not want to spend two weeks in Northern Ireland. Such errant nonsense does a great disservice to our tourism industry, which has worked very hard with me, the Tourist Board and Tourism Ireland to sell, right across the world, the product that is Northern Ireland. I could go through the list of places to visit in Fermanagh, Belfast, County Down, Antrim, Tyrone or Londonderry. Of course, we also have Armagh and all our Christian heritage and cathedrals. For goodness' sake, the United Kingdom City of Culture is coming here next year, and he says that people could not spend two weeks in Northern Ireland. I could very happily spend two weeks of my summer holiday in Northern Ireland. Indeed, as I said in the House last week, I spent a good deal of my summer holiday here in Northern Ireland. I am happy to say that

I had a very enjoyable time and had no difficulty doing so. He really must reflect on his comments because the industry will feel very let down after all the work that it has carried out over this year. Indeed, that work continues into next year, when the World Police and Fire Games come to Northern Ireland.

Although we want to continue to build on tourism performance, it is important that we look for that direct access. That is where we should concentrate our efforts to ensure that we get more direct flights into Belfast. I must say to those who say that the UK visa scheme will put people off coming to Northern Ireland that millions of people came to the United Kingdom for the Olympics and Her Majesty The Queen's jubilee celebrations. I think that the UK scheme works very well. If people come in through a UK airport, they can, of course, go to the Republic of Ireland if they so desire. So, it is nonsense to say that they cannot use the UK scheme.

Of course, I would be delighted to see a reciprocal arrangement. I want to put that on record. I have set out how the matter has been progressed. In closing, I want to take the opportunity to call upon the Republic of Ireland's Government to implement the necessary security upgrades to enable progress to be made on implementation of the waiver scheme. That is a genuine call. That is where the motion should have gone. Unfortunately, however, Sinn Féin decided to talk about the British Government instead. That is where the motion falls down.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I rise to conclude the debate. I thank everybody who contributed to what has been an energetic debate at times. The issue was first raised by my party in February. To be fair, at that time, the Minister's responses to other Members and me were constructive. She is shaking her head. Perhaps she disagrees.

Mrs Foster: Is the Member saying that I have not been constructive now?

Mr McKay: Not in parts of your last contribution. However, to be fair, at that point, certainly you raised the issue with a number of Ministers. That has to be recognised. Given the events of the past few days and the past week, it is important that when we have debates such as this one — and let there be no doubt that they are economic debates — we must try to be as constructive as possible.

Look at the list of countries that Phil Flanagan named at the start of the debate. We talk about the rise of the BRIC countries. Brazil, Russia and India are all on that list. Tourism Ireland has highlighted China and India as the most important emerging markets. With regard to global economics, of course, the more that those economies grow, the more their middle classes grow and the more disposable income they have. That has to be viewed as an opportunity, particularly when it comes to tourism. Figures show clearly that citizens of those countries have more disposable income and are spending more money on flying abroad. People have referred to that as the symbol of a growing middle class. Therefore, there is an opportunity. We need to take advantage of that and ensure that economic barriers to progress and tourism businesses are removed.

Maeve McLaughlin referred to tourists who come into Ireland via Dublin Airport. I think that 68% of visitors to

Derry come through Dublin Airport. Tourists from those countries in particular have to pay €100 for multiple visas. To make a trip to Belfast, the Giant's Causeway or Derry costs an extra £68. Of course, when a family or a group of businesses budget for a trip to Ireland, all those factors are taken into account. Obviously, that can result in those parties deciding not to come north to the Six Counties. That needs to be taken into account.

With regard to the two key markets, I think that Danny Kinahan mentioned that we need to have statistics and facts in front of us. The facts are there and they are quite stark. India and China are two of the biggest countries in the world. The average length of stay of Indian tourists in Ireland is 10 to 15 days. Obviously, there is more than ample opportunity for those tourists to come north on visits to Ireland. India's outbound travel exceeded 13 million departures in 2010. That figure is estimated to reach 20 million by 2015.

Chinese tourists are now the fourth biggest-spending in the world. By 2020, China's middle class will expand to 700 million, which is 45% of its population. That represents an incredible boost in disposable income. One point that must be noted with regard to the Chinese market is that the Giant's Causeway is particularly popular with Chinese tourists. We need to ensure that they come north to the north coast.

Under the new visa scheme, as has already been mentioned, 10 tour operators in India and nine new tour operators in China have been programmed in for the first time in 2012. There is absolutely no doubt that the scheme is starting to pay dividends. From May to July 2012, there has been a 5-7% increase in the number of visitors to Ireland from China and India. There are now 17 Etihad and Emirates flights to Ireland, providing a gateway from the Middle East to Ireland as a whole.

Phil Flanagan opened the debate, pointing out that the issue was the restriction on travel. That is what the focus is on; it is not about whether the scheme is for the island of Ireland or both these islands. It is about removing the restrictions on travel for tourists. He welcomed the Minister's work and the fact that she wants to see the problem resolved in the common interest of everyone in the House today, regardless of our differing views on the matter.

Robin Newton recognised the benefit of the visa, the difficulties of dealing with the issue and the willingness of the Dublin and London Governments to resolve it. Danny Kinahan was a bit more cynical and critical, and concluded his contribution by declaring, I believe, an intent to annex the Twenty-six Counties. That was something of interest to note.

Anna Lo made a very good contribution. She cited the recent example of a group of visitors who arrived in Dublin. Of course, there are people who come even from across the water, never mind further away, who do not know the geopolitics of this island. If there are people in Liverpool who do not know that this island is partitioned, think about people from further afield who are visiting the island, having come in mainly through Dublin, but have no idea that they need a second visa to come to the North. If they see a brochure in a hotel or a B&B in Dundalk and decide that they want to go further north, but realise that they will

have to pay an extra charge, they will think twice. That is certainly unacceptable.

Maeve McLaughlin referred to the fact that since the scheme was introduced the number of tourists from China has doubled and that 63% of visitors to Derry come through Dublin airport.

I disagreed with much of what Paul Frew said, which will come as no surprise, but I agree that north Antrim is a great place for any tourist to visit. People will have no problem in spending two weeks in north Antrim. Indeed, I spent a week on Rathlin Island this year and I could have spent another week there because it is a great tourism destination.

Sandra Overend did not seem to understand the connection between this debate and the economic difficulties that we sometimes face. Regardless of the different positions of most of the parties, we are all agreed that this is an important economic issue, and it is important that the Ulster Unionists reflect on the fact that it is a key issue for job creation in the tourism sector.

Patsy McGlone referred to the fact that the current arrangements are unenforceable and that there is no way of detecting breaches. He also said that we need to see some movement on the introduction of the common travel area because we have had no indication of any progress on that front.

The Minister said that both Governments are committed to working on this issue. Nevertheless, I think that it needs to be made a priority. Of course, the motion refers to the British Government's position, but we need to resolve the problems that exist. We need to ensure that, as soon as possible, there is a visa waiver scheme in place and that we do not have to wait until 2015, 2016 or 2017. Why can this issue not be resolved by the end of this year?

Patsy McGlone said that the current arrangements are unenforceable. We need to take a pragmatic look at the situation and encourage the British Government to take a more flexible approach to the issue to ensure that a visa waiver scheme is put in place as soon as possible.

The longer that we defer this, the more that it is going to impact on our local tourist operators and our local B&Bs, and we need to grow this economy on an all-island basis, because it makes sense to do so. The fact of the matter is that, for the majority of tourists coming to this island, we want to see them up here in the North. That is why it is in our best interests to operate on an all-island basis. Therefore, I conclude, a LeasCheann Comhairle, in support of the motion quite fully.

6.00 pm

Mr Ross: Just in case I missed it, did the Member refer to whether his colleagues in the Parliament in the Republic of Ireland have brought this issue up and raised it with the Irish Government, where it should be raised?

Mr McKay: Yes. Sandra McLellan, the Teachta Dála for, I think, Cork South-East, raised it with the Minister there. So we are raising this matter —

Mr Deputy Speaker: The Member's time is almost up.

Mr McKay: — on an all-island basis, and I welcome the DUP's interest in our operations in the Dáil.

Question put.

The Assembly divided:

Ayes 41; Noes 46.

AYES

Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Flanagan and Mr McKay

NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Frew and Mr Irwin

The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew

Question accordingly negatived.

6.15 pm

(Mr Speaker in the Chair)

Republic of Ireland Government: Apology

Mr Speaker: As two amendments have been selected, up to one hour and 45 minutes will be allowed for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Campbell: I beg to move

That this Assembly welcomes the improved relations with the Republic of Ireland; further welcomes the success of the visit by Her Majesty Queen Elizabeth II to the Republic of Ireland in 2011; notes with concern the recent evidence given to the Smithwick tribunal regarding a lack of support for the investigation of terrorist suspects; believes that relations would improve further if the current Government of the Republic of Ireland were to address the role played by the Irish Government of the day in the emergence of the Provisional IRA and the roles of past Governments regarding the pursuit of terrorists; and calls on the Prime Minister of the Republic of Ireland to issue an apology.

Dealing with the past has been fraught with difficulty in recent years. We are all aware of the problems with which we have been presented in trying to find an acceptable resolution to that conundrum. However, one thing is for certain: we cannot have a highly selective approach to dealing with the past. Unfortunately, that does not appear to be the belief in the republican psyche. Every time we refer to, discuss or debate inquiries, inquests or shoot-to-kill policies, and every time people are called to give evidence in front of inquiries, it is inevitably the case that the policemen or soldiers involved, who were carrying out their lawful duties, are cross-examined and questioned about the activities in which they were engaged. On the odd occasion, republicans go into the witness box, as the deputy First Minister did in the Bloody Sunday inquiry. However, he promptly pleaded the fifth amendment and decided that he was not going to talk about his past. So we cannot have a selective recalling of the events of recent history.

A mindset has emerged in recent years in which, whenever an event involving the state forces of the United Kingdom engaging in counterterrorism is diagnosed or discussed in the public domain, the suggestion arises that other events should be discussed. Last week, relatives of the Kingsmills victims went to the Irish Republic to try to seek some redress. Some people indicated that there is a considerable difference between the actions of paramilitary forces and the forces of the state. Therefore, we should take account of that, and that is why this motion has been termed in the way that it has. This motion talks about the Government of the Irish Republic at the commencement of what were our Troubles and the part that that Government played in a very turbulent time in 1969 in creating what became the Provisional IRA. We are discussing the forces of that state and what they did regarding the commencement of our troubled past.

I quote from 'The Irish Times':

"The news on the morning of May 6th, 1970, that Charles Haughey and Neil Blaney had been sacked from the Government by the Taoiseach, Jack Lynch, was a bombshell. The shock was compounded when it emerged that the sackings arose from the alleged involvement of the two senior ministers in a failed attempt to import arms illegally through Dublin Airport.

By the end of the month, the two men had been arrested and charged with conspiracy to import arms. Also charged were Captain James Kelly formerly of Army intelligence; John Kelly, a leading Belfast Republican, and Albert Luykx, a Belgian who owned a hotel in north Dublin often used for Fianna Fáil functions."

It is common knowledge, and no one disputed, even after the collapse of the arms trial that I have referred to, that, at that time, a fund of £100,000 was established, principally by the Government of the Irish Republic. As a result of that fund being established, a meeting was held — I am quoting again from 'The Irish Times':

"in Bailieboro, Co Cavan, of the Northern Citizen Defence Committees which soon became fronts for the IRA. The meeting was told that £50,000"

— of the £100,000 —

"would be available to buy weapons to defend nationalist areas."

It is fairly clear what was done and by whom it was done.

I will quote a few other people who were involved at the time. The republican John Kelly, who was one of the co-accused, said:

"We assumed that we could believe what we were being told by the leader of the state, by Jack Lynch, who didn't equivocate when we said we were looking for arms. It was always very definite that they understood that we were there in pursuit of arms. This had been put in place by Captain Jim Kelly, by Neil Blaney, by the other Ministers that we had met."

The republican John Kelly was fairly clear. Kevin Boland was one of the co-accused and was a Government Minister between 1966 and 1970. He is quoted by Peter Taylor as saying:

"Street fighting training was given in Donegal by the Irish army. Ten men from Derry"

— he obviously had a spelling problem, but anyway —

"— came and were given basic military street fighting training".

I would be interested to know who those 10 men were. I presume that they were prominent republicans from Londonderry. I can think of at least one, but we shall see who emerges from the undergrowth. To finish the quote:

"this was done with the knowledge of the whole government."

That is a quote by Kevin Boland, one of the Government Ministers. There are other quotes from people who were involved at the time. Captain Kelly was asked about

the split between the Official IRA and the emerging Provisional IRA. He was asked whether there were promises of weapons and money, possibly, to the North. Captain Kelly's response was:

"I would not argue with that. It would be logical."

He then added that it would be in good conscience that his Cabinet should arm a group that would attack the Irish Government if it were a Marxist Official IRA instead of a more nationalist-minded Provisional IRA. Therefore, the emerging split within violent republicanism was encouraged by the state of the Irish Republic. This the crux of the motion. A state — a national Government of the Irish Republic — ensured that, in secret, they connived with known violent republican elements to allow for the emergence of what became the Provisional IRA. That is a fairly well recognised and established fact, setting aside the fact that the arms trial was never going to go anywhere. Most people seemed to accept that that was the sequence of events.

I note that the Taoiseach last week indicated that he could not apologise for the actions of the IRA. This motion does not seek an apology from the Government or Prime Minister of the Irish Republic for the actions of the IRA. We may seek apologies from the IRA for the actions that it was responsible for, but the predecessor of Enda Kenny, Jack Lynch, was in government as Taoiseach of the Irish Republic and, with the full knowledge of members of his Cabinet, allowed money to be given to the emerging Provisional IRA. It is for that that we ask him to apologise.

We are not asking him to apologise for the actions of the Provos, but we are saying to Mr Kenny and to the Irish Republic's Government: you acted as a midwife at the birth of the Provo monster that we had to deal with for 30 years. It took 30 years to defeat and disarm that monster, but eventually that was accomplished. We now want to try to bring closure to many people who suffered as a result of those 30 years, and we want you, Mr Kenny, to acknowledge the events of your predecessor Government and Taoiseach and accept that the Government played a part in that emerging force and apologise for it. We would then close the book and move on, hopefully to more explicit apologies from those who carried out the activities and atrocities in the first place.

Mr Kennedy: I beg to move amendment No 1:

After "2011;" insert

"notes the apologies from the United Kingdom Government in relation to the Bloody Sunday and Claudy bombing events; further"

I am grateful for the opportunity, on behalf of the Ulster Unionist Party, to move the amendment, and I thank the sponsor of the motion for his contribution. It will come as no surprise that I am supporting the proposal because, last Thursday in Government buildings in Dublin, I asked the Taoiseach, Enda Kenny, to apologise, not for himself but on behalf of his Government and his people for the security failings and political failings of successive Irish Governments. Those failings may not have caused atrocities such as Kingsmills, but they meant that little or nothing was done to prevent them.

Border unionists across many counties have shared experience of the failings of Irish Governments, and,

sadly, those experiences amount to one thing: no justice. Injured loved ones, but no justice. Murdered loved ones, yet no justice. There were few arrests, even fewer prosecutions and little or no disruption to the operations of the murderous republican gangs but, ultimately, no justice. More often than not, those IRA gangs planned their crimes in the Irish Republic. It was in the Irish Republic that they prepared for them and nearly always into the Irish Republic that they fled and celebrated after committing them. Those IRA gangs were responsible for the murders of ordinary mill workers, innocent people and security personnel, and they launched a campaign that amounted to the ethnic cleansing of border Protestants.

I will focus on Kingsmills, in part because the time given for this debate is probably not sufficient to do justice to all who suffered while the Irish Government stood idle, and in part because Kingsmills is so close to me personally and so close to home. Its victims were workmen, predominantly from my home village of Bessbrook, and that incident on 5 January 1976 will be for ever in the collective memory of the people of Bessbrook. Whilst republicans are desperate to wipe the stain of crimes such as those at Kingsmills from history and to try to forget or ignore the uncomfortable truth, the families of the victims of such atrocities will ensure that those events will never be forgotten. We in the Assembly are duty-bound to ensure that those events are never forgotten.

6.30 pm

It is worth remembering that the IRA or republicans do not want to talk about Kingsmills, let alone accept responsibility for it. It is even too shameful for them to admit to, or, as is more likely, it exposed the blatant sectarianism of their war, an exposure for which not even the most creative of republican thinkers could offer an excuse. Therefore, never mind providing an explanation; they continue either to hide or to lie.

Of course, there are those who believe that it may not have been the IRA; that it may have been somebody else. That stood until last year, when we had the report by the Historical Enquiries Team. For although that report has not brought closer the prospect of arrests and prosecutions of the criminals involved, it has nailed the myth that the IRA was not responsible. Through ballistics, the report demonstrated that, without doubt, the guns used at Kingsmills were used in many other attacks and murders.

Let me remind the House that at Kingsmills at least 10 weapons were used and approximately 160 rounds were fired at unarmed workmen, first as they were standing and then when they lay injured on the ground. Those weapons were linked conclusively by the HET to 37 murders, 22 attempted murders and a further 19 non-fatal shootings.

Some eight weapons have been recovered in the years since Kingsmills. Four were recovered in the Irish Republic and four in Northern Ireland. There is an interesting contrast between those weapons recovered in Northern Ireland and the prosecutions that then resulted, and those found in the Republic of Ireland. One of the Kingsmills weapons was recovered in the Republic of Ireland in November 1981, during the search of a car in Dundalk. It had been used in five murders and seven attempted murders along with other terrorist attacks, all of which took place in Northern Ireland. In February 1982, despite the

history of the weapon, the individual concerned was given only a seven-year sentence.

A second weapon used at Kingsmills and recovered in the Republic at Carlingford in May 1979 unbelievably has no gardaí record of the circumstances of its recovery. There is certainly no prospect of prosecutions. A third weapon used at Kingsmills was recovered at Dungooley in County Louth in October 1978. Remarkably, again, there are no records of the circumstances of its recovery and/or its disposal. That weapon was used in the murder of the Orangemen outside Newtownhamilton only three months before Kingsmills. After Kingsmills, it was used in murders in April 1976 and 1977. One person was convicted in Northern Ireland for the murder of the Orangemen at Tullyvallen, which, as I said, took place three months before Kingsmills, and the murder of a soldier three months after it.

A fourth weapon used at Kingsmills was recovered in County Louth, this time in January 1978. Yet again, remarkably, no records exist as to the circumstances of its recovery. It, too, had been used at the Orange hall at Tullyvallen and in other murders and attempted murders. Therefore, three of the four weapons recovered on separate occasions in the South in the years after Kingsmills have simply no record of the circumstances in which they were recovered. The question is simple: why not?

Those questions, among others, require answers, and they are issues for the Irish Government to consider as we move forward. The meeting between the Taoiseach and the Kingsmills families was important in itself. It was a courteous meeting, heavy with emotion, as the Taoiseach heard at first hand the impact of the IRA's cross-border attacks. I pay tribute to the families and their representatives who attended. It would be impossible that, having opened that door, the Taoiseach having heard the very real accounts of victims and families, to think that simply nothing further could happen, or that nothing further would come of it.

Improving North/South relations will begin in earnest only when the Irish Government acknowledge that more could and should have been done. When that acknowledgement comes — I believe that it will be a matter of when, not if — we can seriously begin to improve relations. That will, indeed, be a significant step forward. Of course, the uncomfortable truth will, inevitably, be in addressing the next step, which will be to ask the question: why was more not done?

The Taoiseach was completely right when he said that it was not for him to apologise for the IRA. Let me make it clear: no one asked him to apologise for the actions of the IRA. Indeed, there are people in the Assembly who are much better placed to do that. As much as it would be a step forward for the Taoiseach to acknowledge the failings in the South, it is about time that republicans came clean in Northern Ireland.

Events such as Kingsmills cannot be justified, no matter what twisted logic is applied. Serb nationalists will come to recognise that Srebrenica was wrong. Closer to home, Irish republicans must come to accept that what they did was wrong.

Mr Dickson: I beg to move amendment No 2:

At end insert

“; and reiterates its call for the Secretary of State alongside her counterparts in the Irish Government to convene talks between all the political parties to reach agreement on a process to comprehensively deal with the past.”

I want to make it clear that my party can support the original motion and the first amendment only if our amendment is carried, as we believe that the issue needs to be addressed through a comprehensive mechanism for dealing with the past. I hope that, during the debate, we do not indulge too heavily in what some may term the blame game. We have to be very careful that we do not fall into a trap of increasing animosity, thus stifling progress and preventing people from getting recognition for or answers about the things that were done to them. Rather, we should grasp the opportunities that debates such as this give us to demonstrate our willingness, as an Assembly, to begin a process through which the legacy of the past can be effectively addressed, healing commenced and questions answered.

We need to establish a process to allow us to examine very deep, hurtful and painful issues that many, if not all, of us have had visited upon us, whether through the death of a loved one, an attack on our property or the impact of an event on an entire community. We owe it to each other and to those who are yet to come in our society to address what drove us to do the things that we did to each other. When one third of our population considers themselves to be directly affected by the conflict, that cannot and should not be ignored. Dealing with Northern Ireland's past and its legacy is a difficult and complicated issue, and there remains much individual and collective hurt, particularly among those who have suffered directly as a result of the violence and conflict.

Very few would deny that Her Majesty The Queen's visit to the Republic of Ireland and apologies from the British Government in relation to Bloody Sunday and Claudy have improved relations, and we have no difficulty in acknowledging that today. However, progress in high politics does not always filter down to the grass roots of our society. The reality is that division and segregation are still the norm in many parts of Northern Ireland. One only has to reflect on the events of recent weeks to know that that is true. We are a society infected by sectarianism and its outputs. Rates of sectarian crime have increased in recent years, and it accounts for roughly half of all reported hate crime. Division and duplication of services create huge financial costs. Research has revealed that, sadly, a third of our children show preferences for names and flags and display different attitudes to the police and marches from a very young age. It is clear, therefore, that the legacy of the Troubles must be addressed in a way that transforms our society from one that is characterised by division to one that is characterised by a desire for a true and lasting reconciliation.

The Government of Ireland have played their part in our history, which, as a society, we are trying to unravel. However, they have also played a significant part in the process that has brought us to where we are today. So, it is vital that they are involved in the process for dealing with the past. That is why, although we have some doubts about the historical implications in the DUP's motion, we welcome it as a step forward in recognising that the Irish Government, like all other parties that were part of

the events of the past 40 years, need to talk about their involvement during that time.

We recognise the value that apologies can have in helping to heal the divisions and wounds of the past. However, it is the Alliance Party's belief that a mechanism that deals with the past comprehensively needs to be put in place first, and that that could provide appropriate apologies but may also lead to forgiveness. Failure to breach the divide will lead to a continuing divided and wasted future for many of our people, particularly those who, on this day, are on low incomes or are losing their jobs. That should be the first priority of the House.

For many years, my colleagues and I in the Alliance Party have emphasised the importance of overcoming divisions and building a shared future for Northern Ireland, but that cannot be achieved without us as a society dealing with the legacy of the past, which, if left untouched, threatens to dominate our future.

It is over 10 months since the Assembly called on the previous Secretary of State to convene cross-party talks. It is over three years since the publication of the Eames/Bradley report, and there has been no progress towards the establishment of a true reconciliation process. This is a test for the new Secretary of State and all the other players in the process. The legacy of the past remains a source of hurt and antagonism and infects our institutions and many sectors of society. It is time to address that legacy. I, therefore, urge Members to support my party's amendment and call on the Secretary of State to convene talks so that we can begin to drive the process forward.

Mr Mitchel McLaughlin: Go raibh maith agat, a Cheann Comhairle. I was listening carefully, particularly to Gregory's remarks. He introduced them by saying that being selective was a bad approach. I asked myself whether it was really Gregory who was saying that, but he actually said it three times, and then, of course, he proceeded to be very selective.

Mr Allister: Let us see how selective you are.

Mr Speaker: Order. Allow the Member to continue.

Mr Mitchel McLaughlin: I am glad that our friend from the Back Benches is paying attention.

The issue that we have to deal with is this: are we serious about getting at the truth? I direct that straight across the Benches. If people are going to acknowledge the origin of the trouble and why there is a civil rights history in this state, we have to clearly examine what was wrong with the Government that caused people to go out to protest. I have yet to hear unionists address that as a contributory factor to the inferno that engulfed us all. When people went out, peacefully, to protest and to ask for civil rights, the RUC was sent in against them with batons and water cannons. They arrested people. They used the law; they had legal powers, and they abused them.

Mr Allister: Will the Member give way?

Mr Mitchel McLaughlin: No. I am sorry; but I have had enough of your nonsense.

If unionists were prepared to address that, we might start to get to first base; we might start to get to the position at which people can say: "Well, of course, lots of things were wrong." I do not know any republican who, under any circumstances, would say that there was not fault on all

sides. I know of no republican who would not acknowledge that there were many protagonists and that there were those who created the conditions of conflict that eventually erupted. I lay that at 50 years of misrule, discrimination, gerrymandering and denial of democratic rights by the old Stormont Government in which the unionists had one-party rule for far too long. If that could be recognised, we would be at a starting gate, in my view, because we have to try to create a process and circumstances in which people can bring their stories and their versions of what happened and the events that traumatised people on all sides of our community. *[Interruption.]*

Mr Speaker: Order.

Mr Mitchel McLaughlin: You can make noise and shake your head, but that truth will keep coming back to unionists until they start to reciprocate, start to think about it and then start to offer a way out of this corner. If they prefer to stay in the corner, I feel a pity for them, but I feel more of a pity for the people whom they represent. *[Interruption.]*

Mr Speaker: Order.

Mr Mitchel McLaughlin: I will take a look at the recent events at the marches, for instance. They exposed quite a lot, but, more than anything else, they exposed the complete lack of leadership on the unionist side. Running in front of the mob, running in front of the loyalist spokespersons, hiding from the media —

6.45 pm

Mrs Foster: On a point of order, Mr Speaker.

Mr Speaker: Order. Let us get back to the business that is before the House. Members will know that I give them some latitude around all these issues. Therefore, let us get back to the debate that is before the House.

Mr Mitchel McLaughlin: My remarks are entirely relevant. If people want to talk about being selective, they need to think about doublethink. In the debate immediately before this one, the DUP said that that matter should not be brought here and is a matter for the Dublin Government. We now have a DUP motion that is addressed to the Dublin Government, so you need to shake your heads. Let us deal with the issues.

Mrs Foster: Will the Member give way?

Mr Mitchel McLaughlin: Yes.

Mrs Foster: The Member is mixing up the previous motion with this motion. The previous motion was addressed to our Government — the British Government — when it ought to have been addressed to the Irish Government. That was the point of the previous motion, so it is a complete mix-up to which he is now referring.

Mr Mitchel McLaughlin: It is not a mix-up. People can read the motion for themselves. It is directed.

Mr Speaker: The Member will have an extra minute added to his time.

Mr Mitchel McLaughlin: Thank you very much. You are making a demand on the Irish Government, and I am not here to defend the Irish Government because I have issues with their role over many years. I will give only one example: the Dublin/Monaghan bombings, which were carried out by unionist paramilitaries under the direct

control, as proven, of British Crown agents. Perhaps unionists think that we do not need to address that matter. Perhaps unionists do not think that that is part of the truth recovery process that will lead to the necessary reconciliation. Therefore, I make a plea to unionists: let us get real and start to engage on all of the truth.

The role of the old Stormont Government cannot be left out or the role of the British Government and their agents. There were references to actions in which they were involved, and there are many actions in which they were involved about which there is complete denial. That should not happen if we are going to deal with the truth.

Gregory addressed some of those issues towards us, and I think that there is a responsibility on us. However, if there is a situation in which one side adamantly refuses to address issues about which they have information and have some responsibility for, how do they expect other people to respond? What does that give us 15 years after the Good Friday Agreement? It gives us stasis, and it creates public dismay.

People are starting to believe that the Assembly is incapable. I do not believe that, and I will keep coming back to this subject. That is the direct relationship to the motion, which I am glad that the DUP introduced. The Unionist Party introduced an amendment, did not even speak to it and forgot to refer to it. We had a very harrowing explanation of last week's visit to Dublin, and I did not dismiss it or refuse to listen to what was said.

Although the Alliance Party amendment is good in what it adds, it does not correct the selectivity or imbalance in the motion. I am sorry about that because the Alliance Party was making a genuine effort, and I commend its approach. Therefore, as Gregory invites us to —

Mr Speaker: The Member's time is up.

Mr Mitchel McLaughlin: — we should reject selectivity in approaching these matters.

Mr McDevitt: This is a sad evening because looking back on our past and reflecting on the terrible human tragedy that was the conflict in this part of Ireland can invoke nothing but sadness. It can invoke nothing but a desperate need for us to treat the emotions of those who lost and suffered on all sides, and our duty to history, to do things better than the House is doing tonight. Whatever the merits of the argument behind the motion — some people may feel that they have a strong and deeply held belief that the motion should become a reality and that what it calls for should happen — this is not the way to do it.

The House should resolve to support the Smithwick tribunal and to say unconditionally that, no matter what the findings of that tribunal, we will support its outcome in the same way as the House should have been capable of supporting the Bloody Sunday tribunal and saying that, no matter what the findings of that tribunal, we would support its outcome. Even then, we are failing in our duty to properly tackle the past. We can no longer deny that this generation of legislators cannot go on in a game of historical ping-pong, ignoring our duty to deal with this island's past.

You would think that we share an objective of achieving reconciliation and that that reconciliation cannot simply end at the borders of the North of Ireland but must include the island. And you would think that putting what I would

call a process of national reconciliation should be at the top of all our agendas. Yet we refuse doggedly to even tackle the meaning of the very word. It is not too difficult to see what it takes to reach reconciliation. It takes truth. And truth can be painful, and we all know that in our personal lives. It takes —

Mr Campbell: Will the Member give way?

Mr McDevitt: In a second, Mr Campbell.

It takes an acknowledgement that justice cannot be denied, avoided or dismissed. And it takes trust. Unfortunately, the motion before us today does not create the space for any of those three things to exist, because it is premature. Now I will happily give way to Mr Campbell.

Mr Campbell: I thank the Member for giving way. The Member talked about truth and about a way of dealing with this. Does the Member accept that, ludicrous as it may appear, if 40 years ago the British Government had set aside £100,000 to create a loyalist paramilitary organisation, and had various Government Ministers in Whitehall colluded to establish that organisation — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr Campbell: Had they done that, does he not think that nationalists would have been asking and demanding an apology from the British Government?

Mr Speaker: The Member will have a minute added to his time.

Mr McDevitt: Thank you very much, Mr Speaker. I thank Mr Campbell for his observation, and I think that he makes my point. We can no longer allow a process of reconciliation to be passed off on selective interpretation of history. He has his interpretation. I am an Irishman and a Dubliner. I am very proud of the state that educated me and that gave me the chance to be who I am today. I will accept my responsibility as a citizen of that state, as I am sure all of us will — those of us who owe allegiance to it — if in the process of time it has questions to answer. However, what I will not do is peddle my own, prejudiced history on someone else. Nor will I expect them to accept a biased view of history in the context of a process of reconciliation. This is not some academic debate. This is about building a new society. Either we are up for this or we are not.

The Alliance Party amendment is good, but it fails to deal with a flawed motion. That is the thing that we regret about it and why, with regret, we will not be able to support it.

One thing that, I think, needs to be said during a debate like this — and it is a simple thing — is that we are not all to blame. There is no sense in saying that everyone on this island shares some blame for what went wrong and the atrocities that were committed on behalf of different people on this island. We are simply not all to blame, but we all must play a part in the process of reconciliation. We all must have the courage, in the fullness of time and in the right way, to face up to what may well be uncomfortable truths, but we cannot get to that place by selectively nitpicking and pointing to specific events in history and expecting those to constitute an improvement in our relations, a deepening of trust and a sense of a new society.

For 15 years, the main two parties in this place have dodged their responsibility on this issue. Before we leave to face the people again, I would like those two parties to stop the megaphone diplomacy across the Chamber and to come back here with proposals that are capable of commanding support. Proposals that say —

Mr Speaker: Time is almost gone.

Mr McDevitt: — that we were not all to blame but that we all share a duty to get it right.

Mr Anderson: In supporting the motion tabled in my name and that of my DUP colleagues, I am conscious that only last week the Prime Minister of the Irish Republic tried to wriggle his way out of taking responsibility for the failures of the Southern state when he said that he could not apologise for the IRA. His refusal to live up to his responsibilities stands in marked contrast with the actions and approach of the United Kingdom Government in recent times. Nobody should be in any doubt as to the need for a proper, formal public apology from the Dublin Government. There is no justifiable reason why Enda Kenny should continue to find excuses to duck facing up to the nasty truth of Dublin's role in our past.

Enda Kenny's abject failure to face up to what was done by state officials and representatives on behalf of the Southern state and in the name of his people serves only to excuse and justify the actions of those who actively helped to put the guns and bombs into the hands of evil terrorists, some of whom sit in this Chamber. That failure subsequently also helped many to shelter from justice.

The actions of elements of the Dublin Government assisted those who are guilty when it comes to the disappeared, most of whom are secretly buried in hidden graves in that large graveyard known as the border counties of the Irish Republic. The actions of elements of the Dublin Government helped to condemn the people of Claudy and the Kingsmills workers to early graves. It helped to set the La Mon House Hotel on fire and place bombs in the way of those who fled from Bloody Friday. Elements of the Southern Government actively assisted in the formation of the Provisional IRA, and Enda Kenny certainly has that to apologise for.

Only last week, our Prime Minister issued a public apology that related to previous Governments. Indeed, even before that apology relating to the Hillsborough disaster, there was an apology for the actions of a Government several decades in the past, which related to Bloody Sunday. On the point of the United Kingdom Government apology for Bloody Sunday, one reason given by some political representatives who campaigned in support of that inquiry was that Governments should be judged against higher standards than illegal groups and must be the upholders of laws that they enact. That either applies to all Governments, Dublin included, or to only selected Governments, with Dublin let off the hook.

Let us be in no doubt that Dublin has much to apologise for. Let me take just the issue of extradition. Between 1973 and 1997, 113 extradition requests were made by the United Kingdom to the Republic on terrorist-related offences. Over that 25-year period, eight people, or 7%, were extradited. During the same period, 296 extradition requests were made by the United Kingdom to Dublin for non-terrorist-related offences. Of those, 124 people, approximately 42%, were extradited. So, for 25 years, if

you were wanted on non-terrorist-related offences, there was a 42% chance, almost one in two, of being extradited from the Republic to the United Kingdom. If you were wanted on terrorist-related offences there was only a 7% chance, or one in every 14, of being extradited. So, for 25 years, an on-the-run terrorist was seven times less likely to be extradited to the United Kingdom than those wanted for other offences.

A succession of Dublin Governments regarded the brutal sectarian murders of innocent men, women and children as political. In consequence, those cold-blooded murderers were allowed to roam free and continue with their ruthless campaign. The border was allowed to be an accommodating, well-used rat run that allowed terrorists of the worst kind to roam free and have a safe haven to live and plot their next evil atrocity, leaving a trail of death and destruction in Northern Ireland.

A succession of Southern Governments were accomplices after the fact to the ethnic cleansing of the border and the wholesale murder of our citizens. It is long past time that Enda Kenny finally ended the wall of silence. It is time for him to do the decent thing and to admit, acknowledge and apologise, and he must do so officially in the Dáil. I support the motion.

Mr Nesbitt: I thank the sponsors for bringing this important debate to the House. I obviously support the Ulster Unionist amendment and also pay tribute to and congratulate my colleague Danny Kennedy MLA for his continuing good work for those most impacted by the Kingsmills atrocity. If ever there was an event in our Troubles that deserves the word atrocity it is what happened at Kingsmills.

However, let me start positively. I welcome the improved relations with the Republic of Ireland. I welcome the success of the visit of Her Majesty Queen Elizabeth II to the Republic last year. For my money, that was an act of outstanding leadership by Her Majesty. To stand where she did and say the words that she said was true leadership, from which we could all learn.

7.00 pm

It also seems to me that the United Kingdom is in the lead when it comes to apologies with regards to dealing with our past. It was not just the Queen; the Prime Minister, Mr Cameron, apologised for the events of Bloody Sunday. That was very difficult for unionists to take on board, but he said that it was wrong, and I must accept that the Prime Minister has a right to say those words. The previous Secretary of State, Owen Paterson, also apologised for some aspects of the handling of the Claudy bombing. Again, difficult though it is, as a unionist I must accept that that is the Secretary of State's view and that it was right that he should make an apology.

The danger is that the more often one side apologises, the more likely it is that just one side will be painted as the sole villain of the piece for 35 years of terrorist violence. Clearly, that was not the case. Mr Campbell laid it before us with quotations from the time of the gunrunning. I interviewed Captain Kelly and others who were involved in the day, and it is clear that the Government of the Republic of Ireland, by commission and omission, created and enabled conditions for terrorism to thrive and for people to cross the border and murder citizens of Northern Ireland.

My Government are accused of aiding and abetting terrorism — is that not the very thing that we are accused of? Yet the Government of the Republic of Ireland will not open their books and their mouths to tell us the truth about their involvement.

As I said, my Government have apologised on many occasions. We have had an apology about Bloody Sunday and the Claudy bombing, and we have had an apology and a rewriting of the investigation into the McGurk's Bar bombing. Many will also remember the case of Aidan McAnespie, who was shot dead by a gun operated by a soldier who said that his hand had slipped. The Historical Enquiries Team investigated that killing and said that although it could not determine the exact circumstances under which the gun was fired, slippage by the hand of the soldier was the least likely explanation. That was followed by an acknowledgement of the pain of the McAnespie family, which was jointly issued by the Secretary of State for Northern Ireland and the Secretary of State for Defence. That brought a great deal of closure to the McAnespie family, whose son Aidan was shot by a member of the army — my army. It brought a great deal of closure, but it did not bring complete closure. Why not? Because the Irish Government would not release the details of their inquiry into the killing of Aidan McAnespie. The Irish Government appointed Garda Deputy Commissioner Eugene Crowley. He reported, yet the Irish Government will not allow the McAnespie family access to that report. I ask why not.

A word if I may on the difference between apologies and acknowledgements. Apologies can be made while swimming in very shallow water; we can bump into each other on our way into the House and say, "I am very sorry." What we need is beyond an apology; we need a true acknowledgement. We need the sort of acknowledgement that the Queen gave in Dublin about things that, perhaps, should not have happened.

Mr McLaughlin, whatever may have been wrong with this House in the 1960s, it was not worth one IRA murder — not one, Mr McLaughlin. It could have been fixed through negotiation.

Mr Mitchel McLaughlin: What about loyalist murders?

Mr Speaker: Order.

Mr Nesbitt: The Alliance Party's amendment calls on the new Secretary of State to bring forward a comprehensive series of resolutions to deal with the past. I met the Secretary of State today and put that point to her. I put it to the House that agreement will need to be found —

Mr Speaker: The Member's time is almost gone.

Mr Nesbitt: — among the Members of the Northern Ireland Assembly primarily. I support amendment No 1.

Mr Moutray: At the outset, I acknowledge that the relationship between the United Kingdom and the Republic of Ireland has improved. I note especially the success of the visit of Her Majesty Queen Elizabeth II to Dublin last year. However, having said that, I am unequivocal in my belief that a public apology is required from the Irish Government for the role that they played in the early days of the Troubles. Like many others who lived through 30 years of murder and mayhem, I still feel very aggrieved at the Provisional IRA's cold, callous and unrepentant attitude throughout. In fact, after 20 years of ceasefire,

little remorse has been shown. That grieves me, and it grieves many of the people whom I represent.

However, the motion today focuses on the Irish Government and on the fact that, since 1970, they have washed their hands of the issue. They have remained silent rather than publicly apologise for their indirect involvement, particularly in the role of the Government of the day in setting up and financing the IRA. Although we are often reminded there is no evidence that the Irish Government ever backed the paramilitary tactics of the IRA, I believe that that Government failed to crack down on that organisation's activity in the Republic of Ireland over the decades.

Today, we think of the comments of the Irish Government, and specifically those of Enda Kenny, who told the relatives of those killed in the Kingsmills massacre that he could not apologise for the IRA. Although, to a degree, I know that he cannot apologise for the IRA, I believe that Mr Kenny could apologise for the connection between what the IRA did in its infancy and the Government of the Irish Republic of the day, as well as for the fact that the Republic of Ireland was seen as a haven for terrorists.

The role played by the Irish Republic in the past has been highlighted recently by the Smithwick tribunal, which bears huge significance to my constituency of Upper Bann, given that the late Chief Superintendent Harry Breen was from Banbridge. The revelations about the attitudes of some government representatives and police personnel dealing with that case would make the blood chill. Although it is important that we gain the truth about what happened on that fateful day in 1989, and find out the exact nature of any collusion or failing on the part of the Irish state forces, real closure for the victims is ultimately delivered through justice being served on the perpetrators. I hold the view that collusion is wrong, and always has been, regardless of its origins.

A blind eye has been turned for too long to the support given to the IRA during the Troubles by certain elements in the Republic of Ireland, and, as such, I believe that an acknowledgement and apology from the Irish Government would cement the fact that support for the IRA is firmly in the past. In my constituency, we are reminded of the brutality of our history every day by survivors of those killed, by memorials to those killed and by the vivid memories of those killed or brutally injured throughout the Troubles. Those people have suffered at the hands of terrorists and rightly feel aggrieved at the role played by the Irish Government; at the fact that they have never even acknowledged that there were wrongdoings in the Government of the day; and at the fact that they could have done so much more at that time to halt the terrorist activity of the IRA, which could have prevented significant loss of life over 40 years. It is time for the Irish Government to come out and publicly denounce the activities of the past and apologise for their involvement. I support the motion.

Mr Eastwood: The motion is a manifestation of perception rather than fact. The Smithwick tribunal is yet to report, and we still have no comprehensive mechanism for dealing with our tragic past. I understand that the very strongly and widely held perception in the unionist community is that the Irish Government have questions to answer. However, perceptions cannot be given such formal recognition in an Assembly motion. Let me be clear: we will accept any

findings of the Smithwick tribunal or any other inquiry into the past. If the Irish Government have questions to answer, we say that they should answer them.

There is no escaping the fact that the debate on this motion is again a continuation of our conflicted past through the forum of this Assembly. We are at risk of forever being locked in a conversation about the past if we do not deal with it properly. A look at the Assembly agenda will act to confirm that reality: today, we talk about the past; tomorrow, we talk about the past. It is truly depressing. The DUP needs to make up its mind on this issue. On the one hand, many of its political representatives have publicly stated that a line needs to be drawn; that the past is too big and too dark to be dealt with. Those people seek to let the justice system deal with its residue. On the other hand, some of them come before the Assembly with a motion that seeks a wider discussion on the past. The DUP needs to make up its mind. Contradictions on its position amid the complexity of the past will inevitably lead to one place, and that is a dead end. If the underlying spirit of the motion is a recognition by the DUP that it is now serious about finding a way through the legacy of the past, that is to be welcomed. Everyone has a place and a role in this process. That includes the two Governments, as well as we in the North.

It is also important to remember and recognise that, in their defence of the state and the primacy of the Irish Government, representatives of the Irish state were murdered by the IRA. Although the Irish Government have to fully engage in the process of dealing with the past, including dealing with the difficult issues openly and honestly, it is important to remember that the Irish Government and their forces stood resolutely against those who would undermine the legitimacy of that government. I think of Garda McCabe and his widow, and the many others who stood against illegal private armies in the Irish state. It is important that we all acknowledge the sacrifice that was made in defence of the Irish state by members of an Garda Síochána and the only legitimate Óglaigh na hÉireann: the Irish Defence Forces.

For many in my community, it is very difficult to accept a motion from Gregory Campbell that talks about dealing with the past and the Smithwick tribunal. He has repeatedly failed to accept the findings of the Saville inquiry, an inquiry that was set up by a British Prime Minister and the findings of which were accepted by another British Prime Minister and many unionist politicians. We should all be prepared to accept the findings of such inquiries, whatever those findings might be. We will do that with Smithwick, but we will wait for its report before we pass judgement.

The Irish Government undoubtedly have a major role to play in any conversation, debate or structure that seeks to effectively deal with the corrosive legacies of the past. However, the DUP motion seeks to frame the use of the past narrowly for the purpose of the party's own political bias. It is a selective use and abuse of history that seeks to aid its present political position. There is no harm here in calling a spade a spade: nationalists and republicans have also been guilty of that tactic. This is why it is so important to finally roll up our sleeves and deal with the issues once and for all. That should be the outcome of the motion and debate.

Lord Morrow: I believe that the debate is important and very timely. We hear much today about apologies and who should apologise to whom, and there is much debate in the public domain about that. However, I think that sometimes an apology that is not delivered with sincerity becomes quite meaningless. Of course, an apology is much more effective if it is not asked for, but, in this case, it has to be asked for.

For Mr McDevitt's benefit more than anybody else's, it should be said that, when partition occurred in Ireland in 1921, the then Protestant population of what became the Republic of Ireland was something like 12%. The population there today is in the region of 2%. I am sure that Mr McDevitt will be interested in and take note of that. One must ask him why that is. Why has the Protestant population in Southern Ireland diminished to 2%? Is it because they felt unwanted? Is it because they felt isolated? Is it because they had been marginalised and pushed out? It may be that an apology in that respect would not be out of place —

Mr McDevitt: Will the Member give way?

Lord Morrow: Yes, I will come to you in a moment or two. The motion before us calls on the Republic of Ireland Government to address the role that they played in the emergence of the Provisional IRA.

Mr McDevitt: I thank Lord Morrow for giving way. Indeed, I acknowledge that, and it is deeply regrettable that there was movement both ways at the time of partition. I am a Southerner and not a Northerner because my great-grandfather and grandfather and all his family were forced to leave Belfast as a result of partition. They had no choice; they had been interned and were sent south. So, it is a sad reality that partition did not just draw a line in the map but sent families to the wrong side of the border; if not, I would be sitting here as a proud Belfast man.

Mr Speaker: Lord Morrow, you have an extra minute on your time.

Lord Morrow: Thank you, Mr Speaker. I heard Mr McDevitt, and I am sure that he will be the first to acknowledge that today the Catholic population in Northern Ireland is in excess of 40%. So, your population continues to grow, while across the border the Protestant population continues to diminish. You may want to have a study on that sometime.

It would be difficult to find anyone out there, particularly in the unionist community and, I suspect, in the nationalist community, who does not believe that the Dublin Government played a significant role in the support of the Provisional IRA not only by permitting their territory to be a sanctuary for those who were on the run and wanted for questioning but, indeed, by actively supporting it by way of funding, equipping and providing moral backup.

Indeed, the constitution of the Republic of Ireland gave legal endorsement to the IRA's activities.

7.15 pm

It was no less than the then Prime Minister Charles Haughey and his helpers who helped to form and fund the Provisional IRA and openly supported them. In more recent times, we have only to look at the Smithwick tribunal and the stark revelations that have come from it. If the Irish Republic is to build a lasting and sustainable relationship

with this region of the United Kingdom, they must grasp this nettle and deal very succinctly with their role in the past 40 years during the terrorist campaign. They need to address their role in border territories, such as Armagh, Fermanagh and Tyrone.

A prime example of how on-the-runners felt at ease in the Irish Republic are the actions of Owen Carron and Gerry McGeough, who were able to gain government employment in that state. Carron secured a post as a teacher in Cavan while still wanted in Northern Ireland for questioning for serious terrorist-related activities. He remains wanted to this day. McGeough, despite having served sentences for criminal and terrorist activity abroad, managed to gain a government-supported post in the Irish Republic. There are two clear examples of the Irish Government giving more than tangible support. It was only when McGeough crossed the border to contest an election, as something of a maverick republican, that he was arrested at the Omagh court. He was subsequently convicted of the attempted murder of then postman Sammy Brush, who today serves as a DUP councillor on Dungannon and South Tyrone Borough Council.

Mrs Foster: Will the Member give way?

Lord Morrow: Yes.

Mrs Foster: Will the Member confirm that that is the same man whom the SDLP petitioned the Secretary of State to have released?

Lord Morrow: Yes, and I hope that Mr McDevitt takes note of that and talks to his colleagues about it.

Alas, there was no co-operation whatsoever in handing those people back to the neighbouring jurisdiction of Northern Ireland. Numerous examples of the Republic's ambiguity and turning of a blind eye could be given. An apology will not put wrongs right, but it will be an indication of genuineness in the desire to move forward and will send out a clear signal that things will be different in the future.

Straying slightly from the terrorist issue, but no less a terrorising situation, I give the example of the Republic's attitude to the paedophile priest Father Brendan Smyth. Again, there was no co-operation on that very serious issue.

Mr Speaker: The Member's time is almost gone.

Lord Morrow: I recognise that my time is gone. There is much more that could be said, and there is much more that I would like to say, but I suspect that some of my colleagues will say it in the winding-up speech.

Mr Irwin: As a Member who represents an area that bore the brunt of the IRA's bloody and violent campaign of criminality, murder and assault, I welcome the opportunity to comment in this debate, and I thank my colleagues for tabling the motion.

The motion speaks of improved relations with the Republic of Ireland, and it must be said that improved relations are evident across many sectors of life in Northern Ireland. The Queen's enthusiasm for her visit to the Republic of Ireland was embraced by the Irish Government and by the Irish people, who expressed their delight at the visit. On numerous news reports, it was difficult to find someone who had a negative take on the visit. Perhaps, that is hardly surprising, given how much UK life and culture is observed south of the border now. Admit it or not, attitudes

are changing, and they have changed immeasurably over the past few years. This is an opportune time to have the conversation with the Irish Government over their past actions or, in this case, past inaction.

I remember listening on many occasions to news reports of our gallant security forces being targeted by the IRA in a most cold and calculated fashion. After the bomb had been detonated or the shots had been fired, the perpetrators would hotfoot it like the cowards they were to the safety and security of the Irish Republic. At the time, it was frustrating for me listening to the news, so how much more frustrating was it for the RUC and UDR, who wanted to apprehend those murderers but could not do so due to the blatant disregard shown by the gardaí, the Irish Government and the Irish justice system? How much more frustrating must it have been for the families of people cut down by the IRA? Many of them still wait for justice. I think, especially at this time, of the innocent victims of the Kingsmill massacre. Indeed, I am sure that many watched a programme on UTV, just a couple of weeks ago, which investigated the Narrow Water massacre, in which 18 young soldiers were killed. Two men, Brendan Burns and Joseph Brennan, were arrested in the Irish Republic minutes afterwards. Despite having firearms residue and ammonium nitrate on their clothing, both were charged only with motoring offences. Indeed, two years later, attempts made to extradite Burns were thwarted by the Irish Republic.

Mr Bell: Will the Member give way?

Mr Irwin: I will.

Mr Bell: The Member might reflect, just for a second, on another area in his constituency, Blackwatertown, where my grandfather Henry Bell had a business. They were the only Protestant family in Blackwatertown. The entire staff employed by my grandfather in the business, which sold oil, ironmongery, furniture and gent's drapery, and contained a post office, were Roman Catholic. In the 1930s, the IRA held my grandmother at gunpoint, with 12 children in the house. It was only because of an incident in which my aunt Olive drowned in the Blackwater river that my grandfather Bell sold the business, because he could no longer live beside the river in which his daughter had drowned. The INLA came into that business, as they did to so many Protestant businesses along the border. It told the owner to sell but he refused, so men came in and shot and fatally injured John Brown at the counter at which my father used to serve. He was shot not because he was a member of the security forces or politician, but in a simple act of ethnic cleansing by republican terrorists.

Mitchel McLaughlin may read out a history of woes, but I think that there is a time to accept that republican terrorists were involved in pure sectarian murder and ethnic cleansing. There was no justification for it. Those terrorists went back across the border and lived in the safe haven of the Republic of Ireland. I understand the Irish Republic's shame, which is that it gave birth to the republican terrorists who did that —

Mr Speaker: Order.

Mr Bell: — but it is now time for an apology and healing.

Mr Speaker: Order. I must say to the Member and the House that interventions must not be statements. Interventions should be very sharp, to the point and on the

subject matter that is on the Floor. Mr Irwin has a minute added to his time.

Mr Irwin: Thank you very much, Mr Speaker. I fully understand where my colleague is coming from. That happened on hundreds of occasions across Northern Ireland.

I will return to the issue that I was speaking about. Burns later blew himself up with his own bomb, but not before killing at least another 12 people.

Sinn Féin speaks about being the party of justice. We hear of its campaigns for justice for this or that, but it presents a fatally flawed version of truth and justice. Its version of justice puts the actions of the IRA beyond the reach of justice. Sadly, successive Irish Governments displayed this same arrogance and hypocrisy.

Our British Government, from which the Assembly draws its power, have been leading the charge for accountability and retrospective apology for many past decisions. Most recently, the Prime Minister apologised for the failings surrounding the Hillsborough disaster. That was certainly right and proper, and it has given the families of the tragedy's 96 victims a sense of closure and an opportunity to continue to fight for justice. It appears that time has moved on sufficiently for such steps to be taken, yet the question rightly asked is this: why has it taken so long for such steps to be taken? The Government of the Irish Republic have been slow to accept blame or any sense of responsibility for their negligence in pursuing terrorists in their jurisdiction.

Mr Speaker: The Member's time is almost gone.

Mr Irwin: I want to take this opportunity to remind the Taoiseach that the political leader of the Irish Republic holds a collective responsibility for the successive failings of past Governments in addressing this important issue. I support the motion.

Mr Allister: I totally support the motion. I think that it is indisputable that the Irish Government have much to apologise for. Their telling silence speaks volumes about their moral standing.

We speak, of course, of the need to apologise for what was done in the past. It is indisputable that they were utterly involved in the birth and creation of the Provisional IRA. You have only to look at the official reason for the acquittal of Haughey to establish that fact and put it beyond doubt. He and his compatriots were acquitted on the basis that what had been done was done with appropriate state sanction. If it was done with appropriate state sanction, there is no escape for any Irish Government from what was done, which was the providing of funding to buy arms. So it may not be a question of just an apology; it should maybe also be a question of reparations because, in an international law situation, here was a state funding the creation of a terrorist organisation in another state. That is a major issue, for which the very least that should be offered is an apology. That was compounded by the farcical use, or misuse, of extradition and then, come the Anglo-Irish Agreement of 1985, put to quite cynical political use as a bargaining chip for doing some of the right things on security co-operation and extradition — they sought to bargain that against involvement in the political affairs of Northern Ireland. Not only was that morally bankrupt at the outset, it was turned to political advantage, to their

continuing opprobrium thereafter. The Dublin Government should, most assuredly, apologise. It is a matter of deep regret that the Irish Prime Minister did not take the golden opportunity of last Thursday to do what he ought to have done in that regard.

Of course, it has been said, and it bears repetition, that they are not the only people who need to apologise. Apology could do with starting a lot nearer to home. There are Members in the House — right within the House, right within the Executive, right within OFMDFM — who could and should apologise for their presiding over the sectarian murderous campaign of the IRA. So as well as demanding an apology from the Irish Government, let us demand from those closer to home, whatever the political embarrassment, that they front up and face up to that for which they should apologise. Maybe that would bring it too close to the political bosom of the DUP, but that is a matter for them.

Lord Morrow talked about Mr McGeough and Mr Carron getting government jobs in Ireland. Good point — made by the wrong party. The DUP is the party that put Martin McGuinness into his job in this House. Be that as it may, the focus of the motion is absolutely right: the Southern Government should unequivocally, without hesitation, and because by civilised standards it is the right thing to do, now apologise for their complicity in the formation and facilitating of the Provisional IRA and in the refusal to extradite them on the most shoddy of grounds for all those years and then seeking to turn that to their own political advantage.

Mrs Foster: I did not intend to speak to the motion, because my colleague Lord Morrow had indicated that he was going to. However, I want to address some of the issues that arose in the course of the debate. Mitchel McLaughlin sought to put a smokescreen around the previous motion before the House. That motion, brought by his party, called on the British Government to take actions in relation to a visa waiver scheme. He then stands up and says that they brought it forward in relation to the Irish Government. The Member should read the Order Paper before he makes such statements.

7.30 pm

I cannot say that I am surprised by the Alliance Party's position, but it is taking a particularly one-sided view of apologies. As Mike Nesbitt pointed out, it is OK for the Prime Minister of the United Kingdom to apologise, but, apparently, it is not all right for the Irish Prime Minister to apologise or to acknowledge. I am not surprised by that, but I am continually disappointed by the Alliance Party.

The SDLP contributors to the debate made comments about confusion on these Benches. I find their hypocrisy amazing on two counts. Again, they talk about Bloody Sunday, the tribunal and the apology, but we are not allowed to ask for an apology for what went on in the border counties of the Republic of Ireland over the past 30 or 40 years. I find that incredible.

I also find it incredible, as my colleague pointed out, that the SDLP should seek the early release of Gerry McGeough, a man who was rightly convicted by a court of law for the attempted murder of my dear friend and colleague Sammy Brush. What is that all about? I simply cannot get to the bottom of the SDLP's decision to petition

the Secretary of State for the release of a dissident republican terrorist who was rightly put in prison. That is quite incredible.

This year marks the twenty-fifth anniversary of the Enniskillen bomb. The Historical Enquiries Team hopes to report before that anniversary and bring forward some information. However, the families of the innocent victims who were murdered on that day know fine well that those who committed the atrocity planned it in the Republic of Ireland and escaped there as cowards after that event took place.

I very much hope that we will have an apology from the Republic of Ireland. Many Members will know that Danny Kennedy and I met the Irish Prime Minister last year, and I intend to travel to Dublin on 16 October with a group of victims' families from the South East Fermanagh Foundation and will be very proud to do so. They, of course, will want to push again for an apology. Mr Allister said that he regretted that an apology had not been achieved last Thursday, but we will push again on that apology or acknowledgement, which we should, of course, get.

Part of any such apology must refer to and acknowledge the ethnic cleansing by the Provisional IRA that took place along the border, and particularly along the Fermanagh border. Although I do not expect the Irish Prime Minister to apologise for the Provos, we will ask that the Irish Government acknowledge their acts of commission in relation to collusion and their acts of omission in not seeking to secure the border of the Republic of Ireland.

The result of those acts of omission was the calculated targeting of only sons of Protestant families who were murdered by cowards in the night who then, quite literally on some occasions, ran across the border. Some hid in sheughs on their way to murder innocents and were detected by the forces of law and order before they could run to the Irish Republic for safety. Indeed, when the IRA came to murder my father, an only son who lived on a farm, they escaped to the Republic of Ireland.

That, Mr Eastwood, is a fact. It is not a perception; it is a fact. Nobody was there to stop the car or to arrest the murderers. Nobody was there. That is the story of the Fermanagh border in the 1970s, the 1980s and the 1990s. Nobody was there. Security was not an issue that the Republic's Government got involved with when Protestant only sons were being ethnically cleansed from the area —

Mr Speaker: The Member's time is almost up.

Mrs Foster: — but when there was an outbreak of foot-and-mouth disease, Mr Speaker, all of a sudden there was a lot of security along the border.

I could go on and talk about extradition and about ballistics, as Mr Kennedy did.

Mr Speaker: The Member's time is up.

Mrs Foster: I support the motion and the House should support it.

Mr Lyttle: I am thankful for the opportunity to speak to the motion. The Alliance Party agrees with the recognition that the motion gives to the role that the Irish Government have in dealing with Northern Ireland's past. However, in moving the motion, Gregory Campbell himself recognised that it

cannot be a selective approach. The Alliance Party does not take a selective approach to this issue.

I say sincerely that I am passionately angry about the brutality, division and waste that was foisted on all people in this community and that my generation inherits from all people. I could never have thought that I would stand in so many debates of this nature in the House. We have to find a way of dealing with this issue, with mutual respect and in a comprehensive manner, or we will continue to be shackled in our efforts to build a more shared and prosperous community instead of tackling the common enemy of ongoing division and economic difficulty.

The Queen's visit to the Republic of Ireland highlighted how much progress has been made in Anglo-Irish relations. It would be foolish to assume that profound hurt and anger are not still felt by many victims and survivors at the actions or inaction of both states. However, the Alliance Party believes strongly that the role of the Irish Government must come in a comprehensive mechanism and overarching process for dealing with the past within which the issue of apologies and justice, which Danny Kennedy and Jim Allister mentioned, should be addressed.

The debate demonstrates starkly that we continue to struggle with the legacy of our past in a piecemeal way; we continue to revisit deep hurts and injustice. I agree with Colum Eastwood that we cannot continue to have the same debates with the same story of hurt and pain. Surely we, as elected representatives, can show mature leadership to change this narrative for future generations.

We need an overarching process that is capable of listening to all families in order to deal with the divisions in wider society and to learn the lessons of the past. That process could include investigation, information recovery and the examination of key thematic issues. It is also important to note that deep division and deprivation affect our entire community and economy. Therefore, we want a framework that includes an independent body that will take forward those key issues.

It is the Alliance Party's belief that the British Government, the Irish Government, the Assembly and international friends have the creativity, ability and sensitivity to seek a way forward on this issue. I agree strongly with my colleague Stewart Dickson that it is time for a true and comprehensive reconciliation process in Northern Ireland. Many Members recognised the merit of the amendment that we tabled today; I urge them to reconsider and support it. There is another opportunity for this House to show leadership to all victims and survivors for future generations and to send out a clear message that we are willing to deal with our past together.

Mr Elliott: This issue goes to the heart of much of what has gone on in Northern Ireland and, indeed, in the Republic, for almost 40 years. Much has changed in the relationship between the people of Northern Ireland and the people of the Republic of Ireland and their Government, and that must be recognised. However, there is more that can, and needs to, be done.

I listened to Mr Campbell move the motion, and I thank him and his colleagues for proposing it. He highlighted the role that the Irish Government played in conjunction with the Provisional IRA in the early days of the Troubles. As my party leader, Mike Nesbitt, said, if there were recognition of that and an apology for it, it could move the

process forward, build better relationships and, hopefully, improve what we have here. I listened to my colleague Danny Kennedy explain in graphic detail the issues around Kingsmills. No one in the House or outside it could fail to be touched by that. We heard of the devastation on families. If the Irish Government had any part to play in that, they should apologise for and recognise that. That is only fair and right to those people and to those victims.

I listened to Stewart Dickson propose his amendment. Although I appreciate the perspective that he took, it is moving the argument away from the motion, which calls for an apology from the Republic of Ireland. To the Alliance Party, the past needs to be dealt with.

The most surprising contribution came from Mitchel McLaughlin, although perhaps it should not have been surprising. He attempted to justify the 30 years of violence in this Province, and he did so very poorly. I ask each and every Member: was there any justification for the murder of those people at Kingsmills? Was there any justification for the murder of Lord Mountbatten? Was there any justification for the countless other murders that took place in this Province, which we have to accept that the Irish Government may have had some role in, whether covertly or overtly?

Mr Mitchel McLaughlin: Will the Member give way?

Mr Elliott: If you are very brief.

Mr Mitchel McLaughlin: I will be. I refer you to the Hansard report because I made no effort to justify violence. I talked about the violence that engulfed our entire society, and I talked about people being hurt by protagonists on all sides. I then developed the thesis that it is only when we devise a truth recovery process that recognises that there was cause and effect and that there was violence on all sides that we will find the truth that will allow us to reconcile. I said that on the record.

Mr Speaker: The Member has an minute added to his time.

Mr Elliott: Thank you very much, Mr Speaker. I took from Mr McLaughlin's contribution that he was attempting to justify it and to blame unionists for 30 years of terror and violence in this community. That is what his contribution was about, and I, for one, do not accept that, and I hope that the rest of the House does not accept it. There was no justification for those murders. There was no justification for the murder of police officers such as Mr Breen and Mr Buchanan. There was no justification for the blowing-up of a young lady named Sylvia Crowe, whom other Members will know of, on the road from Rosslea to Lisnaskea. I cannot accept that argument whatsoever.

I listened to Mr McDevitt and his colleague Mr Eastwood. I appreciate Mr McDevitt's comments that we cannot continue in a game of ping-pong. Although I accept that, I was slightly surprised to hear Mr Eastwood claim that the SDLP will accept any findings from any inquiry. By and large, some of those findings may not be to its taste. I do not think that he and his party accepted the findings of the earlier inquiry into Bloody Sunday. You need to be careful about how you frame that.

Mr Eastwood: Will Mr Elliott accept that we did not accept the findings of the Widgery tribunal and that, now, neither does the British Prime Minister, the British Parliament, the world's media and many unionists?

Mr Elliott: Mr Eastwood, you said that you would accept the outcome of any inquiry, but it is quite clear that you have not. That is the reality of the situation.

I heard a number of references to the Smithwick tribunal, and one quotation emerging from the Smithwick tribunal was when it heard evidence from a former police officer who claimed that the then Taoiseach viewed the Narrow Water attack as a political crime and told the gardaí not to co-operate with the RUC. I know that the findings of that inquiry still have to emerge, but such issues are shocking to me and to the wider public.

At the start, I said that there are improved relations between the Republic of Ireland, the Irish Government and what we have here in Northern Ireland, but there are opportunities —

Mr Speaker: The Member's time is almost gone.

Mr Elliott: — to build better relationships. Now is the opportunity for them to put a final nail into that and say that they apologise, that they were wrong and that they utterly condemn that violence and condemn their actions.

7.45 pm

Mr Storey: I heard much in the House this evening about leadership. It is often the case that Members on the opposite Benches lecture us about leadership in our community, and we have heard others in the House talk about giving leadership. It is very sad that, when the Prime Minister of the Irish Republic had the opportunity last week to show leadership, he miserably failed the test.

I grew up with an old phrase over the years that said that the activities of the IRA and their political allies were "inextricably linked". This evening in the House, it goes beyond doubt that the Irish Government in the days of Jack Lynch were inextricably linked to the murderous campaign that ended up leaving hundreds of our people in their grave.

Mr McDevitt said that this is a sad night for the House. It is indeed that. We never, as a society, should have been brought to the place where Members such as Mr Eastwood could justify carrying the coffin of people who were involved in the most heinous crimes and people in the House could try to justify the mass murder in Kingsmills as somehow beneficial to the progress of some political ideology. There needs to be a reality check.

As a young person growing up, I heard about the discrimination that supposedly took place in the 60s and about how Roman Catholics were so put upon, marginalised, isolated and badly done to. That never justified one death caused by the Official IRA, the Provos or any other illegal organisation in the history of Northern Ireland. Members on the opposite Benches can sit as though they can throw their head back, but there are Members in the House who need to face up to the truth of what they have done, what they have been involved in and what they know.

Let us keep the focus on the Irish Government for a moment or two. Let us not forget that Neil Blaney, who, I understand was the Minister for Agriculture in the Irish Republic at the time, said:

"The procurement of arms ... was on. I knew very few people who did not have that view".

He went on to say:

"We ... accelerated by what assistance we could have given, their emergence as a force."

There is no shame or remorse but justification. Blaney also famously or, more accurately, infamously said:

"No one has the right to assert that force is irrevocably out ... The Fianna Fáil party has never taken a decision to rule out the use of force if the circumstances in the Six Counties so demand".

I assume that the "Six Counties" that he referred to is Northern Ireland. Blaney also said that, if a situation were to arise in which the people who did not subscribe to the unionist regime were under sustained and murderous assault, then, as the Taoiseach said on August 13, "We cannot stand idly by". Regrettably, that is what the Irish Government did not do. They did not idly stand by but engaged in a process of assistance and encouragement that led to the graves of those killed at Kingsmills and to the murder of those who sat in Darkley. What was their crime? Worshipping God and being a Protestant on a Sunday evening. What was the crime of the Orangemen in Tullyvallen? They were Protestants and legitimate targets. Do not let the Members on the opposite Benches ever forget that that was what their colleagues —

Mr Speaker: The Member should not point across the Chamber.

Mr Storey: — said about the campaign.

We have heard much said this evening by other Members of the House. I want to just highlight a few comments. Danny Kennedy rightly referred to Kingsmills. None of us should ever forget what happened there. Remember, if we ever need to be reminded of the reason for what happened at Kingsmills, that it was only the Protestant workmen that they were interested in. What does that tell us about the IRA campaign which the Irish Government did nothing to prevent or stop? It was about the ethnic cleansing of Protestants from along the border.

Mitchel McLaughlin did as republicans normally do. He engaged in a case of classic diversion, denial and confusion. It was not even clear what the previous debate held in the House was all about. He then tried to somehow cause a diversion and distract from the reality of the situation. The motion clearly calls on the Irish Government to face up to their responsibility. They should face up and do what they should have done a long time ago and say to the people of Northern Ireland, "We are sorry for what happened. We are sorry for the way in which we overlooked. We conveniently decided to oversee or, somehow, ignore the fact that members of our Government were involved". They were senior members of the Irish Government. Blaney was a senior member; others involved with him were also senior members of the Irish Government. It may be uncomfortable for those who give allegiance to that state to face up to it this evening, but I will not leave the House tonight with a sense of guilt and shame as a unionist. As a young boy, I grew up listening to all that was being said, alas, by the former leader of the SDLP and others, republicans and nationalists, who somehow tried to heap guilt on me as a unionist, as though we had been compliant in something that was heinous and awful, something akin to being taken into the gas chamber. Are the Irish Government now prepared to face

up to the truth of what they did? Much has been made, this evening, of a change in the atmosphere, the relationship or the dynamic between the Irish Republic and Northern Ireland. If the Irish Government are prepared to face up to what they did, that would be welcome. However, I am sad to say that tonight, as we stand in the House, there is a trail of blood that leads all the way to the door of the Irish Government in Dublin.

We, as unionists, will no longer take lectures from others about leadership until those who are in a position of leadership are prepared to do the honourable and right thing: to come clean. There are Members of the House, along with the Irish Government, who need to come clean about their murky past. What was the crime of Mr Gillespie of Londonderry, who was taken as a human bomb to the border? What was his crime? It is for others to try to justify the unjustifiable.

I thank those who have taken part in the debate and made a valid contribution. My party will accept the amendment of the Ulster Unionist Party, but we cannot accept the Alliance Party's amendment, because it is, alas, like the Alliance Party's politics —

Mr Speaker: The Member's time is up.

Mr Storey: — only another whitewash and another way of trying to hide from reality. I support the motion as amended.

Mr Speaker: Before I put the Question on amendment No 1, Members should note that both amendments may be made.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 56; Noes 39.

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr B McCreagh, Mr I McCreagh, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan

NOES

Mr Attwood, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McCartney and Mr Molloy

Question accordingly agreed to.

Question, That amendment No 2 be made, put and negatived.

Main Question, as amended, put.

The Assembly divided:

Ayes 47; Noes 46.

AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Moutray and Mr Storey

NOES

Mr Agnew, Mr Attwood, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McCartney and Mr Molloy

Main Question, as amended, accordingly agreed to.

Resolved:

That this Assembly welcomes the improved relations with the Republic of Ireland; further welcomes the success of the visit by Her Majesty Queen Elizabeth II to the Republic of Ireland in 2011; notes the apologies from the United Kingdom Government in relation to the Bloody Sunday and Claudy bombing events; further notes with concern the recent evidence given to the Smithwick tribunal regarding a lack of support for the investigation of terrorist suspects; believes that relations would improve further if the current Government of the Republic of Ireland were to address the role played by the Irish Government of the day in the emergence of the Provisional IRA and the roles of past Governments regarding the pursuit of terrorists; and calls on the Prime Minister of the Republic of Ireland to issue an apology.

Adjourned at 8.19 pm.

Northern Ireland Assembly

Tuesday 18 September 2012

The Assembly met at 10.30 am (Mr Speaker in the Chair).

Members observed two minutes' silence.

Speaker's Business

Order in the Chamber

Mr Speaker: Before we begin today's business, perhaps at this early stage in the new session I need to say some words about order in the Chamber. It would certainly be timely to remind the whole House — Members and Ministers — of what is expected of parliamentarians in the Chamber.

Members should know that I expect debates to follow standards of good temper and moderation and that disagreeing with others is no reason not to show courtesy and respect to all Members. It is not in order to make personal remarks about other Members, for example about where they live or their family circumstances. I say that to the whole House. Some Members have continued to make personal comments about Members' families and, as I said, about where they live.

I would have thought that, by now, it would be clearly understood that it is not in order to speak directly to other Members or to address them as "you". That would not happen anywhere else, and it should certainly not happen in this Chamber. All remarks should be addressed to the Speaker. Some Members seem to think that it is enough simply to address their remarks to each other, rather than through the Chair.

Finally, it is not in order to deliberately misrepresent what other Members have said or to put words into their mouth. We have also had that in the Chamber since Members returned after the summer recess.

I hope that is clear. I know that these may seem like minor issues, but they are not. They are long-standing conventions in any Parliament and contribute to order and dignity in the Chamber. I speak to the whole House this morning and to all sides of the House. I have repeated these particular points over and over again. Once again, we find that Members are not in their place for contributions when it comes to debates or the opening of a debate. In fact, they come in and make a contribution but do not stay for the debate, leaving after their own contribution. That is totally and absolutely wrong.

We also have Members who, for whatever reason, do not even turn up at Question Time. They put a question down on the Order Paper and then do not turn up. They need to understand that Departments and Ministers spend some time and huge resources trying to find an answer to some of the questions that are on the Order Paper for which Members just do not turn up. From now on, we are going to

name Members — as happened yesterday — who are not in their place and give no reason for not being there.

I say to the whole House this morning that we need to get real around some of these issues. These are long-standing conventions, not only here but in any other elected institution, so we need to be absolutely clear in our work here as parliamentarians in the Assembly. That goes for elected Members, but it also goes for Ministers. Let us move on this morning. I hope that I have, once again, set the record straight.

I should say that we also had Members yesterday who, for whatever reason, got up in their place to ask supplementary questions that in no way related to the original question on the Order Paper. They must have just thought that they would get up and ask that particular question, even though they knew that it did not relate to the original question. From now on, the Member will be asked to take their seat, and we will move on. In the past, if the Minister wanted to answer the question, we would normally have allowed them to do so, even if it was totally and absolutely outside the scope of the original question on the Order Paper. That is now going to stop. You try to give Members some flexibility around some of these issues, and then they abuse the flexibility. From now on, that stops. Your question must, as far as possible, relate to the original question on the Order Paper. If not, we are just going to ask Members to take their seat and we are going to move on, because, if I give Members latitude, they then abuse that latitude. Let us move on.

Ministerial Statement

Banks: Funding for Lending Scheme

Mr Wilson (The Minister of Finance and Personnel):

After all those instructions, Mr Speaker, I hope I do not offend the rules in any way during this statement or the answers to the questions on it.

Thank you for the opportunity to update the Assembly on the engagement that I have had with the Treasury regarding the broad issues of access to finance and, most recently, the funding for lending scheme that was launched by the Government on 1 August 2012.

I have been concerned, as have Members from all parties in the Assembly, over the last three years that the availability of credit at reasonable terms could be restricting our economic recovery in Northern Ireland. It is an issue that I have been raising with the Treasury on an ongoing basis, and, unfortunately, I have become increasingly frustrated at the lack of attention paid to regional banking issues and the specific challenges that we face here in Northern Ireland.

As Finance Minister, I have received numerous representations from small and medium-sized enterprises (SMEs) suggesting that the availability of finance is constrained and relatively expensive and often comes with strict conditions attached. I fully appreciate that the wider context here is very difficult. The global financial crisis threatened the very stability and security of our banking system and required the regulatory authorities in London and Dublin to act to require banks to restructure and recapitalise. We all have to accept that one consequence of that added security is that there has been less money available for lending. However, a situation in which lending is so severely constrained as to prevent viable local firms from accessing the working capital and growth finance they desperately need cannot be accepted.

Access to finance and bank lending to SMEs is a national issue and not just a Northern Ireland problem. However, I believe that our issues are greater and more complex than in other parts of the United Kingdom. This is very much a current issue despite the length of time it has been going on. The CBI in Northern Ireland has identified this as one of its priority areas in 2012, and my Department continues to work with stakeholders and the business community on this.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

First, I will address the issue of bank lending data. A lack of detailed regional lending data makes it extremely difficult to get a clear understanding of the nature and scale of the problem here in Northern Ireland. It is something that my Department has been working on, and, following extensive engagement with the industry, the British Bankers Association (BBA) now provides me, on a confidential basis, with quarterly information on the overall lending provided to SMEs by our four banks. I now have data for the last eight quarters, from quarter 3 of 2010 to quarter 2 of 2012.

That data reveals that the stock of lending has been falling steadily over the period but the quarterly amounts of new lending are now fairly stable. The number of borrowing applications has fallen, reflecting subdued demand, but

application approval rates remain at around 90%, although that includes the partial approval of loans, perhaps at a lower level than the amount originally requested. Separate DFP surveys in this regard suggest that full approval rates may be much lower.

It is the case that banks are still lending in some circumstances, and demand for credit is an issue. I have no doubt that this lack of demand reflects the situation that many companies are attempting to reduce their debt levels and are perhaps delaying investment projects given the current uncertainty around the economic climate. I also have no doubt that the cost and conditions now attached to credit are factors that may be dampening that very demand. Unfortunately, given the high-level nature of the BBA data and the lack of information around cost and conditions, it is impossible to get a clear sense of the scale or nature of the problem here. Greater transparency by the banks is required. The fact that banking matters are not devolved limits my effectiveness in this regard, as the Executive do not have the power to require the banks to supply information. That has led to a guessing game over the current state of our banking sector. I have asked them for more extensive data and to be able to refer publicly to it, but, after consultations with local banks, they have refused this on competitive grounds. That is still the position. We are still working on this, and I have asked the Treasury and the Bank of England to support us in our endeavours.

Although data is important, it is not my primary concern. My objective throughout has been to ensure that Northern Ireland has a safe and competitive banking system that meets the needs of consumers and businesses here. As indicated, bank lending to SMEs is a national issue, and, in response, the Government have introduced a number of initiatives over the past two years designed to improve lending and liquidity in the banking sector which, they hoped, would in turn improve the availability of finance and reduce the cost of credit. Banking is a reserved matter, and I believe that it was and is the Government's responsibility to ensure that such initiatives and schemes are equally effective in all parts of the UK. They have not done this, and I do not believe that their schemes have been effective here. That is because the structure of our local banking sector is fundamentally different from that in the rest of the UK. The key structural difference is the extent of foreign ownership, with local banks subject to the decisions of parent banks based outside the region and, in the case of two Irish-owned and one Danish bank, outside the UK. Furthermore, the extent of the property boom and bust in Northern Ireland has left our banking sector more severely constrained, with our local banks still suffering the burden of impairment charges related to bad property loans, which, I believe, is also having an adverse effect on business lending locally. Our situation is further complicated by the role of NAMA, which is responsible for a significant volume of loans and assets.

10.45 am

Given this background, I have written to and met Treasury Ministers numerous times over the past couple of years, pressing them for a tailored Northern Ireland response to the challenges that face our banking sector, and I have been arguing that the national initiatives have not worked. The first scheme was known as Project Merlin, whereby the main UK banks agreed to lending targets, which they

ultimately did not meet. No regional targets were set. When declining my request for regional lending information for Project Merlin, the Treasury indicated that it could not be supplied as, of our four main banks, only Ulster Bank, as part of RBS, participated. Therefore, that confirmed my fear that this initiative has been ineffective in Northern Ireland. In fact, it really did not operate here.

Separately, I have asked the Irish Government to ensure that the lending targets that they set Irish banks for lending to SMEs would apply to their Northern Ireland operations. There were legal obstacles to this, and it did not happen. That led to a situation where lending targets existed for GB and for the Republic of Ireland but not for Northern Ireland. We also faced a similar situation in relation to the UK Government's subsequent national loan guarantee scheme, which was launched towards the end of last year. Again, as it operated through the larger UK banks, participating banks here accounted for less than half of the business lending in Northern Ireland. We understand that the design of that scheme meant it was not suitable for some of our other banks, which are relatively small compared to the large British high street banks, some of which have a very limited presence here.

In my view, it is not acceptable that national initiatives taken by the Government to address such a vital and strategically important issue as access to finance are not being effective in this part of the UK. In the context of the development of the then to be announced funding for lending scheme, this was a point that I made in the strongest possible terms to the then Financial Secretary to the Treasury, Mark Hoban MP, whom I met in July this year. Under the scheme, which was opened on 1 August, participating banks and building societies can borrow at lower rates, so long as they increase their lending to households and businesses.

Against this background, I am pleased to inform Members that the Financial Secretary subsequently advised me that Treasury officials have met the four main banks, which, I understand, view the new funding for lending scheme and its design positively. The banks, we understand, have been in discussions with the Bank of England regarding their possible participation. It is already operational in at least one of our local banks. Clearly, it is vital that the full initial interest is translated into actual participation and increased lending activity, and I have again urged Treasury to ensure that any issues that may arise are urgently addressed so that this can happen. I am particularly pleased that the then Financial Secretary committed to monitoring participation in the scheme here. The Government have not before agreed to the separate monitoring of such schemes, and this represents some progress. We will at least know what is happening and get a better understanding of any problems or bottlenecks, and I will take this forward with the new Financial Secretary.

Just last week, the Business Secretary, Vince Cable MP, announced that the Government are working on setting up a new Government-backed institution to help companies invest. We have taken this up with the Treasury to ask for details and have been told that the Chancellor and the Business Secretary are developing options for creating a business bank in the UK. An institution of this nature would address long-standing gaps in finance for SMEs by promoting more competitive and diverse finance markets and drawing together the Government's existing finance

initiatives under one roof. A big part of its role would be to rationalise, improve and potentially have additional powers to manage the large multibillion pound portfolio of support that the Government already provide. It would work through intermediaries, including alternative finance providers, such as challenger banks and non-banks. They see this as complementing what the Government are doing on supporting private sector lending through the funding for lending scheme with the Bank of England. I have been told that the Government will set out the details later this autumn. That is a very interesting development, and I will press to ensure that it is open to and will benefit Northern Ireland businesses.

Banking and access to finance are crucial and remain a very important strategic issue for my Department. There is an awareness of the unique challenges that we face, and some progress has been made. Clearly, however, there is much more to be done. I will monitor the outworking of the new government initiatives very closely to ensure that they have the impact that we so urgently need. We have been waiting too long for that to happen in a meaningful way. I can also assure Members that I will continue to press the Government and the local banks to take all possible steps necessary to ensure that our businesses have the finance they need made available to them so that they can continue to trade and grow. Our economic recovery depends on it. I thank you for the opportunity to make this statement this morning.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement, and I appreciate the briefing that he gave to the Deputy Chairperson and me before making it.

It is clear that the banks continue to frustrate our economy, as well as small and medium-sized enterprises in the business community in particular. I want to focus on the funding for lending scheme to which the Minister referred. Given the refusal of the banks to provide data, how will the monitoring be undertaken? How can we ensure that the scheme will benefit the real economy? In some people's view, quantitative easing has delivered for the banks but not for the real economy. How encouraged is he that the British Treasury is providing an adequate, tailored response to our particular circumstances and what he describes as the unique challenges facing our economy?

Mr Wilson: I thank the Chairman for his question. In response to his second question, as I said in the statement, I am not happy that, to date, schemes that have been developed for increasing bank lending across the United Kingdom have been sufficiently tailored to our needs. The fact is that there was not a big uptake of the loan guarantee fund, and we did not even have the data for Project Merlin because the Treasury indicated that, with only one participating bank, the information would not have been useful. The schemes to date have not been sufficient.

The Chairperson asked about the monitoring of the scheme that was announced on 1 August and how we can ensure that it is effective in Northern Ireland. The first thing to say is that the banks can only draw the money down from the Bank of England in relation to their performance in lending to businesses and households anyhow. Before it releases the money at lower rates of interest and makes cheaper money available, the Bank of England must know

what the lending performance of banks has been. It can no longer hide behind a smokescreen and say that it did not know, because it would only have been able to release the money on the basis of performance. The performance must be measured, and that will give us the data, which we know will be there. Secondly, of course, once the money is released, it will have lower rates of interest so that discounts can be given to businesses that borrow the money that has been made available to the banks. Eighty billion pounds is available for the United Kingdom as a whole, and, even on a pro rata basis, if we worked out that our share is 3%, well over £2 billion should be available to local banks.

Mr Girvan: I thank the Minister for his statement. I want to ask about the data that the banks have. Does he believe that it indicates the sectors to which lending has and is being made? That would help the Executive to target areas with small and depleted resources for economic development. Will the Minister advise whether there are measures that we could put in place to ensure that the money coming from the Treasury scheme will be targeted towards the sectors that, we believe, greatly need investment?

Mr Wilson: First, the data that is available to us is fairly high-level. It is in the form of what has happened to the value of loans in the economy over the period that we measured, which was from the third quarter of 2010 to 2012, the number of loan applications and the amount of net lending that has been made available. It does not break it down into sectors, although I understand that the Bank of England has some of that information. We have been seeking to extract that from the bank, but it requires the co-operation of the banks and the Treasury. To date, we have not got that.

I turn now to the funding for lending scheme and how it can be targeted towards particular sectors. The way that this will work is that, as banks perform sufficiently to draw the money down from the Bank of England, they will get money at a lower rate of interest, which they can then discount to businesses. However, it will be up to the banks to decide which businesses to lend to. That will depend, first, on which businesses apply and whether they can meet the conditions that the banks lay down for the lending. The Government do not see the scheme being specifically targeted at particular sectors, other than it will make a pot of money available that should help to improve lending and reduce the cost of lending to small and medium-sized enterprises.

Mr Cree: I, too, thank the Minister for his report. For three years now, many of us have doubted exactly how helpful the banks were being. If three of the banks decide not to take part in the funding for lending scheme, is there anything further that can be done to encourage the other banks to step up to the mark? To me, the business bank looks to have potential because it will control that government portfolio. The Minister mentioned additional powers to manage the multibillion-pound government pot. Will he flesh that out a little more?

Mr Wilson: I hope that the market will drive participation in the funding for lending scheme. Banks in Northern Ireland that participate and are able to draw down money from the Bank of England and, therefore, lend at lower interest rates will find that they become more attractive to businesses than banks still charging very high rates of interest.

Therefore, the market itself and the availability of that money will, hopefully, attract banks to participate in the scheme. If we find that banks are not participating, I will want to find out why and whether it is because of some of the conditions attached to the scheme. At my last meeting with the Financial Secretary, all the indications were that, if we identify problems, we can quickly go back and see whether there are ways in which the scheme could be tailored to encourage non-participating banks to come in.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas fosta leis an Aire as ucht an ráitis a rinne sé. I thank the Minister for his statement. He might be aware that the 'FSB Voice of Small Business Index' for the third quarter of this year, which was published yesterday, suggests that business conditions here are much tougher than in other regions of Britain. It also shows that, at UK level, banks rejected 42% of loan requests from small firms, which is up 40% on the previous quarter.

Indeed, the Minister said that Department of Finance and Personnel (DFP) surveys suggest that full approval rates are lower than some of the bank figures indicate. How confident is the Minister that the funding for lending scheme can address and, indeed, reverse that situation? Will he tell us what performance measures are being considered for the new initiative?

11.00 am

Mr Wilson: The Member gave some statistics from the FSB report, and I will not go through all the details. As we discussed with the British Bankers' Association (BBA), and as a result of some of the changes that have now been made, measures have been put in place that, over time, should help to improve that position. We will monitor that to see that that is the case.

Let me mention some of the things that will be done as a result of the agreement that has been made with the BBA and which will apply in Northern Ireland. First, there will be a mentoring scheme for firms that are applying for loans. That will help them to tailor their application and give them an indication of the kind of information that they should be providing to make that application more likely to succeed. Secondly, there is an appeal procedure. It is not automatic, and firms have to apply for it. The BBA's first report on how the appeals system has worked states that 14% of businesses were turned down when they made loan applications. We reckon that the figure is much higher than that if you take into consideration the fact that some of them did not get all the money that they asked for. Only 2% of them appealed the decision, but 40% of those who appealed were successful. Therefore, there is a mechanism whereby firms that have been turned down can now have some redress, either through early help with the mentoring scheme or through the appeals system.

On the matter of how we ensure that money from the funding for lending scheme is used effectively, we will be monitoring to see what money the banks in Northern Ireland draw down. We will look at the kinds of discounts that they give, the conditions that they attach to loans, and so on. Of course, the performance will be measured on how much money comes to local banks from the Bank of England.

Mrs Cochrane: I also thank the Minister for his statement. I will also touch on the bank lending data. You stated that the stock of lending has been falling but that new lending amounts are fairly stable. However, the way in which banks measure new lending varies widely and can include restructuring of existing debt and extensions of existing overdrafts. In the case of people adding to their loan, the bank system will often capture a figure that reflects the entire amount, not just the increase. Will the Minister detail how lending is measured and defined by his Department?

Mr Wilson: One of the problems is whether the amount is net or gross and how the banks provide information. It is all fairly high-level stuff, but a number of things concern me. The value of new loans has fallen by 20% from the first quarter in which it was measured to the last quarter, although it now appears to be fairly stable. We cannot separate out how much of that is due to a lack of demand and how much is due to the draconian conditions that are attached.

You mentioned the value of outstanding debt. It has fallen by 15% over the period. Again, it is high-level information, so we do not have the detail on how much of that is genuinely firms wanting to reduce their levels of debt and to pay back loans and, more worryingly, how much of it is due to businesses having been forced to do that by the banks saying that, even though the businesses are keeping up their repayments, they are forcing them to sell assets to bring down their level of debt. That can sometimes be damaging to firms.

We do not have the kind of detail that you have asked for, and that is one reason why we have been saying to the BBA that we need not only the high-level information but information that drills down more deeply. That is also why we have been asking the Bank of England to provide that information to us if it has it.

Mr Humphrey: I thank the Minister for his statement and answers so far. Did Her Majesty's Treasury not engage with the banks in Northern Ireland to get them to participate in the national loan guarantee scheme?

Mr Wilson: It did, although I think that the Government were fixated more on the banking industry generally than on engaging with specific regions. I do not know how much of it was due to the fact that they did not push the national loan guarantee scheme, but our participation is well below participation pro rata in other parts of the UK. In fact, I got an interesting statistic this morning: NAMA has lent more money to people whom they have taken into their remit in Northern Ireland to develop properties and assets than was lent under the national loan guarantee scheme.

Ms Fearon: Go raibh maith agat, a LeasCheann Comhairle. The previous Finance Committee, along with the Committee for Enterprise, Trade and Investment, took evidence from a group of Churches and businesses on the challenges that they have in accessing finance. Following that, DFP decided to press local banks for a more separate and transparent appeals process. Can the Minister give an update on what progress has been made on that issue?

Mr Wilson: I have already mentioned the appeals process, and that is now in place. I do not have the local figures, only the UK ones, but, nationally, 14% of loans were turned down, and only 2% of those who were turned down appealed. There has been a 40% success rate, and

that is probably mirrored across all regions of the United Kingdom.

I now want, first, businesses to be more aware of the appeals process that is available. You do not automatically go to appeal; you have to apply to do so, and I am not sure that many people who are turned down know about the appeals process. Secondly, I want businesses to be prepared to make an application for appeal, given the success rate that there has been. However, some might say that the 2% who applied were fairly sure that they had been badly done by and that many of the rest knew that they did not really have a chance when they applied for the loan. That might account for the high success rate, but I do not know. We will continue to get information about how successful the appeals process is.

Mr McQuillan: I thank the Minister for his statement. Why did Project Merlin not work here and how does this scheme differ from Project Merlin?

Mr Wilson: The main reason that Project Merlin did not work in Northern Ireland is because of the size of the banks here. Some people have said that it was not suitable for some of the smaller banks. We are guessing that Project Merlin did not work — it is a fairly informed guess — because we did not see any impact in Northern Ireland. We do not actually have the figures. Project Merlin did not realise its goals in the rest of the United Kingdom either, but performance seemed to be particularly poor here. It seems that it was to do with the size of the banks and the structure of the banking system, in which so many banks are foreign-owned.

Mr Beggs: Thank you for your statement, Minister. Statistics show that the Northern Ireland economy has continued to decline while it has stabilised in the rest of the United Kingdom. It is recognised that lending to business is affecting jobs. It has taken some time to recognise that Project Merlin failed here, so how long will it be before we learn whether the new funding for lending scheme is working? Given that Project Merlin failed here, has the Minister approached the Treasury for additional support for either this lending scheme or another scheme for Northern Ireland?

Mr Wilson: I have not approached the Treasury for additional support. Given that the scheme was launched only on 1 August and given its structure, if the scheme were going to work, it would be a bit premature for me to go to the Treasury and say that we want additional support for Northern Ireland.

I believe that this scheme will be different. First, the banks have to perform. To access the finance, they have to meet certain targets of increasing lending to consumers and businesses. Secondly, the scheme will be fairly transparent. I assume that information will be given on a quarterly basis. The first quarter will not give us a great deal of information, so we will have to see the position develop over a number of quarters. So, given all those things, I imagine that it will probably be a year before we know what effect the scheme has had.

Maybe I should have said this, although it was mentioned in the statement, but, as an Executive, we have not ignored this situation. The Minister of Enterprise, Trade and Investment already has a number of schemes — I think that there are five. Some are in their infancy, others have just been launched and some are now receiving their first

applications. There are five separate schemes, totalling well over £100 million, for lending to small businesses and for growth and development for those businesses. All those schemes will make an important contribution to the availability of finance for businesses in Northern Ireland.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle, agus gabhaim buíochas leis an Aire chomh maith as a chuid freagraí.

I thank the Minister for his statement. During the summer, I, too, wrote to the local banks to ask about their participation in what, on the face of it, seemed to be a pretty big scheme that made £80 billion available to fund banks and lend to small businesses. We all know the problems that those small businesses are having. Does the Minister share my view that perhaps there was not a great rush among the banks to avail themselves of that scheme? That is what I took up. I found that somewhat disappointing, given the difficulties and problems that many of our small businesses encounter in their dealings with banks not only in accessing funding but in underpinning existing loans that they might use to help their businesses grow at a time when we need growth.

Mr Wilson: I do not mind bashing the banks if I think that they are not doing their job. However, let us put this in perspective. The scheme was announced on 1 August, and the detail of it was then made available to the banks. It was then up to them to decide how they would operate it. On 1 September, which was within a month, Barclays Bank confirmed that it would be participating. It will be giving a 2% cashback to customers as a result of the cheaper money that it will be able to get from the Bank of England. Ulster Bank will announce its scheme within the next week. Again, Ulster Bank will offer a discount to customers who borrow as a result of the scheme, and there will be no arrangement fees, etc. We have no details from the other banks, but they may be working up the details or contemplating whether to participate in the scheme.

As I said in answer to an earlier question, with the kind of discounts that businesses will be able to get as a result of the scheme, I believe that there will be certain market pressures on other banks to participate. I want to know whether there are particular difficulties that mean that they do not want to participate. However, they all showed enthusiasm. One of the things that I was pleased about was that, when the Treasury officials spoke to local banks, they all showed a positive response then. So, I hope to see that followed through. It may well be that, because some banks are based in Dublin, or wherever, it will take a while for them to agree the terms they are going to attach to their participation in the scheme.

11.15 am

Mr Storey: I thank the Minister for his statement and for his continuing persistence in pursuing the banks in a variety of matters, particularly this one. Going back to the appeals process: on the basis of the figures that the Minister gave us this morning, that only 2% lodged appeals, 40% of which were successful, does the Minister think that there is more that his Department, in conjunction with the Department of Enterprise, Trade and Investment (DETI) and, possibly, the British Bankers' Association, given that it has a mentoring scheme in place, could do to assist our SMEs in being more proactive about taking up appeals?

Mr Wilson: Yes, and there is also a role for business organisations here to make their members aware, if they are turned down for a loan, that that is not the end of the story and that there is a mechanism they can use to have their case looked at again. I think that this is a case of communication. I am not too sure why there has been such a low participation rate. The mechanism has not been kept secret, I can tell you that.

As I said in answer to an earlier question, it may well be that many of the businesses that were turned down expected to be turned down anyway because they knew that their cases were marginal and, therefore, did not pursue the matter. If they either do not believe that the scheme, or the appeal, will be of any benefit to them, or they do not know about the appeal scheme, it is important that we have the kind of communication that we have had, and publicise the fact that 40% have been successful on appeal and that the appeal mechanism is available. A whole range of people can play a role here. I have been encouraging banks to let their customers know that an appeals mechanism is available and that, although it is not automatic and they have to apply, they should be doing so.

Mr Allister: The Minister aspires to arrangements that are tailored to meet the needs of Northern Ireland. In that context, it was trumpeted in the Programme for Government that a £50 million loan scheme was being established. How is that going for small business? Is the fact that it is charging rates above the commercial rates of banks something that tailors it to the needs of Northern Ireland business?

Mr Wilson: The detail of the question is more for the ETI Minister. However, the scheme is in place and, as I said, it is only one of a number that will make available well over £100 million to businesses. There is a £5 million pot in the loan fund for small businesses, the growth fund has £50 million and the development fund has £60 million. I am always reluctant to encroach on other Ministers' areas in case I get the figures wrong. However, I know that, globally, if you take all of the schemes together, there is over £100 million available. We have delivered on that commitment.

I spoke to the ETI Minister about this and, again, although I cannot remember the figures off the top of my head, a large number — 50 or so — business cases have already been submitted. Some of those business cases have been approved. Businesses turned down by the banks even though they had good strong business cases that showed that they had the ability to grow, had a market, and had viable business propositions place, will be accepted by this fund. That is important in giving the kind of liquidity and working capital that firms need.

Mr McNarry: On the business bank concept, some £50 billion, I believe, will be released sooner than previously thought. Has the Minister any idea about how much of that £50 billion Northern Ireland could gainfully use? I am assuming that he has at his disposal a bid list supplied by business, commercial and industrial interests expressing their willingness to dip into the fund when it becomes available.

Mr Wilson: First of all, I am not aware of the detail of the business bank as yet, because the government intends to announce it some time in the autumn. We have not got the time for its being announced, let alone

its details and how it will be organised. It is to be done through financial intermediaries and other bodies. I do know — and I have been arguing this all along — that given the lack of competition in our banking structure in Northern Ireland, any new entrant into the market will be beneficial. If it adds to what we as a government are doing and what the finance scheme that has been announced by the Government will, hopefully, do within the banking sector, it will be to the good. Do I have an indication from local businesses as to what the demand is likely to be? I do not. DETI may well have some of that information from businesses that have indicated what kind of lending requirements they have, as part of funding packages they applied to it for, etc, but I certainly do not have that information in DFP.

Committee Business

Standing Orders: 49A, 57(1), 69A and 69C

Mr Deputy Speaker: As the next four motions relate to amendments to Standing Orders, I propose to conduct the debate as follows. The first motion to be moved will be motion (a), as shown on the Order Paper. That motion stands alone and will be debated separately. After the Question has been put on motion (a), I propose to group motions (b) to (d), as detailed on the Order Paper, and conduct a single debate. I will ask the Clerk to read the first motion in the group and then call the Deputy Chairperson of the Committee on Procedures to move it. Debate will then take place on all three motions in the group.

When all who wish to speak have done so, I will put the Question on motion (b). I will then ask the Deputy Chairperson to move formally motions (c) and (d) in turn, and I will put the Question on each motion without further debate. If that is clear, I shall proceed.

Mr Clarke (The Deputy Chairperson of the Committee on Procedures): I beg to move motion (a):

After Standing Order 49A insert –

“49B. Changes to Statutory Committees

(1) This order applies where all Northern Ireland Ministers cease to hold office as a consequence of the application of section 18(1) of the Northern Ireland Act 1998, for example, where a new department is established or an existing one dissolved.

(2) All statutory committees shall be dissolved.

(3) After all Ministerial offices are subsequently filled, the procedures referred to in paragraph (4) for constituting statutory committees shall be run as they are run following the election of the Assembly.

(4) Those procedures are the procedures set out in Standing Orders for –

(a) determining the number of statutory committees;

(b) establishing them;

(c) appointing chairpersons and deputy chairpersons to them; and

(d) allocating seats on them.”

On behalf of the Committee on Procedures, I am pleased to bring this motion to amend Standing Orders to the House today. The motion will introduce a new Standing Order 49B to reflect establishing the number and membership of Statutory Committees during the course of a mandate. In the event of departmental reorganisation by the Executive, the rerunning of d'Hondt for Ministers will be required, and that will have implications for the related Statutory Committees.

The current Standing Order 47 only makes provision for the establishment of Statutory Committees following an election, so it is necessary to introduce an additional Standing Order to reflect establishing the number and membership of Statutory Committees during the course of a mandate.

The new Standing Order will apply where, under section 18(1) of the Northern Ireland Act 1998, all Ministers cease

to hold office. When that happens, all existing Statutory Committees are dissolved and, once the new Ministers are appointed, have to be re-established. The standard procedure for establishing Committees would then be run as it would be run following an election of the Assembly.

Mr Deputy Speaker, for the first time in Standing Orders, an example is used in the proposed Standing Order 49B(1). The example is included to aid the reader, as the reference to a section 18(1) event would be relatively meaningless for Members, unless they have the Northern Ireland Act 1998 with them and are prepared to wade through section 18(1) and all the cross-references within it. The obvious use for that order will be if there is a change in the organisation of Departments, so that is the example used.

Mr Deputy Speaker, this is a straightforward amendment to Standing Orders, and I commend the motion to the House.

Mr Deputy Speaker: As no other Members wish to speak, I will put the Question. I remind the House that the motion requires cross-community support.

Question put and agreed to.

Resolved (with cross-community support):

After Standing Order 49A insert –

“49B. Changes to Statutory Committees

(1) This order applies where all Northern Ireland Ministers cease to hold office as a consequence of the application of section 18(1) of the Northern Ireland Act 1998, for example, where a new department is established or an existing one dissolved.

(2) All statutory committees shall be dissolved.

(3) After all Ministerial offices are subsequently filled, the procedures referred to in paragraph (4) for constituting statutory committees shall be run as they are run following the election of the Assembly.

(4) Those procedures are the procedures set out in Standing Orders for –

(a) determining the number of statutory committees;

(b) establishing them;

(c) appointing chairpersons and deputy chairpersons to them; and

(d) allocating seats on them.”

Mr Deputy Speaker: We will now move to debate the second group, which consists of motions (b) through to (d), as indicated in the Order Paper. I call the Deputy Chairperson of the Committee on Procedures to speak to all motions in the group.

Mr Clarke: I beg to move motion (b):

Leave out Standing Order 57(1)(c) and insert –

“to consider any matter relating to the conduct of members;”

Leave out Standing Order 57(1)(e)

In Standing Order 57(1)(f) leave out “Standing Orders 69B and 69C” and insert –

“Standing Orders 69A to 69C”

The following motions stood in the Order Paper:

(c) Leave out Standing Order 69A and insert –

“Northern Ireland Assembly Commissioner for Standards

(1) This order supplements Part 2 of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011.

(2) In these Standing Orders ‘the Commissioner’ means the Northern Ireland Assembly Commissioner for Standards established by section 16 of the Act.

(3) The Committee on Standards and Privileges shall exercise the following functions in respect of the Commissioner –

(a) considering any report made by the Commissioner under section 17(1)(c) or section 26 of the Act;

(b) requesting and considering advice from the Commissioner under section 17(1)(d);

(c) directing the Commissioner under section 24 (including specifying matters under section 24(2)(b)(i) and making requirements under section 24(2)(b)(ii));

(d) requesting a further investigation under section 26; and

(e) publishing a report under section 27(3).

(4) The consideration of a report or advice by the Committee on Standards and Privileges does not preclude its consideration by the Assembly.

(5) The Commissioner must investigate a referral –

(a) made by the Committee on Standards and Privileges, that relates to –

(i) the conduct of members; or

(ii) members and Assembly privilege, including alleged breach of privilege by a member;

(b) made by the Clerk to the Assembly, that relates to –

(i) the conduct of members, and

(ii) the Clerk’s duties as accounting officer within the meaning of the Government Resources and Accounts Act (Northern Ireland) 2001.” — [Mr G Kelly (The Chairperson of the Committee on Procedures).]

(d) Leave out Standing Order 69C and insert –

“Members’ Interests: Rectification of Minor Errors

(1) This order applies to a failure by a member –

(a) to register an interest in the Register of Members’ Interests,

(b) to declare an interest.

(2) The Committee on Standards and Privileges may determine not to apply Standing Order 69B in respect of that failure if–

(a) the Commissioner recommends it;

(b) the failure was minor or inadvertent; and

(c) the member acknowledges the failure and apologises to the Assembly for it.

(3) Where the failure is under paragraph (1)(a), the Register must also be rectified.” — [Mr G Kelly (The Chairperson of the Committee on Procedures).]

Mr Clarke: On behalf of the Committee on Procedures, I am pleased to bring these motions to amend Standing Orders to the House. The three motions relate to matters surrounding the functions of the Assembly Commissioner for Standards. The amendments are necessary so that Standing Orders accurately reflect the requirements of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011.

I will point out at this juncture that today's motions do not touch on the actual appointment process or who may be appointed, but refer rather to the requirements laid out in the legislation and how those must be supplemented by Standing Orders. The Assembly has already agreed to the appointment of the Commissioner for Standards, with effect from 17 September, hence the timing of today's motions.

The main changes resulting from the 2011 Act are dealt with in the proposed amendments to Standing Order 69A, so most of my comments will relate to that. The amendments to Standing Orders 57(1) and 69C are consequential to the amendments to Standing Order 69A. The reasons for the proposed amendments can be grouped into three main areas, which I will now outline in turn.

First, the proposed amendments will clarify which matters may be referred to the commissioner in respect of which the commissioner must carry out an investigation, and by whom those referrals may be made.

Back in 2010, the Assembly Commission proposed, and the Assembly subsequently agreed, that the Clerk/ Director General, as accounting officer, should be able to consider any potential breaches by Members of the rules in the 'Members' Financial Services Handbook', and, if necessary, refer the matter to the commissioner. The commissioner could then carry out an investigation to establish whether or not a Member had breached the code of conduct. The proposed amendments to Standing Orders will provide for that.

It is worth noting at this point that while matters can be referred to the Commissioner for Standards, once the matter has been referred, any investigation is to be carried out completely independently.

Secondly, the proposed amendments will clarify when a function or role of the Assembly in relation to the commissioner should be carried out by the Committee on Standards and Privileges.

Throughout Part 2 of the 2011 Act, there are references to the role and function of the Assembly in relation to the commissioner. In practice, however, the Committee on Standards and Privileges will be the Assembly's agent in carrying out these duties. The proposed amendments will clarify the position on this. The proposed amendments also provide for the commissioner to report on an investigation to the Committee on Standards and Privileges.

The 2011 Act provides that the commissioner shall, if requested by the Assembly, give advice on any matter of general principle relating to standards of conduct of Members of the Assembly. The proposed amendments will provide for the Committee on Standards and Privileges to be able to make such requests.

The commissioner will have to comply with any directions given by the Assembly either in respect of the general procedure to be followed in the exercise of his functions or in respect of the standards of conduct that he should observe. The proposed amendments will provide for the Committee on Standards and Privileges to be able to give those directions.

Further to a report from the commissioner on an investigation, the 2011 Act provides that the Assembly could ask the commissioner to undertake additional investigation on a particular point and to report back on that. The Committee on Standards and Privileges needs to be able to request that additional investigation and the subsequent report back to the Assembly. In this instance, that should be made to the Committee, and the proposed amendments will provide for that.

The 2011 Act also requires the Assembly to publish any report made by the commissioner. The proposed amendments will provide for the Committee on Standards and Privileges to publish all such reports.

11.30 am

The third and final reason for the proposed amendments is to delete or amend, as appropriate, the current references to the Assembly Commissioner for Standards to ensure consistency with the 2011 Act. For example, references in Standing Orders to the Assembly Commissioner for Standards need to be amended so that they now refer to the Northern Ireland Assembly Commissioner for Standards, which is the name given to the office in the 2011 Act.

The proposed amendments to Standing Orders provide clarity on a number of matters, as I have outlined, and will enable the commissioner to undertake the statutory functions of that office. I commend the motions to the House.

Mr Ross (The Chairperson of the Committee on Standards and Privileges): On behalf of the Committee on Standards and Privileges, I support the Committee on Procedures' motions to amend Standing Orders 57(1), 69A and 69C. The Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 provides for a Northern Ireland Assembly Commissioner for Standards. The primary role of the commissioner is to carry out investigations into complaints that a breach of the Assembly's code of conduct has occurred and to report the outcome of those investigations to the Assembly.

Earlier this year, the Assembly appointed Mr Douglas Bain as the new Commissioner for Standards. Mr Bain's term of office began yesterday. To coincide with that, the Assembly Commission has commenced the statutory provision for the commissioner's functions and powers. As per the 2011 Act, all outstanding investigations have, therefore, been transferred from the former commissioner, Dr Tom Frawley, to Mr Bain. I am sure that the whole —

Mr Allister: Will the Member give way?

Mr Ross: I will.

Mr Allister: The Member refers to Mr Douglas Bain's appointment to this important independent role. Can he tell the House whether, in consequence, Mr Bain will be resigning from that divisive, controversial body called the Parades Commission?

Mr Ross: I thank the Member for his intervention. I cannot give him any further information on that at this time. I am quite sure that when Mr Bain first appears before the Committee on Standards and Privileges, Members who have questions, such as the one the Member has, will be able to put those to Mr Bain. As I said, we have not had an opportunity to do that yet, given that he took office only yesterday. Nonetheless, I am sure that the whole Assembly will want to wish Mr Bain every success in his new challenging role and thank Dr Frawley for serving, with distinction, as the interim Commissioner for Standards. As a member of the Committee, I have worked with Dr Frawley since 2007 and have always held him in the highest regard.

Now that Mr Bain's term of appointment has begun and the outstanding provisions of the 2011 Act have commenced, it is necessary to make certain changes to Standing Orders. The Committee on Standards and Privileges identified those changes last year and asked the Committee on Procedures to bring forward the necessary amendments. As the Deputy Chairperson of the Committee on Procedures set out, there are three reasons why these amendments are needed. First, to clarify which matters may be referred to the commissioner and by whom, in respect of which the commissioner must carry out an investigation. Secondly, to clarify when a function or role of the Assembly in relation to the commissioner, as provided for in the 2011 Act, should be carried out by the Committee on Standards and Privileges. Thirdly, to delete or amend, as appropriate, current references to the Assembly Commissioner for Standards in Standing Orders in order to ensure that there is consistency with the 2011 Act.

On matters that may be referred to the commissioner for investigation, I first of all point out that the 2011 Act provides that the commissioner has a statutory duty to investigate any admissible complaint received from any person that a breach of the Assembly's code of conduct has occurred. It is clear that Standing Orders do not need to be amended to provide for that. However, the 2011 Act also provides that, in addition to those complaints, the commissioner must carry out an investigation into certain matters specified in Standing Orders when they are referred by certain specified persons. Mr Clarke mentioned the referrals that may be made by the Clerk/ Director General in relation to the conduct of Members and the Clerk's duties as accounting officer. The Assembly Commission has proposed, and the Assembly has already agreed, that the commissioner should have that function, and the Committee on Standards and Privileges was happy to agree. The provision clearly strengthens governance arrangements in the Assembly.

The Assembly has also agreed that the Committee should retain its power to refer matters to the commissioner for investigation. As per the current Standing Order 69A(2) (c), the Committee should be able to refer matters relating to the conduct of Members, including but not limited to complaints that a breach of the code of conduct has occurred. It is important that the Committee has that broader power to refer conduct matters to the commissioner, which includes and goes beyond the general power that any person has to complain that a breach of the code has occurred. Without that, the Committee might be unduly fettered in the matters that it might seek to have the commissioner investigate. The Committee should also be able to continue to refer matters

that relate to Members and Assembly privilege, including alleged breaches of privilege, as per the provisions of the current Standing Order 69A(2)(a). This is without prejudice, of course, to the outcome of any future review of Assembly privilege.

The proposed amendments to Standing Order 69A set out those functions of the Assembly in the 2011 Act that should be undertaken by the Committee on Standards and Privileges. Mr Clarke has already gone through each of those in detail, so I shall not go over that ground again, except to say that those changes reflect what the Committee on Standards and Privileges had asked for.

Finally, technical amendments need to be made to Standing Orders 57(1), 69A and 69C to ensure consistency with the 2011 Act.

I thank the Committee on Procedures for tabling each of those amendments, and, on behalf of the Committee on Standards and Privileges, I commend them to the House.

Mr Deputy Speaker: The proposer does not wish to respond. Before we proceed to the Question, I remind Members that all three motions require cross-community support.

Question put and agreed to.

Resolved (with cross-community support):

Leave out Standing Order 57(1)(c) and insert –

“to consider any matter relating to the conduct of members;”

Leave out Standing Order 57(1)(e)

In Standing Order 57(1)(f) leave out “Standing Orders 69B and 69C” and insert –

“Standing Orders 69A to 69C”

Resolved (with cross-community support):

Leave out Standing Order 69A and insert –

“Northern Ireland Assembly Commissioner for Standards

(1) This order supplements Part 2 of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011.

(2) In these Standing Orders ‘the Commissioner’ means the Northern Ireland Assembly Commissioner for Standards established by section 16 of the Act.

(3) The Committee on Standards and Privileges shall exercise the following functions in respect of the Commissioner –

(a) considering any report made by the Commissioner under section 17(1)(c) or section 26 of the Act;

(b) requesting and considering advice from the Commissioner under section 17(1)(d);

(c) directing the Commissioner under section 24 (including specifying matters under section 24(2)(b)(i) and making requirements under section 24(2)(b)(ii));

(d) requesting a further investigation under section 26; and

(e) publishing a report under section 27(3).

(4) *The consideration of a report or advice by the Committee on Standards and Privileges does not preclude its consideration by the Assembly.*

(5) *The Commissioner must investigate a referral –*

(a) *made by the Committee on Standards and Privileges, that relates to –*

(i) *the conduct of members; or*

(ii) *members and Assembly privilege, including alleged breach of privilege by a member;*

(b) *made by the Clerk to the Assembly, that relates to –*

(i) *the conduct of members, and*

(ii) *the Clerk's duties as accounting officer within the meaning of the Government Resources and Accounts Act (Northern Ireland) 2001.* — [Mr Clarke (The Deputy Chairperson of the Committee on Procedures).]

Resolved (with cross-community support):

Leave out Standing Order 69C and insert –

"Members' Interests: Rectification of Minor Errors

(1) *This order applies to a failure by a member –*

(a) *to register an interest in the Register of Members' Interests,*

(b) *to declare an interest.*

(2) *The Committee on Standards and Privileges may determine not to apply Standing Order 69B in respect of that failure if–*

(a) *the Commissioner recommends it;*

(b) *the failure was minor or inadvertent; and*

(c) *the member acknowledges the failure and apologises to the Assembly for it.*

(3) *Where the failure is under paragraph (1)(a), the Register must also be rectified.* — [Mr Clarke (The Deputy Chairperson of the Committee on Procedures).]

Private Members' Business

Ulster Covenant: Centenary

Mr Deputy Speaker: Before we move on to the debate, I would like to advise Members that I have received a letter from the Minister of Culture, Arts and Leisure to say that she is unable to attend plenary business today and next week. However, the Minister of Education has agreed to respond to the debate on her behalf.

The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Copeland: I beg to move

That this Assembly recognises the signing of the Ulster covenant on 28 September 1912, in its centenary year, as an historic and significant event in the history of Northern Ireland; notes the availability of all the digitised signatures of the covenant via the Public Record Office of Northern Ireland website; and affirms the importance of Ulster Unionists Lord Carson and Lord Craigavon and their legacy, which remains in place today.

In the corner of St Anne's Cathedral in Belfast stands a stone font. It is all that remains of the parish church of St Anne that existed on that site prior to the construction of the cathedral. I know that because my grandmother was christened in that font in 1899. Just a few feet from the font lies a grave. An unremarkable grave, it is ordinary in many ways, even plain in some. It contains earth from the six counties of Ulster that now comprise Northern Ireland and earth from the city of Londonderry. In that grave lies Sir Edward Carson, later Lord Carson of Duncairn.

He was a Dublin-born Irish unionist who was a lawyer in that city. How can it be that someone from the city of Dublin became so intrinsically linked with the consciousness of the people of Ulster then and remains so today? He was a successful lawyer who represented the Cadbury family in a slavery case, took part in the prosecution of Oscar Wilde and, some say most importantly, the defence of naval cadet George Archer-Shee — the Winslow boy — who was charged with stealing a 10-shilling postal order, which is hardly the stuff of high and great advocates.

However, Carson found himself at the helm of resistance to the notion that one million people could be removed, contrary to their will, from a sense of identity, a system of government and a status of citizenship with which they were happy and placed, contrary to those sentiments, at the mercy of those they saw at that time as their mortal enemies.

Ireland was a different place in those days. Most of it was rural, but the north-east corner that now constitutes Northern Ireland was industrial. Indeed, James Connolly described the north-east corner of Ireland as the only place on the island where organised labour could take a foothold and stand up for the rights of ordinary men. However, he described those same workers as the most willing slaves on the face of the planet. To counter that, Mr Henderson, a one-time Mayor of Belfast, said that the

factories of the city provided work for the men and the boys, the mills provided work for their wives, and, if that was not enough, their daughters and friends could find work in the largest rope-manufacturing plant in the world.

Resistance to home rule was inevitable. It was organised, and a covenant, based on an ancient pact between the Israelites and God and mirroring a similar covenant taken by the Covenanters in Scotland some 200 or 300 years previously, bound them one to another to do whatever was necessary to preserve their citizenship and sense of being and place. The covenant laid out not only the citizens' responsibility to God but, in a way in which only Ulster Presbyterians could, implied the responsibility of God to the citizens.

The covenant and the women's declaration were signed on Ulster day, 28 September 1912, by almost 500,000 people. It was signed in good order, largely without violence. It drew a further line in the sand, indicating the lengths to which they would go to defend what they saw as their position. Months later, it led to the establishment of the Ulster Volunteers, as they were called in those days, and, in some ways, gave rise to the establishment of the Irish Volunteers.

Subsequently, and contrary to the law, between 35,000 and 50,000 rifles and three million rounds of ammunition were imported to allow those who thought that the covenant was empty rhetoric and the threats were toothless to understand the lengths to which the unionist population of Ulster was prepared to go. At the same time, an equivalent army — if that is the correct term — was established in the South. Two groups of people, each fervently believing in the justice of their own cause, were prepared to fight the British Government, at that time the most powerful Government on the face of the earth, and, indeed, to fight each other.

An event was then brought about by a guy called Gavriolo Princip, who, strangely enough, represented a group called the Black Hand as opposed to the Red Hand. He shot Archduke Franz Ferdinand in the city of Sarajevo. The smouldering embers of diplomacy, technology, industry and territorial avarice took the world into a conflict that lasted from 1914 to 1919. Irishman, at that stage, fought beside Irishman. They fought for Ireland and for Ulster. Ancient enmities were set aside, and the foundations of the Northern Irish state were created.

Carson was, without doubt, a brilliant lawyer and orator. He was regarded by those who saw him and spoke to him as approaching almost the status of a god. He stood for what he believed in, and others stood with him. All that would have been for nothing without the organisational skills of James Craig, who was a stockbroker, a whiskey distiller, a veteran of the South African war and the consummate organiser.

11.45 am

The signing of the covenant took place in not only Ulster but in Dublin, on ships on the high seas and in the stokers' mess of a Royal Navy ship halfway up a river somewhere in China. To deny the importance of those events, whether you agree with them or not, would be churlish, because they were fundamentally important. They were important to my family then, and, in many ways, they affect vast

numbers of people, not thoughtfully but emotionally, to this day.

I visited recently a graveyard in Flanders — I cannot remember whether it was Belgium or France; it all looks pretty much the same to me — called Tyne Cot, where there are the remains of or memorials to almost 50,000 people, many of whom do not enjoy a grave; there is simply a name carved on a wall. There is a name there of one of my relatives whom I never knew was remembered at Tyne Cot. The most striking thing was that, after that great sacrifice and at the conclusion of that war, when Irishmen and Ulstermen had stood together in the shadow and the light of the covenant to defend what was widely promoted as little Catholic Belgium, to paraphrase, the dreary steeples of Fermanagh and Tyrone re-emerged from the mist and restated the integrity of their struggle.

There are many graves in that graveyard, but there are three gravestones that are placed shoulder to shoulder with no gap between them, signifying that they contain the remains of three individuals who could not be separated from one another. One is an Irish Guardsman, who could be a unionist or a nationalist, or a Catholic or a Protestant. One was a Royal Dublin Fusilier, who, in all likelihood, was Catholic, and, in all probability, could be described as nationalist. On the right flank is a headstone commemorating a soldier of the 14th battalion of the Royal Irish Rifles, which is commonly styled the Young Citizen Volunteers. They lie together, embracing one another in death for eternity, to have given us the chance to make this island a better place for all of us and not to deny any aspect of our history but to look at it honestly and judge the sentiment as well as the actions.

We approach these centenaries hopefully having learnt the lessons of the past. Ireland was not all Protestant/unionist or Catholic/nationalist. Indeed, the party opposite derived its name from Mary Lambert Butler, who was a cousin of Sir Edward Carson. There is a pub in Belfast called Molly's Tavern, where a relation of Sir James Craig's eloped and —

Mr Deputy Speaker: The Member's time is up.

Mr Copeland: — fought inside the GPO with Cumann na mBan.

I ask everyone to consider thoughtfully what I have said and support the motion.

Lord Morrow: I congratulate those who secured today's debate. I inform the House that it is our party's intention to support the motion. Just as yesterday's debate was very timely, this one is equally so. I listened intently to what the Member who spoke previously said, and I look forward to hearing what others have to say on this important and topical matter. The date of 28 September marks an important and historic event in the heritage and history of Northern Ireland, and, indeed, in the establishment of Northern Ireland as an independent state, detached from the rest of Ireland but firmly within the United Kingdom. On that day some 237,000 men signed the Ulster covenant, alongside the more than 234,000 women who signed the women's declaration to:

"associate with the men of Ulster in their uncompromising opposition to the Home Rule Bill".

Those who signed had pledged:

“to stand by one another in defending for ourselves and our children our cherished position of equal citizenship in the United Kingdom and in using all means which may be found necessary to defeat the present conspiracy to set up a Home Rule Parliament in Ireland.”

The first meeting was held in my constituency of Fermanagh and South Tyrone, when Sir Edward Carson arrived in Enniskillen on Wednesday 18 September, 10 days before the covenant was signed. He went to Portora Hill, where some 40,000 members of unionist clubs marched past. On the eve of the covenant signing, Sir Edward Carson attended a rally at the Ulster Hall in Belfast, where he was presented with a yellow silk banner that was understood to have been carried by King William's troops at the battle of the Boyne. Carson, deeply moved, said:

“May this flag ever float over a people that can boast of civil and religious liberty!”

Those comments are in sharp contrast to the words of Eamon de Valera, who proclaimed in February 1932:

“The majority of the people of Ireland are Catholic, and we believe in Catholic principles. And as the majority are Catholics, it is right and natural that the principles to be applied by us will be principles consistent with Catholicity”.

Supporting that stance was the then Archbishop, Cardinal MacRory, when he pronounced:

“The Protestant Church in Ireland — and the same is true of the Protestant Church anywhere else — is not only not the rightful representative of the early Irish Church, but it is not even part of the Church of Christ”.

Back in Belfast, James Craig, Prime Minister of Northern Ireland, said in an address:

“It is our earnest desire to live in peace and amity with the Free State and to encourage in every way a better understanding between all classes and creeds.”

Edward Carson had declared his wish to see tolerance for Catholics at the formation of Northern Ireland when he said:

“While maintaining intact our own religion let us give the same rights to the religion of our neighbours.”

I believe that it is important to recall all these quotes in this debate, because this is a day and age when history has become distorted and twisted, and those things are seldom said in the articles that we read. However, as someone once said, why let the facts get in the road of a good story? That seems to be very prevalent today.

During yesterday's debate on an apology from the Republic of Ireland, I referred to the fact that, at the time of partition, the Protestant population in the South was some 12% and that it has now reduced to 2%. Although some find it difficult to face up to that reality, perhaps a glance at some of the remarks that leading statesmen and churchmen of that time made will shed some light on the reality.

Mr Deputy Speaker: Bring your remarks to a close, please.

Lord Morrow: In October 1937, speaking in Geneva, Deputy Prime Minister O'Kelly declared:

“the Free State Government was inspired in its every administrative action by Catholic principles and doctrine”.

Mr Deputy Speaker: Time is up.

Lord Morrow: I am sorry, my time is up, Mr Deputy Speaker, but I think that you will put me down if I do not sit down. Thank you very much.

Mr Deputy Speaker: I was very tolerant with you.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle.

The debate is worthwhile, although I stress from the outset that I do not think that anyone intends to do a historical accuracy fact-check this morning. Although our history is shared, it is very complex, and we have very differing interpretations of many elements of that history. The period in which the covenant was signed 100 years ago is no different to many of the other significant periods in history.

The motion is interesting in so far as it states:

“this Assembly recognises the signing of the Ulster covenant...in the history of Northern Ireland”.

However, Northern Ireland was not an entity at that time, so the motion is flawed. Notwithstanding that, our party's perspective on all these things is, as we have discussed before in the House, that we are in a decade of centenaries and that it is very important that, rather than having these events commemorated in a way that is exclusive — not that we want to tell people how they should celebrate or commemorate historical events — in order to make this a more fruitful decade that helps on the pathway towards reconciliation and a greater understanding amongst our communities, we must endeavour to make sure that such events are commemorated in an inclusive way and in a way that is not about rerunning history but is about trying to understand history better.

The motion goes on to talk about recognising:

“the importance of Ulster Unionists Lord Carson and Lord Craigavon and their legacy”.

Of course, we can all say that those individuals and others at that time were important and left an important legacy. However, that is not to suggest in any way that we share the views of others on what that legacy has been. Many of us would argue that the legacy that we have been left, not just by those individuals but by the historical period that we are referring to, is the unfinished business that many of us are trying to work our way through. We have had decades of strife and political instability across this island, from which no citizen could truly say that they benefited. It is important, therefore, that we look back on these important historical events in a manner that does not add to the division that we have experienced over all these decades and instead benefit from them by reconciling our communities and trying to understand people better.

I urge people who seek to commemorate this particular historical event in the next number of weeks to stand

back and reflect on the manner in which some of the demonstrations unfold, because, given the contention around them, they do not add anything to mutual understanding, greater respect or furtherance of reconciliation, which most people in our community strive for. Reconciliation does not mean that we all just agree with everything, but it does mean that we learn how to debate and discuss those matters, particularly since these events happened 100 years ago and should, therefore, not cause further division. Commemoration of these events should act as a tool to help us work together more constructively.

Michael Copeland spoke for 10 minutes, and to be quite frank, I am not sure what the central point of his contribution was. He ended by asking us all to reflect on his remarks. His remarks trailled around anecdotes and homespun stories. There is nothing wrong with that, and it helped Michael to set the tone. His speech was scant on historical facts and skirted over historical realities. However, I appreciate the tone that Michael sought to establish, and I hope that that remains the tone throughout the debate because, as I have said, it is important that we remember what happened. We should not miss the point that whenever the covenant was signed, —

Mr Deputy Speaker: Will the Member bring his remarks to a close?

Mr Maskey: — it was about marshalling and mobilising tens of thousands of armed people. That brought its own responses, the consequences of which we are still living with.

Mr Deputy Speaker: The Member's time is up.

Mr Maskey: As I said, we are hopefully working together to build reconciliation on the back of these celebrations and commemorations in a very mature and constructive fashion.

12.00 noon

Mr Eastwood: There is no doubting the significance of the Ulster covenant, nor that each of the men who signed it knew its significance and future historical imprint. However, it is important that it is properly remembered within its context and time. For example, there is a risk that, because of the deliberate, orchestrated and obvious symbolism of the signing of the Ulster unionist covenant, the tradition of the Irish unionists will be forgotten and lost. That risks losing figures of such eminence as Samuel Ferguson, WEH Lecky and Edmund Burke and the intellectual contribution of such Irish unionist publications as the 'Dublin University Magazine'. It was a tradition that was completely proud of and in its Irish identity, and it would not have contemplated partition. It is important that that tradition is remembered. It has much to add to our collective historical perspective.

The choice of Ulster unionism in 1912 to break with the tradition of Irish unionism has acted to shape the course of this island for the past 100 years. It was a decision of massive political consequence, not least in its challenge to the British Government of the time. It is right and proper that it is recognised, and I think that nationalists and republicans completely accept that. We understand that it is important to the unionist community and respect it. However, unionism must also understand that the covenant's political vision and trajectory was and remains

a great tragedy for Irish nationalism. From the perspective of Irish nationalism, it caused an unnatural and damaging division of Ireland's people. Unionism does not have to agree with that fact, but it should try to understand it.

Unionism should also recognise that there were many other significant events in and around that decade. We must all be prepared to enter into a mature and respectful conversation about those events. Whether it was the home rule Bill, the Easter rising, the war of independence, partition or the civil war, those events and others have shaped all our political perspectives on the past and the future. We must all rise to the challenge of ensuring that, 100 years on, those events do not serve to divide us any further. We must all take responsibility for marking those events in a way that is respectful and courteous to the other tradition. That will be the mark of the progress we have made.

In many ways, the covenant marked the beginning of the decade of transformation that was to follow on the island of Ireland. Today, Ireland stands ready for another period of change, and the great success of the last generation will ensure that any desire for that change will not be accompanied by the force of arms. The next Irish generation will enact change through the democratic will of all the Irish people, North and South.

Mr Lunn: I rise to confirm that we will, of course, also support the motion. I say "we" in its loosest sense.

[Laughter.]

A Member: Is that the royal "we"?

Mr Lunn: The royal "we"; that will do.

Mr Weir: Through the Chair, I thank the Member for giving way. I wonder whether the Member is following a different political tradition today that is very much "ourselves alone".

Mr Lunn: I will leave that hanging. We may have something to say — I may have something to say — towards the end about the final part of the motion and the legacy, place and importance in history of Lord Craigavon and Lord Carson. However, I will come to that.

The question is whether the covenant was historic and significant, and, of course, it was. At that time, it was probably the biggest petition in history, and almost 500,000 men and women confirmed their desire to remain British. At the time, they had good reason to suspect that something was afoot that may have been designed to change that status. The third home rule Bill was coming forward, and there was a threat — it has already been alluded to — of armed insurrection from various quarters on the island. The British Government were, for sure, wavering in the face of Irish pressure. Perhaps what saved the day, in unionist terms, was not so much the signing of the covenant as the beginning of the First World War.

We have had some discussion about this within the party, and I have been asked whether we should support a motion that gives praise to an organisation that threatened to take up arms against the legitimately elected Government of the day. All I can say about that is that the times were different. It was not the only organisation making that threat, and perhaps events proved it to be correct, because a few years later the Easter rising came along — I want to say something about that too, if I have time — as did the First World War and the enormous sacrifice at the Somme and other places. It is ironic to

think that the people who signed the covenant threatened to take up arms against the British Government but also gave their lives — perhaps it was their sons — in support of the British Government a few years later. Our history is full of ironies, as we all know.

The reference to the digital records is interesting. I have always assumed that my grandfather, Robert Lunn, signed the covenant, and so he did. I was able to check yesterday on those digital records; it was very interesting. There were seven Robert Lunnns, all from that area of west Belfast, who appear to have signed the covenant, so now I will have to figure out which one of them was my grandfather. I am fairly satisfied that — *[Interruption.]* Sorry?

I want to talk about the legacy of Lord Carson and Lord Craigavon. I do not want to be in any way controversial, but there are elements of that legacy that, if I were a Unionist with a large “U”, I would not want to dwell on and may not be all that proud of. For a start, I understand that they were responsible for the break-up of Ulster. They rejected the three counties of Cavan, Monaghan and Donegal, in case they would upset the balance of their votes. They also, from the formation of the state right through, perhaps, to the time of Terence O’Neill, ran this place in a manner that a lot of people would have considered questionable. There was an element of discrimination — I am being very kind here — as well as elements of favouritism and gerrymandering that could not be ignored and led, eventually, let us face it, to the rise of the civil rights movement and all that has happened since.

For us, a shared future means respect for a shared history. It is important that we share our history and acknowledge the two traditions on the island. I am very heartened to hear that Sinn Féin and, I think, the SDLP do not intend to oppose the motion. That is good. I was asked yesterday what attitude we would take if the motion referred to the Easter rising instead of the covenant and if the two names were Pearse and Connolly. I can tell you that we would support it, because it would be every bit as significant. I hope that, in four years’ time, if we are all spared and are standing here having a conversation about a slightly different motion, the unionists will remember what happened on this side of the House today. We will support the motion.

Mr G Robinson: Much can be said about the signing of the Ulster covenant and declaration, but the central issue is that it was signed by approximately half a million ordinary men and women in Northern Ireland. The fact that they signed it demonstrated their desire to remain British citizens and was a means of signalling their intent to refuse to recognise a home rule Parliament that they saw as detrimental to the union. They had greater vision than they realised. The desire among unionists of all opinions and, indeed, some nationalists to remain British has not declined in the years since, despite murderous campaigns waged against them by the enemies of our Province. It is only right that that historic event should be commemorated, due to its profound effect on today’s Northern Ireland and the way in which Lord Carson and Lord Craigavon’s leadership was inspirational across all sections of society. To them, we owe a debt of gratitude.

In Northern Ireland today, as indeed throughout the world, the desire to trace family ancestry has been aided by the online availability of the signatures of those who signed the covenant and declaration. The Public Records Office must

be congratulated on the hard work it has done to enable this. Northern Ireland has many unofficial ambassadors throughout the world as people emigrate for work or retirement; therefore the significance of the covenant and declaration is far beyond our borders. Many families have looked eagerly for a relative’s signature as they played their part on a monumental day in the history of Northern Ireland. The noble Lords Carson and Craigavon probably did not fully realise the extent to which their principled stance would influence the following generations in Northern Ireland. Therefore, it is important that their legacy is acknowledged today and long into the future. That legacy is acknowledged through this debate, but it will also be acknowledged at the end of the month by people eager to celebrate their culture and heritage, which these two extraordinary men did so much to protect and enhance. I support the motion.

Mr Deputy Speaker: Order. As this is the first debate in which the Assembly will hear from Rosaleen McCorley, I remind the House that it is the convention that a maiden speech is made without interruption.

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. Ar dtús, ba mhaith liom glacadh leis an deis i mo chéad óráid a rá gur mór an onóir agus cúis bróid domh a bheith roghnaithe mar ionadaí sa Tionól do mhuintir Bhéal Feirste Thiar.

I would like to take the opportunity in my maiden speech to say how proud and honoured I am to have been given the chance to represent the people of West Belfast in this Assembly. I would also like to pay tribute to my predecessor, Paul Maskey, who has given great service to the constituency over the years. Obviously, he continues to do so in his role as MP. I know that Paul will be a valuable source of guidance for me in the future, and I thank him on behalf of West Belfast for all his sterling work, past and present, so buíochas ó chroí le Paul.

The centenary of the signing of the Ulster covenant is one of many significant and historic events that will be commemorated over the next decade. In reading up on the covenant, I was intrigued to learn that a certain Fred Crawford allegedly signed his name on the document in blood. I also noted that a man named Riobaird Ua Muireadhaigh signed his name in Old Irish, a fact which, for me, serves to confirm the historical relevance of the Irish language to Irish people from all backgrounds and of all political persuasions. Sa chomhthéacs sin, ba mhaith liom aird a thabhairt ar chomórath tábhachtach eile atá ag titim amach ag an am seo.

In that context, I would like to draw attention to another important anniversary that is occurring at this time. The Líofo initiative was launched a year ago this month by the Culture Minister, Carál Ní Chuilín. On Saturday 22 September, there will be a birthday event at Custom House Square in Belfast to celebrate a very successful first year of Líofo. Tá 2,300 duine tiomanta do fhoghlaim na Gaeilge anois. To date, 2,300 people have signed up to learn the Irish language. I commend the Minister and her Department for bringing forward this unique initiative, which has encouraged so many people from various backgrounds to take ownership of the Irish language and to appreciate its beauty and cultural richness. I also wish the Minister a very speedy recovery from her recent illness, ádh mór ort, a Aire.

As I said, the focus of the debate is the decade of centenaries, particularly the signing of the Ulster covenant, which has played a particular role in our history. The covenant was significant for many people, and I totally acknowledge and recognise its importance as part of our shared history. Other events in the decade of centenaries, such as the Easter rising of 1916, are equally important. As we commemorate these events, it is vital that they are not in any way used to promote division or heighten tensions in our divided society. The challenge for us is to use this as an opportunity to learn from history and reflect on the past in a way that ensures that we are promoting a greater understanding of those events and not seeking to perpetuate division.

12.15 pm

We cannot change the past, but we can learn lessons from what has gone before and allow that to inform how we move into the future. Tá muid ag pointe suntasach inár stair. We are at a significant juncture in our history. We are emerging from a long period of conflict and are, hopefully, developing as a mature society through the peace process. I believe that consideration must be given to how commemoration of the Ulster covenant is carried out, because that could well influence the events that follow in the decade of centenaries. Creidim nach bhfuil an dara rogha againn, a LeasCheann Comhairle. We have only one option: we must approach this decade of centenaries in a spirit of outreach, respect and generosity. We should grasp this opportunity with both hands and place the Ulster covenant, the Easter rising and all the other events in the calendar over the next decade in a context that has at its core equality, reconciliation, tolerance and respect. History is important to us all. It can inform who we are and how we view ourselves as a society. However, all versions of history deserve to be heard, listened to and reflected upon. We in the Assembly must lead by example and take a positive and mature step forward into the next decade. When history comes to judge us after the next 100 years, do not let us be found wanting in our commitment to reconciliation, equality and respect for diversity.

Mr Weir: I thank the Members who tabled the motion. As a unionist, I commemorate and celebrate the Ulster covenant. I appreciate that that level of celebration may not be shared by all in the House, and I suppose that Mr Lunn is in a halfway house between celebration and commemoration. Alex Maskey said one thing that was accurate when he said that the Ulster covenant predated the foundation of Northern Ireland. In many ways, the historical significance of the Ulster covenant is that it is, effectively, Northern Ireland's birth certificate: its legacy lives on.

Over the days to come, I suspect that many unionists of various descriptions will express our support for the covenant and our association with Edward Carson and James Craig. In many ways, all of us on the unionist side of the House, of whatever strand and opinion, are the sons and daughters of Carson and Craig. We are all, rightly, honouring their memory, and indeed —

Mr Lunn: I thank the Member for giving way. I will just go back to his "halfway house" comment, if he does not mind. I am not in any halfway house on this. I support the motion absolutely, but I am prepared to recognise the reality of the intervening 100 years.

Mr Weir: Through the Chair, I did not suggest that you were not in any way supportive of the motion. I think that the Alliance Party is in a hokey-cokey situation over the celebration — half in and half out. However, you are perfectly entitled to take that position, and I appreciate perfectly that not everyone in the House will see the Ulster covenant as positively as I do or seek to celebrate it in that way. However, all of us clearly acknowledge that the Ulster covenant's legacy is a lasting one, without which I suspect that none of us would be sitting in the House today.

As was indicated, the covenant had historical resonances. The proposer referred to its biblical implications and how it very much reflected the 17th-century Scottish covenant, which I think was significant. Indeed, its emulation of that document is shown in two other significant strands in the covenant. First, it was very much a declaration of nationhood, of being part of the British nation. To that extent, one of the covenant's great legacies was that it reflected the reality of two nations on the island of Ireland. I appreciate that that will not be accepted by all Members, but it reflected reality then and reflects it now. The Ulster covenant also embodied, as did the Scottish covenant, a belief that political participation and expression of political will were not simply for the elite but for all the citizens of the country. Therefore, the Scottish covenant and the Ulster covenant were signed by many: in the case of the Ulster covenant, by about half a million people. It is also the case that the two allied documents, at a time before there was universal suffrage and before women had the vote, recognised the support within unionism for the suffrage, rights and equality of women. In many ways, what happened in 1912 was way ahead of its time. That is also something to be celebrated.

The covenant has historic significance. It was produced by the combination of Carson and Craig, a partnership that was complementary but also stood the test of time in ways that other contemporary historical partnerships did not. It was an era in which political duos were commonplace. On the Irish nationalist side in the late 1910s and early 1920s, there was de Valera and Collins, and, in British political life for over a decade, there was the key partnership of Asquith and Lloyd George. Both those relationships ended fairly badly — that is about as kindly as I can put it — but Carson and Craig's partnership endured. Indeed, it is hard to believe that the success of the covenant and the foundation of the state of Northern Ireland would have been achieved had it not been for both those men.

Mr Humphrey: I thank the Member for giving way. He is right to draw attention to Carson and Craig, but will he also pay tribute to Sinclair, the man who drafted the covenant, who was a tremendous wordsmith of his time?

Mr Weir: That is undoubtedly the case as well. There is a lot to be learned from this centenary. George Mitchell once said that, in America, people knew too little about their history and, in Northern Ireland, they knew too much. That is wrong. At times, there is a level of ignorance of our history in this country, and it is important that we use this as an opportunity to educate people about it.

As was said earlier, Carson is not, perhaps, the two-dimensional figure that has been portrayed. He was ultimately prepared to embrace pragmatism. What eventually emerged was not the ideal solution that Carson would have put in place.

History is not just about the vast sweep of the creation of a nation; it is about the personal and about the family. Therefore, I also welcome the fact that the motion refers to the excellent Public Record Office project, which all of us, whether or not we come from the unionist tradition, can check to see where our ancestors and their neighbours lived 100 years ago when they made that contribution to public life.

Mr Deputy Speaker: The Member must bring his remarks to a close.

Mr Weir: This centenary is an event of great significance, and I welcome and support the motion.

Mr Nesbitt: The year 1912 must not be seen as a singular moment in our history. As with much in our past, 1912 and the events that surrounded it need to be seen in a specific national and international context. Although today the Ulster covenant and the home rule crisis are portrayed as a struggle exclusively based on this island, the epoch spanning the home rule period from 1886 to 1921 ushered in dynamic political change for the whole of the United Kingdom. It would be a failing of unionism if we were to focus solely on the consequences and the outcome in a purely Ulster or Irish context.

The proposals of the third home rule Bill fundamentally changed the character of the United Kingdom. Those who were opposed to the Bill did so to maintain the Union and to save the empire and fought in the interests of the individual citizen. Home rule was not an issue solely for Ireland; it was an issue for the whole of the UK at every level of society and was taken up in the great cities of Glasgow, Edinburgh, Liverpool and Newcastle, where opposition to home rule was as fervent as it was in Belfast. The leadership of great British leaders such as Bonar Law, Joseph Chamberlain, FE Smith and others in the crisis has largely been forgotten, but today, we must reassert the fact that Ulster was not an anomaly. Ireland was not alone; the United Kingdom was an amalgam, a fusion of four countries bound by history, character and economics. The fight of 1912 was for the kingdom, not for a small corner of it. The same will happen between now and 2014, when Scotland will vote on independence. What sort of crusade will unionists in this House mount against that? What powers of persuasion will we employ?

My predecessors had a plan: a solemn oath and covenant that had its roots, as we heard, in the Scottish Covenanters of the 17th century. I pay tribute to my colleague Michael McGimpsey who, when Minister of Culture, Arts and Leisure, had the foresight to digitise and upload to the PRONI website the Solemn League and Covenant. There, I am able to read the name of Alfred Nesbitt of 113 Agincourt Avenue in Belfast. I read it, sir, with pride. It is interesting, though, to look at the records and at how they are broken down and see that resistance to home rule was not restricted to people living in what is now Northern Ireland. The PRONI records contain signatures from many, many areas. One hundred years on, it is interesting to note how many beyond the borders of Northern Ireland signed up. The full list is broken down as follows: Antrim by five subregions; Armagh by four; at sea; Australia; Belfast; Canada; Cavan by three regions; China; Donegal; Down by five; Dublin; England by 38 subregions; Fermanagh; Kildare; Kilkenny; Leitrim; Limerick; Lisbellaw; Londonderry; Louth; Mayo; Meath; Monaghan; Scotland; Sligo; South Africa; Tyrone; United States of America;

Wales; Waterford; Westmeath; Wicklow; various; and not recorded.

On this day 100 years ago, 18 September 1912, Carson held the first of 11 meetings over 10 days that formed his famous covenant campaign. The venue was Enniskillen, and, as we heard, 30,000 to 40,000 people gathered at Portora Hill. Historian Gordon Lucy of the Ulster Society described it thus:

“The town set the tone for all the later demonstrations, exhibiting the people’s mixture of solemn determination and confident enthusiasm for the Campaign ... Special trains from Belturbet, Cootehill, Bundoran, Monaghan, Castleblayney ... and many other towns brought Unionists to ... Enniskillen”.

The departure points of those trains remind me of statistics that we heard in the House as recently as yesterday. The unionist/Protestant population of the Republic disappeared under partition, which was the very thing that Carson fought against. It shrank to some 2% of the population from a starting point in double digits. By contrast, the nationalist population in Northern Ireland is flourishing, albeit with opinion polls suggesting that few would currently vote for a united Ireland. Therefore, today, we see the Union more secure than at any stage in our past. Our traditional enemies now accept the state in which they live.

Mr Deputy Speaker: Will the Member bring his remarks to a close?

Mr Nesbitt: I commend the motion to the House.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. I wrote a piece on commemoration and celebration some time ago, and I will quote from it here if I may. Commemoration is the putting of historical events into a modern-day context. It is a reflection on what happened in a certain period of history. Commemoration may include some aspects of celebration, but, in a lot of cases, it will be of events that, on the face of it, would not necessarily be something that you could celebrate; for example, the 1916 rising or the battle of the Somme. We all know the great cataclysms that those events brought about. Therefore, commemoration has to be done in a very dignified and open way so that you are being generous to others as well as commemorating and celebrating.

All the commemorations that will take place over the next 10 years should open up a national debate on what our relationships are in their totality. They should ideally promote reconciliation rather than deepen division. In that sense, there must be some inclusive aspect to all of them. None of them can be totally stand-alone. The commemorations give an opportunity for everybody to look back on what is a shared history on this small island.

The incoming decade of commemorations will also challenge people to look at things that they may never have looked at before. We saw that to a certain extent with the Titanic commemoration that was held earlier this year. We have to look at it in the context that the legacy and history of the Titanic and the shipyard is not necessarily an inclusive one. I spoke about that in the Chamber when we discussed the Titanic commemoration. However, we must deal with all that in its totality as part of our shared history and that of Belfast.

It is important that commemorations of the past, such as of the signing of the covenant, are not used to promote division and heighten tension in a divided society such as ours. There should be no triumphalism or coat-trailing. The challenge is how to use these events to promote greater understanding of events from all perspectives and lived experiences and see how they impacted on the lives of people from all traditions. It should help us to understand the political, social and economic factors and dynamics that motivated individuals and groups to do what they did and change the course of history. Our history is a shared and complex one that still reverberates today. I remind Members that we, as Gaels, celebrate Edward Carson every year when we compete for the Poc Fada on the lawns at Stormont for the Corn Eamonn Mac Carsáin, the Edward Carson Cup.

The Ulster covenant may not, on the face of it, look like a shared historical event, but we all recognise the import of the covenant for our shared history and realise that, for every action, there is a reaction. The usurpation of democratic national desire for home rule and independence that was brought about by the covenant preceded the formation of the Ulster Volunteers and the Irish Volunteers and the Larne and Howth gunrunning exercises. We must also remember that we were being used in a bigger picture and that the politics of Britain came into play in this part of the world. Randolph Churchill, famously, played the orange card, while the minority Liberal Government required nationalist backing.

I hope that the events of this summer will not unduly colour the events marking the covenant. I know that sensible and sober debate is taking place on that. In that respect, I feel that I may speak on matters in my town of Dungiven over the summer. Some things have been said, some of which are half-truths and untruths. We have very good community relations in Dungiven and, indeed, in the borough of Limavady. The minister of the church bore that out in his statements to the 'Derry Journal' recently. People may not know this, but we normally have two annual parades in Dungiven.

Mr Deputy Speaker: Order, please. The Member must return to the motion.

Mr Ó hOisín: Thank you, a LeasCheann Comhairle. As I said, I hope that cool heads will prevail over the events on 28 September. The importance of that event and how it is carried out will influence how other commemorations will take place over the next 10 years. So, I urge everybody to take a step back and to have a look at this in its historical context. Let us hope that it will act as a catalyst for all the other events over the next decade.

Mr Deputy Speaker: The Business Committee has arranged to meet immediately after the lunchtime suspension. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

The debate stood suspended.

The sitting was suspended at 12.32 pm.

On resuming (Mr Deputy Speaker [Mr Beggs] in the Chair) —

2.00 pm

Oral Answers to Questions

Justice

Mr Deputy Speaker: Question 1 has been withdrawn.

Alternative Dispute Resolution

2. **Mr Maskey** asked the Minister of Justice for his assessment of the option of alternative dispute resolution as an alternative to taking a case to court. (AQO 2443/11-15)

Mr Ford (The Minister of Justice): As I have said on many occasions, I support the use, in appropriate cases, of alternative dispute resolution (ADR) processes that can avoid court proceedings, which may be lengthy, costly and stressful for those involved. The access to justice review report commissioned by my Department highlighted a number of potential benefits of ADR, particularly mediation, including greater flexibility over outcomes and sustaining better relationships between parties. As the review report also emphasised, it is important to select the right cases for ADR.

The report noted that the development of ADR in Northern Ireland to date has been piecemeal and unco-ordinated. It is a fragmented landscape. Therefore, our first step is to comprehensively map the current provision for ADR in Northern Ireland. That work has been commissioned and will be completed by the end of the year. Alongside that, we are engaging with other Departments with an interest in alternative dispute resolution processes. That will provide a better understanding of the current position to allow us to identify ways in which ADR could be further supported, while ensuring value for money.

Mr Maskey: I thank the Minister for that reply and his candour in describing some of the measures thus far as piecemeal and unco-ordinated. In pursuit of that and to try to rectify that, will the Minister outline any update in respect of how his Department will continue to work with community restorative justice (CRJ) as one of the very important methods of alternative mediation?

Mr Ford: I thank Mr Maskey for his supplementary question. He will realise that there is engagement with a number of bodies such as CRJ, which have satisfied the requirements of Criminal Justice Inspection Northern Ireland and play a part in the criminal justice process. As I see it, at this stage, the alternative dispute resolution process is largely directed towards civil justice, although we have seen some successes, particularly with young people, in the criminal justice field, too.

Mr Kinahan: What best practice from other jurisdictions is the Minister working to with regard to alternative dispute resolution?

Mr Ford: As I said, we are seeking to map out what exists in Northern Ireland. There are clearly lessons that can be learned, although I am not sure that Northern Ireland is that far behind what is being done in other jurisdictions in

these islands. As I have said before, I am quite prepared to learn lessons from anywhere in the world that can help us to provide the best possible system of justice in our jurisdiction.

Mr A Maginness: Although it might be unpopular with fellow lawyers, I have to confess that I think an alternative dispute resolution system here would be exceptionally helpful. Does the Minister have any plans to extend training in alternative dispute resolution to lawyers?

Mr Ford: Oh dear, Mr Deputy Speaker, I fear that Mr Maginness is going to make me hug a lawyer, which could be bad news. The reality is that the training of lawyers is not my responsibility. There is training within the two branches of the profession and at institutions of higher education. However, just last week, I discussed with representatives of barristers the view that, in many cases, alternative dispute resolution may benefit from the input of those with a legal background. Therefore, there is clearly scope for Mr Maginness's professional colleagues to engage in ADR, and I trust that many more of them will take the training courses that are available to them.

Crime: Elderly People

3. **Mr Weir** asked the Minister of Justice what steps are being taken through the community safety strategy or other strategies within his Department to combat crimes against elderly people. (AQO 2444/11-15)

Mr Ford: The community safety strategy sets out the framework for reducing the fear of crime and for helping older and vulnerable people to feel safer. The importance of the safety of older people is also reflected in the Programme for Government, with a commitment to tackle crime and the fear of crime against older and vulnerable people by more effective and appropriate sentences and other measures. The community safety strategy acknowledges the impact of the fear of crime amongst older and vulnerable people. A key focus of work will be on developing intergenerational practice at regional and local level to build trust between young and old and to consider how to develop a wider understanding of the fear of crime in Northern Ireland and its particular impact on older and vulnerable people. The new strategy will build on existing good work, such as neighbourhood watch, local alert schemes and community safety warden schemes, to prevent attacks on elderly people.

Policing and community safety partnerships (PCSPs) play a key role in tackling crime and building confidence locally through engaging and consulting with communities on the issues that matter to them, and PCSPs across Northern Ireland are delivering a range of projects and initiatives with local communities to tackle crime and improve community safety.

I am also consulting on a strategic framework for reducing offending. That aims to deliver a safer society for all, with fewer victims of crime of all ages, by addressing the factors leading people into criminal behaviour and the obstacles to them moving away from it.

Mr Weir: I thank the Minister for his response and the initiatives that he has outlined. In light of the House's support on the subject, has the Department given any reconsideration to the idea of minimum mandatory sentences for attacks on the elderly?

Mr Ford: The simple answer to that is that I am waiting to see the results of the work being done by the Lord Chief Justice's group, which is looking at the issue of guidelines. Guidelines from the independent judiciary, involving the wider process with the lay membership in the Lord Chief Justice's work, is the best way to address the issue.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Last week, the Minister of Agriculture and Rural Development announced a programme aimed at tackling rural poverty and social isolation. Will the Minister collaborate with her on that new idea?

Mr Ford: I can inform My Lynch that I have had no request from the Minister of Agriculture and Rural Development to engage in that programme. I fear that if were to go into the issues of wider rural crime, I might be trespassing onto a subsequent question, and Mr Irwin might be displeased.

Mr Cree: Does the Minister support the introduction of tougher sentences for those who attack the elderly? If so, what plans has he put in place to do that?

Mr Ford: The simple answer is that I support the use of appropriate sentences to deal with all crimes, whatever range they come from. I recognise the reality of the limited amount of crime that is directed against older people but the seriousness of that which does occur.

Mr Rogers: The fear of crime is probably one of the biggest concerns among our elderly people. How does the Minister intend to reassure them that they are top priority for all justice agencies for protection?

Mr Ford: I thank Mr Rogers for that point. The reality is that the Northern Ireland crime survey 2010-11 showed that there is less fear of crime amongst older people than amongst the population generally, whether it be violent crime or expectation of becoming a victim of burglary or car crime. So, clearly, it is not necessarily the case, despite the efforts of certain people in the media, that older people are in fear of crime more than others. It is clear that older people have a greater fear of crime than their likelihood of being affected, and Mr Rogers quite rightly highlights that issue. Part of the role of policing and community safety partnerships is to ensure that we address that fear of crime alongside the crime itself.

Prison Service: Redundancy Scheme

4. **Mr Hamilton** asked the Minister of Justice for an update on the Prison Service redundancy scheme. (AQO 2445/11-15)

Mr Ford: A total of 544 members of staff applied for the voluntary early retirement scheme. Of those, 159 staff have been released to date, and a further 139 have been told that they will be allowed to leave when it is operationally possible for them to do so. All other applications remain under consideration.

Mr Hamilton: As the Minister outlined, the redundancy scheme was incredibly popular and was oversubscribed. He outlined that 139 members of staff wished to go but have not been able to go, and, obviously, operational considerations are at the forefront. Does the Minister appreciate that the inability of those people to leave is having an effect on their morale and could he outline to the

House when he anticipates that they might be able to leave the service?

Mr Ford: I appreciate that there are morale concerns among those who wish to leave but have not yet been permitted to do so. However, Mr Hamilton should bear in mind the specific issue that if we were to give people advance notice, it would lose them the compensation in lieu of notice that is a key part of the redundancy scheme. So, although it is unfortunate that we cannot give people the full details, we simply cannot do so, in order to ensure that they get the maximum benefit.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. Given that the redundancy scheme is a part of the wider reform package, will the Minister give us an update on the rolling out of the reform programme?

Mr Ford: I will resist the temptation to take the rest of Question Time to talk about the whole of the reform package. I suspect that Mr McCartney and other members of the Justice Committee might particularly want to hear about the HR aspects of it. We now have the first 60 recruits engaged in the training course at Millisle as of this week: that is, three classes of 20 recruits. Last week, I had the pleasure of going to meet those who are starting their course today. One of those I spoke to was one of the first class, who, on the basis of seven days in training college, gave an extremely impressive comment on what she had learned, the work that was being done and her ambitions and those of her colleagues to be a part of a reformed Prison Service. I have no doubt that that aspect of the programme — getting new staff into place to reinforce the good work that is already being done by other staff in the Prison Service — is going apace as fast as we can expect. As Mr Hamilton pointed out, that will allow others to leave in the future.

Mr Dickson: Minister, thank you for your answers to the questions so far. The reform programme includes oversight and governance arrangements. Will you tell the House how those are progressing?

Mr Ford: I resisted going to the wider issues for Mr McCartney, but I am now caught.

There is now a formally established oversight group, which I chair. It meets on a quarterly basis. There is a very detailed report going to the meeting this week, which explains all the different work strands, including HR, estates and all the other pieces of work that are going forward together. I believe that it shows that good work is being done by the Prison Service. I also know that those who sit on the oversight group with me will robustly question the officers of the Prison Service who come into that meeting and will ensure that the commitments given are being lived up to and that the work that is said to be completed has been properly carried through. Those reports go — in a slightly amended or abbreviated form for obvious reasons — to the Justice Committee, which gives the Committee the opportunity to keep in touch with what is happening.

Criminal Justice: Victims and Witnesses

5. **Mr Givan** asked the Minister of Justice what progress is being made to implement the recommendations contained

in the report by the Justice Committee following its inquiry into the experience of victims and witnesses in the criminal justice system. (AQO 2446/11-15)

Mr Ford: I was very pleased to welcome the Justice Committee's report of its inquiry into services for victims and witnesses of crime. As I said in the Chamber on 3 June, I commend the Committee on what is clearly an extremely important piece of work and the Committee's thorough approach to it. I have accepted, or accepted in principle, each of the Committee's 30 recommendations, and my Department has written to the Committee to confirm how those will be taken forward.

I assure the Member that work is already under way to give effect to those recommendations. Within the next few weeks, I plan to publish for consultation a new five-year strategy aimed at improving access to justice for all victims and witnesses. The content of the draft strategy has been substantially influenced by the Committee's deliberations.

I hope that slightly over half of the Committee's recommendations will be implemented over the next two financial years. The draft strategy will, of course, be shared with the Committee prior to publication. I look forward to continued collaboration with the Committee in that important area.

Mr Givan: I thank the Minister for the way in which he has engaged with the Committee and recognised the good work that has been done in producing the report and accepting its recommendations. Obviously, the Minister is aware that a number of them require significant resources. He indicated in his primary response that they will be implemented over the next two financial years. Will he assure the House that the financial and human resources needed to give effect to those recommendations will be found?

Mr Ford: I made it clear that we hope to progress a number of the recommendations over the next two years. It is my intention to prioritise, perhaps in conjunction with further discussion with the Committee, those issues that can be addressed. There is no point in saying that we will prioritise them without ensuring that resources are addressed to those key issues. However, the Committee Chair is well aware of the difficulties that we are under and there will be a difficult job in prioritising to ensure that we deliver the best we can.

2.15 pm

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra. I thank the Minister for his answer. Has the Courts and Tribunals Service given any consideration to improving its estate to facilitate victims and witnesses, the need for which was outlined in the report?

Mr Ford: I thank Mr Bradley for that question. Yes, the Courts and Tribunals Service is engaged in reviewing the estate. Members will be aware of the issue around the five hearing centres. It is clear that although a number of our courthouses provide good accommodation, none of them provides the best possible accommodation for victims and witnesses, particularly vulnerable victims and witnesses, and a number of the older courthouses provide accommodation that is, frankly, not up to the purpose that I would wish to see. That will be ongoing work for the estate strategy.

Mr Hussey: I thank the Minister for his responses so far. Is he concerned that, only last week, a number of high-profile trials collapsed because of prosecution witness difficulties? Does he accept that the non-attendance of prosecution witnesses through fear or intimidation is a failing on his part and that of his Department?

Mr Ford: Funnily enough, Mr Deputy Speaker, no, I do not accept that it is a failure on the part of my Department. Clearly, there are issues as to how we support those who are vulnerable witnesses, and that requires long-term investment in buildings in some cases; it requires different methods of support; it requires, for example, the work that we will be proceeding with in the next Justice Bill to deal with the avoidance of cross-questioning of witnesses twice through the preliminary inquiry process. All those issues are being addressed by the Department, and all those are clearly relevant. Blaming the Department of Justice for problems that have existed in the system for many years is just a little bit party political.

Multiagency Risk Assessment Conferences

6. **Mr Storey** asked the Minister of Justice for an update on the introduction of an information-sharing agreement in relation to multiagency risk assessment conferences. (AQO 2447/11-15)

Mr Ford: Members will be aware from my answer on 22 May that it was the aim of the multi-agency risk assessment conference (MARAC) operational group to have the information-sharing agreement signed by all parties when the group met on 18 June. As a result of the discussions on 18 June, it was agreed that further clarifications were required from the Information Commissioner's Office. In addition, some members wished to clarify the latest version with their own legal advisers.

I believe that it is essential to have a robust information-sharing agreement in place to meet data protection principles and to ensure the protection of information for victims' participation in a MARAC. It is important, therefore, to ensure that the final document is fit for purpose. I am very pleased to inform Members that all the necessary clarifications have been obtained and that, at its meeting yesterday, the MARAC operational group agreed in principle to the information-sharing agreement and has now embarked on the process of obtaining the relevant signatures.

Mr Storey: I thank the Minister for his answer. I am glad that there has been progress on this issue. He is well aware of the concerns that I have raised with him on the issue over a protracted period. Will he expand on his definition of "in principle"? Surely, the issue now is that it should be put in practice, and it should not be left to civil servants to look over and further discuss in principle, but put in practice, because victims here should be at the centre of the process.

Mr Ford: I entirely agree with Mr Storey that the issue needs to be put in practice at the earliest possible point. My understanding is that I have used the term "in principle" because, in some cases, issues had to be referred back to the formal leadership of the organisations concerned. However, he refers to civil servants: I can assure him that the civil servants in the Department of Justice have been doing all they could in recent months to speed the process up.

Ms S Ramsey: Go raibh maith agat, a LeasCheann Comhairle. I listened to the Minister's response to Mervyn Storey. With regard to ensuring that, through the multi-agency conferences, information is provided, is he minded to look at the Domestic Violence, Crime and Victims Act 2004 and how that information will be processed?

Mr Ford: A number of issues are being looked at as we consider the wider issue of the joint domestic and sexual violence strategy. The current document, which outlines priorities until September next year, is a joint production between the Department of Health, Social Services and Public Safety and my Department. In the coming weeks, we will be looking towards developing the new strategy. It will look at the whole issue of domestic and sexual violence so that we have a strategy in place from September next year.

Mr Gardiner: Minister, information sharing in relation to domestic abuse is vital. Can you outline how sharing is facilitated across different jurisdictions and how successful the current approaches are?

Mr Ford: I am not in a position to give the House a detailed comment on the sharing of information across jurisdictions in that general sense, but if Mr Gardiner wishes to raise specific questions with me, I will happily respond to them.

Mr Dallat: Assuming that this thing will get beyond being agreed in principle and actually happen — it should have happened a long time ago — can the Minister assure us that it will not be overly bureaucratic and that it will, in fact, be practical and work?

Mr Ford: I can assure Mr Dallat that that has been the whole basis on which MARACs have operated up until now. There have been issues over information sharing and the role of the Information Commissioner's Office in giving advice, but the key point is to ensure that all the relevant statutory agencies, together with the key voluntary bodies, are able to work together to protect those — largely, women and children — who are vulnerable. That issue is the whole basis of MARAC, which the Department is determined to support.

Burglary: Self-defence

7. **Mr Irwin** asked the Minister of Justice whether he intends to review the law governing homeowners' defence of their properties and families from attack by intruders. (AQO 2448/11-15)

Mr Ford: Situations where householders are confronted by intruders are, thankfully, rare, but they are extremely distressing when they happen. The law already provides that people are entitled to use reasonable force in resisting crime. The reasonableness of the level of force is a matter for the courts, but the law offers principles to assist. It will judge people's honest belief about what was happening, even if that belief was mistaken. It will not expect people to make precise judgements in the heat of the moment and, in particular, it will take into account the nature of the threat, including whether it was to life and limb or simply to property.

My view is that the existing law in Northern Ireland provides sufficient protection for householders. However, I am considering the value of issuing public guidance on the use of reasonable force to protect against crime. My

officials have been working with the Public Prosecution Service and will consult with the Justice Committee.

Mr Irwin: I thank the Minister for his reply. I am sure that the Minister will accept that many homeowners, especially the elderly, feel vulnerable, and that they certainly feel that they are not adequately protected in protecting themselves, as the law stands. Am I right in saying that the Republic of Ireland is in the process of passing new laws to give more rights to people who are protecting themselves and their property?

Mr Ford: I am not aware of the situation across the border, but I am aware that there was some codification of the law, which was recently carried through in England. The reality is that all it did was restate the existing common law practice — the use of reasonable force — which is the common law as applies in Northern Ireland.

Mrs Overend: I want to take that on further. Has the Minister considered how homeowners are protected in other European or Commonwealth countries?

Mr Ford: No, but if the Member has information that she wishes to supply, I will gratefully receive it.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith as a chuid freagraí. I thank the Minister for his responses. Does the Minister have any statistics with regard to the defence of property and families from attack by intruders in the North over the past two years? I know it is a pretty big issue. Many people, especially older people, feel vulnerable and are traumatised by these circumstances.

Mr Ford: I do not believe that statistics are compiled in the way that Mr McGlone has just referred to, but if there is anything useful, I will write to him with the information.

Prisons: Full-body Imaging Scanners

8. **Mr Eastwood** asked the Minister of Justice what progress has been made on the installation of full-body scanners at locations within the Northern Ireland prison estate. (AQO 2449/11-15)

11. **Ms Boyle** asked the Minister of Justice for an update on the body scanner pilot schemes in Magilligan and Hydebank Wood prisons. (AQO 2452/11-15)

Mr Ford: With your permission, Mr Deputy Speaker, I will answer questions 8 and 11 together.

As I previously announced, I made a commitment that the Prison Service would pilot and evaluate the use of two types of full-body imaging scanners — millimetre wave and transmission X-ray scanners. Prison Service officials have leased two millimetre wave scanners from two different suppliers, the first of which was delivered and installed at Magilligan prison yesterday. Following the delivery of staff training, it is anticipated that that pilot will commence on 26 September.

A second millimetre wave scanner from a different supplier is due to be delivered to Hydebank Wood Young Offenders Centre next month, and a similar pilot will commence then.

The Prison Service has also commenced the process of seeking approval for the use of transmission X-ray scanners in prisons in Northern Ireland, under the Justification of Practices Involving Ionising Radiation Regulations 2004. Transmission X-ray scanners have not

yet been approved for use in prisons in any part of the UK. A senior governor has been appointed to take that work forward and has commenced the process of preparing a NIPS justification application, as required under the legislation.

Mr Eastwood: I thank the Minister for his answer. When does he believe the pilot will be finished? If successful, when does he imagine the scanners will be placed in Maghaberry?

Mr Ford: I thank Mr Eastwood for his question. There are two parts to what he asked. The simple question was on the duration of the pilots at Magilligan and Hydebank Wood. It is anticipated that both pilots will last three months. They will involve the existing practice of full-body searching alongside the use of a millimetre wave scanner to see whether the scanner is as effective as the existing practice in ensuring the security of prisoners and prison staff. If they are successful, it is planned to put that technology into use in the two prisons at the earliest possible point.

The Member also asked about Maghaberry. There are serious issues over whether it is possible to have adequate protection in what is a category A prison with some of the most dangerous prisoners in Northern Ireland in custody at Maghaberry. Whether the technology that we plan for the other two prisons is adequate will be a key question that will have to be addressed if the millimetre wave scanners are seen to be effective at the other two institutions. That is why we are seeking justification authorisation for the use of transmission X-ray scanners at Maghaberry. They are seen as providing a more robust means of searching technology than what is being implemented in the two pilots at the moment. As I said, there has, as yet, been no approval for the use of transmission X-ray scanners in any UK prison. We, therefore, need to address significant issues to ensure that we can get the appropriate technology fully approved.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. What is the timeline for the introduction of the X-ray machines? Will there be a process for the application? If so, how long will that take?

Mr Ford: I appreciate Ms Boyle's question. The difficulty is that I cannot give any guarantee about the timeline for the introduction of transmission X-ray scanners, simply because the process has not been applied in any prison in any part of the UK. Therefore, the length of time that it will take to get the justification process through is simply not in our hands. There are issues that have to be addressed by other Departments and agencies. All I can say is that we are seeking to make progress on that as fast as possible.

Members will recall that an application was being considered by a prison in Yorkshire. We had hoped that we would follow that through. However, my understanding is that it is not progressing that application at the moment. Therefore, the Northern Ireland Prison Service is taking the lead on this in the UK, which makes it more difficult to determine what the timescale will be. All I can simply say is that it will happen as fast as possible.

Ms Lo: May I ask the Minister whether there are enough safeguards to protect pregnant women, particularly those who may not know they are pregnant, and their foetuses when going through those X-ray machines?

Mr Ford: My colleague raises a very significant question. The issue of transmission X-rays is significant and more complex in scientific terms than the issue of millimetre wave scanners. If any Members have passed through Belfast International Airport in the past few days, they will have seen the millimetre wave scanner at the search area. Such scanners are becoming increasingly common in airports. They do not emit ionising radiation and do not present anything like the same health concerns as transmission X-rays do. As Anna points out, the use of transmission X-rays involves quite significant issues for pregnant women. There are also issues with the frequent use of transmission X-rays potentially causing problems, particularly for younger prisoners, so a range of issues would have to be addressed. At this stage, there is certainly no plan to consider transmission X-rays for any female prisoner.

2.30 pm

Social Development

Mr Deputy Speaker: Question 5 has been withdrawn.

Housing Executive: Redecoration Grants

1. **Ms Fearon** asked the Minister for Social Development why Housing Executive tenants are being refused redecoration grants after having window replacements. (AQO 2455/11-15)

Mr McCausland (The Minister for Social Development):

First, no tenant who needs a redecoration grant following window replacement will be refused. The Member will be aware that I had concerns that the Housing Executive's specification for the supply and fitting of double-glazed windows did not offer value for money. I asked the Housing Executive's chief executive to review that specification. The new specification for replacement double-glazed windows, in line with the Glass and Glazing Federation's recommendations, allows window replacements from the outside rather than the inside of a dwelling, as has been the Housing Executive's practice. That means that existing windows can be removed and new windows fitted with minimal damage to inner reveals. This reduces the need for redecoration grants to be paid. However, the Housing Executive recognises that there may be some "by exception" situations in which redecoration grants are required following window replacements. For example, some window reveals may be damaged in their entirety by virtue of either the removal of existing windows or the fitting of new ones. In such cases, redecoration grants may be paid following the verification of such by the Housing Executive's area inspectorate. Initial estimates of savings using the revised specification is £15 million, the bulk of which comes from the reduced need for redecoration grants.

Ms Fearon: Go raibh maith agat, a LeasCheann Comhairle. Not only has the refusal of redecoration grants put pressure on residents but many people have found that their blinds do not fit after the work has been completed. Is any provision being made to revise the decision to refuse grants or help those adversely affected by it?

Mr McCausland: I will make it absolutely clear: I said that there should not normally be a need for a redecoration grant because there will be no damage to the inner reveal.

I do not know about the Member who posed the question, but I had windows fitted in my home. They were fitted from the outside, as is normal practice throughout the glazing sector. In my case, there was no need for any internal work. If that is the case, we will be able to save £15 million. I would rather we spent the £15 million on, perhaps, fitting new kitchens, increasing insulation in Housing Executive properties or whatever — valuable, valid and important work — than squandered it on unnecessary and unwarranted work. I am sure that most Members share that concern. Certainly, as I said, exceptions will be looked at if there is a justifiable case in a particular situation.

Mrs Hale: Minister, you have said that you believe that financial benefits can be achieved from the review. Have you any idea what they are?

Mr McCausland: I always intended to ensure that we met the Programme for Government target while ensuring best value for money and meeting industry standards. The Housing Executive review has resulted in a revised fitting method that, in many cases, negates the need for a redecoration grant. That is where the bulk of the savings — estimated to be in the region of £15.1 million — can be made. That is a considerable saving. If we can put that £15.1 million into other priority areas, whether it be new kitchens, heating schemes or whatever, surely that will benefit the tenants who receive the new kitchens and heating schemes, which, in many cases, are long awaited. If we can save money and spend it wisely, rather than carrying out unnecessary and unwarranted work, so much the better.

Mr Gardiner: Will the Minister detail the level of consultation by the Housing Executive with its tenants before that type of work is undertaken?

Mr McCausland: I am not clear exactly what that question means. When a window replacement scheme is brought forward, people are usually clambering over one another to have it done rather than to have it delayed. I have yet to come across people who turn down new double glazing. In fact, when I came into the Department, I was appalled by the fact that it would take the Housing Executive 10 years to complete the window replacement scheme. That is why we set a target in the Programme for Government for this work to be completed within the lifetime of this Assembly, which was welcomed all around the Chamber and widely across the country. It was a personal commitment that I still stand over. We will have the work done within the lifetime of this Assembly, which is much better than the 10-year programme previously proposed by the executive.

Mr Dallat: The Minister just told the House that there is no need for a redecoration grant for replacement windows. Given the recent experience with Red Sky and others, will the Minister assure the House that, when contractors are not up to standard, redecoration grants will still be payable?

Mr McCausland: I welcome the Member's question because it gets to the heart of an issue that I am very concerned about. We need to be sure that the people who fit windows are good at it and that the job is done in a professional way. I have seen the work of a number of contractors — not just one — whose standard of fitting windows left a great deal to be desired. In fact, in one case in my constituency, a window was so badly fitted that you could put your hand in below it. That is simply

unacceptable, which is why we are considering bringing forward an executive proposal for a separate tendering process for such work so that people with specialist skills will fit windows rather than people who may be general tradesmen but do not have that specialist skill. The executive has made the right decision, and I look forward to seeing that resulting in a better specification and standard of fitting.

Ilex: Fort George

2. **Mr P Ramsey** asked the Minister for Social Development whether the Ilex Urban Regeneration Company will continue as the management company of the Fort George site. (AQO 2456/11-15)

Mr McCausland: The recent media speculation and ill-considered comments by some elected representatives around the future role of Ilex in the regeneration of the Fort George site have been unhelpful and confuse more important issues. A review of Ilex by the performance and efficiency delivery unit (PEDU) is under way. Concerns are regularly raised in the House about the efficiency and performance of arm's-length bodies. Reviews such as that being undertaken on Ilex are essential to ensure that arm's-length bodies deliver on the purpose for which they are established. I will be carefully considering what role Ilex should have in relation to the Fort George site in light of the conclusions of the PEDU review and the recommendations of the recent Public Accounts Committee report on former military sites and Ilex accounts. Whatever decision I take on the issue, I will ensure that there will be no adverse impact on the delivery of the projects earmarked for the Fort George site. I can assure the Assembly that I will continue to keep the focus on delivering proposed projects, whether Ilex or my Department is tasked with the work. In the meantime, I urge everyone to await the outcome of the PEDU review. I also ask elected representatives to refrain from sowing confusion around the issue and undermining — *[Interruption.]* — the good work achieved to date. It is interesting that one Member felt obligated to try to interrupt there. I will leave people to draw their own conclusions from that.

Mr P Ramsey: I thank the Minister for his response. However, he should look at his own Department. A senior member of DSD staff in Derry made that comment. Will the Minister comment on where that senior official got the information to say that at a meeting in the city?

Mr McCausland: I am not aware of the comment to which the Member refers. If he is happy to give me the details of that and name the individual, I am happy to look into it.

Why is a change being considered? The recent Public Accounts Committee report on Ilex accounts for 2010-11 highlighted that the dual sponsorship of Ilex by my Department and OFMDFM was less than ideal and that the Department should consider a single departmental sponsor for Ilex. In addition, under the review of the financial process being taken forward by DFP, it is proposed that Departments move towards single sponsor arrangements for arm's-length bodies. OFMDFM and DSD have made a commitment to the PAC to work collaboratively to deliver single sponsor arrangements for Ilex by April 2013. The discussions have begun on how that change might be delivered and what its implications

might be. One of the issues that is being considered is the possibility for the Department to take on operational responsibility for the management and regeneration of Fort George. That would place all responsibility and accountability for the one site in one organisation.

Mr Hilditch: I thank the Minister for his detailed answer on this occasion. Minister, what is the timescale for any decision or change forecast?

Mr McCausland: My Department and OFMDFM have made a commitment to the Public Accounts Committee to work collaboratively to deliver single sponsor arrangements for Ilex by April 2013.

Mr Kinahan: I thank the Minister for his answers so far. It is our job to scrutinise and question robustly. Is the Minister content with the degree of oversight of financial procedures within which the Ilex regeneration company has operated?

Mr McCausland: Issues were clearly identified in Ilex. The appropriate changes have been made to maintain the highest possible level of oversight. I am satisfied that we are now in a much better place as a result.

Housing Executive: Double Glazing

3. **Mr McQuillan** asked the Minister for Social Development whether his Department will meet its target to have all windows in Housing Executive houses double-glazed by 2015. (AQO 2457/11-15)

Mr McCausland: The Programme for Government target to provide double-glazed windows in all Housing Executive homes by 2015 will be met. However, the Member will be aware that I had concerns that the Housing Executive specification for the supply and fitting of double-glazed windows did not offer value for money. I asked the Housing Executive's chief executive to review the specification. While the review was taking place, I agreed that any contracts already placed with manufacturers and installers should continue. This year, over 7,000 Housing Executive homes will have planned window replacement carried out. The review will not have an impact on the target date of 2015 to have all Housing Executive homes double-glazed. Initial estimates of savings using the revised specification are around £15 million. Following an extensive survey earlier this year, the Housing Executive has put in place a three-year programme that will meet the Programme for Government target.

Mr McQuillan: I thank the Minister for his answer. I certainly welcome it. Are there any other areas of concern in which targets for delivery will not be met?

Mr McCausland: I thank the Member for his question, because he raises an important point. Although I am not concerned about meeting the target to install double-glazed windows in all Housing Executive homes by 2015, early indications are giving me cause for concern about some of the other targets that the Housing Executive seems to be failing on — for example, the targets laid down for Bamford, the social housing development programme, response maintenance programmes, heating adaptations and disabled facilities grants. By way of an example, at the end of 2011-12, 96 Bamford units started against the target of 200 units. No Bamford units have started on site during 2012 to date. However, a number of scheme proposals are business case-approved. In the

light of that level of progress, securing starts on 850 units of supported housing accommodation during the four-year period from 2011-12 to 2014-15 will be a very challenging target. I want to see the budget for Bamford and all other budgets spent in their entirety this year. There should be no suggestion of surrendering moneys. There are 37,000 people on the waiting list who require a home of their own. Along with that are Housing Executive tenants who are in fuel poverty and are awaiting the replacement of old and expensive Economy 7 heating systems or old inefficient glass-fronted fires. We have the funding to replace those now. I want to see the lives and living conditions of vulnerable tenants improved while the budgets are there for installations, replacements and improvements. All work planned and agreed last year for implementation this year should progress according to plan, and I will hold the Housing Executive to account for making any excuse that there is no capacity for either identifying or completing work. My recent announcement on the boiler replacement scheme raised a lot of interest from contractors, who indicated to me that they are all available to carry out work. Already, more than 10,000 people have applied for the scheme, making untenable the suggestion that there is a lack of capacity.

2.45 pm

Mr McKay: Perhaps the Minister will update us on whether the Housing Executive has nearly completed that review. I am aware that he has met at least one company, Turkington Holdings, about the issue. Does he not agree that it is only fair that he should also meet the companies that have been directly affected by the suspension of this work?

Mr McCausland: I meet all who are willing to give me a view on the matter and, in fact, have something positive to contribute to the consideration. I am sure that the Member will share my concern that there was an unsatisfactory level of the fitting of windows and that the standard was not good enough in quite a number of areas. I have received widespread expressions of concern about that. I am sure that my experience in North Belfast with the company that was carrying out some work there was no different from the issues that came before MLAs in other areas. So, we need to be sure that we are getting good work that is to a high standard.

I am willing to talk to and listen to folk. The Glass and Glazing Federation is a useful point of reference, and that is why I met it.

Mr Elliott: Will the Minister confirm that existing PVC windows that do not have double glazing will be included in the scheme, as well as externally facing doors?

Mr McCausland: The issue of windows is very clear: the term "double glazing" means exactly what it says. If it is not double glazing, it will be double glazing. There is no provision for doors in this scheme, but, as part of an ongoing scheme of improvements to houses, there can be situations where new doors are provided. I am sure that the Member will realise that there are financial constraints and that we have done a remarkable piece of work with the Housing Executive to get it to the point where we will get the work done in the next three years rather than under the 10-year programme that it proposed. That is a major advance, and I am sure that it will be appreciated by

tenants right across the Province, including those in the Member's constituency.

Welfare Reform Bill

4. **Mr McCallister** asked the Minister for Social Development whether he can give an assurance that there will be no breach in parity as a consequence of the delay in introducing the Welfare Reform Bill. (AQO 2458/11-15)

Mr McCausland: It is normal practice for a Northern Ireland social security Bill to be introduced as soon as possible after the corresponding Westminster Bill has received Royal Assent. In this case, the Welfare Reform Act 2012 received Royal Assent on 8 March 2012. The Department for Work and Pensions accepts that some delay between the Great Britain Act and the corresponding Northern Ireland Act is inevitable, as Northern Ireland legislation can be introduced to the Assembly only after the Great Britain legislation has received Royal Assent and a number of pre-introductory legislative processes have been completed. On previous occasions, that delay was not regarded as a breach of parity, given that our aim has always been to facilitate the passage of the Bill and obtain Royal Assent in as timely a fashion as possible here. All the pre-introductory legislative processes have now been completed, and I have issued a paper to the Executive seeking their agreement to introduce the Bill to the Assembly.

Mr McCallister: I am grateful to the Minister for his reply. Will he detail how the regulations that will follow on from the Welfare Reform Bill will be awarded sufficient time for scrutiny before their anticipated commencement date of next April?

Mr McCausland: First, we are only now seeing the regulations that are emerging in Great Britain. We, therefore, will be in a position where, by taking the legislation through the Assembly and working in parallel on the regulations, the Assembly can make decisions about the legislation in the knowledge of the shape that the Northern Ireland regulations will take. In fact, one point that a number of parties made at an earlier stage was that they did not want to sign up to a legislative blank cheque without seeing regulations. That problem is resolved. The task before us is considerable, but I think that the Social Development Committee is well up to the challenge and will be able to accomplish the work in the time allotted. It will be a major piece of work. The Committee will have to meet frequently, and it will require a lot of commitment on its part. However, I am sure we all agree that it is a very important piece of work and that we need to get it right. Therefore, the Committee will give it time, energy and commitment.

Mr Storey: The Minister is right to underscore the importance of ensuring that the issue is dealt with in the right and proper manner. He referred to parity. Will he explain to the House what he understands to be the legal position should parity be broken?

Mr McCausland: The Belfast Agreement was given legal force by the Northern Ireland Act 1998. Section 87 of the Act compels me, as Minister with responsibility, to consult the relevant Secretary of State at Westminster to seek to ensure that there is a single system of social security, pensions and child maintenance in the United Kingdom. The requirement to consult is, however, a two-way street,

and I am looking closely at when and how Northern Ireland was actively consulted by Westminster in advance of the latest reforms. The Treasury's statement of funding policy notes that, if the Northern Ireland Assembly takes a decision on those matters, as it is entitled to, that deviates from the Westminster policy, those funding arrangements can be reviewed. Iain Duncan Smith made that very point in his most recent correspondence with me. Therefore, there would be clear implications if we were to deviate from parity.

Social Housing

6. **Mr Craig** asked the Minister for Social Development how his Department, taking local public infrastructure into account, regulates where new housing association schemes are located. (AQO 2460/11-15)

Mr McCausland: The Housing Executive identifies what type of social housing is required and where it is required across Northern Ireland. Social housing schemes will either be built on land that is already in Housing Executive ownership or on land identified and acquired by housing associations that is in an area where there is a Housing Executive confirmation of need. Meeting housing need is therefore the predominant consideration in determining where such schemes are located.

The Housing Executive, where necessary, seeks to ensure that proposed schemes are located within easy reach of appropriate facilities and services. Planning Service, through the development plan and planning application processes, ensures that all housing schemes, both private and social, are sited in appropriate locations and meet the infrastructure requirements laid down in planning policy. However, social housing schemes cannot always meet the particular expectations of everyone, and expressed preferences for a specific area of choice cannot always be realised. For example, in areas of high demand, such as north Belfast, applicants to the common waiting list will have to accept that they may need to move to areas in which other houses or schemes are located. I am aware of cases in which tenants have been made multiple offers, sometimes in double figures, all of which have been turned down. Such tenants may have to accept that it is simply not possible to accommodate their very specific area of choice and that, if they really want alternative accommodation, they will have to move to a place where there is available accommodation, which may not be exactly in their very narrow area of choice.

Mr Craig: I thank the Minister for that comprehensive reply, which I listened to with interest. Will he comment on the fact that housing associations, unlike private developers, do not have to make a contribution to improving the infrastructure in areas where they build social housing? I am talking about simple things, such as play parks etc. Some have contributed on a voluntary basis, but would it not be better to have something to lead them into contributing to local communities in that way?

Mr McCausland: The role of the Department is to provide the housing association grant to enable housing associations to build new properties. We also have a role in governance and certain other areas of oversight. The Member raises a valid point in that it is important that housing associations, when developing areas for social housing, take account of the need in the area, the likely

social mix, the age profile and other issues to ensure that the development is suitable for the needs of those who will come into the area. That does not just apply to newbuilds. I have seen at least one glaring example of a housing association purchasing an existing complex for social housing and discovering subsequently that it was unsuitable for so many families with small children. There was also no opportunity for it or anyone else to provide a park locally. There are issues that need to be taken into account. That is why I welcome the role of the Northern Ireland Federation of Housing Associations. We engage with that body to make sure that all the relevant issues are taken into account, including conversations with local representatives at an early stage. Often, they are the folk with the local knowledge on the ground to advise on those matters.

Mrs Overend: Will the Minister advise the House whether he is aware of any manipulation of waiting lists designed to justify the provision of social housing in certain areas?

Mr McCausland: The complexities of the calculations by which the Housing Executive determines its social housing development programme are remarkable. Along with some others, I asked for an explanation of it, and we spent most of a morning. You would have needed the most advanced computer available to even begin to understand it. I am sure that the Member would have the opportunity to approach the Housing Executive and have all of it explained to her at great length, as I did.

How it actually works in practice on the ground is very much in the hands of the Housing Executive. I said or I should have said that PEDU is doing some work with the Housing Executive. That area needs to be looked at, so that we can understand it. Some of the decisions that are made are bizarre. I remember one example — I think it was with regard to Rathlin; I have not got the exact figures off the top of my head — saying that, under the executive's calculation, you should build six houses this year and two the next. If you are going out to Rathlin and having to transport everything out to the island, why do six? Why not just do eight when you are there? It is a very rigid — I think, at times, overly rigid — calculation.

As regards the other issue of the nature of the waiting list and how the Housing Executive does its calculations, among the key things it needs to take into account more and more are the implications of welfare reform and the fact that half our housing waiting list are singles, yet there has been a pattern of consistently building nothing but family housing. There is a lot of work still to be done on that, and we will return to it.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire fosta as ucht a fhreagra, agus seo í mo cheist air. Will the new housing and planning package announced by David Cameron apply in Northern Ireland?

Mr McCausland: The situation in Northern Ireland is different from that in Great Britain in a number of ways, and the Member's own party has made that point about housing. The point has also been well made by his party in terms of taking account of it when developing welfare reform in a way that is suitable for Northern Ireland. So, I am sure that the Member will share my view that Northern Ireland is very different from GB. We will certainly look at whatever is good in GB proposals. However, the benefit of devolution

is that we can look at things, pick out the good things, learn from other things and make sure that we do it right. We will certainly do that.

Red Sky

7. **Mr F McCann** asked the Minister for Social Development whether the Housing Executive or housing associations have retained any contracts with Red Sky, given the company's record on the quality of workmanship and double charging. (AQO 2461/11-15)

Mr McCausland: There has been a long track record of concerns about the Northern Ireland Housing Executive's contract management regime that stretches back to the previous Administration and culminated in the then Minister commissioning a review of governance in the Housing Executive on 7 October 2010. So, the issues that are identified are nothing new.

Red Sky Group Ltd is currently in administration. The Housing Executive has not retained any contracts with Red Sky — Housing Executive contracts with Red Sky ended on 14 July 2011 — and none of the 29 housing associations has retained any contracts with Red Sky.

3.00 pm

However, Red Sky is not alone. I have considerable concerns regarding, for example, the quality of workmanship and double-charging of other contractors, and I await the results of the forensic examination that I instigated. We have had the PAC hearing on the Audit Office report. We have had sight of internal Housing Executive papers that identified major problems, and I think that, when we see the final results of the forensic examination, which simply looked at a substantial number of other contractors in the same way and to the same level of scrutiny as Red Sky, it will be interesting to see the issues emerging there as well. They were not unique.

Assembly Business

Mr Wells: On a point of order, Mr Deputy Speaker. As you know, I have frequently raised the point about Members walking in front of others who are speaking in the Chamber. I saw the worst example of that today, when Mr McKay walked in front of an individual who was making her maiden contribution in the Assembly. It was extremely distracting for her and for all concerned. I know that there are quite a few new Members in the Chamber, although the individual who carried out that particular act is quite an experienced Member from North Antrim. Will you, once again, emphasise to Members that they simply cannot do that and that, if they see someone on their feet, they should wait at the seats beside the door or somewhere that is not obtrusive to those who are speaking?

Mr Deputy Speaker: I thank the Member for raising that point. Members should have regard for other Members, particularly when they are on their feet. There is a clear direction that no one should pass in front of them. I remind Members of that and ask them to have due regard in the future.

Private Members' Business

Ulster Covenant: Centenary

Debate resumed on motion:

That this Assembly recognises the signing of the Ulster covenant on 28 September 1912, in its centenary year, as an historic and significant event in the history of Northern Ireland; notes the availability of all the digitised signatures of the covenant via the Public Record Office of Northern Ireland website; and affirms the importance of Ulster Unionists Lord Carson and Lord Craigavon and their legacy, which remains in place today. — [Mr Copeland.]

Mr Byrne: Let me say at the outset that the signing of the Ulster covenant certainly was an historic event. There are many sentiments expressed in the motion that I could agree with, but the last section of the motion, which:

“affirms the importance of Ulster Unionists Lord Carson and Lord Craigavon and their legacy, which remains in place today”

is the issue of primary concern to the SDLP.

What was the Ulster covenant? What did it mean to the signatories? It is generally recognised by historians that it was a solemn and binding oath to oppose home rule, but, as someone who has always espoused constitutional nationalism and political democracy, I think it is fair to say that the covenant was a major campaign organised by Carson and Craig. It was a mass movement exercise. It was very impressive, but it was also very threatening. In a historical context, we can now look back and see that it was a powerful, strong message, but it was also threatening to democracy.

The context, of course, was the home rule process. When Gladstone returned as the Prime Minister for a second go, his first statement was:

“My mission is to pacify Ireland.”

In other words, Gladstone recognised that there was a great political issue that had to be dealt with, particularly after the famine, when there was such unease on this island of Ireland about the way governance had failed the people. We know that the first home rule Bill was defeated in 1886, and the second was defeated in 1893, but, in 1910, the Liberals and Irish Nationalists combined into a coalition under Asquith, with a programme of government policies and initiatives, one of which was to bring in a third home rule Bill. We know that the third Bill was defeated in November 1912 by a vote of 228 to 206, but, within two months, serious negotiations had taken place, the Irish Nationalists had agreed to support the Government and their Budget, and there was also a trade-off in relation to reform of the House of Lords. Therefore, in January 1913, the third home rule Bill was passed.

The political significance is still with us today. It was a strong political resistance movement. The question is this: was it a subversive movement? We had the setting up of a resistance army in January 1912; the setting up of the Ulster Volunteers. That became the Ulster Volunteer Force in January 1913, when it was agreed that 100,000 men between the ages of 17 and 65 would be trained in weaponry. That unfortunately led to the development of other subversive organisations. The Irish Volunteers

were subsequently replaced by the Irish Republican Brotherhood, who were then replaced by the IRA.

There were street riots and pogroms as a result of the signing of the Ulster covenant. There were pogroms in Belfast. Many Catholic businesses were put out of business and many people had to emigrate from the North as a result. Unfortunately, the chant became “home rule is Rome rule”. That was a highly emotive, sectarian term, and it fuelled the anxiety and sense of torment.

I know that we have moved on 100 years, but unfortunately, some of the relics are still about. Some of the recent disturbances reflect the angst and pain that was endured as a result of what happened when normal democratic politics was resisted in the way it was. At the end of the day, it was the British Government who brought forward the home rule Bill. It led to the 1916 rising and the war of independence. It led to an election in 1918, in which Sinn Féin got over 80 MP seats and the Nationalist Party was reduced to a handful. It took Sinn Féin from 1918 to 1998 to realise —

Mr Deputy Speaker: I ask the Member to draw his remarks to a close, please.

Mr Byrne: — that normal democratic politics was the way forward.

As a result of the 1920-21 settlement, two Parliaments were set up; one in Dublin and one in Belfast.

Mr Deputy Speaker: The Member's time is up.

Mr Byrne: All I can say is that I hope we have learned some lessons. The subversion of normal political democracy is a very dangerous phenomenon.

Mr McCausland: The Ulster covenant is, I believe, one of the most historic documents in the history of Ulster; indeed, in the history of Ireland and of the British Isles. It has been rightly described as the birth certificate of Northern Ireland, and it is a document that highlights very clearly the distinctiveness of Ulster. It has embedded in it certain core, fundamental principles. They are the founding principles of unionism. They were good principles then, I believe, and they are good principles today.

The document known as the Ulster covenant identifies the Britishness of the signatories. They saw themselves as subjects of their sovereign. They also saw themselves in a regional context as Ulstermen and Ulsterwomen in this region of the United Kingdom. They stressed very clearly in that document the material benefits and wellbeing that flowed from the union, because under the union, Ulster had prospered. The City Hall was completed in 1906 and was a very visible expression of the vitality and prosperity of Ulster. We also had the headquarters of the Presbyterian Church, which, again, was an expression of that local Presbyterian identity and particularly the Ulster-Scots identity. We had the biggest shipyard in the world, and even the wee yard was in some years building more ships than any other yard in the world. We had linen works, rope works and tobacco works: this was an industrial powerhouse.

The document spoke of equal citizenship. Sometimes, people today think that they have discovered the concept of citizenship, whereas citizenship was, in fact, talked about in that very document. It is remarkable, too, to consider that, before the formation of the Ulster

Volunteers, the Young Citizen Volunteers (YCV) had been formed as an interdenominational organisation that included in its membership not only Protestants of various denominations but some Roman Catholics and some members of the Jewish community. The Young Citizen Volunteers grew out of the Belfast Citizens' Association, which was set up to promote the concept of good citizenship. Indeed, at that time, the YCV gave lectures on the importance of being good citizens to its young folk in the Belfast Technical College.

As well as the word "citizenship", there is the word "equal", because the concept of equality is embedded in the Ulster covenant. The concept of equality before the law is a very important principle that reaches right back to the Bill of Rights at the time of the Glorious Revolution — the Williamite revolution. It is a concept that I believe has been embedded in the thinking of Ulster people down through the years.

It is interesting to look back at the historical links between the Ulster covenant and some preceding events. In many ways, the person whom I find most interesting is a man called Major Frederick Hugh Crawford, whose direct ancestor Rev Thomas Crawford came across from Scotland at the beginning of the 17th century. You can visit his grave at Donegore Parish Church, close to the former garden centre. There, between the graves of Thomas and Fred is that of another descendant, who was a member of the United Irishmen. Fred Crawford's ancestors were Scottish Covenanters who had signed the covenant in their blood and were United Irishmen. Fred then signed the Ulster covenant in his own blood. Interestingly enough, he was very proud of the fact that he was of a liberal unionist tradition and that he had ancestors who had numbered among the United Irishmen. However, he also said that his greatest pride was that he was an Ulster Scot.

Also, from a local angle, there is, in north Belfast, a double connection with the Ulster covenant. The proposal for an Ulster covenant based on the Scottish covenant was made by a Belfast businessman called BWD Montgomery, who lived, at that time, on the Antrim Road in Belfast. He was the man who proposed to Sir James Craig that they model their new document on the old Scottish covenant, because he traced his ancestry back to the Montgomerys who came all the way across to Newtownards at the beginning of the 17th century. So the covenant was proposed by a north Belfast man, and, when it came to finally crafting it, the person who put the document together was, of course, the great Thomas Sinclair, a leading layman in the Presbyterian Church of his day.

Mr Deputy Speaker: I ask the Member to draw his remarks to a close.

Mr McCausland: He was also the leading liberal of his day and became the leader of the Liberal Unionists. He is one of the great Ulstermen who deserve to be remembered on this occasion of the centenary of the Ulster covenant.

Mr Allister: There is no more seminal event in the evolution and history of Northern Ireland than the Ulster covenant. It is the veritable cornerstone upon which Northern Ireland was built. Today, I would like to reflect on the determination and valour of our covenant forefathers. Faced with a British Government determined to push them out of the kingdom and contriving all sorts of devices to that end, they did not limply say, "Oh, what can we do?"

We better go with it because there might be a terrible plan B". No — there were no pushover unionists in 1912; there were no "roll-over" unionists in 1912. Thank God that there were not, because if they had had the quality of today's main leadership in unionism, there would never have been a Northern Ireland. Some excuse would have been found to reach an accommodation other than the creation of Northern Ireland.

Often, as I sit in the House, I ask myself what Edward Carson would think of this place. I think of that in the context of looking at core declarations in the covenant, such as:

"our cherished position of equal citizenship in the United Kingdom".

The core and heart of the covenant was the retention, preservation and defence of that position. Today, as I compare that with the quality of citizenship evidenced and epitomised by the House, I find that, far from there being equality of citizenship on basic democratic values, such as the right that exists everywhere else in the United Kingdom to have an opposition and vote a party out of government, we have the very opposite. We have drifted and been prised so far away from the basic core values of equal citizenship that it is quite astounding.

3.15 pm

It is all the more discomfiting and disheartening to think that that was done by a successive generation of unionists and that they came to the point of saying that they would reward the terrorism of the IRA by guaranteeing those who are associated with it a permanent place in government so that they can continue to try to shuffle us out of the United Kingdom. Some who sit in this House today should reflect carefully on the great tradition and example that Carson laid down. Pushover, rollover unionism was no part of that.

I salute the memory of Lord Carson and Sir James Craig, and record appreciation for the stand that they took and the example that they set. I express the hope that, even yet, some might seek to emulate and follow the valour and determination of their covenant forefathers.

I pay tribute to a number of the events that have been organised to celebrate the covenant. I visited and was particularly impressed by the Orange Order's covenant exhibition at Schomberg House. It is an extensive and very balanced presentation of the whole covenant period. I would urge anyone who has not visited it to do so. As we look forward to celebrating all that, we do so with our heads held high and with a sense of pride in the traditions that have been handed on.

I will finish with one word of regret. On this momentous occasion of the 100th anniversary of the covenant, we have not seen the declaration of a public holiday in Northern Ireland. When the fiftieth anniversary of the covenant was marked, there was a public holiday. Why not now?

Mr Deputy Speaker: The Member must draw his remarks to a close.

Mr Allister: I think that I know the answer, but it is worth reflecting on. I apologise; I am going to a meeting with a Minister and cannot stay for the rest of the debate.

Mr Deputy Speaker: I call Mr John O'Dowd, the Minister of Education, to respond on behalf of the Minister of Culture, Arts and Leisure.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. As you said, I am responding on behalf of the Minister of Culture, Arts and Leisure. Perhaps it is appropriate that the Minister of Education responds to the debate because much of it has been a history lesson about the covenant. It is interesting, all the same. I have enjoyed listening to the debate and to the various views and sometimes differing opinions on the history of the covenant.

The events of 1912 and 1922 shaped identities in Ireland and had an impact on relationships in the North of our island and on those between the North and the South and between Ireland and Britain. Those events resonate to this day, and that period in our history is an important touchstone.

The period provides some of the context for the journey that we have all shared and the new period of peaceful evolution out of the conflict that is now being diligently forged as the agreed basis for our future development. History, by its very nature, is complex and infinite; it is not neat or ordered. Often its development is spontaneous, and its outworkings are chaotic. Tough decisions are frequently forced at the expense of more desirable choices, particularly in times of conflict.

History is a bundle of organic actions and evolving events, each consequential on another. To begin to examine history as we have done today in examining the history of Ireland during one decade one century ago is merely to look at a snapshot of the relationships between these islands that can be traced back eight centuries to Strongbow's invasion in the 12th century.

No one, however, should be under any illusion. The commemorations in the next decade of centenaries are important and interesting and significant, but history did not start with the Ulster covenant in 1912, the Easter rising in 1916 or Britain's partition of the island in 1921. It did not stop with the signing of the Good Friday Agreement in 1998 or the St Andrews Agreement in 2006. Adopting a thoughtful perspective is just as critical as understanding the situational context when we consider the historical importance of centenary commemorations over the next 10 years.

Central to the republican political philosophy in Ireland for the past 200 years, promoted by leading Ulster Presbyterians in the Society of United Irishmen, have been the twin values of unity and equality. Aside from my personal commitment to those values as both inspiration and aspiration, I am pleased that they are essentially at the core of the Executive's broad principle framework for how we deal with commemorations over the next decade. The Executive are united around an inclusive and respectful approach that recognises that equality is at the core of our new dispensation and must be the basis of relationships and remembrance between us all. The Executive will continue to examine the options for a more detailed and pragmatic approach as and where appropriate. However, agreement on those broad overarching points a positive way ahead.

The composition of this Chamber reflects the different experiences, journeys and decisions that citizens and

groups in this society have undergone. This power-sharing Assembly also represents the will of the people across the island, especially the unity of that society around a common framework of equality and the new political institutions, including the North/South Ministerial Council and the British-Irish Council. The seminal changes of the past 14 years provide a peaceful and democratic alternative to the conflict of the past. They also permit the active pursuit of various long-held and legitimate historical objectives, even when those are diametrically opposed.

There is a long way to go until we fulfil the promise of a society on an island that can truly say that it is the champion of ultimate unity and substantive equality for all people. However, looking back over the decades to 100 years ago, we can see how far Ireland, particularly the North, has changed.

Some will be concerned about what they might view as an unhelpful focus on the past, especially in the light of challenges that we face today. Some will understandably say that the Assembly should focus on the socio-economic hardships facing families and communities instead of turning our attention to the canvas of our history. I point out that addressing socio-economic inequalities and wider deprivation is at the core of the Executive's current programme. However, as we work together, across all parties, to build, develop and promote a new stable structure founded on sustainable economic, social and equality progress, we must also consider the importance of history lessons to ensure that we never repeat the conflict of the past.

Others, particularly the British Government, promote the false notion that reconciliation in the present can be accomplished without recourse to consideration of the past. We, as locally elected and democratically accountable politicians, recognise that such a philosophy is deeply flawed. Ultimately, full reconciliation in the broadest sense that unites all the island's people on the basis of equality can be delivered only by recognising and exploring our shared historical journey; by reflecting on the various twists and turns and, most of all, tragedies of our ancient conflict; and by resolving that principles of mutual respect and inclusivity be at the heart of developing and building a new body of relationships.

Genuine reconciliation does not require anyone to give up their past or their politics, nor can it be founded on humiliation or hostility. Ultimately, genuine reconciliation must see us all engage in meaningful conversations about our past and our future, especially when we might instinctively find those conversations uncomfortable. Leadership demands no less. Our children's futures demand no less. The fractures and divisions in our relationships are healing, but some scars do not fade and some wounds can easily be reopened. For many, even the events and disturbances of recent weeks highlight the importance of respectful relationships and remembrance to help build an inclusive and tolerant society. Equality and mutual respect must be the watchwords for the weeks to come.

There is a diverse range of significant historical events from the distant and more recent past that are important to many people. The key issue is not whether those events are remembered but how and why they are remembered in the context of a society committed to promoting

rights, respect, equality, participation, inclusion and an unbreakable peace.

Significant centenaries and anniversaries in the decade ahead provide all on this island with the opportunity to gain a better understanding of our shared past and how it shapes British and Irish identities and relationships today. The signing of the Ulster covenant is one such historic and significant event. Centenaries in the decade ahead will include those of the First World War, the battle of the Somme, the Easter rising, the rise of the labour movement, the extension of limited voting rights to women, the Tan war, the civil war and partition. No doubt, some will be surprised when they compare what they think they know with what actually happened and when they openly consider the different insights and perspectives from that period.

Many have referred to the unionist leader Edward Carson. Mr Copeland referred to him as a Dubliner, and he was a reputed hurler. He was certainly no nationalist, but he considered himself Irish and saw partition as a failure. I again refer to his Irish-speaking cousin, Mary Butler, who coined the name of my party, Sinn Féin. A diverse range of revealing and surprising perspectives from the period exists, such as the UVF eyewitness to the Easter rising who wrote a graphic account of the rebellion on Gresham Hotel notepaper. As has been noted, the Ulster covenant was signed by nearly a quarter of a million men. It is telling of the times that it was distinctly a male-only affair, although a similar number of women signed a parallel declaration. Even then, the main signatories at Belfast City Hall were men. I could not imagine or tolerate such separation today, but it is insightful to note that the original draft of the covenant was changed as a result of advice from some Church leaders, so the obligations of signatories were confined to the crisis of the time as no one could predict what circumstances could arise in the future. That is some wise counsel.

The events of recent decades show the extent to which circumstances, opinions, people and communities change and evolve. Those insights can be uncovered by the wealth of resources and information that are available today, many of which are supported by the Executive. Foremost among them is the digital resources archive. As has been referred to, the Public Record Office online database contains the signatures of nearly half a million people who signed the Ulster covenant and declaration against home rule. I have not checked for my own relatives, but I will later today.

A Member: They are not there.

Mr O'Dowd: I am glad that someone has checked. That is an outstanding resource that can throw up some interesting contrasts between then and now. I find one example very interesting. If it were possible, I would like to know the reaction of one those signatories, a Mr George Shanks of 3 Bedford Street, Belfast, to the fact that his former home in central Belfast is now the departmental headquarters of my Sinn Féin colleague Carál Ní Chuilín, Minister of Culture, Arts and Leisure. I doubt that that could have been foreseen 100 years ago.

Amusing aspects aside, this shows the human stories and connections of our shared past. It also demonstrates the role that our culture and creative sector can play in discovering and sharing those stories. Arts and culture

and the creative industries can provide innovative ways to remember the past, and they have done so many times. They can bring the past to life and tell the stories behind these significant historical events in ways that stir the heart and, most importantly, broaden the mind. The Department of Culture, Arts and Leisure oversees a wide cultural landscape, including museums, libraries, the arts, and public records and archives. The exhibits' knowledge and resource in the creative sector can be harnessed to help the people to remember our past. They can support the already strong links between the arts and, indeed, my own sector, education. It is much more inspiring and interesting for young and old alike to read about the Ulster covenant when you see the signatures of your ancestors — or not — or to visit the museum to see the pen that Carson used on the day or to have the events and people of that period brought to life on stage or on screen. That is the context in which the Executive agreed an inclusive and respectful framework for commemorations, and it will be developed over the next decade.

A wealth of resources and events are planned by a diverse range of organisations. By having a collective unity around an inclusive and respectful framework on the basis of equality, the Executive can and will continue to help to maximise the impact and reach of such opportunities, both in learning about the past and, most importantly, living for the future.

Mr Swann: I thank the Minister for his contribution.

"Being convinced in our consciences that Home Rule would be disastrous to the material well-being of Ulster as well as of the whole of Ireland, subversive of our civil and religious freedom, destructive of our citizenship and perilous to the unity of the Empire, we, whose names are underwritten, men of Ulster, loyal subjects of his Gracious Majesty King George V., humbly relying on the God whom our fathers in days of stress and trial confidently trusted, do hereby pledge ourselves in solemn Covenant throughout this our time of threatened calamity to stand by one another in defending for ourselves and our children our cherished position of equal citizenship in the United Kingdom and in using all means which may be found necessary to defeat the present conspiracy to set up a Home Rule Parliament in Ireland. And in the event of such a Parliament being forced upon us we further solemnly and mutually pledge ourselves to refuse to recognise its authority. In sure confidence that God will defend the right we hereto subscribe our names. And further, we individually declare that we have not already signed this Covenant."

3.30 pm

Those are the words of the covenant that we have been debating here today. The recognition of the women involved in suffrage must not be left out, and it has been mentioned. The women's declaration read:

"We, whose names are underwritten, women of Ulster, and loyal subjects of our gracious King, being firmly persuaded that Home Rule would be disastrous to our country, desire to associate ourselves with the men of Ulster in their uncompromising opposition to the Home Rule Bill now before Parliament, whereby it is proposed to drive Ulster out of her cherished place in

the Constitution of the United Kingdom and to place her under the domination and control of a Parliament in Ireland.

Praying that from this calamity God will save Ireland, we hereto subscribe our names."

Those covenants were signed by 237,368 men and 234,046 women across the nine counties of Ulster and in the places that my party leader described earlier.

Why was the covenant significant? With a total of 471,414 signatories, it exemplified unionist protest against the third home rule Bill. It stressed that home rule was detrimental to the liberty and prosperity of Ulster and, indeed, to all of Ireland. As some have mentioned, such was the conviction of some people — one being Frederick Hugh Crawford — that they famously signed the covenant in their own blood.

The Minister, in responding, said that he had not checked for his ancestors, but when we debated the decade of centenaries, I remember that Members from all sides of the House said that they had. It is important and significant for the history of this place that the record of all signatories from that time is located in the Public Record Office of Northern Ireland. It is an essential piece of history, and it should be cherished by the Assembly. It allows us to recognise ancestors who put on record their opposition to Ulster being ruled by a Dublin Parliament against the wishes of the majority of the people of Ulster.

The digitisation of the Ulster covenant during Michael McGimpsey's tenure as Minister of Culture, Arts and Leisure was a highly important step in consolidating a part of the Province's future and is of huge significance. The historical value of the digitised records of signatories of the covenant and declaration should not be underestimated either by our party or in the history of Northern Ireland.

Mr Kennedy: I am grateful to the Member for giving way. Does he agree that coverage of the centenary of the Ulster covenant should be properly reflected by our local broadcasting organisations, especially the BBC and Ulster Television, in their output? Will he further agree that the localised parades issues at St Patrick's and other places, not to trivialise them, are beginning to be played out in the media by some in a way that gives the impression of an attempt to undermine or detract from the centenary, which would be deeply unfortunate if it were allowed to happen?

Mr Swann: I thank the Member for his intervention. As he knows, I cannot agree more with the two points that he has raised. There has been a failure on the part of our local media in celebrating and further promoting what has already happened. The Balmoral review received very little media coverage, and those who attempt to influence the covenant parade on 29 September should take a step back and reflect. As has been mentioned, these events will set the tenure and the tone for the decade of centenaries that lie ahead, and if we start off on the wrong foot, things will only get worse, and the situation will deteriorate as we go along the line.

As regards the digitisation of the Ulster covenant, I have been lucky enough to be able to trace great-grandparents. I encourage every Member in this House to look at that — Trevor already has — because I was able to see the signature of Robert Swann from Crevilly-Valley, and I know in my heart that he was my great-grandfather and the traditions that he held that encouraged him to sign it

100 years ago are still part of my blood and my DNA. As a Presbyterian, an Ulster Unionist and somebody from north Antrim, not a thing has changed, and I would sign that same document today.

As we, as a party, look forward to our conference this weekend, it is significant that 100 years ago, nearly to the day, on 23 September, the Ulster Unionist council adopted and approved the wording of the Ulster covenant, and the Minister said earlier that it was changed and amended by the Presbyterian Church at the time. Those suggestions were made at the very beginning, and when Thomas Sinclair drafted the original document and sent it to Sir Edward Carson for approval, his main comment was — and I can be backed up on this — "I would not change one word". Those were the words that I read earlier.

Although its legacy is important to us, as the party of Carson and Craig, we should never lose sight of the great endeavour of our previous leaders in ensuring that the wishes of the people were not ignored by Westminster. In this centenary year, it is vital that the legacy of individuals such as Carson and Craig is kept alive and the presence of the memorials to them in Parliament Buildings and the surrounding grounds maintained. Sir Edward Carson's great standing in Westminster was vital in ensuring that the voices of unionism were heard in Parliament, and such was the esteem that Carson was given at Westminster, he held several Cabinet posts, including Attorney General during the First World War, and is, notably, one of the few non-monarchs to receive a British state funeral.

Historian John Brown said:

"His larger than life-size statue, erected in his own lifetime in front of the Northern Ireland parliament at Stormont, symbolizes the widely held perception that Northern Ireland is Carson's creation."

However, that was not what he wanted, as has been maintained throughout the debate today. Carson's true aim and true love was that Ireland remained as one as part of the United Kingdom, and, as has already been said, he saw it as a failing that the break-up of Northern Ireland and Southern Ireland was necessary.

Lord Craigavon's role in the anti-home rule movement was different to Carson's but no less influential. His role in mobilising the unionist population and organising the Ulster Volunteers, some six months after the signing of the covenant, was just as necessary as Carson's influence in Westminster in ensuring that home rule was not imposed on Ulster, and that is why, as an Ulster Unionist, he stands foursquare at the top of the stairs in the Great Hall and his life-sized statue is central to every tour of these Buildings today.

In my maiden speech, which seems a long time ago, I said that a life-sized statue of me would not require as much bronze, but I can assure everyone that when we reflect on the contribution of Carson and Craig, not just to Northern Ireland but to the Northern Ireland Parliament, I never feel that my contribution to this place will measure up to the legacy and contribution of those two men. As a proud Ulster Unionist, I am humbled to be a member of the same party as those men, and I am proud to stand here today to highlight the importance of our history. I look forward to the positive contribution that this party will make in the future.

Question put and agreed to.

Resolved:

That this Assembly recognises the signing of the Ulster covenant on 28 September 1912, in its centenary year, as an historic and significant event in the history of Northern Ireland; notes the availability of all the digitised signatures of the covenant via the Public Record Office of Northern Ireland website; and affirms the importance of Ulster Unionists Lord Carson and Lord Craigavon and their legacy, which remains in place today.

Mr Deputy Speaker: I ask Members to take their ease for a few moments.

(Mr Speaker in the Chair)

Parades

Mr Speaker: Two amendments have been selected, and up to one hour and 45 minutes will be allowed for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who are selected to speak will have five minutes.

Mr G Kelly: I beg to move

That this Assembly calls on the leadership of the loyal orders to become involved urgently in direct dialogue with residents' groups to resolve the issue of contentious parades, which still affects entire communities during the summer.

Go raibh maith agat, a Cheann Comhairle. I would like to put the debate into some context at the start. Everyone in the House understands that we come from a series of diverse cultures. I understand that the unionist culture is one that contains a lot of marching, parades and a particular type of music. There are, as I understand it, 3,600 of those parades every year and most of them pass without contention. The Orangefest has been talked about a lot, and I would even say that I wish it well, where it does not cause offence.

What is hard to understand is that in respect of the handful of contentious parades — it is only a handful — the cost last year was over £6 million. That £6 million could be used to deal with other policing issues and community safety right across our community. The bigger cost of the contentious parades is that they are toxic to policing. It is hard to quantify, but I would say that policing has been slowed up for five, six or seven years because of those parades and the image that they give. Also, all the work on neighbourhood policing, the good policing that goes on throughout the year, and community relations, especially in north Belfast, which is sometimes described as a microcosm of the problems in the North, can be demolished in moments during one of those parades.

It is worth saying that the scenes outside St Patrick's Church, which were caught on camera, are only the manifestation of the difficulties. I wish I could say that it was an isolated incident, but, unfortunately, I have witnessed this for years. I have seen that in many other circumstances and, indeed, on a continuous basis outside St Matthew's in east Belfast.

That is not to say that all Orangemen, all the loyal orders, those who march from the lodges or even the supporters are all involved in sectarianism. However, it is fair to say that there is a culture of sectarianism in those contentious marches, which has been seen very much this year and before. What happened this year, at St Patrick's in Carrick Hill, is the straw that broke the camel's back.

It is also worth putting the record straight. The Carrick Hill Residents' Association did not ask for a rerouting or call for a ban on the march. It understood that this was a cultural way of moving ahead and that there were many parades. Something like 30 parades go past Carrick Hill every year. What the residents' group called for was a simple thing. As the group explained, it called for respect. I have heard

over the past few days a number of loyalists, unionists and others talking about mutual respect. Who can disagree with that term? Of course, there has to be mutual respect. Surely, however, mutual respect comes from mutual conversation and from direct dialogue between two people or two groups. Is it too much to ask that the loyal orders get involved in that, even at this late stage?

Mr Humphrey: I am grateful to the Member for giving way. I absolutely agree with him on the issue of mutual respect. On that issue, I am pleased that Sinn Féin has come some way to accept that the concept of mutual respect is something that is to be embraced by your party. Your leader let slip, in his speech in Athboy, that there will be as many contentious parades as Sinn Féin wants there to be. Was that policy wrong and have you walked away from it?

Mr G Kelly: Our policy has always been mutual respect; it has never changed. Our policy is non-sectarianism and that goes right back to the beginning of republicanism.

Let us talk about dialogue and mutual respect. I will give an example. I do not know whether Members have seen it, but a statement was made by the St Patrick's parish priest, which has been quoted many times by unionists over the last few days. If you want an example of how not to use dialogue, this is it. The parish priest took his pastoral duties very seriously and spoke to the Orange Order. He thought that there was a willingness and a beginning of conversations that might sort this out. However, that was squandered, used and abused. During the talks, he said that the orders should talk to the community of Carrick Hill and that he was not an alternative to the community of Carrick Hill. In statements over the past two days, they tried to use him to undermine the idea of talking to the residents, who are also, by the way, parishioners, and to refuse dialogue. In other words, they used that discussion to try to undermine other discussions and to say that they do not have to talk to other people because they have talked to the parish priest. Why would you take someone in good faith and then undermine him in that way?

3.45 pm

As we have just had a debate on signing the covenant, we all know that a parade is coming up on 29 September. I understand, as many Members have said, that that is hugely important for the unionist population. There are different estimates, but it will bring between 20,000 and 40,000 people into Belfast. So, mutual respect becomes more and more important in those circumstances. If there is self-respect, because self-respect is part of mutual respect, why does the Grand Lodge not speak for itself? Why do we hear loyalists speaking for it? Why do we hear politicians speaking for it? Why does it not come out and speak for itself; and not only speak for itself but go to talk to the residents of Carrick Hill? If it wants to do it quietly, all the better. Let it set an example and make a scene-changer, because a scene-changer is exactly what we need to move the process forward.

I am told by people in the unionist community, indeed by some Orangemen, that it was the habit — a tradition — that, when you had an Orange parade anywhere and you passed a place of worship, whether it was Catholic, Protestant, Presbyterian, Methodist or whatever, music was not played. The phenomenon of these blood-and-thunder bands has taken over during the past number of years. It might be worth asking a question about this.

It used to be that a parade organiser or a lodge would engage — I think that that is the term used — a band to come to their parade. It now looks like the bands are in charge and they are the ones who engage the orders and ask them to come along. The behaviour of the bands leaves much to be desired.

There is still a window of opportunity. This is 18 September, and we have up to 29 September. I would argue that a lead needs to be taken to confound the critics. Mike Nesbitt wanted to know where the Carrick Hill Residents' Association came from. I do not know where Mike has been for the past 20 years.

Mr Nesbitt: Will the Member give way?

Mr G Kelly: No. Let me finish the point and then maybe you can come in.

It has been around for at least 20 years. The residents' group has done massive work in Carrick Hill, and people come from all over Europe to see the type of houses that have been built for working-class people, because that is the type of work that it normally does. It was not created for the parades issue. In fact, even though it has to face that number of parades every year, it made a point of not going to the Parades Commission because it did not want the issue to be raised to a different level. It is ironic that all the unionists, all the spokespersons in the Orange Order and all the loyal orders who speak out say that they hate the Parades Commission so much, yet they have forced the residents' group to go to the Parades Commission because that is the only way that it can get a determination and stop the type of abuse that happens.

I had better move on. I have just been advised that I do not get any extra time, Mike. I know that you will be speaking later, so I will let you do it then.

I will bring this to some sort of a conclusion. We have learned that dialogue is the only way forward. It is not as if this is the worst or the biggest mountain that we have ever had to climb in terms of dialogue. People across the House talk to each other all the time. Why can the Grand Orange Lodge not talk to the residents? What is the difficulty? It says that there is not time. There is plenty of time. We have had conversations in less time in the past than eight or 10 days.

I know that there is a unionist amendment. All I can say about it is that it is self-contradictory. I will leave it at that. On the other hand, I think that we can live with the Alliance Party's amendment. It may not say it exactly the way that we say it, but it deals with the issue that there needs to be conversations and dialogue, and we still have an opportunity to deal with this. For what it is worth, I appeal to the loyal orders, and I do not think that it is too late at this stage. There is an ability to have a new scene-setter here, and they can take the initiative. Let them take the initiative and move the process forward. I commend the motion.

Mr Elliott: I beg to move amendment No 1: Leave out all after "Assembly" and insert

"recognises the positive community contribution by the loyal orders; and calls on everyone in leadership roles within the community to ensure that their actions promote positive outcomes from all parades and other

events organised by community groups that could be deemed contentious."

Obviously, I move amendment No 1 on behalf of the Ulster Unionist Party. I am grateful to Members for having this discussion on the matter. I trust that the discussion will have a positive effect on parades and events that could, in any way, be deemed contentious. It is not only parades that are deemed contentious; many other events are deemed so. However, we must recognise that people will have differing views and outlooks on what happens at parades and events, in the lead-up to those and, indeed, in their aftermath.

It is also important that we recognise that such events should be afforded respect by those who are unhappy about them or have a different outlook. Yes, we heard about some of the events at St Patrick's chapel on Donegall Street, but I believe, and I am told, that we did not hear about everything that happened there. That was not in the public domain. We did not hear of what happened in other places deemed contentious. We did not hear of the verbal attacks —

Mr A Maginness: Will the Member give way?

Mr Elliott: I will give way in a minute. We did not hear of the verbal attacks on those who were on parade and those participating. A few minutes ago, during the previous debate, I listened to my colleague Danny Kennedy highlight the fact that some members in political institutions and political parties have used the opportunity to ratchet up the situation and make it worse.

Mr A Maginness: I thank the Member for giving way. Does the Member not accept that the sectarian behaviour and abuse from the bandsmen, and some of the Black Preceptory and their supporters on 25 August, was so outrageous and appalling that it marked out that event as so unacceptable that we have the present contentious situation that you described and that we, therefore, need to address that sectarianism, which, unfortunately, has manifested itself through Orange and other loyal order parades?

Mr Elliott: Thank you for that intervention, long as it was. I disagree with all of the sectarian harassment there has been, regardless of whether it was mentioned in the media. I am led to believe that there were many issues in the run-up to that event, as there were at other events that I have attended. I have witnessed those issues in such places as Newtownbutler, Rasharkin and Bellaghy. Those are just some examples of where there is significant harassment, intimidation and sectarian provocation against those in the loyal orders who are on parade. We must try to curtail and, effectively, cut that out.

Many of these events take place at parades that have been notified. I listen to many of my constituents who ask why they should bother putting in an 11/1 and going through the whole process, when many other parades and events take place without even having an 11/1. When you go to the Parades Commission, it says, "That is nothing to do with us. We can look only at what has been issued or submitted to us." When you go to the police, they say, "We need hard evidence." They say that even though there are, on many occasions, eyewitnesses to say what did happen and photographs to establish that illegal parades and events took place. I am not for one moment suggesting that

people should have illegal parades, but I have to say that some people have a very strong perception that others can get away with it and so ask themselves why they should bother doing it properly.

The Ulster Unionist Party amendment references the positive work and contribution to the wider community of the loyal orders and its members. Its members are involved in not only providing support and leadership in communities throughout Northern Ireland but in wide-ranging charity work. I recall the charity work that has gone on for many years in the Orange Order, the Royal Black Institution and the Apprentice Boys. All that work goes unnoticed. In 2003, one major fundraising effort by the Orange Institution raised £121,000 for Cancer Research in Northern Ireland, and shortly after that, £45,000 was raised to buy a community bus in Togo, west Africa. The local loyal orders have helped other charities as well, including Open Doors and a multiple sclerosis charity. That goes unrecognised by much of the community, but people need to appreciate it.

We need to look at the role of the loyal orders in recent times. I recognise the fact that the Royal Black Institution issued an apology regarding what happened on Donegall Street in August. That was followed up by a very positive statement from the Orange Order, which included its decision not to proceed with a parade past Ardoyne on 29 September. When we talk about Ardoyne, I think that we need to look at some of the incidents there, in particular the hooligan element that protested against the people who were on a legitimate parade in the area. People actually go out of their way to be offended on occasion. I do not believe that that has been recognised. I fully appreciate the fact that the Orange Order put out a very positive statement again yesterday, saying that only hymns will be played by the bands when passing St Patrick's on Donegall Street on 29 September. Again, that is a positive move. I can tell you that it takes two to tango, and the loyal orders cannot do all this on their own. There has been some reciprocation and response from the congregation and minister at St Patrick's, which is positive, but it needs to go much wider than that. I challenge the politicians on the opposite Benches. I would like to hear something positive from them. I would like them to recognise the effort that the loyal orders are making to ensure that we have marches and parades that are not only positive but peaceful and that pass off with the dignity and respect that we require.

Many years ago when there were difficulties in Newtownbutler, some people went out of their way to stop the parades there, and I am told that the same happened in Bellaghy. Members of the loyal orders in Newtownbutler went to all residents on the route and spoke to them to find out whether they had any difficulties. Any of the difficulties could have been resolved by the loyal orders, but was that enough? No. That was not enough for certain people, many of whom were not from Newtownbutler or the surrounding area but were bused in from places such as Monaghan and Clones to protest against the loyal orders. There was pure and clear sectarian provocation against the loyal orders and the Protestant communities. That is why we need balance in this debate. We need to recognise the work that has gone on. Let us not forget that the Orangemen of Portadown offered to hold discussions with residents, but was that accepted? No. That is why there is huge and deep suspicion about any suggestion

that they want much more intensive and, in particular, very open discussions.

I understand that there are deliberate attempts ongoing behind the scenes to ensure that we have a positive resolution to this entire process and situation, which I welcome. Along with my party leader and other colleagues in the Ulster Unionist Party, I met the four main Church leaders quite recently. Again, that was a positive meeting, and it can be built on. However, I stress and reiterate that this cannot all come from the one side. We cannot continue to have apologies, proposals and suggestions from the loyal orders without reasonable reciprocation from the nationalist communities —

Mr Speaker: The Member's time is almost up.

Mr Elliott: — and particularly from the politicians who sit on the opposite Benches in the House.

4.00 pm

Mr Lyttle: I beg to move amendment No 2: Leave out all after "Assembly" and insert

"affirms the right to peaceful assembly, parade and protest within the rule of law; condemns violence without equivocation; believes that local dialogue offers the best way of resolving differences over parades; and recognises that the contentious nature of parades may, where necessary, require an independent process."

The Alliance Party believes that there is a need and an opportunity for the Assembly to send out its clear agreement on the principles that we believe must govern any solution on the issue and, indeed, society; namely, the right to peaceful assembly and protest, unequivocal opposition to violence and support for the rule of law. Our strong belief is that local dialogue is key to resolving disputes, and where that is not possible, an independent process may be required.

I recognise the positive elements of the Ulster Unionist Party's amendment. However, I believe that it falls short of exactly what we need to set out in the Assembly. Years after the Good Friday Agreement, the continued tension that surrounds some parades demonstrates that we are still some way off achieving that truly shared future that we are working towards. The Alliance Party believes in the right of freedom of assembly and the right to peaceful protest. However, it is important that neither of those rights be absolute. With any right comes a recognition of responsibility. Everyone in Northern Ireland should be able to live free from sectarian harassment and violence. I do not think that anyone in the Chamber would disagree with that principle.

It is crucial that all parades and protests be carried out in accordance with the rule of law. The Alliance Party opposes all the recent violence in north Belfast, which cannot and should not be justified by anyone. Not only were many police officers injured in the recent violence — it is important that we put on record our recognition of the courage that those police officers show in upholding law and order in extremely difficult situations — but it caused serious damage to the community. It has had lasting impact on community relations and development in an area where many people have been working hard for many years to achieve those things.

We hoped that images of rioting and violence being beamed into televisions around the world would be a thing of the past. However, scenes of violence continue to penetrate the consciousness of potential tourists and investors, who are vitally needed in Northern Ireland. That has the potential to undo much of the hard work to develop and promote Northern Ireland, which has been achieved successfully in 2012. The recent successes of the MTV awards, the Titanic Belfast Festival, Land of Giants, the Irish Open golf tournament and, even in my constituency, the East Belfast Arts Festival show that we are a vibrant and peaceful society. This type of violence sets us back significantly.

An economist recently estimated that the violence could have cost the economy as much as £7 million in lost tourism revenue. It is therefore vital that we seek long-lasting solutions to the contentious issue of parading. The Alliance Party believes that the best solution to parades will be found at local level, when communities, parade organisers and political representatives engage in dialogue together to find a resolution that works best for their area and recognise that there is ongoing dialogue, hard work, inclusive action and talks being undertaken to achieve those solutions.

However, given the contentious nature of some parades, we realise that it may not always be possible to reach that solution. In those instances, it is important to note that an independent process may be required. At present, that task falls to the Parades Commission. We understand that people disagree with and have been angered by some of the Parade Commission's decisions. However, its determinations are legally binding and should be obeyed by all involved, in accordance with the rule of law.

Our society relies on the upholding of the rule of law. Where it is broken, the consequences of violence are clear for everyone to see. We need people to demonstrate mature leadership and dialogue with others if possible. I call on all leaders to diffuse tension rather than fan the flames of frustration and hate at this difficult time.

However, the issue is symptomatic of ingrained segregation and separation in the community. It cannot be addressed in isolation. The Alliance Party proposed that the parading issue be included in any good relations or shared future strategy. That proposal was dismissed. We proposed that any document that is aimed at creating a shared future should also tackle the issue of intimidatory demarcation of territory. No public space in Northern Ireland should be marked out as territory for one group; it should instead be shared space.

Five years after the original shared future strategy, the Executive's good relations strategy sits on that Office of the First Minister and deputy First Minister (OFMDFM) shelf of delayed initiatives along with the parades and protests proposals. However, the Parades Commission and the Chief Constable reiterated the need for political leadership and a holistic approach to providing a long-term solution to parading. So, although the legislation and regulating body can be changed, the key issue of how to resolve contentious parades will remain. Until there is political leadership to deal with the issue at a strategic governmental level, I fear that we will find ourselves in the same position in the future, having the same debate in the Chamber and the same crisis talks behind closed doors.

The onus is now on leaders, namely political representatives, our Church leaders, from whom I recognise the strong statements that came forward in a united manner over the summer, residents and loyal orders to act together and engage in dialogue to resolve disputes, tackle division and deliver a shared future in Northern Ireland.

Therefore, I ask the House to support our amendment and to send out a clear message of the principles that we believe should govern any solution in this area, and, indeed, on which our society should be based.

Mr McDevitt: On a point of order, Mr Speaker. I am mindful of the comments that you made at the opening of this morning's business. I am also mindful of the duty on all of us to declare an interest whenever we participate in debates. Would you agree, Mr Speaker, that that is particularly important whenever we are participating in debates such as this and that membership of an organisation, loyal order or other marching organisation should be declared?

Mr Humphrey: On a point of order, Mr Speaker.

Mr Speaker: Let me deal with this point of order first. It is really for Members to declare their membership of any organisation. The onus is very much on individual Members to do that. I will once again remind the House that that is important if they belong to a particular organisation. At the end of the day, however, it is really up to the individual Member.

Was there a further point of order?

Mr Humphrey: Thank you very much, Mr Speaker. As the Member will be well aware, members of loyal institutions will, as you said, indicate their membership of those institutions when they declare their interests on arrival at this place. However, what about those people who take part in protests, some of whom protest habitually for years against loyal order parades? Should they then record their membership of organisations or their continued participation in such protests?

Mr Speaker: Order. We are getting away from the debate. Once again, I would say that it is really up to individual Members to decide on whatever organisation they want to declare their interest in.

Mr Craig: Just to keep some people quiet, I will declare my interests. I am a member of the Orange Order and proud of it. I will also declare that I am a member of the Northern Ireland Policing Board, and I am proud of that as well. So, there we go; there are two points of interest declared.

I find it interesting that when the Parades Commission came into inception under the Public Processions Act 1998 we — when I say “we”, I am talking about the people of Northern Ireland — were promised that there would be greater understanding of parades by the general public and that mediation would resolve all disputes around parading. If that was the case, why do we find ourselves here today debating a motion that calls for more mediation and dialogue?

The motion actually condemns the Parades Commission, which I find totally believable. In an extensive article in the ‘News Letter’, Drew Nelson, Grand Secretary of the Orange Order, states that the existing and recent determinations by the “secret court” of the Parades

Commission are bewildering and have brought frustration and created deep anger amongst loyal orders.

I do not think that there is anyone in the House who would defend some of the decisions that have been taken by the Parades Commission. I have taken careful note, down through the years, that there has been condemnation of its decisions from all sides of the House and even from those who sit on the fence. It is a bewildering organisation that sits in secret and deliberates over issues. The thing that I find the most frustrating is that when it is supposed to take evidence from elected Members, organisations and others, that information is treated with total and utter contempt by that organisation. Whenever you see the determinations that come out of it, I do not understand why any one of us in the House is surprised in any way, shape or form that it leads to further frustration on the street and ultimately leads to violence in many cases.

Mr A Maginness: Will the Member give way?

Mr Craig: Yes.

Mr A Maginness: The Member is criticising the Parades Commission. Will he tell the Assembly what he proposes to put in its place?

Mr Speaker: The Member has a minute added to his time.

Mr Craig: Thank you, Mr Speaker. My answer to that is a very simple one: we all need to respect the law in this land, and we also need to respect those who are put on the front line and who put themselves in danger on our behalf, and that is the police force of Northern Ireland.

There is one thing that I will condemn across the board — and I do not care what side it comes from: when I sat and watched on television, and witnessed up in Carlisle Circus, more than 60 officers being injured and maimed, probably by both sides in that dispute, it was a disgrace, and I condemn it outrightly. No one in our society should attack those who try to uphold law and order.

What would I propose as an alternative? I will say this to the honourable Member: the one thing that I will not take is lectures from yourselves. In the past, this party put the issue of parades back on the agenda. We worked very hard on an alternative, but the secret to any successful alternative to the Parades Commission is buy-in from all sides. Unless we get buy-in from the loyal orders on this issue, there will not be success. Unless we get buy-in on the solution from all of the community groups, the Church and others out there, we will not get success.

The one thing that I will not accept is the continual demonisation of the loyal orders on the issue of parades. We have heard from the honourable Member Mr Elliott about the good work that the order does. It goes unsaid and unrecognised year in, year out all because others try to demonise the organisation. That is not acceptable. Others need to stop that and get back to the table and start talking to the loyal orders and not talking at them. Mutual respect works two ways. We cannot have mutual respect when others try to move the goalposts every time the loyal orders make an effort to enter into dialogue.

Mr Speaker: The Member's time has almost gone.

Mr Craig: I respect that, Mr Speaker. I take this opportunity to confirm our support for the amendment from the Ulster Unionists.

Mr A Maginness: I thank the Member for proposing the motion. I am sorry that I was not in for the beginning of his remarks. Central to this issue is the position of the Parades Commission. The Member who spoke previously attempted to answer my question: what do you put in its place? Of course, he said that there should be buy-in from all parties.

I accept that there should be buy-in from all parties — and I think that Mr Kelly said that there should be buy-in from all parties — in the sense that the loyal orders should engage with communities that are fundamentally affected by contentious parades. That is what you call buy-in.

4.15 pm

If you get rid of the Parades Commission, what do you put in its place? I have not heard from any colleague on the opposite Benches —

Mr Craig: I thank the honourable Member for giving way. I will ask the honourable Member this: what is dialogue with these communities?

Will the Member accept that there have been community associations, etc, that have represented communities for years. I accept that. But look at the case in Crumlin, where the loyal orders entered into negotiations with all the existing community groups in the area, and there was an agreement. Five weeks before the parade was due to take place, an alternative community group manufactured itself and came up with opposition to that parade. So, who are the loyal orders meant to negotiate with?

Mr Speaker: The Member has an extra minute added to his time.

Mr A Maginness: Thank you, Mr Speaker. In relation to the present case — the 29 September and Carrick Hill and St Patrick's Church — we have a genuine residents' association that is very concerned about the future of its community and its safety and security and about trying to resolve this particular problem that has arisen as a result of the parade on 25 August. I can tell you that these people genuinely want to resolve this issue.

I and another colleague met representatives of the Grand Orange Lodge of Ireland. Yesterday, I met with the Grand Master, the Grand Secretary and their brethren. I have to say, I was received courteously. There was good humour at the meeting, and they listened carefully to what I had to say. My basic message was, "Talk to the local community, because they want to talk to you. They want to resolve this situation."

I believe that there is time for that dialogue to take place and the Grand Orange Lodge of Ireland has nothing to lose by entering into a dialogue. I can reassure the House, the Member and the grand lodge that the local community group, the local residents, will be flexible if a dialogue is commenced. I have been impressed by them and by their sincerity and by the approach that they have taken. They have not said that they want this parade rerouted; they have said, "We want respect".

Within that principle of respect, there is plenty of room for us to devise an accommodation in relation to this particular parade. I believe that it is incumbent on all of us in this House to work hard to achieve that dialogue. The Orange Order commenced a dialogue with the church and some parishioners. Achieving that dialogue was a good step, but

it was insufficient to fulfil what we require, which is a full dialogue with the community that is intimately affected. I believe that, within that dialogue, there is the context in which we can achieve an accommodation.

Mr Nesbitt: Will the Member give way?

Mr A Maginness: I cannot, because I am running out of time.

Let me say this: the Parades Commission is the only show in town. It is the only lawful organisation that can regulate independently these parades in the absence of local agreement. If there is local agreement, you do not need a determination by the Parades Commission. All of us in this House should show leadership and support the Parades Commission in its determinations. Whether we like those determinations or not, it is incumbent on us to show responsibility and political maturity and to support the police in the administration of those determinations.

I believe that it is a dereliction of duty for Members of this House, some of whom may hold high office, to encourage those who seek to disobey the determinations of the Parades Commission. That is irresponsible politics. That does nothing but damage the rule of law and damage the police, as they exercise their duty of maintaining the peace in this community.

Mr McNarry: I declare an interest as a proud member of the loyal orders and a member of the Grand Lodge centenary parade organising committee.

This motion is unhelpful and unnecessary. It is divisive and serves only to drive a wedge, impact negatively and ratchet up tensions. Even if we were to pass the motion, what authority would it deliver? What legal imperative would it create? The answer is none.

Those who tabled the motion could have done otherwise, by assisted in creating an atmosphere that is conducive to comfort zones in which cultures could be freely expressed. However, Sinn Féin has chosen the adversarial route by trying to enforce its diktat and face down those who belong to the loyal orders and their supporters. Would they consider an atmosphere in which protests against Orange feet walking would be stopped for the next three years and in which they would make an apology for the lives taken by the Provisional IRA, including those of over 300 Orangemen? Will they manage a period of respect for those who wish to continue a tradition of walking legitimately and peacefully and in an expression that embraces civil and religious liberty for all? To do so would be a revelation and would be a serious act of sincerity. It would be more than the simple gesture they think is all they need to make. It would be an event that, I can assure them, would be greeted by unionists with an equitable response.

Is it possible for Sinn Féin, with its undoubted mandate, to show leadership in the House today and show a way of taking us out of, and away from, protest areas that it has constructed, organised and perpetuated, even to the extent that in areas where it has lost control to more extreme elements in its community, it would try to reclaim support for tolerance?

I do not get it. I cannot comprehend why the movement of Orange feet along public roads incurs the wrath and hatred of people who are primarily concerned with a minimal disruption that lasts as little as 10 minutes. It is turned into

an all-day affair by a bunch of lawbreakers who provoke violence, direct hatred and display intolerance. That intolerance is etched on their faces and portrayed by their physical contortions, as if the world is coming to an end on that day, or on the 29 September, and is about to turn Orange in every street and every town.

On 29 September, thousands of peaceful people belonging to the loyal orders and their supporters will participate in what is, for most — undoubtedly, nearly for all — a once in a lifetime opportunity to walk from Belfast city centre to these grounds in Stormont to commemorate the 1912 convention. Who on earth, in this House or outside it, would really want to disrupt the movement of feet on the roads on that journey? Who would want to turn their objections into violence? Who would wish to show disrespect to the numbers coming together in one long parade? I suspect only those who have concocted this motion with precisely that in mind would want to do so. Where are the calls for dialogue in areas where Orange feet have been put off the road? Where are these calls today to enter into talks about parades that, through disruption, were stopped? I think that what we are in and what I take offence at in this —

Mr Speaker: Time is almost gone.

Mr McNarry: Thank you, Mr Speaker. What I take offence at in the motion is that “direct dialogue” is Sinn Féin speak for negotiations. That is where the motion falls.

Mr Storey: It seems that Members are declaring interests. Following convention, I declare an interest as a member of the Independent Loyal Orange Institution. I am sure that Members on the Back Benches will be delighted to hear that.

Some 40 years after a terrorist campaign, Sinn Féin has, all of a sudden, found a new word in its arsenal: dialogue. It had no desire for dialogue when ensuring that Protestants were ethnically cleansed, as we heard in the House last night. All of a sudden, it became popular to talk and to engage in dialogue. Over the past number of years, I have been lectured on leadership by the Member for North Antrim Daithí McKay. He told me that I should step up to the plate and show leadership in my constituency. This afternoon, I want to look at the leadership given by Sinn Féin in my constituency on parades. I am no johnny-come-lately to the parades issue. Since being elected in 2001, I have worked tirelessly, and I have seen the antics, shenanigans, doublespeak and all that republicans do to do the one thing that is summed up in correspondence that I will refer to in a minute or two.

Let us look at what Sinn Féin has done in North Antrim. Let us go to the village of Dunloy and look at the issue of parading there. For 11 years, there has been no parade to allow the loyal lodge in Dunloy to march. That lodge is made up of about 18 or 19 people, most of whom are senior citizens, and is led by an all-Ireland championship accordion band. It does nothing that could be described, in any way, as distasteful or offensive, nor could it, in any way, be seen as being aligned to any illegal organisation. What have republicans done in the village of Dunloy? They have consistently, under the leadership of Sinn Féin, said, “No parade”.

Mr Speaker: The Member should not point across the Chamber.

Mr Storey: Thank you, Mr Speaker.

It does not matter how often attempts were made to engage in dialogue or how much we hear about that dialogue. Republicans are now quite content to accept the Parades Commission's determinations, which say, “You are not allowed your parade”.

Mr Anderson: I thank the Member for giving way. I also declare an interest as a member of the Orange Institution. Does the Member agree that the Parades Commission has become totally discredited? It cannot make determinations that suit all the people involved. One has only to look at the Garvaghy Road in Portadown, which is in my constituency. It was mentioned in the House earlier today that the residents and district lodge there have offered to have talks. Can I —

Mr Speaker: Interventions should be short. *[Laughter.]*

Mr Anderson: Thank you. Does the Member agree that all the Parades Commission does is rubber stamp a refusal for a loyal walk at that location each and every week?

Mr Speaker: The Member has a minute added to his time.

Mr Storey: Thank you. I agree, and I will give an example of how discredited an organisation the Parades Commission is. It should never have been formed, and we have seen repeated determinations that are riddled with inconsistencies.

We will leave the village of Dunloy and go to the village of Rasharkin. What has gone on in Rasharkin, led by republicans, is nothing short of disgraceful. In 1970, the Protestant population of that village was somewhere in excess of 75%; today, it is less than 10%. What happened? There was a concerted campaign by republicans, through murder and intimidation, to ensure that the Protestant community was removed from the village. However, despite all that agitation, republicans in the village cannot get the majority nationalist community — the Roman Catholic community — to support them. I am quite convinced that the majority of people in the Catholic community in Rasharkin, as is clearly set out in comments by the local parish priest over the past few weeks, do not want to continue to be led by the nose by those who have destroyed and tarnished the name of the village of Rasharkin.

4.30 pm

Let me read what a republican, not a biased DUP Member, said about Sinn Féin on a website. I will not name him or the individual whom he names, but he is a senior republican. He names that senior republican, an adviser to Members in the House, as:

“the person whom started all the trouble in Rasharkin and who stated at a public meeting 7 years ago that he would have the Ballymacconnelly parade stopped within 5 years”.

That happens to be the same person who tells me and the community that what he wants is dialogue, and he does not want the parades to be stopped. We want to see you having —

Mr Speaker: The Member's time is almost gone.

Mr Storey: We want you to have your parade and respect. It is time for leadership to be given. For republicans,

it is time that the truth was told. Stop hiding behind doublespeak and double standards.

Mr McKay: That is timing, Mr Speaker. I will go back to one or two of Mervyn's points. Across the community, people are fed up with the situation in Rasharkin. They want it resolved, which requires leadership across the board. We cannot continue to kick the can down the road. The issue must be addressed. He referred to the parish priest. This year and last year, the parish priest said that we need direct dialogue between organisers of parades and residents. That is central to the motion and vital to resolving the entire situation.

It is not only the community impact that we should take into account. Chris Lyttle referred to the economist John Simpson's comments in a 'Belfast Telegraph' article, stating that the recent three nights of rioting in Belfast could cost the economy £7 million. Gerry Kelly referred to last year's policing costs of £6 million. When that figure is multiplied by the past 10 or 20 years, we realise how much we are losing economically. This week, we debated job losses and the need to build a tourism product in our respective communities, rural and urban, in the North. When these images go out across the world via RTÉ and the BBC, they make people think twice about visiting here. That is one heck of a good reason for us to put as much effort as possible into resolving those issues.

Every year, traditionally, in Catholic communities, there has been what has been known as a Twelfth exodus. People take their holidays around the Twelfth. The Drumcree dispute also played into that because people just did not want to be about during that season. That applied to Protestants and Catholics because of the conflict about parades. We need to undo all that, because totally uncontentious unionist parades do take place in Rasharkin. Uncontentious unionist parades take place across the North, and they can be accommodated. That is frustrating, because there has been direct dialogue, for instance, in Crumlin and the city of Derry. The Member for North Antrim referred to the issues in Rasharkin going back 10 years. In Crumlin, the issue came up four or five days before the parade, there was direct dialogue, and the problem was resolved. That is how simple it is. That is why everyone needs to take a fresh look at the parades issue and how we approach it.

If we are serious about inward investment, tourism, job creation and the ensuing economic growth, we need to be serious about resolving the parades issue. We have these debates every year, and people get their hopes up every September because they think that we have another year to resolve the parades issue, and perhaps there could be talks. The frustrating thing for residents is the fact that they hear whispers that the organisers of parades may talk next year. When next year comes around, they hear that there will not be any talking and that it will happen next year, and so it goes on. That is fair enough, but the fact of the matter is that the longer that that goes on, the bigger the impact on community relations in certain areas and the bigger the impact that it has on policing in particular in those areas. If people are serious about supporting the police on the unionist side —

Mrs D Kelly: Will the Member give way?

Mr McKay: Yes.

Mrs D Kelly: Does the Member share my concern and outrage that in five months last year, the cost of policing parades totalled over £5 million? Does he agree that that money could be much better spent in a time of bad recession? Over £5 million. *[Interruption.]*

Mr Speaker: Order. The Member has a minute added on to his time.

Mr McKay: Thank you, Mr Speaker. I totally agree with the Member that that is unsustainable in its current form. It is not rocket science: across the community, political parties, Churches and all main social groups are engaging with one other and making significant progress. We make progress from September to June, and then it is like taking a step back in time, because everybody falls out over parades. We need to ensure that there is no longer any excuse for people not to sit and talk directly to their neighbours and to the people who live in these areas —

Mr Hussey: Will the Member give way?

Mr McKay: Yes.

Mr Hussey: I also declare an interest as a member of Gillygooley Sons of William LOL 339. What is the Member's opinion of rent-a-mobs that are brought to various protests who prepare petrol bombs to throw at the security forces?

Mr Speaker: Order.

Mr Allister: He knows all about those.

Mr McKay: I hear the Member for North Antrim chirping away in the corner, there. What he did, quite irresponsibly —

Mr Speaker: Order. I remind the Member about his language.

Mr McKay: The Member for North Antrim recently said that we should try to get as many loyalists into Rasharkin as possible for the Ballymacconnelly parade. That exacerbated that situation totally unnecessarily. It unnecessarily raised tensions as well as the possibility of violence occurring on the night. What happened on that night was that members of bands carrying UDA and UVF flags — and, what do you know, some of those people are actually members of those organisations — were marching down the streets.

The fact is that unionist politicians refuse to recognise what we see in front of us: loyalist paramilitary displays. They refuse to recognise some of the behaviour —

Mr Speaker: The Member's time is almost gone.

Mr Storey: On a point of order, Mr Speaker. Reference has been made to bands carrying paramilitary flags on the evening of the Ballymacconnelly parade. I want that comment to be referred for a ruling because there was no breach of the determination on the carrying of illegal flags on the night in Ballymacconnelly. I want that inaccurate and untruthful statement removed and for the Member to apologise.

Mr Speaker: Order. The Member has replied. It is on the record now, Mr Storey. Let us move on.

Mr Humphrey: Further to that point of order, Mr Speaker, during the contribution of the previous Member to speak, the deputy leader of the SDLP got to her feet and made a point about the cost of parades. *[Interruption.]* You did.

Mr Speaker: Order. It is not —

Mr Humphrey: The cost of parades and the cost of protests, Mr Speaker —

Mr Speaker: That is not a point of order.

Mrs D Kelly: Sit down.

Mr Storey: You are not the Speaker.

Mr Speaker: Order. Order. I call George Robinson.

Mr G Robinson: OK, Mr Speaker. I will take the heat out of it. *[Laughter.]* This topic is one that, in many ways, is a local one, as each area has unique difficulties to overcome. There is, however, a central issue, which is why republicans want to curtail unionists' celebrations of their culture, while doing everything that they can to promote their own. Recently, in my area, that included children masquerading as terrorists at a re-enactment hunger strike commemoration parade that had no visible policing or Parades Commission determinations. However, two weeks earlier in Limavady, police were very visible, and local band organisers had to submit their 11/1 in order to parade. Where is the justice towards the unionists?

I have witnessed numerous loyal order parades pass off peacefully in recent years and have seen many of our Roman Catholic neighbours come out to enjoy the spectacle. Therefore, I believe that the parading issues are caused by republicans working to their own anti-British agenda. Remembering that, to lead a call for:

“the loyal orders to become involved urgently in direct dialogue”

rings hollow when we see parades being subjected to the abuse and, in some cases, organised violence that are directed at them during their parades. It is those individuals who attack the parades who need to show greater tolerance and respect for the unionist culture.

Mr Humphrey: I am grateful to the Member for giving way, and I am glad that he mentioned parades. I mentioned Sinn Féin's tactic of deliberately creating residents' groups across Northern Ireland to make many parades contentious. Of course, that is now being aped by its dissident replacements. The Member should also be aware that there has been a concerted campaign against the Orange Institution across Northern Ireland since the 1980s in which some 320 Orange halls have been attacked and 336 members of our institution murdered by republicans.

Mr Speaker: Once again, I remind the House that interventions should be short. They should not be statements. Mr Robinson, you have an added minute to your time.

Mr G Robinson: Thank you. I agree entirely with my colleague; what he said is completely true.

If parades are contentious, it is as a result of political agitators seeing an opportunity to attack the unionist culture and tradition for political advantage. The loyal orders are demonised to suit a political agenda, and that has to be condemned. That can be witnessed by events in various parts of the Province. When I see loyal order parades being allowed to pass off without bomb scares, verbal abuse and, sometimes, physical attacks, I will feel

that equality between traditions is more of a reality than it is at present.

I am sure that all Members wish to see the parading issue resolved satisfactorily, but that must be done in a fair and equitable manner to ensure respect for unionist traditions, which appear to be trampled on due to poor and unfair determinations by the Parades Commission.

Mr Swann: To continue the tradition, I declare an interest as the past master and lecturer of Fernisky LOL 115; past master of Ballylurgan Royal Black Preceptory 1192; member of Kells and Fernisky Royal Black Preceptory 271; member of the Antrim Club of the Murray Club of the Apprentice Boys of Derry; and chairman of Cromkill pipe band. However, as has been pointed out, all those details are available on my declaration of interests. *[Interruption.]*

Mr Speaker: Order. Point of order, Mr Kelly

Mr G Kelly: On a point of order, Mr Speaker. Might I suggest that it may be easier and faster if only those on the Benches across the way who are not members of the Orange Order actually declared it? *[Laughter.]*

Mr Speaker: Continue, Mr Swann.

Mr Swann: I know that you will not be declaring any interest, anyway. *[Laughter.]*

Mr Speaker: Order. The Member has the Floor.

Mr Swann: Mr Speaker, the valid point was made that every Member on the Benches on the other side of the House should declare their interest in the protests that they attended or the community or the residents' groups that they became involved in when those protests were developed and enhanced.

It should not go without notice or comment that the President of Sinn Féin said in 1991:

“Ask any activist in the north, ‘did Drumcree happen by accident?’; and they will tell you, ‘no’. Three years of work on the Lower Ormeau Road, Portadown, and parts of Fermanagh and Newry, Armagh and in Bellaghy ... Three years of work went into creating that situation and fair play to those people who put the work in. They are the type of scene changes that we have to focus on and develop and exploit.”

Those were the words of Gerry Adams, the President of Sinn Féin.

Mr Anderson: I thank the Member for giving way. He referred to Drumcree. I happen to be a member of Drumcree Parish Church, and we have never, ever had an issue with parading. Does the Member agree that the issue is the protest on the Garvaghy Road and not Drumcree Parish Church?

Mr Speaker: The Member has an added minute to his time.

Mr Swann: Thank you very much, Mr Speaker. I was going to go on to what he said about having to:

“focus on and develop and exploit”.

Mr Speaker and Members, we now have the new scenes of Rasharkin, Crumlin and north Belfast that we have rehearsed here today already. The Members for North

Antrim have already started the conversation about what is happening in Rasharkin at this minute.

4.45 pm

Mr Speaker, I will take you back to the Ulster Unionist amendment, which:

"calls on everyone in leadership roles within the community to ensure that their actions promote positive outcomes from all parades and other events organised by community groups".

The Member for North Antrim talked about Ballymacconnelly Flute Band. Earlier, the other Member for North Antrim — and this is going to lead to confusion — referred to posts that were made on the internet from the Rasharkin residents' coalition on the same evening as the Ballymacconnelly Flute Band parade:

"To all attending our road hurling event tomorrow night, don't forget to bring your hurls with you."

There was no condemnation or action or comment from the Members of Sinn Féin or the Members of the SDLP who were there, taking part and standing on the side of the protestors that night at the Ballymacconnelly Flute Band parade. There was no condemnation of the agitation of a group that was actively calling on others from outside the area to come to Rasharkin with hurls in hand to take part.

Mr Storey: Will the Member accept that the sad reality is that senior dissident figures were encouraged to travel to Rasharkin by those very comments? It was very sad to see some very senior dissident republicans in the village. They certainly were not there to be observers of the parade.

Mr Swann: I could not agree more with the other Member for North Antrim. However, what also went on that night? Two formal protests were put in; one by the Rasharkin Residents Association and one by the Rasharkin residents community, or RRC, or whatever they call it. Both were restricted to 50 protestors apiece.

There was a spillover — where those members of a dissident republican movement went into a third protest group at the bottom of the village — which was not controlled by the police and for which there was no formal notification. There are photographs and video evidence of that third protest group, which stood with their hurls, but there has been no mention of that today.

Earlier, my party colleague Tom Elliott referred to the fact that no action or recourse has been taken in relation to that photographic and video evidence of the threats and intimidatory activities against unionist and loyalist parades.

Mr Copeland: Will the Member give way?

Mr Swann: I will.

Mr Copeland: Will the Member agree with me and underscore Mr Storey's earlier comments about the display of standards in Rasharkin on the evening of Ballymacconnelly Flute Band's most recent parade, and contrast that with those presented some time ago when a band from a republican background carried a drum displaying two masked men with two AK-47s, seemingly firing shots over a rather badly painted Celtic cross? Will he agree that the fundamental problem is that the law is

not being applied equally, fairly or justly, which has left a bad taste in the mouths of the parading community?

Mr Swann: Again, the Member supports what I am saying. There was a reference to Dungiven earlier on. In the previous debate, Cathal Boylan started to refer to what had happened in Dungiven, but that was neither the time nor the place to do so. It is a pity, because he was trying to defend what happened at that time in Dungiven when that standard was displayed. It is a pity that he is not here to try to defend those same actions, which are indefensible.

On the Twelfth in Crumlin, we witnessed a classic —

Mr Speaker: The Member's time is almost gone.

Mr Swann: In Crumlin, as elsewhere, the demand was for the institution to talk, but to talk to whom? It was to talk to Sinn Féin, whose singular drive is based on its narrow and sectarian agenda of no Protestant feet in these villages.

Mr Speaker: The Member's time is gone. I call Mrs Dolores Kelly. *[Interruption.]* Order.

Mr D Kelly: You will be aware, Mr Speaker, that the SDLP tabled an amendment to the motion, but, unfortunately, it was not accepted. However, we are happy to support the Alliance Party's amendment, given that it closely follows the sentiments of our proposed amendment.

This is a debate about asking for dialogue with residents. Nevertheless, it would seem that some parties here have very short memories. It was only two years ago that the First Minister and the deputy First Minister backed the plan for a parades Bill that was put forward by the DUP and Sinn Féin working group. They stated:

"We will promote and support direct dialogue with, and the involvement of, representatives of the Loyal Orders, band parade organisers, local residents' groups and other stakeholders".

Perhaps Mr Peter Robinson, the First Minister, might get his party back in line again and on the same page as himself when it comes to talking to residents' groups.

From listening to this debate, one would believe that disputed parades and violence around Orange parades have happened only in the last two or three decades. It was back in 1832 that the Party Processions (Ireland) Bill was brought to the Houses of Parliament by the British Government — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mrs D Kelly: — who recognised the violence and sectarianism that occurred around parades here in Ireland. It was the British Government — Her Majesty's Government — who banned Orange parades at that time. Unfortunately, that ran out in 1845. Then, there were the events at Dolly's Brae in 1849 —

Some Members: Hear, Hear.

Mrs D Kelly: — when 10 Catholic houses and a Catholic church were burnt to the ground and five Catholics were murdered and nine others injured. Let us not persist with the myth that violence around Orange parades has happened only in the last 10 to 20 years. It has been there for centuries.

Unfortunately, the two big parties have failed to deal with community division. Their efforts to stoke up sectarian

tension, particularly around election time, are playing to the gallery. In the last few weeks, I listened in amazement to radio interviews in which so-called community activists said that they wanted more money and that the violence was around there not being enough funding in some of the areas. That is because of a failure of their political representatives to deliver for their own constituency. Many Members on the Benches opposite have to examine themselves in relation to how they have delivered for the people who put them into this place.

Let me say this: last year, the Parades Commission made 3,962 parade determinations. Of those, only 195 were deemed to be contentious, 50 of which were the weekly Drumcree parades. So we are down now, thankfully, to 145 contentious parades, the contention around which could be resolved if we had some respect across our community, better tolerance and some leadership and recognition that the issue of parading is something that many people who live in the interface areas feel very strongly about and about which there is a lot of historical record in respect of what happened in the past.

Many people have suffered personally. Only in recent weeks, we heard how 47 police officers were injured in north Belfast. There is a financial cost. I also contend that there is a cost that we will never know, namely the cost of people who would have come across the border to visit Northern Ireland — the people who would have come from elsewhere to visit Northern Ireland as tourists —

Mr McCausland: Will the Member give way?

Mrs D Kelly: Oh yes, I will.

Mr McCausland: The Member referred to the cost. It is not the cost of parades on its own. It is also the cost of policing the rioters who burned a vehicle in Ardoyne, attempted to murder a policeman and threw petrol bombs at the police. Will the Member confirm whether or not she includes the republican cost: the cost of republican rioters and those in republican ranks who attempted to murder policemen? Is that part of the cost as well, or is she ignoring that?

Mr Speaker: The Member will have a minute added to her time.

Mrs D Kelly: The Member knows well that the SDLP stood against all forms of violence over 40 years at huge personal cost. Some of our elected representatives and party chairmen lost their life as a consequence of that. I do not think that we need to examine our credentials. Of course we condemn all acts of violence from whatever quarter, whether in the last 40 years or the last two years.

It is worth nothing that, of all the parades that were determined on last year, 66% came from the broader unionist community. Over 49% of those were from the Orange Order, loyal orders and bands. The primary cost of parading comes from the unionist/loyalist tradition. I wonder whether Mr McCausland on the Back Bench will criticise the leading members of paramilitary —

Mr Speaker: Your time is almost gone.

Mrs D Kelly: — organisations who led from the front in the riots in north Belfast in recent weeks.

Mr D McIlveen: I rise as a member of the Northern Ireland Policing Board. I want to say straight up that attacks on our police officers are never justified. They were not justified in the 1970s, the 1980s or the 1990s, and they

are not justified in 2012. I want that on record, and it is very important that all of us put it on record that a situation where over 60 officers are injured must not be repeated. I hope that, if nothing else is achieved in today's debate, a message will go out very clearly that that is not the type of behaviour that we want on our streets. However, we have the issue of the fundamental right to freedom of assembly and the freedom to parade. Those are important rights to be equally enjoyed by all. There is where we have the issue of respect. We started the debate around the question of respect. We may have veered off that a little bit, but the right to parade is an equal right. We are certainly up for that debate, and we feel that that should be respected. To the Members on the opposite Benches I say, as someone who has paraded with the loyal orders and a loyalist flute band, you have nothing to fear from these parades. We come in peace, wishing to display our culture and our right to express it. We hope that, in this day and age, that can be respected and tolerated without any obstruction.

The issue of the cost of parading has been made very clear today, and we have to come back to it. Last week, in our Policing Board business, we had a comprehensive briefing by Assistant Chief Constable Will Kerr. He made it abundantly clear that the cost of parades that are unobstructed is virtually negligible. Therefore, we have to get back to where the problem lies. If 145 parades have been deemed contentious and over 3,000 take place without obstruction and without any problem, we have to come back to this question: where does the problem lie? The problem lies not in the parades but in obstructions to parades. That is where we have to get back to, and, until we get to that point, it will be very difficult to take the debate to the next stage.

Mr Storey: I thank my colleague for giving way. Will he agree that, in our constituency of North Antrim, we have seen a continuing demonisation of Ballymacconnelly flute band? The Member opposite from Sinn Féin continues to refer to that band as the "controversial" Ballymacconnelly band. Not one issue has ever been raised in the law, with the police or any other organisation, about Ballymacconnelly band; yet the demonisation continues. That shows little respect.

Mr Speaker: The Member has a minute added on to his time.

Mr D McIlveen: I agree wholeheartedly with my colleague. Further to that, in relation to the said Member for North Antrim —

Mr McKay: Will the Member give way?

Mr D McIlveen: I am sorry; I will keep going.

The Sinn Féin Member for North Antrim mentioned parades that could confine themselves to non-contentious routes. However, my understanding is that, when a so-called contentious route in Rasharkin was looked at by the Parades Commission, the parade was moved on to the Main Street of Rasharkin and — surprise, surprise — there was another protest on Main Street in Rasharkin. That is where we come back to the issue of respect, which clearly is not forthcoming from the opposite Benches.

We have to come back to the crux of the matter. The motion calls for the loyal orders to come into direct dialogue with residents. Looking back a couple of weeks

to the terribly unfortunate scenes on the streets of our city, we have to be honest and say that that was not the result of non-dialogue with local residents. It was the result of a dysfunctional, inconsistent, incoherent Parades Commission, which made a horrific, bad decision. All that it sought to do was to heighten tensions and to create unnecessary pressures by basically saying that the tradition of one group would be looked on in a much more lenient way than the tradition of another group. Ultimately, that is what this comes down to. This was a bad decision by the Parades Commission, and we have to call it —

Mr A Maginness: Will the Member give way?

Mr D McIlveen: I am sorry; I cannot.

We have to accept that. That said, we come back to the issue of mutual respect. If there is to be mutual respect, it must be on the basis of an open mind. On 30 August, the Member of Parliament for West Belfast said that the Orange Order needed to reroute itself away from Donegall Street. If the view of Sinn Féin is “Reroute or nothing”, what is the point in having dialogue? Clearly, minds have already been made up on those Benches. If there are those in the party opposite who have yet to speak, I would be keen to hear whether that is still the view of Sinn Féin, given that its Member of Parliament for West Belfast was very vocal on the matter.

We have had a very broad debate today, but I do not believe that we can support the motion tabled by the party opposite. However, I support the amendment tabled by the Ulster Unionist Party.

5.00 pm

Mr I McCrea: I welcome the opportunity to speak in the debate. I will follow tradition and declare my interest as a member of the Apprentice Boys. I am proud to say that I am a member of the Apprentice Boys and a former member of Dunamoney flute band in Magherafelt. I proudly walked the streets of Northern Ireland, and I did so not to offend anybody — *[Interruption.]*

Mr Speaker: Let us not have the debate across the Chamber. Make your remarks through the Chair.

Mr I McCrea: I did so with the desire and intention to enjoy the culture and tradition that I grew up knowing. There have been a lot of references to the Sinn Féin Member for North Antrim and his dislike for the Ballymacconnelly band. That is a shame because, if he were to sit back, close his eyes and listen to the music, he would probably, like the rest of us, enjoy it.

Sinn Féin caused the problem and the difficulties with parading. It created the beasts, as it were, known as residents' groups. Sinn Féin needs to accept responsibility for that and, in realising that it caused many of the problems —

Mr Sheehan: Will the Member give way?

Mr I McCrea: I will.

Mr Sheehan: There was no contention at all around the parade in Donegall Street until the Young Conway Volunteers decided to circle round outside the church and play a blatantly sectarian song. You cannot blame Sinn Féin for that.

Mr Speaker: Mr McCrea has a minute added to his time.

Mr I McCrea: I think that the Member is looking at this with his eyes closed. I have marched in parades across Northern Ireland. I have been spat on, and stones have been thrown at me and at colleagues from the loyal orders and bands. If that is not contention —

Mr Clarke: I thank the Member for giving way. As the tradition has started today, I will declare that I am treasurer of Randalstown District Loyal Orange Lodge No 22, and my private lodge is 1105. The previous Member cited Sinn Féin's involvement. Maybe you would allow another intervention by Sinn Féin to explain the Crumlin parade. The Crumlin residents' group was set up only two weeks before 12 July. Previously, to the best of my knowledge, the Twelfth had been celebrated in Crumlin with no problems. Sinn Féin might claim that no one from its membership was involved, but one of the organisers was a canvasser for the party during the recent elections.

Mr I McCrea: Again, the hypocrisy knows no bounds. When Sinn Féin comes to accept responsibility for creating many of these problems, it should look at itself as part of how we move forward. Sinn Féin should realise that, if it wants people to enter into dialogue, the first thing to do is to admit responsibility. It needs to take note of that.

I proudly walk the streets of Northern Ireland, along with many other men and women, and it is a sad reflection on our community when they are not allowed to walk the Queen's highway.

Mr Lunn: I am happy to support the Alliance Party amendment, and I am glad to see that, unless I say something wrong, the amendment will be accepted by Sinn Féin and the SDLP. We do not so much have a motion and two amendments as three motions, and it is really a choice of one out of three. They do not amend each other. We could have lived with the Sinn Féin motion, but we are even more happy that it can live with our amendment.

I want to touch on a few issues that were mentioned today, notably the Parades Commission, the notion of local dialogue and the position of the police. I declare an interest as a member of the Policing Board. You will be pleased to know that that is the only interest that I have to declare. The Parades Commission does not want to exist. If it had nothing to make determinations about, nobody would be happier than the Parades Commission itself. As long as the loyal orders will not speak to the Parades Commission, there is not much hope of putting it out of business. On that side of the House, perhaps you could think about that. We could arrive at a point at which there is no need for a Parades Commission. I certainly hope that we do.

Mr Storey: Will the Member give way?

Mr Lunn: Go on.

Mr Storey: As I said, I am not a member of the Orange Institution, but here is the crux of the matter. Year after year, I have repeatedly gone to the Parades Commission to discuss Rasharkin and other parades in my constituency. I have been open and honest. What have I got in return? I have been treated with absolute contempt in the Parades Commission's determinations. So dialogue does not work with the Parades Commission.

Mr Speaker: The Member has a minute added to his time.

Mr Lunn: The way to get rid of the Parades Commission is — not for you, Mr Storey, because apparently you are not

a member of a loyal order, which surprises me — for the loyal orders — *[Interruption.]* Sorry, I thought that that was what you said. I take it back. What you meant was that you went to the Parades Commission as a private citizen rather than as a member of a loyal order.

The way to dissolve the Parades Commission is to have local dialogue, which we have heard a lot about recently. We are in the mouth of a parade on 29 September that will go down Upper Donegall Street and Carrick Hill. I was listening to the radio today and heard Winston Irvine, who is a local community representative, talking about quiet conversations between the order and the parishioners and dialogue with the priest. I hear that, as a sign of goodwill, the Young Conway band will not parade past the church and that the bands that do parade past will play well-known hymns. That is all good stuff.

Mr Bell: Will the Member give way?

Mr Lunn: No.

I welcomed the apology from the Royal Black Institution for the band's behaviour on whatever date it was in June or July.

Mr Kennedy: August.

Mr Lunn: Whatever — there are so many of them.

Why do they stop short of speaking to the residents' groups? Mr Kelly and Alban Maginness, who has gone, said that there is a perfectly valid residents' group of 20 years' standing in the area, which has been constructive and said that it wants respect and not rerouting. I have heard a lot about respect today. Mr Elliott mentioned it. He wants respect for the events that will be held, and I could not agree more. However, we should be talking about mutual respect, not one-sided respect. After all this time, 20 years after Drumcree first erupted, the loyal orders will still not speak to residents' groups.

Mr Elliott: I thank the Member for giving way; I very much appreciate it. Mr Storey said that he talked to the Parades Commission and got nothing out of it. In some areas — I highlighted Newtownbutler — the loyal orders talked to residents and provided everything that they asked for on that route, but it was still not enough. People still wanted to change that and stop the parades. I hope that the Member can appreciate that.

Mr Lunn: I am starting to appreciate that. I do not live anywhere near Newtownbutler, so I might not have known that, but it is good to hear and is exactly what we need to happen.

Mr Anderson: Will the Member give way?

Mr Lunn: No. I have very little time.

I want to say a word about the situation with the police. Gerry Kelly said that the cost of policing the parades was £6 million, but we will not go there, as there is a difference of opinion. However, the £7 million in lost tourism should focus all our minds. Furthermore, injuries to policemen have been mentioned on the other side of the House many times. I do not know how many of you heard Assistant Chief Constable Will Kerr speak after the events of a few weeks ago. He spoke with great feeling to the effect that it could not go on and the police could not continue to be the meat in the sandwich time after time. Therefore, I make

a plea on behalf of the police, and I am sure that other Policing Board members here will concur —

Mr Speaker: Your time has almost gone.

Mr Lunn: It just cannot go on. I hope that the House will unite behind our amendment. I have my doubts, but I hope that it will.

Mr Nesbitt: I am the leader of the Ulster Unionist Party. I am not a member of any of the loyal orders.

I want to be positive today, as I was yesterday in the debate on the apology from the Irish Government. We are in a better place today than we were a couple of weeks ago, thanks to some statements, particularly from the loyal orders and the bands. I do not want today's debate to be divisive. I want it to be positive, but there are some inconvenient truths, and they need to be spoken. People are listening to this debate and thinking thoughts that need to be articulated. I will articulate them.

Mr Kelly talked about where the Carrick Hill residents' group came from. I will be positive: perhaps he misheard me this morning. I questioned where it came from with its intervention on parades, because I was told that it had never before been associated with them. Other groups appear to have come out of the woodwork to take an interest in parades. Mr Kelly talks about a culture of sectarianism as if it were a one-way street. I was here yesterday for the debate, and I listened to my colleague Mr Kennedy talk about Kingsmills, where workers were taken out of a van and separated by their religion. Roman Catholics were asked to move away, and Protestants were asked to remain to be slaughtered. Sectarianism is not a one-way street. I talk about Mr Kelly. I heard him say that £6 million was spent on policing. There will be those out there — it is an inconvenient truth for Mr Kelly — who will have heard that and thought about how much it would have cost to repair the Old Bailey if the IRA had managed to bomb it as it planned.

Mr Kelly asks for a scene-changer. Did the Royal Black Institution not offer a scene-changer with its statement and apology? I know very little of the institution, but I know that it has four aims, the fourth of which is to "develop social and responsible citizenship". I believe that that statement is true to what it says on the tin. This week, I heard a statement from the Orange Order and the bands that is potentially a scene-changer. They came out offering a spirit of generosity and said that they would play a hymn as they passed St Patrick's. They await the response, and they will have listened carefully to the response that they heard today — not just in the House but this morning on BBC Radio Ulster, when Alban Maginness of the SDLP said that the statement did not go far enough.

You do not need to have been in the room for the discussion to know the sort of fears, concerns and debate that will have preceded the statement. There will have been those who would have said, "It is all give, give, give from our side. There is nothing coming back our way". Others would have said, "Making a one-off gesture is dangerous, because it will be used as a stick to beat us with next year, and the year after, and the year after". Others would have said, "What if the Parades Commission think, 'They have given us a gesture, so, if they are prepared to go that far, how much further can we push them with our determination?'". Still others would have feared that the response would be, "Not enough". That

is what Mr Maginness said, and I do not think that that advances the situation. Were he here, I would like to give way so that he could tell me what he means by calling for dialogue with those:

“most fundamentally affected or intimately affected”.

Those were his words, not mine. I do not wish to belittle the feelings of the residents, but when I hear the expression “fundamentally affected”, I think of someone who has lost their job or home, so I would like to know exactly what he means by that.

I listened to Mr Storey talk about the need for the end to doublespeak and double standards from Sinn Féin. The next Member who spoke, Daithí McKay, said that the TV coverage and publicity surrounding the contentious parades is bad for tourism and puts people off coming here. It is an inconvenient truth for Mr McKay that, as far as I can remember as a radio news reporter in the 1980s, I covered a murderous bomb attack on a fishing festival in County Fermanagh. That did not do much for our tourism industry, Mr McKay. Neither, by the way, did blowing up members of the Irish rugby team on their way back to Belfast from training in Dublin. The team included people such as Nigel Carr, who could have been one of the all-time greats — he was one of the all-time greats — but was denied his full potential by an IRA bomb on the border.

We are entering a decade of centenaries. We have done so with a great start at the Balmoral review. It was lawful, respectful and peaceful. September 29 is a one-off. We have had the statements that give us hope for better for the future.

5.15 pm

Mr Elliott: Will the Member give way?

Mr Nesbitt: Yes, I will give way.

Mr Elliott: Does the Member appreciate that he has covered quite a lot that is coming from one side of the community? We all appreciate that there are difficulties in both arguments, and I have said that. However, does he appreciate that there needs to be reciprocation from the other community, particularly from political representatives? Just in case there is any doubt, I am a member of the Orange Order and the Royal Black Institution.

Mr Speaker: The Member has a minute added on to his time.

Mr Nesbitt: I thank the Member for his intervention and for the shock revelation at the end. I agree. There are many players, not least in north Belfast, including the loyal orders, the bands, the supporters, the residents, the church community and the Parades Commission. The loyal orders and the bands are now being called on to take a second step. I think that they have already taken the first step, and, in our community, once you have taken the first step, it is up to somebody else to reciprocate by taking the second.

The question is this: is it reasonable to object to a band playing a hymn while walking down a street? If the answer is “No, it is not reasonable to object”, is it then reasonable for the Parades Commission —

Mr Speaker: Time is almost gone.

Mr Nesbitt: — to impose any further restrictions? My answer is “No, it is not”.

Mr Speaker: I call Mitchel McLaughlin to conclude on the motion. The Member has 10 minutes.

Mr Mitchel McLaughlin: Go raibh maith agat, a Cheann Comhairle. Thank you very much, Mr Speaker. If we consider the events outside St Patrick’s on 12 July with the Young Conway band, we should not indulge in the “whataboutery” that, I think, has damaged the debate. There have been some useful conversations. We should consider, perhaps, a lost opportunity for the marching orders to take their own initiative. It cannot be denied that that was an unacceptable episode. It is not, by any means, the worst that has happened over the past number of years; nevertheless, it was an opportunity that the marching orders could have seized to say that it was not up to their standards of behaviour and that they regretted it and would take their own initiative, which could be that, any time that they passed St Patrick’s or any place of worship, they would play hymns. They might have got a different response. Of course, they did not take that opportunity. They did not take the many opportunities that are shown by the examples of local resolutions emerging as a result of dialogue to resolve outstanding contentious issues. I completely endorse Trevor’s comments when he discussed that and offered those up as opportunities that the marching orders could have taken.

I have heard the pain and frustration from Members opposite, but it is all “whataboutery”, paranoia, schemes and conspiracies. You take away their —

Mr Storey: Will the Member give way?

Mr Mitchel McLaughlin: Sorry, I do not get any extra time, so I will not give way to anybody.

Mr Storey: Will you give way on that point?

Mr Mitchel McLaughlin: No, I will not take any interventions. I make that clear. I do not get any extra time. I am sorry about that.

The point that I would like to make is that perhaps we should ask ourselves this question: why is there not dialogue or negotiation with the view to finding agreement? It is not taking away from anybody’s culture. I have heard quite extravagant language used to describe the Parades Commission determination on the Black Preceptory march on 25 August. What exactly did it do? The Young Conway Volunteers were singled out for their behaviour, and they were debarred from marching. They marched anyway, and they played anyway. They were not disowned. Every other band there, with very few exceptions, followed their lead and played outside the church.

That in itself raises a question: where exactly was the assault that occasioned that behaviour? It was described by some as civil disobedience and by others as an example of intolerance and sectarian abuse. The abuse and the offence were very well described. People could not claim that they did not know about it, that they were unaware that there would be such emotions or that such offence would be caused. They went deliberately to give that offence. We should come at this from the point of view of trying to find solutions, not to create more problems.

It is my contention that the Orange and other marching institutions have demonstrated that, where they are

acceptable within the local community, there is absolutely no difficulty. That goes for the vast number of the parades, marches and band parades that they organise. However, there are areas where the host communities have difficulty with it. To get into arguments about why there should not be dialogue perhaps reflects an arrogant sense that they do not have to talk to anybody. There are opportunities to help the process of mutual understanding. I accept that we on the nationalist and republican side do not appreciate or fully understand the Orange or marching culture and how important it is in the unionist community. I accept that it is important, because I have heard it in the comments.

When the Crumlin parade, which was a county mobilisation, was mooted this year, I approached two unionist representatives in the House and said that we could have a problem in Crumlin and that I thought we should work together. I got a very fair hearing, but, in my view, I did not get a fair response. I do not mean that I did not get a fair response from them individually, because I think they made representation, but they did not get a response. However, at the eleventh hour, literally in this case, the local lodge agreed to meet the residents' group. To be honest, I am not going to get into an argument about where they emerged from. I can tell you, and I will put it on the record, that they emerged because of the announcement that there was going to be 7,000 Orangemen and associated bands and supporters marching through an overwhelmingly — 80% — nationalist village, and they were not going to talk to anybody. They were not going to negotiate. That is why they formed. They did not form a fortnight before it; they formed some considerable time before that, because my approach to the two unionist representatives was more than a fortnight before the march. I approached them before the Orange Order formally notified its intention to march, so there was a good lead-in and an opportunity that was not recognised. That is as negative as I would like to put it. There was an opportunity for dialogue, it was not taken, and I regret that very much. However, I welcome the fact that the local lodge and its local master took leadership and negotiated with the residents' group, and that agreement and a peaceful and enjoyable day resulted.

Those are examples of how you can reduce the tensions and what we can do on behalf of wider society, because I think our wider community — nationalist, republican and unionist — wants to see agreement being reached. They have seen many examples of contentious marches being resolved because there was dialogue.

Sometimes, there are quiet conversations. I do not want to name individuals, but there are people in the Chamber who played a very honourable role in helping those agreements to emerge. They did not do it for publicity purposes or for political purposes; they did it in the interests of the wider community. The result of that is an example that we should pursue in the remaining contentious marches.

Trevor described very well how we can take forward the Parades Commission, or any body that will replace the Parades Commission, because some body will have to be set up if the Parades Commission goes out of existence. We can do it by ensuring that the marches are not contentious. I am not saying that it will be easy — far from it — but the evidence is there that it can be done.

We should not start from the basis of pointing the finger across the Chamber at each other; of megaphone

diplomacy; or of talking to people as if they have no rights. Residents' groups who have a problem should be listened to. Let us see whether we can address those issues, and let us look for opportunities to take initiatives.

I heard the MP for West Belfast being misrepresented in this debate. He pointed to the role of the UVF. He pointed out that it was uncontrollable. In other words, he was not blaming the march organisers. He suggested that the way for the marching orders to deal with the problem in their community was, in fact, to voluntarily reroute. That was not a demand, and it was not Sinn Féin hyping up the situation. He pointed out the core problem within the groups that organised the march. He also pointed out that the UVF had its own agenda, which resulted in mayhem and in issues spinning out of the march organisers' control, and spoilt the event, I am quite certain, for many marchers.

Let us take our responsibility. We are the elected representatives. We are the people who are supposed to give leadership, to come up with initiatives and to sit down in a calm, rational and adult way in order to work things out. We do not have to do that in the Chamber. We can meet privately at a constituency level to identify the issues and encourage dialogue. One of the slogans that emerged from the Crumlin discussions was "respect and dialogue harm no tradition". I think that we could do worse than to adopt that slogan when we are addressing the outstanding matters.

I recommend the motion to the House. I have to say that I appreciate the effort that went into the Alliance Party amendment in order to find a balance between the positions: the predictable opposition and the predictable support, which we each offer from our perspectives. The Ulster Unionist Party's amendment cannot be supported, but not because it did not try to come up with something that could win support. It did not succeed on this occasion, but at least it tried to address the issues. If we do not give leadership in the House, we cannot blame people on the street for acting accordingly.

Mr Speaker: Before I put the Question on amendment No 1, I advise Members that, if the amendment is made, I will not put the Question on amendment No 2, as the wording of the original motion will have been changed to such an extent that it would not be in order for the House to vote on amendment No 2 as well.

Question put, That amendment No 1 be made.

The Assembly divided.

Mr Speaker: Order. Can I have the attention of the House? There are some problems with the Division, so I am going to call the Division again. There are some technical problems, and I want to announce that to the House. Let us have some patience around this.

Order, Members. I am going to run the Division again.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 50; Noes 48.

AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne,

Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Copeland and Mr Kennedy

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr G Kelly and Mr Mitchel McLaughlin

Question accordingly agreed to.

Mr Speaker: As amendment No 1 has been made, amendment No 2 will not be put to the House.

Main Question, as amended, put.

The Assembly divided:

Ayes 50; Noes 48.

AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Kennedy and Mr Nesbitt

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr G Kelly and Mr Mitchel McLaughlin

Main Question, as amended, accordingly agreed to.

Resolved:

That this Assembly recognises the positive community contribution by the loyal orders; and calls on everyone in leadership roles within the community to ensure that their actions promote positive outcomes from all parades and other events organised by community groups that could be deemed contentious.

6.00 pm

(Mr Principal Deputy Speaker [Mr Molloy] in the Chair)

Motion made:

That the Assembly do now adjourn. — [Mr Principal Deputy Speaker.]

Adjournment

Health Provision: Armagh City and District

Mr Principal Deputy Speaker: The proposer of the topic will have 15 minutes, the Minister will have 10 minutes to respond and all other Members who are called to speak will have approximately eight minutes.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Cuirim fáilte roimh an deis an díospóireacht thábhachtach seo a chur os comhair an Tionóil inniu. I am grateful for the opportunity to debate this important topic in the Chamber today. I thank the Minister for taking the time out to attend, and I look forward to his response and the contributions of other Members, who are well aware of the issues around the health sector in Armagh city and district.

I remind those in the Chamber of the significant impact of the reduction in health service provision in the Armagh city and district area over the past years. As many people know, Armagh has not had the major private investment that other areas of the North have had. It is not an industrial hub. It has been known primarily for its public sector jobs, its array of niche shops and its tourism product, with its cathedrals, Emain Macha, which is Navan Fort, the observatory and its links to St Patrick, to name but a few.

Ceantar agus cathair Ard Mhacha. Armagh city and district has long been recognised as a centre for public sector jobs, be it in the administration of the local government authority, education, the Department of Agriculture and Rural Development, and health, especially as it includes the St Luke's Hospital site, which contains the Mullinure and Longstone hospital facilities. Over the years, that led to the building-up of a highly skilled pool of workers in the health sector. Unfortunately, a review of health and social care has seen the services provided decimated, which has had the knock-on effect of employees being relocated, job losses and service contracts being made void. That has had an impact on the local economy.

I will briefly outline some issues that have arisen in this sector over the past four or five years. The St Luke's hospital complex is one of the oldest in Ireland, and has provided psychiatric care for many years.

Mr Brady: Will the Member give way?

Mr Boylan: I certainly will.

Mr Brady: Does the Member agree that when we had meetings with the trust and the Department about the scaling down and eventual closure of St Luke's as a psychiatric hospital, we were told that the new Bluestone unit at Craigavon Area Hospital would cater for approximately 80 patients, which would solve the problems? I know, because of the number of people in Newry with queries, that that has not been the case. That unit has not been able to cope with the number of cases.

St Luke's was always a mainstay in the constituency, particularly for those from the Newry area. It was recognised as a very good facility, and, unfortunately, that was taken away, without any rationale given.

Mr Boylan: I thank the Member for his intervention. He knows only too well that that is exactly what has happened. Maybe the Minister would like to respond to that intervention.

Also on this site, Longstone Hospital provided long-term care and an assessment and treatment unit for adults with a learning disability. Thirdly, Mullinure Health and Wellbeing Centre provided patient care for people with dementia in the Gillis Centre and a one-stop elderly assessment clinic.

As far back as April 2008, I asked questions of the previous Minister about the complex. Given the proposals under the Bamford Review of Mental Health and Learning Disability, concerns had been raised about the long-term care for those in the hospitals and about the staff. So after care had been provided at the complex for years, the then Minister implemented changes that included ward closures and left only skeleton services, mostly administration, at St Luke's, Longstone and Mullinure. Services and patients were relocated to Craigavon, and vulnerable patients were placed on the care in the community programme. Since 2008, services have been moving out of the city and district. All this took place despite thousands of people in the Armagh city and district, supported by all parties in the local council, all the MLAs, the constituency MP and the trade unions opposing each and every proposal and putting forward suggestions that would have had the desired efficiency savings. This was all to no avail. Changes were forced through, and the people of Armagh city and district had to endure the changes that they were united in opposing.

The next major overhaul of the health system was the relocation of the minor injuries unit at Mullinure Hospital to Armagh Community Hospital, which, in itself, was not a major bone of contention. What shocked people was the reduction in the service provided. Health provision in the area — a mixture of GP, Armagh Community Hospital and out-of-hours at Mullinure — reduced from a 24/7 service to one available to 7.00 pm, five days a week. Now, people in the Armagh area who find that they need health provision that is deemed non-emergency but is severe enough to require urgent attention must travel to the closest A&E, which is at Craigavon Area Hospital, a location that requires patients to have a car because, as we all know, the transport system in Armagh city and district does not exist in the evening.

Once again, this review was opposed by all the political parties, unions and the public, 9,000 of whom signed a petition. However, once again, the views of the majority were ignored. At that point, the people of Armagh city and district really believed that they had become second-class citizens in the eyes of the health service. Now, we are in the midst of another review; this time of the GP out-of-hours service that was transferred from Mullinure to Armagh Community Hospital at Tower Hill. Although assurances have been given, you cannot blame the people of Armagh for being sceptical and thinking that, once again, a service will be hit in a way that will be of no benefit to the local community.

I welcome the Minister being here, and, on behalf of the citizens of Armagh city and district, I appeal to him to personally look at the minor injuries unit in Armagh. Look at the proposals put forward by the local council as a corporate body, which would have extended the unit's opening hours to midnight, with services such as X-rays and diagnostics provided, while still making efficiency services. Those proposals would give an effective service to Armagh city and district, while relieving the burden on an already overstretched Craigavon A&E department. I also urge him to ensure that the current GP out-of-hours service is retained and personally prove to the good people of Armagh city and district that they are not second-class citizens and that they are entitled to the same standard of healthcare that befits other areas throughout the North.

Before I conclude, I want to talk a wee bit about the consultation process for GP out-of-hours services. I hope that the Minister will give us an assurance that the consultation will be a proper participatory process in which all the people affected by the changes can get involved and that any suggestions that they bring forward will not just sit on the shelf but will be deemed appropriate for change if necessary.

I will also put on record that Mairead McAlinden from the Southern Health and Social Care Trust has offered to meet me, and I will take up that opportunity.

In closing, I ask the Minister to outline plans for future healthcare provision in Armagh city and district and give some reassurance to the public and the workers that all will be done to provide the best care for the community and that resources will be given to the staff to provide it.

Mr Irwin: Healthcare provision in the Armagh city and district area has been a topic for discussion in the Assembly and, critically, at local council level. I am a member of Armagh City and District Council, and I have been actively involved in the council's collective efforts to maximise the potential for services in the city and district area and to try to consolidate the services that are provided there.

That has not been without its difficulties, as representatives from the area can testify. However, our current Health Minister, with his forthright views, his extremely hands-on attitude to his departmental duties and his focus on getting things done, has meant that we have a clearer picture of the vision for services in the city and district area. I am sure that the Minister will mention that in his response.

I am also pleased that a local council-led campaign to ensure that Armagh remains a hub for public sector employment, including health sector jobs, remains on track. Indeed, the Minister announced recently that a human resources centre for the sector in Armagh has been secured, which is a welcome boost not only for the people directly employed in the service but for the local economy.

There has been some concern locally about the changes to the minor injuries provision in the city and district area. I know that the Southern Trust fully briefed our local council about its future plans and was rigorously questioned by elected representatives. Not all the recommendations have been met with approval from local representatives, but any service decisions have to be based on solid facts. Although some concerned people expressed great

anger in the local press at the changes, some pointed to statistics that illustrated that only one patient every three hours was using the service at Mullinure Hospital.

The extension of operating hours at Armagh Community Hospital at Tower Hill from 9.00 am to 7.00 pm can be viewed either as a cut in services or as a consolidation of existing services. Obviously, people are concerned about out-of-hours provision and the distance from Armagh city to Craigavon or Dungannon. However, I feel that the distances are not beyond acceptable in the majority of circumstances. Make no mistake, this is an emotive issue, and the people in the district have responded to it. I will be keen to see how the service copes after bedding in, and I will be interested to see performance reports to gauge how well the changes have been received and the statistics on the use of the service at Tower Hill following the extension of the opening times.

The Assembly, and the entire community, is better off with a Minister who is prepared to roll up his sleeves and tackle difficult issues. That is a very welcome change from what went before. I will continue my efforts to ensure that Armagh remains a location for healthcare services and public sector employment, and I urge all parties to do likewise.

Healthcare provision across the Province is changing, and we need not only to prepare for change but to ensure that any such changes meet the needs of a changing population. No major decisions have yet been taken about overall future provision in the Southern Trust area, but I know that consultations will be carried out on any proposed changes, and I have no doubt that people will fully engage with those consultations.

Indeed, I feel that the response and engagement of Armagh people has been tremendous to date and shows exactly how seriously people in the area view their health services. Coupled with a very proactive local council in Armagh, I know that future proposals will be scrutinised at a very high level. The lion's share of the Budget in Northern Ireland is spent on healthcare. Therefore, the greatest consideration must be given to how that money is spent in order to achieve the maximum benefit for the patient.

6.15 pm

Mr Kennedy: I am grateful for the opportunity to contribute to the debate. I thank its sponsor and acknowledge the attendance of Minister Poots in the Chamber. Many of the points have already been covered, including the historic position of Armagh as an important location not only in that region but in Northern Ireland generally.

Armagh does not have a lot of what might be called heavy industry. It is very reliant on the public sector. Over the years, the significant number of jobs in local government, education and particularly health have been so welcome and necessary. Historically, health provision in Armagh has been excellent at the various locations through the medical services and dedication of staff. I want to place on record my appreciation for the quality of healthcare in Armagh in all its respects and responsibilities. We have been very well-served as a community.

It is regrettable that the trust did not respond to the petition that was signed by 9,000 local people seeking to save the 24-hour service. Out-of-hours services play a crucial role

as the first point of contact and provide urgent care and treatment at times when other services are closed. Instead of the provision that was previously available all day, every day, seven days a week, the trust has now moved to a pilot scheme that offers the service on a more limited basis of 9.00 am to 7.00 pm, five days a week.

Of course, that decision can be traced to the backdrop of reduced resources in the face of, it might be said, growing demand. The Member who introduced the Adjournment debate might want to reflect on and detail what action his party colleagues in the previous Executive took to support the former Health Minister to secure additional resources at a very critical time. I recognise the challenges that are faced by Minister Poots, other Ministers and, indeed, the trust. However, it is regrettable that anyone who requires the services of a minor injuries unit outside the hours that are now provided for will have a considerable distance to travel, either to South Tyrone Hospital in Dungannon or to the A&E in Craigavon.

We are a fairly diverse and far-flung constituency, much of which is rural. This will put a strain on the service provided to that rural population. I ask the Health Minister to give an undertaking that there will be no further dilution of the remaining services, such as the out-of-hours service; that he will look closely at the results of the pilot study and the ongoing service that is being provided; and that he will ensure that the trust has carried out all necessary procedures in arriving at this decision. I have no doubt that —

Mr Brady: I thank the Member for giving way. I did not want to interrupt Mr Irwin while he was eulogising the Minister; he was in full flow. I absolutely agree with Mr Kennedy, but one of the points that my colleague Cathal Boylan made was that, after closing time in the minor injuries unit, people have to travel to Craigavon. More so than most of us, you are in a position to realise the public transport difficulties. I am not trying to be facetious, but would that be factored in to any long-term planning? Under Transforming Your Care, there may be other changes about which we do not know. Is that in your vision and on your radar? People who do not have access to cars have a genuine difficulty.

Mr Principal Deputy Speaker: I will draw your attention to the fact that Mr Kennedy is here as a private Member for Newry and Armagh, not as a Minister.

Mr Brady: With respect, Principal Deputy Speaker, I accept that, but it is hard to divorce him from his position.

Mr Principal Deputy Speaker: It may be hard, but he is here as a private Member, not as a Minister.

Mr Kennedy: I am grateful for the advice from the Principal Deputy Speaker. The Member has put his views on the record. Clearly, I have other responsibilities outside this debate, and, if a thing is to be called joined-up government, I can accept the Member's point. However, what he is talking about is not without its problems or its challenges either. We are all in a challenging situation, but I think that it is essential that the maximum amount of healthcare is available at the point of need to our constituents in Newry and Armagh, and, particularly in this case, Armagh city and the surrounding district. I very much hope that the Minister will listen closely to the points that were made and to the concerns about ongoing support and service to those people who want to make sure that

their representatives are speaking for them in a debate of this nature.

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle, agus tá áthas orm páirt a ghlacadh sa díospóireacht thábhachtach seo faoi chúrsaí soláthar leighis i gceantar agus i gcathair Ard Mhacha. Go deimhin, do thugais féin rún chuig an Tionól sa bhliain 2009. Ar an drochuair, níor éistíodh liom an lá sin; tá súil agam go bhfuighidh mé éisteacht níos fearr sa lá atá inniu ann.

Thank you very much, Mr Principal Deputy Speaker. I welcome the opportunity to take part in this important debate, and I thank Mr Boylan for securing the time in the Chamber. Indeed, we debated this topic previously when I secured an Adjournment debate back in 2009. Unfortunately, on that day our pleas were not listened to, nor were the pleas of the people of Armagh. The Minister's predecessor decided to close and relocate services out of Mullinure Hospital to Dungannon and Lurgan. I hope that today's time will be spent more fruitfully with the present Minister.

As Mr Boylan said, there have been more changes to the services with the relocation of the minor injuries unit from the Mullinure site to the community hospital at Tower Hill. In itself, relocation of services is not an issue. Co-locating the minor injuries unit, the GP out-of-hours services and community hospital services on the one site makes very good sense. However, it does not make sense in my mind, nor in the minds of the people of Armagh and district, to reduce hours in, for example, the minor injuries unit in Armagh. In March, I attended the Southern Trust's board meeting to try to persuade it against its decision that has meant that Armagh city and district is left with no evening or weekend cover. If local residents need access to a minor injuries unit after 7.00 pm or at the weekend, they will have to travel, as was said earlier, to Dungannon or to one of the emergency departments in Dungannon or Newry. That does not make sense because our emergency departments are already under pressure, and we should not further pressurise them with minor injuries.

Health provision does not begin or end at the community hospital or minor injuries unit. I rise to express concerns about the condition of the health estate across the greater Armagh area. Armagh goes beyond the primate's wall, and that is the crux of the matter in my view. Beyond Armagh, there are rural communities in Clady, Granemore, Derrynoose, Madden, Middletown, Killylea, Tullysaran and in many other hamlets and villages in between. It is a very rural part of Northern Ireland, and the view of the community in those areas is that health services do not stretch beyond Craigavon. Indeed, at one time, Armagh had numerous hospitals such as St Luke's, Mullinure, Tower Hill and the City Hospital. However, in recent years, those hospitals have been closed, one by one, and with their closure came the withdrawal of services.

In time of need, our first point of contact is quite often the local GP surgery. However, if you look at the GP accommodation at Willowbank in Keady or at the Richhill health centre, you will see excellent GPs offering an excellent service in what can only be described as substandard, cramped conditions and out-of-date accommodation, yet a £300,000 centre for adults with learning difficulties remains unused and empty in Keady

five years after it was completed. Is that a good use of resources for Armagh?

Today, I take the opportunity to ask the Minister to review health provision in the Armagh area. We need a strategic view and a plan for the future that will build on and invest in the services offered at Armagh Community Hospital and support the services at Daisy Hill in Craigavon. As I said earlier, we need investment in the GP surgeries in Keady and Richhill and increased hours at the minor injuries unit in Armagh to recognise the rural hinterland that that unit serves. As Mr Boylan pointed out, we also need maintenance of the GP out-of-hours service.

I have already indicated the feelings of the community, and several Members have referenced the well-supported petition on health. Many people in the Armagh area believe that their services are not funded to the extent that is needed. They have witnessed those services crumble in recent years at a time when the population of the Southern Trust is growing. It has both the youngest and oldest population in Northern Ireland, yet the Southern Trust is underfunded by the Department's capitation formula. I appeal to the Minister to protect the services that are left in Armagh, keep them close to the community and bring forward proposals to address the very serious inadequacies in health provision in the greater Armagh area. Sin a bhfuil le rá agam anois. Go raibh céad maith agat as an deis cainte.

Mr Poots (The Minister of Health, Social Services and Public Safety): I am grateful for the opportunity to hear the views of Members on this issue. As Health Minister, my vision is to ensure that services provided by health and social care providers meet the needs of patients, clients and local communities, and my aim is to continue to support the development of high quality integrated and responsive primary and community care services that will benefit all those who live in Northern Ireland. The people who work in health and social care services — the doctors, nurses, therapists, administrators, ancillary staff and managers — are the true determinant of high quality services. It is they who deliver the high-quality service for patients and clients. I am strongly committed to the principle that health and social care services should be driven by, and be responsive to, the needs of patients, clients and their carers, and I believe that truly high-quality health and social care services can only be delivered when they are resourced and designed around the needs of people who use them.

6.30 pm

I realise that some people are anxious and concerned about the future of our services, especially in the present financial climate. I understand and share their concern, but with strong leadership involving people and effective planning, I believe that the challenges we face can be met.

The vision that I have for health and social care is one that will drive up the quality of services and outcomes for patients, improve outcomes and enhance the patient experience. I want to ensure that service users are at the heart of everything we do. Patients are entitled to receive the right care in the right place at the right time. They are at the centre of our policy developments and our planning assumptions. The design and delivery of services that meet needs and expectations is what really matters to patients.

One of my key objectives, which I frequently refer to, is the development of an enhanced role for primary care, working hand in hand with healthcare providers and patients in designing and delivering consistently high-quality safe and needs-based care in community settings.

In relation to the minor injuries unit, the Southern Trust has recently made changes to services in Armagh with the centralisation of services at Armagh Community Hospital. The service at Armagh Community Hospital had its opening hours extended to 7.00 pm. The minor injuries unit at the Mullinure site, which provided a service overnight at weekends, has closed. Unfortunately, that service was not well utilised, with one patient attending every three hours. In times of financial constraint, we cannot afford to spend money on staff waiting for patients to come to a facility. We need to have the patients to justify it.

Decisions relating to the provision of local minor injuries services are matters for the local health and social care trust to determine in consultation with local people. Indeed, I understand that the pilot scheme, extending the opening hours of Armagh Community Hospital to 7.00 pm, was the result of discussion with the local council, prior to public consultation. I know that the Mullinure minor injuries unit was greatly valued by some of the local population; however, it is essential that we make the appropriate use of health service resources. Mr Kennedy indicated that the previous Minister struggled somewhat with resources, and the truth is that we have to take decisions like this to properly utilise the resources that we have, otherwise somewhere else suffers. We simply cannot afford to spend money on a service that the public are not using, for whatever reason.

I understand, too, that some people are fearful that Armagh is losing a safety net of sorts by not having access to the unit overnight and at weekends for minor conditions. There is no question of Armagh being left without access to urgent and emergency care because of the closure of Mullinure. Emergency care is available from Craigavon Area Hospital, and the 999 service is available for serious emergencies. The GP out-of-hours service will provide urgent care, and the South Tyrone Hospital MIU provides minor injuries services seven days a week.

The Health and Social Care Board launched a public consultation in the strategic framework for GP out-of-hours services in June. The purpose of the framework is to facilitate the development of future provision of GP out-of-hours services across Northern Ireland. The framework focuses on how access to GP out-of-hours services can be simplified and where opportunities to align those services with other healthcare services can be maximised and made efficient. At the same time, it also ensures that safe and effective GP out-of-hours services are available to all our population.

GP out-of-hours services are a vital component of the health and social care system. As a first point of contact for the public, they provide urgent advice, care and treatment at a time when GP surgeries are closed. The consultation on the strategic framework reflects the need for GP out-of-hours services to evolve and develop in order to accommodate the changing healthcare system in Northern Ireland. The recently published report 'Transforming Your Care' (TYC) proposes changes to the way in which health services are delivered in local communities. The need to provide the right care in the right place at the right time is

a key principle of that change, and the development of GP out-of-hours services across Northern Ireland will be an essential component.

The public consultation will enable Health and Social Care staff and public and key stakeholders to contribute their views to the future design and configuration of GP out-of-hours services. The consultation period will run for 13 weeks from June 2012 until Friday 20 September.

TYC implementation will mean bringing health and social care services closer to people in their home and their community — moving services out of hospitals where it is safe and appropriate to do so. That shift left will include a more personalised approach to care and an emphasis on moving resources towards prevention and health promotion. As part of the process, draft population plans were produced by local commissioning groups in liaison with the health and social care trusts and others. The population plans provide a basis for taking forward a number of TYC proposals, particularly in respect of the service configuration and the shift left of services from secondary care into primary and community care and the configuration of acute services.

The population plans have been based on criteria and guidance to ensure that the proposals put forward meet our needs for safe and resilient services and quality outcomes. The draft plans have been subject to quality assurance work over the summer period. The quality assurance work on the draft is being concluded. It is a critical process, involving input from a range of stakeholders. It will ensure that the population plans and the strategic implementation plan provide a sound basis for how our health and social care services are delivered in the future.

No decisions have been made on the final shape of services in the southern area. However, it should be said that I cannot undo decisions that were taken in 2008 and 2009 on St Luke's and other facilities. Those decisions are long past the post and are not something that I can change at this point.

Reference was made to transportation issues. Again, that is not in my bailiwick. Perhaps Members may wish to have a debate on that on another occasion.

Mr Boylan: I thank the Minister for giving way. I had an opportunity to attend the presentation on GP out-of-hours services. Although all of us in the House recognise that there is a reliance on cars, especially in rural areas, that matter came up in discussions about how the consultation would go forward. The discussion said exactly that: there is a requirement for cars in the countryside. Part of the process is that there will be access to services. However, I want to see a proper service provided, and that should be the starting point as opposed to the notion that it is OK because people in rural areas have cars and, therefore, they will be able to access services. If you take the district itself and the people out at the Derrynoose end, which is right on the border, who have to access services in Craigavon or 999, that is a long way away. I am sure that the Minister will take on board the fact that it is about the provision of service, and the tools to deliver that service are key.

Mr Poots: I am very well aware that public transport is not great in the Armagh area. When we looked at relocating office jobs in the health service to Armagh, one of the

objections that came from members of staff was the poor public transportation linkages. However, that is not something that I have any control over. It should be noted that, as regards business services, we have put 80 jobs towards Armagh, and that will be happening quite soon. We decided to have those jobs in Armagh and utilise the vacant facilities left in the health estate by previous decisions.

A consultation document is being prepared to assist the consultation process that will issue with the revised draft strategic implementation plan and population plans. The consultation process should be launched within the next month. The consultation will be supported by a wide range of engagement events that will allow patients, service users and the wider public to have their say. Any decisions on the future configuration and provision of services will be informed by the consultation. Any major service changes will be the subject of a separate consultation. As outlined earlier, my aim is to bring about change in our health and social care system to deliver better prevention and early intervention, so that that care is more patient-centred, closer to home, resilient and safe, and delivers the best possible outcomes well into the future to meet the needs of citizens in Northern Ireland.

Adjourned at 6.40 pm.

Northern Ireland Assembly

Monday 24 September 2012

The Assembly met at 12.00 noon (Mr Speaker in the Chair).

Members observed two minutes' silence.

Assembly Business

Exclusion of Minister

Mr Speaker: The first item of business is a motion signed by 30 Members, under section 30 of the Northern Ireland Act 1998, in relation to the exclusion of the Minister for Social Development from office.

The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. The Minister for Social Development will have 15 minutes to respond. All other Members who wish to speak will have five minutes. I advise Members that the vote on the motion will be on a cross-community basis.

Dr McDonnell: I beg to move

That this Assembly, in accordance with section 30 of the Northern Ireland Act 1998, resolves that the Minister for Social Development no longer enjoys the confidence of the Assembly and that he be excluded from holding office as a Minister or junior Minister for a period of three months because he failed to observe the terms of paragraphs (cd) and (g) of the Pledge of Office and the sixth paragraph of the ministerial code of conduct, in that he failed to promote good community relations and did not condemn actions which were contrary to the rule of law in his public response on 25 August 2012 to the sectarian behaviour of the Young Conway Volunteers flute band on 12 July 2012 and their illegal violations of a Parades Commission determination.

This House was constituted in order to give power back into the hands of local people so that we could mould our own future: a future free from fear; a future founded on respect; a future where the rule of law took the place of the rule of terror; and a future where our communities could come together in partnership, showing tolerance for our differences and embracing dignified compromise. Some of us have even dared to dream, for over 40 years, of a civilised society where that might be possible. We dared to hope that we were moving in the right direction. After all, we have the local Executive taking charge of our regional affairs, with many people showing leadership as we strive to achieve our aspirations.

A cold and cruel shadow was cast over those hopes this summer when the ugly, ugly face of sectarianism showed itself outside St Patrick's Church on Donegall Street in north Belfast on 12 July in the form of the Young

Conway Volunteers Flute Band. The Minister for Social Development, who represents the area, was asked whether he could condemn the actions of the band. He failed to do so. He ducked and dived and in fact, in the end, he justified them. He said that the band was simply playing a pop tune, that it was not really provocative, that it was outside an empty building and that there was nobody there to be provoked. On 25 August, that same band joined a number of other bands to defy a legally binding determination by the Parades Commission that they should not play music while walking past St Patrick's Church. The Minister was asked to condemn that illegal activity, and he failed to do so again. Instead, he tried to justify those defiant acts of criminal disobedience as some sort of minor civil disobedience.

When Nelson McCausland became a Minister, he signed up to the ministerial code, which includes a Pledge of Office and a code of conduct. In those, he promised to uphold law and order and to promote good community relations. We contend that his failures to condemn the actions on those two occasions — we accept that he condemned belatedly the violence that arose from that — constitute a failure to uphold law and order and to promote good community relations, and he must face the consequences. Members on the Benches opposite are keen to trumpet an unwavering commitment to the rule of law when it comes to rioting or provocative behaviour on the part of others — they are right to do so — and so are we. However, justice is based on balance, and we must be brave enough to condemn provocative and illegal actions among our own communities, friends and associates. That is where the Members opposite fall down, at least when it comes to the parading issue.

Let us be clear: whether or not we like the determinations of the Parades Commission, it is the only regulatory body for parades that we have. Members from all parts of the House have had cause to disagree with it at various times. In some instances, we have fervently disagreed with it, but it is the law and its decisions are binding. Therefore, to break its determination is to break the law. Do not just take my word for it. I want to take you back to a quotation from the First Minister, who is present here. On 5 September, speaking on camera in response to a question about whether he condemned the breach, he said:

"I condemn the decisions of the Parades Commission but when those decisions are taken then that becomes the legal requirement."

The legal requirement is a requirement under the rule of law. Mr McCausland did not condemn that breach of the

requirement and did not visibly uphold the rule of law, and, in that, he broke the ministerial Pledge of Office.

The behaviour of bands and their supporters on the Twelfth and on Black Saturday was triumphalist, provocative and moved far beyond any legitimate celebration of culture into an ugly display of purported cultural supremacy. Representatives of one tradition feel that the legal determinations do not apply to them and that somehow or other they are above the law. That type of action pits one community against the other and does not lead to improving community relations. Mr McCausland did not condemn those actions and did not promote good relations, and he broke the ministerial code. Even more than that, for a long time, until the PSNI advised him to take it down, he put at risk a human rights activist and a parade monitor by publishing his private address on a blog. Those are not the actions of someone keen to serve the whole community.

The prima facie case against the Minister is clear and unambiguous. He has a duty to keep the promise he made when he took office, and he has failed in that duty. He failed to condemn those breaches. More than that, he tried to excuse, justify and condone them. He hid behind the deeply disingenuous defence that it was some sort of minor civil disobedience. This was disobedience, all right, but it was anything but civil. It was a display of contempt and disrespect and a celebration of sectarianism. Clearly, it was illegal disobedience.

Mr McCausland tries to dismiss our action and our questioning by saying that the SDLP has no right to object to civil disobedience because it was born out of civil disobedience. He is right: we were born out of the civil rights movement that swept across the globe in the 1960s. Men and women everywhere were fighting for justice, fair play, respect, an end to gerrymandering and an end to job and housing discrimination, all of which were propagated by a discredited regime sitting in this House. We stand by our record. Civil disobedience was sought for basic human rights. It was not illegal disobedience. *[Interruption.]*

Mr Speaker: Order.

Dr McDonnell: No one could condemn those who campaigned at Caledon or marched across the North for human decency and respect. They were not marching for division. They wanted a sense of fairness, not supremacy, to prevail. However, you can condemn the actions of the Conway band on the Twelfth and of those who broke the lawful determinations of the Parades Commission on Black Saturday. Make no mistake: that was not civil disobedience; that was a criminal act, criminal disobedience.

The Minister is a theologically minded man. He may be aware of the concept in some biblical teachings of the sins of omission. That is what we ask him to make atonement for today, because he has shown that, however noisily the DUP has shouted over many issues in the past 40 years, inactions often speak louder than words. In doing so, we have appealed for broad support. We are pleased to bring Sinn Féin on board after a long period of discussion, and we will be pleased to walk through a Lobby today with its Members, the Green Party and others. Likewise, though they, disappointingly, did not sign the motion, we are delighted that indications from the Alliance Party are

that its Members intend to take a principled stand on this matter too. *[Interruption.]*

Mr Speaker: Order.

Dr McDonnell: To others in the Chamber, let me say that we are not trying to score points off an individual or a party. *[Laughter.]* That profits nobody, and silly schoolboy giggling does not help us either.

Mr Speaker: Order. Allow the Member to continue.

Dr McDonnell: We are not playing petty politics here. *[Interruption.]* This is a serious matter.

Mr Speaker: Order.

Dr McDonnell: This is a very serious matter. *[Interruption.]*

Mr Speaker: Order.

Dr McDonnell: The dignity of the House, our Executive and individual Ministers is at stake. We are not, as the Minister would have it, pursuing a narrow, sectarian agenda. *[Interruption.]*

Mr Speaker: Order.

Dr McDonnell: No, No. Sorry, Mr Speaker — *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Dr McDonnell: The Minister does not have to look to me. He has only to look at his DUP ministerial colleagues: Mr Poots, Mrs Foster, Mr Wilson and, indeed, the First Minister himself. They are not guilty of this stupidity.

Mr Speaker: The Member's time is almost gone. *[Interruption.]* Order.

Dr McDonnell: This is a blatant breach of the ministerial code of conduct and the Pledge of Office.

12.15 pm

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Tugann Sinn Féin tacaíocht don rún leis an SDLP, agus molaim an rún don Tionól. Sinn Féin is jointly supporting this motion with the SDLP and recommends the motion to the House. I thank my colleagues in Sinn Féin and the SDLP. Gabhaim buíochas le mo chomhghleacaithe i Sinn Féin agus san SDLP.

No right-thinking person who watched the sectarian scenes outside St Patrick's Church could have come to any conclusion other than that the determination issued by the Parades Commission had been deliberately breached, with the intention of causing offence to the community and the parishioners of St Patrick's. Using the excuse of civil disobedience is a nonsense to justify unacceptable behaviour retrospectively. Minister McCausland repeatedly failed to condemn the sectarian behaviour of the bands and their supporters. Nelson McCausland is a Minister in the Executive, and it is important that he shows political leadership. There is a simple, sensible solution to all this: Nelson McCausland should apologise immediately. The question is whether he is prepared, even at this stage, to encourage the loyal orders to engage with residents. Tá seans aige a thaispeáint go dtugann sé tacaíocht don réiteach. He has an opportunity to show that he is for solutions. The responsibility of Ministers is to lead, not to pander to sectarianism. I ask Minister McCausland whether, on reflection, he would do anything differently.

I end by paying tribute to all those who have worked in the interfaces and communities — the churches, the ex-prisoners on all sides and members of the Policing Board — to ensure that we build a society that is free from sectarian harassment. Their work is in stark contrast to the failure of leadership to date of Nelson McCausland.

Mr P Robinson: As a society, we have moved forward very considerably. We have made real progress, and it is in that context that I find today's motion not only disappointing but, indeed, depressing. The proposer said that his motion was not part of a narrow sectarian agenda. He is perfectly right: there is nothing narrow about it, but it is clearly a sectarian agenda with a sectarian tag team tabling the motion. It was, effectively, a sectarian rant from the proposer. I find it frustrating to waste time listening to this when there are many serious issues that the Assembly could be addressing. The Member will know that the motion is one of the most serious kinds of motion to bring to the Assembly: it deals with the exclusion of a Minister. As he said, it is not because the Minister did anything; it is because, in his view, the Minister refused or failed to do something.

I note that there is a distinct absence of Ministers from the SDLP and Sinn Féin present, or I would ask them this directly: does the SDLP Assembly membership condemn the breaking of the law, the entering and possession of houses and the illegal parades carried out by the civil rights movement and the founding fathers of its party? Will one of them stand to their feet now and say that they condemn that? Will any Member of Sinn Féin, which is happy to be the dog wagged by the SDLP tail, stand up and condemn the brutal murders that took place in Northern Ireland as a result of the actions of the Provisional IRA? Will any of them stand up and condemn the Provisional IRA for that? Not one of them. All of them are guilty of a refusal to condemn the very thing of which they accuse the Minister. The people who tabled the motion, which condemns the Minister for not doing something, are not prepared to do it themselves. They were invited to do it, and they failed to do it. That shows you the kind of motion that we have before the Assembly today. They never believed that their motion would be successful. They knew that their motion required a cross-community vote, and they knew that it would be rejected. Not only do they not have a case to bring to the Assembly but they knew that the so-called case would be rejected. We have to ask ourselves, therefore, why they brought the motion. What was the purpose? There is only one purpose, on which the SDLP and Sinn Féin are united, which is to raise tensions in the preliminary stages of a march that will take place this weekend. There is no other purpose. They have been doing it outside the Chamber, which is why I know that this is part of that same proposition. They choose a Minister from north Belfast and decide to try to demonise him, just as they have attempted to demonise the unionist community as a whole. They have been going to the Parades Commission to try to hike up the tensions, and they have been ratcheting it up with their statements. That is what this is part of. You heard that in their remarks. Those remarks did not directly relate to the Minister but to the issues around St Patrick's.

Let us be very clear: I warn the Members opposite of the dangers involved in heightening community tensions at such a time. I believe that the Orange Institution has taken a very responsible position. It recognised that there was a

problem at St Patrick's, it met the parish priest there and invited him to bring along whomever he wanted —

Mr G Kelly: Will the Member give way?

Mr P Robinson: No, I will not give way. I have only five minutes, so I have very few seconds left.

It did the proper thing. It tried to deal with the problem and came forward with a resolution that said that its members would show respect and play hymns as they went past the church. That seemed to be removing the tension. The Black Institution suggested that it wanted to apologise, and the Orange Institution endorsed that. I would have thought that they had taken all the steps to reduce community tensions, while the parties opposite are doing everything that they can to heighten those tensions.

Mr Speaker: The Member's time is almost gone.

Mr P Robinson: They should be ashamed.

Mr Attwood: Will the Member give way?

Mr P Robinson: If the Members wants to say that he is going to—

Mr Attwood: Will the Member give way?

Mr P Robinson: I will give way to the Member — *[Interruption.]* Do not harangue me from the back.

Mr Speaker: The Member will have a minute added to his time.

Mr Attwood: Will you give way?

Mr P Robinson: If the Member wants to stand and condemn the founding fathers of the SDLP for civil disobedience, I will certainly give way to him. Is that what he wants to do?

Mr Speaker: The Member's time is up.

Mr P Robinson: Is that what he wants to do?

Mr Attwood: Will you give way?

Mr Speaker: Order.

Mr P Robinson: He does not want to do that. He refuses to condemn them.

Mr Speaker: Order. The Member's time is gone.

Mr Nesbitt: The motion is couched in the rules and protocols of the House. However, outside some sort of forensic examination of paragraphs (cd) and (e) of the Pledge of Office and the sixth paragraph of the ministerial code of conduct, this is a broader issue. The two contexts in which we have to view the motion are inside and outside the Stormont bubble. Inside the bubble, the motion proposes that we tell Nelson McCausland that we no longer have confidence in him. I am no apologist for Nelson McCausland, and I am no apologist for the Democratic Unionist Party. My councillors tell me about the verbal kickings they get every week up and down the country, and I observe how some of my colleagues are treated by the Democratic Unionist Party in the Chamber. It tends to tackle the man or the woman instead of the issue. *[Interruption.]*

Mr Speaker: Order.

Mr Nesbitt: That does not, in any sense, promote good relations, and that is not the way that I want to do politics.

When the late Harold McCusker opposed the Anglo-Irish Agreement, he went to jail — twice, from memory — because he felt so passionately about what was happening. However, he took that on himself and did not, at any time, take to the streets and risk provoking a riot. Indeed, I am pretty sure that there are pictures of him opposing a riot and stopping violence outside Maryfield. He also, of course, sat with Frank Millar, then of my party, and Peter Robinson of the —

Mr Speaker: Order. I have given all Members some latitude in and around the motion. Once again, I am listening to the Member very carefully — *[Interruption.]* Order. Let us, as far as possible, stick to the motion that is before the House and allow the Member some latitude as well, of course.

Mr Nesbitt: Mr Speaker, I am grateful for your latitude. I was attempting to give context, but, as you desire, I will go to the context of the day.

Will we support a motion of no confidence in Minister McCausland? Well, we will have to factor in issues such as the conduct of Conor Murphy during his time as the Minister for Regional Development, John O'Dowd's trouble with public appointments and the questions being asked about employment trends in DCAL. It seems to me that many processes are honoured in the breach, rather than the practice. We have tabled a question for urgent oral answer about the appointments process for in respect of the Maze/Long Kesh, which was due to be answered on Tuesday. I would rather debate that, but we still do not have the answer to provoke a debate.

The Ulster Unionist Party would like to use the debate to put down a marker. Everybody needs to be careful about their words and actions, and I urge all Members to remember the week that is in it outside the Stormont bubble. We need to set the tone and demonstrate leadership this week. If mistakes have been made and we could have done better, we need to show leadership by standing up and accepting that we made a mistake and could do better. We need to say so. Are we going to endure the decade ahead of us, just get through it or celebrate it? My party will listen to the debate carefully and then decide.

Mr Dickson: Mr Speaker, thank you for the opportunity to participate in the debate. The Alliance Party will support the motion. *[Interruption.]*

Mr Speaker: Order, Members.

Mr Dickson: The tensions and fears around parading this summer and the sickening violence that accompanied it, leading to the injury of dozens of our police officers, are symptoms of ongoing problems in this society. In the year that has been described as "Our Time Our Place", when we are inviting the world to come to Belfast, those scenes of violence and disorder are easily shared digitally across the world. They have done nothing for our global image. In that context, it is especially important that those in positions of leadership, particularly Executive Members, show leadership in support of the rule of law. Quite simply, there is no other way.

People may not like the rulings of the Parades Commission, but, if we are to have a debate on changing and reforming that body, it should not take place in the middle of the parading season or in the street or in the

midst of violations of its rulings, violence and disorder. The debate should take place in this Chamber. Whether one views the commission as flawed or imperfect, it currently provides the only way of making such determinations until others in this Chamber come together to negotiate a viable alternative.

As elected representatives, we have a duty to encourage those involved in parades and those opposing parades to abide by the commission's rulings. However, there is an even higher standard required of our Ministers: not only to abide by the rulings of the Parades Commission but to uphold those rulings. By failing to support its legally made determination and clearly condemn the violence and the threat of violence, this Minister has undermined good relations, support for the police and the rule of law. We believe that that stands as inconsistent with holding ministerial office. The pledge of that office requires him:

"to uphold the rule of law based as it is on the fundamental principles of fairness, impartiality and democratic accountability, including support for policing and the courts as set out in paragraph 6 of the St Andrews Agreement;"

That demands support for all policing and criminal justice institutions. We cannot have different standards in Northern Ireland or standards that are different from other jurisdictions.

The Minister said that he could not condemn the actions of the band in breaking the commission's ruling, even though the footage appeared very quickly after this occurrence. He said that it was because the investigation had not been completed. Yet, the same Minister rightly condemned the conduct of dissident republican rioters in Ardoyne in July when a video appeared showing a gunman firing shots at the police. The investigation had not been completed in that case, but the Minister condemned it anyway.

The issue is not whether violence occurs or the commission's rulings are broken but whether the law is violated. If evidence exists that the law was broken, condemnation should be forthcoming. Perhaps Winston Churchill was right when he said that unionists

"uphold all law except the law they choose to break."

When Ministers in Westminster have broken the ministerial code, they have apologised. Our society should demand nothing different. If we are to move beyond division and into normalisation, the standards of modern democracy must be upheld.

Some may see this motion as pointless. It has already been pointed out that the Democratic Unionist Party can block it under the cross-community voting rules. I appeal to others to help us to avoid that. Nevertheless, the debate can serve as a proxy to enable MLAs to state clearly their views on the importance of the rule of law and to censure the Minister for his repeated failures in that regard. We hoped that he would apologise and retract his comments, and we still believe, although comment has been made about the sensitivity of the situation at this late hour, that the Minister would do so. That would help to resolve the situation rather than add to the tensions.

This is not about political opportunity or opportunism on the part of the Alliance Party. Our record is clear. We took out indictments in July 1996 against the DUP and

the Ulster Unionists; in January 1998 against the Ulster Democratic Party; and in February 1998 against Sinn Féin. On all three occasions, the British and Irish Governments were annoyed with the Alliance Party. However, our actions, arguably, brought some added integrity to the talks, assisted a positive outcome and helped delivery and commitments, in due course. By supporting the motion, we hope to bring some integrity back —

Mr Speaker: The Member's time has almost gone.

Mr Dickson: — to our political process and the institutions, in moving forward.

12.30 pm

Mr Campbell: I share the sentiments and comments of the First Minister in expressing disappointment at the fact that a motion such as this has come before the Chamber, given the other problems that Northern Ireland faces not just over the course of this week but in the weeks and months ahead. Unfortunately, those who tabled the motion have chosen to do so, and we must respond.

As the motion comes from the SDLP, the unionist community will look on it as extremely rich to attack and criticise a unionist Minister for a statement that he made regarding civil disobedience. Of all the parties in Northern Ireland to lambast, criticise or bring a motion against a Minister on the basis of a comment regarding civil disobedience, the past masters of civil disobedience are the SDLP. They almost patented the phrase. We will not go back to 1969 and 1970 and how they brought people onto the streets courtesy of civil disobedience, the outcome of which we are all only too painfully aware of. SDLP leader, Alasdair McDonnell, talked about daring to dream and daring to hope. The next phrase, which he did not use, was daring to do. Of course, they have gone and done it today, without thinking through the implications and criticisms that will come their way as a result of doing it. He used the phrase "criminal disobedience" twice. I do not think that we want to go back and rehearse all that happened in the exceptionally difficult circumstances that the Minister and every other political representative were faced with in July and August in north Belfast. Rather, we should try to ensure that we work towards a resolution of those problems.

I notice that neither the SDLP nor any other party tabled a similar motion when there were parades in Dungiven, in my constituency, and there were not one but two Sinn Féin Ministers present at the parade. In one of those parades, a republican band stopped to play outside the Church of Ireland church in Dungiven in County Londonderry. The same Parades Commission that Mr McDonnell lauded as an example of virtue indicated that there were no objections, despite having received a letter from me stating the objections months before that parade took place. However, there were no motions, no tabling of censure motions or criticisms in the press of Sinn Féin Ministers. Of course, we have had other instances of Sinn Féin Ministers' appointments to various bodies. You will be glad to hear, Mr Speaker, that I will not go off at a tangent, but there was no mention of censure there of Ministers who, on the face of it, appear not to have carried out their duties appropriately. The best that we can do with the motion is deal with it succinctly, positively, rationally and dismiss it as soon as possible.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt i dtacaíocht an rúin. I support the motion. The motion is before the Assembly because the Minister for Social Development failed to live up to the Pledge of Office that he took when he accepted his ministerial position on 16 May 2011 and, with it, all of his responsibilities. Whatever disappointments anyone has about the motion, its origin lies firmly at the door of the Minister for Social Development and nowhere else.

The pledge that he took is very clear and precisely defined in relation to a Minister's responsibility to uphold the rule of law. The code of conduct lays out how that pledge should be practised. In particular, the Minister, by stating that those who deliberately and knowingly broke a determination of the Parades Commission — in this instance, the prohibition of bands playing as they passed St Patrick's chapel on 25 August — were, in his words, totally justified, is in clear breach of that pledge.

A determination of the Parades Commission is legally binding, and those who deliberately and knowingly breach it are open to prosecution. In essence, the Minister is in contravention of the terms laid out in the Pledge of Office. The Minister for Social Development, somewhat belatedly, qualified his position by stating that those who broke the law were participating in an act of civil disobedience. Apart from doing a disservice to any definition of civil disobedience, it looked as if he was trying to recover from his inability to provide leadership by coming up with what can be best described as a fig-leaf defence. Ironically and significantly, those who breached the determination that day made no such contention. There was no statement from them on the day that that was an act of civil disobedience. Indeed, the organisers of the march, the Black Preceptory, issued a public apology for the offence caused by those who played music as they passed St Patrick's chapel. There was no support or succour given to any concept of civil disobedience.

Lord Morrow: I thank the Member for giving way. As he is talking about an apology, is it his intention today to apologise for the behaviour outside the local Church of Ireland church in Dungiven?

Mr Speaker: The Member has a minute added to his time.

Mr McCartney: You see, we are getting the defence today — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor. The Member must be heard.

Mr McCartney: We are getting the defence today, which is, "You have done this, you may have done that, and we may have done that." Let us stick to the issue. Was the Minister for Social Development — *[Interruption.]*

Mr Speaker: Order.

Mr McCartney: Every time someone from the opposite Benches gets up and points the finger in the other direction, in essence they are deeming their own Minister guilty. What was missing from all of that, and is missing now, is leadership. If there was ever a time for leadership, it is now. The Minister failed to show good and effective leadership on 12 July, when the YCV band danced a merry ring around St Patrick's chapel. He described that as normal behaviour. I have not been to too many Orange or loyal order parades, but I ask all Members here: is

it normal practice that, when a band stops, they dance around in a circle in the way they did?

Some Members: Yes.

Mr Speaker: Order. Members should not debate across the Chamber.

Mr McCartney: It is interesting. I ask Mr Nesbitt —

Mr Speaker: Make your remarks through the Chair.

Mr McCartney: Through the chair, I ask Mr Nesbitt: in all his time reporting, did he ever see that, or see it as normal practice? *[Interruption.]*

Mr Speaker: Order.

Mr McCartney: The Minister failed to show leadership by not calling for or facilitating dialogue between march organisers in August, and ever since. A lot of people this morning have mentioned the week that is in it. For the week that is in it, let us remember the example in Derry, where leadership worked and where dialogue delivered. The Pledge of Office that he, as Minister, took should point him in that direction, instead of trying to justify the unjustifiable.

Mr Bell: I have known Nelson McCausland literally since I was a baby, because he used to babysit me. Over those 42 years of my life, I have known Nelson to be a man of the finest Christian integrity. He is a man who has always upheld the law, who is one of the finest Ministers in the House, and who has worked hard across the detail of his brief.

When the motion came before us today, it was known that it would automatically trigger a cross-community vote and that it would automatically fail. People have to ask the question: why did they insist on bringing it forward? I do not know about the Members on the opposite Benches who tabled this motion, but I was out and about in Strangford at the weekend. People are talking about jobs and the economy, the impact of welfare reform and the good work that Nelson is doing trying to make sure that people who are caught in housing crisis and single tenancies, and the difficulties of that — they are looking to Nelson for the flexibility that he can show to protect them. Do we have a motion on the economy, on welfare reform, or on how we can assist people who are most in need? No. We have a sectarian motion. *[Interruption.]*

Mr Speaker: Order.

Mr Bell: The motion is sectarian in nature, because the Members on the opposite Benches will never condemn the sectarian behaviour of the protestors. They will only ever refer to the parade. Why is it correct for the IRA's supporters and bands to parade outside a Protestant church in Dungiven and never to get the same coverage in the media as the YCV band? Why is it OK to put up an IRA memorial to terrorists outside a Protestant church and for nothing to be brought before this House?

Mr Storey: Will the Member not also accept that the person who proposed the motion had no difficulty in standing with republicans of every hue, colour, shade and size in the village of Rasharkin during the summer? I never heard one condemnation of the antics and actions of those who brought discredit and disgrace to the village of Rasharkin, but that Member was quite content to

stand with those who had a sectarian agenda during the summer. There was no apology from him.

Mr Speaker: Order. The Member will have a minute added onto his time. I ask all Members to come to the debate that is before the House.

Mr Bell: I fully concur with the Member's point about the leader of the SDLP. I would have liked to hear him say when he is going to propose a motion in the House condemning the behaviour of Colum Eastwood and his colleague Durkan, who paraded behind dissidents. Does the D in SDLP now stand for dissident — sectarian and dissident? They paraded behind dissidents and then the masks came on and the gloves came out. Will the leader of the SDLP condemn the behaviour of those Members?

Mr Speaker: Order. I ask the Member to come back to the motion.

Mr Bell: It is a sectarian dissident leader who appears to be bringing forward this attack on Nelson McCausland, and he would do well to remember that when he points the finger at others, three point back at him; at least one at Colum Eastwood and at least one at Mark Durkan.

What I cannot understand is that we should be putting our minds towards facing the crisis of welfare reform. Nelson certainly is. Ninety minutes of his time has been taken up in the House by a motion that was going to fail from the very beginning. All I can think of are Bill Clinton's words, "It's the economy, stupid".

We need to go back and remember the words, "Let him that is without sin cast the first stone". The First Minister dealt with that to deafening silence. Mike Nesbitt does not know what his policy is. *[Interruption.]*

Mr Speaker: Order.

Mr Bell: We have Mr Mike "no policy" Nesbitt, who does not know what he is going to do at the moment. Let me tell you something, Mike. You said, in relation to Harold McCusker, who was a hero of mine —

Mr Speaker: Order. Members must not address other Members inappropriately.

Mr Bell: Through the Chair, let me talk about Harold McCusker, who was a hero of mine. I know that Mike Nesbitt is new to the game, but he clearly knows nothing about Harold McCusker's integrity, because he said that he never paraded illegally. As a 16-year old boy I watched Harold McCusker parade illegally round Belfast City Hall in protest against draconian laws, and he went to jail for it. So maybe he should learn before he makes foolish comments about some of the past heroes of unionism. Most people got a conference bounce; he got a conference poll that told him that he was behind the Alliance Party.

Mr Speaker: Order. The Member must return to the motion.

Mr Bell: Let us deal with the issue of the demonisation of the Orange Order. With no disrespect to the Members opposite, the Orange Order has been here for generations before them and will be here for generations after them.

Mr Speaker: Order. The Member must come back to the motion.

Mr Bell: Nelson McCausland has always sought to defuse tension and provide leadership on the ground. That is the

leadership that we need in advance of next weekend. Next weekend can and should pass off peacefully, and it is up to the Members opposite, because I believe that the only attack on that parade will come from supporters of each of their parties.

Mr Poots: The Member will recall that, on the day of that parade, seven police officers were injured by the protestors. Will he give others the opportunity to condemn the protestors who injured the police officers on that occasion?

Mr Bell: The Member makes his point very well. They will have an opportunity in summing up to condemn the protestors. Let us look to a new agenda and to a new future. *[Interruption.]*

Mr Speaker: Order. Members should not debate across the Chamber.

Mr Bell: I will say to Sinn Féin and Caitríona Ruane — if she would put down her book on Colombian birdwatching for long enough — that we will not take lectures from those who ethnically cleansed and shot people in churches and who held my grandmother, among other things. Do not talk to us, because the hypocrisy that stands from the IRA is self-defeating. Nelson is a good Minister. He is a fine Minister —

12.45 pm

Mr Speaker: The Member's time is gone.

Mr Bell: — and he will lead us well into the future.

Mrs D Kelly: I will make a couple of points before I get into the substance of what I want to say. A number of DUP Members have made reference to the business before us today, given what is needed in relation to the economy and job creation. However, I look with dismay at the business for today and the next couple of weeks, because nothing is coming from OFMDFM. In fact, the only DUP motion —

Mr Speaker: Order. I have warned all Members to try, as far as possible, to come back to the debate that is before the House. That goes for all Members. We should certainly not be discussing what business might be coming from the Executive. That is far outside the motion.

Mrs D Kelly: The SDLP refutes allegations of sectarianism, particularly from those on the Benches opposite. We have always put our face against sectarianism. The DUP can create as much hot air — it is good at that — as it likes to distract from Nelson's wrongdoings. However, the crucial distinction between advocating civil disobedience and criminal disobedience is not lost on the wider public. If we put parades, traditions and community divisions out of our minds for a moment and think about this carefully, we can see that the catalyst for the motion is immaterial, although we do take the parading issue seriously; very seriously indeed, but separately. This is about a blatant breach of the code of conduct and Pledge of Office. The Minister could have broken that in 100 different ways and 100 different circumstances, and we would have brought this motion in any of those events. That this breach is inextricably linked to parades is incidental.

The House has a duty to uphold the highest standards so that the people of the North — the people who put us here — can have confidence that those who make the rules

play by the rules. This motion would be coming here today regardless of how the Minister broke the code. It is about decency; it is about accountability; and it is about honour, something that frequently absents itself from the Chamber. Our electors voted for the Assembly to be brought into being in the hope that we could usher in a better future and more respectful society and that those who hold high office would work in the best interests of all the people of the North and strive to let the wounds of the past heal. That is why we have the ministerial code, and that is why it must be upheld.

We have expressed concern in the House at the actions of the Minister in his office. We have raged at his acquiescence to the Tory cuts to our welfare system, and we have questioned the efficacy of his actions, but we have always accepted that, however fast and loose he played with the workings of his Department and however much we disagree with his decisions, ideologically and otherwise, he acted until now within the code. No more. There are Members all around the House who have erred in the past, acted in ways that they are not proud of, or misspoke to the detriment of public confidence. We, as a society, have been on a long road towards learning how to forgive, and we still need to do that. However, forgiveness requires repentance. If rules are broken, sanctions must be imposed.

The Minister for Social Development has responsibility for a Department that affects every corner of our community, including our most vulnerable. Regardless of who they are, where they come from or what their backgrounds or politics are, they must be able to trust the man who is tasked with making their communities better. When Nelson McCausland failed to condemn the actions of those who acted to set communities against each other, he broke that bond of trust and his code of office. I ask all those who stand for honour, decency, prosperity and peace in our communities to go through the Aye Lobby with us this afternoon and make a stand not against parades or expressions of tradition but against a breach of our rules and the public trust.

Mr Weir: I normally say that I am glad to speak on the motion that is before us, but I speak today with a sense of weariness. Indeed, there is a stench of hypocrisy from those on the other side of the Chamber who put forward this motion. This is not about breaching the ministerial code, because there has not been a breach of the ministerial code. The Minister will deal with that in greater depth in his response. Nor, as others have said, is it about dealing with the key issues that face Northern Ireland; it is not about attracting jobs or seeing what we can do to improve our education service or health service. It is about nationalist chest-beating. It is about a party that is losing its relevance, with support in the latest opinion poll at 9%, trying to establish a sense of relevance in this House. *[Interruption.]*

Mr Speaker: Order.

Mr Weir: Let me give a little bit of advice to the nine per centers across the Chamber: you will not revive your electoral fortunes by engaging in petty political point-scoring or having your APSs carrying the coffins of a dead terrorist. We should remember that there is a code of conduct for APSs as well. Lobbying for dissidents who are in jail is also not the route to electoral recovery for the SDLP.

The motion is not trying to ease the tensions around the parades issue. Good work is being done by the loyal orders and others to try, through quiet diplomacy, to ensure that we have a peaceful way forward. Does this motion reduce tensions or exacerbate them? It is clearly intended to exacerbate tensions.

At the heart of the motion lies the issue of civil disobedience.

Mrs D Kelly: Will the Member give way?

Mr Weir: No, I have a limited amount of time.

Mrs D Kelly: You will get an extra minute.

Mr Speaker: Order.

Mr Weir: I have heard more than enough from the Member today to last me for quite a long time.

People should be reminded, as there seems to be a little bit of dithering from the Ulster Unionists on this issue, that in the 1980s DUP and Ulster Unionist members went to jail because they were involved in peaceful civil disobedience. They were convicted and jailed because they went onto the streets and walked on the Queen's highway. They were prepared to take their medicine. That should be remembered.

It seems that the party opposite regards civil disobedience as that rarity in the English language — an irregular noun. That party was born out of protest, out of a rent strike, out of boycott and out of taking part in illegal marches. Whenever that sort of civil disobedience occurs, they say that it is simply a way of trying to obtain fair play. Yet, when there is civil disobedience connected to the unionist or loyalist side, it is evil sectarianism. You cannot have your cake and eat it.

The main source of this motion is the SDLP. Until they are prepared to condemn their past, we will not take them seriously. As the First Minister put it, Sinn Féin is the dog being wagged by the SDLP tail. There is an utter hypocrisy when civil disobedience is raised by an organisation that was linked, year after year, to the murder of people. Indeed, I will only again take the argument of Sinn Féin seriously when their Members and Ministers get up and, one by one, condemn all of the murders that were committed in their name by the Provisional IRA. It ill behoves those who will not condemn murders to condemn the Minister today.

It seems that what we have is an exercise in chest-beating from both nationalist parties. Indeed, some seem to be joining in their wake.

This is a flawed motion, because there has been no breach. It is the wrong argument from people on the wrong side of history. Indeed, as has been indicated, it is a motion that is doomed to failure. However, perhaps a futile gesture by nationalist parties, which will ultimately end in defeat in this Chamber, is their fitting tribute to a century of Ulster remaining British and a century of the Ulster covenant. Perhaps this is a timely motion in that regard.

I urge Members to reject the motion on the basis that it is flawed, makes a spurious attack and is simply a chest-beating exercise.

Mr A Maginness: This motion is about values, it is about standards in high office and it is about a Minister who has

failed to live up to the values and standards contained in the Pledge of Office and the code of conduct for Ministers.

In contrast to the actions of the First Minister, the Minister for Social Development failed to condemn those who breached the legal rulings of the Parades Commission. The First Minister, by contrast, said:

"I condemn the decisions of the Parades Commission but when those decisions are taken then that becomes the legal requirement".

In contrast to the First Minister, he ducked and dived on 'The Nolan Show' when Nolan asked him three times whether he would condemn those illegal and, indeed, potentially criminal actions by those who breached the Parades Commission's decision. He was not capable of living up to the standards of a Minister. When you become a Minister, you take the Pledge of Office, and when you take the Pledge of Office, you are committed, inter alia, to paragraph 6 of the St Andrews Agreement, which states:

"We believe that the essential elements of support for law and order include endorsing fully the Police Service of Northern Ireland and the criminal justice system, actively encouraging everyone in the community to co-operate fully with the PSNI in tackling crime in all areas and actively supporting all the policing and criminal justice institutions, including the Policing Board."

Mr Speaker, you will note that that is not exhaustive but includes expansive support for all of our law-making institutions. That includes the Parades Commission. You may not like the Parades Commission, but you have a duty, as a Minister, to obey and uphold the decisions of the Parades Commission. If you do not do that, you are failing in your duty and failing in your Pledge of Office.

Further to that, paragraph 6 of the ministerial code of conduct states that a Minister is obliged to:

"operate in a way conducive to promoting good community relations and equality of treatment".

How did the Minister promote good community relations when he dismissed the despicable action of the Young Conway band outside St Patrick's Church, where he contemptuously referred to the fact that the church was empty and that, therefore, no offence or no provocation could, in fact, take place? What an offensive remark. How damaging was that to community relations? His subsequent failure to condemn the sectarianism — not just simply the defiance of the Parades Commission's decisions — shown by the Black and the bands and their supporters — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr A Maginness: — on 25 August —

Mr Humphrey: Will the Member give way?

Mr A Maginness: No, I will not give way.

That was giving comfort and support to that sectarianism, which appalled and offended not only the local Catholic community and the Catholic Church but any right-minded person who observed it. The Minister himself was there, and the Minister himself observed the obnoxious and sectarian behaviour of those who paraded on 25 August. That was appalling, and it is a breach of the ministerial

code. That is why the SDLP has brought this motion to the Floor of the House. It is to assert decent standards and to assert the values in the ministerial code. It is to get rid of the poison of sectarianism that afflicts our society and damages the body politic and has continued to do so with the sort of actions and inactions of the Minister. If the Minister is committed to the ministerial code, let him apologise and say to the people that he will, in fact, adhere to the ministerial code.

Mr B McCrea: Will the Member agree that the Minister has an opportunity in the way in which he responds to the debate to defuse what has become a rather rancorous debate and that, perhaps, an apology would go a long way?

Mr Speaker: The Member has a minute added on to his time.

Mr A Maginness: Thank you very much; I am grateful for that intervention. In fact, the Minister should apologise, irrespective of the outcome of the debate. He should apologise in the same way that a Cabinet Minister in Britain apologised for abusing a policeman. Compare that with what this Minister has done — *[Interruption.]*

1.00 pm

Mr Speaker: Order. The Member has the Floor.

Mr A Maginness: — in failing to condemn the breaches of the Parades Commission's rulings — *[Interruption.]*

Mr Speaker: Order.

Mr A Maginness: — and in failing to condemn the blatant sectarianism that was displayed on 25 August. *[Interruption.]*

Mr Speaker: Order. The Member's time is almost gone.

Mr A Maginness: I ask the Minister — indeed, I plead with the Minister — to apologise in the interests of good community relations —

Mr Speaker: The Member's time is up.

Mr A Maginness: — and in the interests of upholding decent standards in office. *[Interruption.]*

Mr Speaker: Order.

Mr Allister: Even if there were merit in the motion and it were carried by a majority in this House, the reality is that it has no effect. That, therefore, points up a greater issue than the subject of the debate. It points up the fact that this House effectively has no control over some Ministers, whatever they do. That is because, although there is a ministerial code and mechanisms for dealing with complaints of alleged breaches under that code, no mechanism exists that is foolproof and effective to deliver penalty for any breach of the ministerial code by a Minister from either of the two largest parties. Under the arrangements of the 1998 Act, the two largest parties have a veto on any motion of censure even if it carries majority support in the House. That is why this is a pointless exercise and why it points up a greater problem that needs to be addressed.

If anything positive and worthwhile comes out of this debate, it should be that that difficulty in the 1998 legislation is addressed. Of course, the SDLP was the craftsman of that legislation, and it honed, drafted and

helped to prepare it and very much has ownership of it. However, in today's terms, a veto was written in for the DUP and Sinn Féin where any censure of their Ministers was concerned. Yes, an SDLP Minister could be censured. Yes, an Ulster Unionist Minister could be censured and removed from office by the House, because they do not have a political voting payroll that is sufficient to block such a motion or a veto in a cross-community vote. However, the reality is that a Sinn Féin or DUP Minister is secure from that. That is wrong, just as the motion, in its focus, is wrong.

It is particularly wrong, as Sinn Féin constantly takes refuge in the reality that it is immune because it does the sort of things that Martin McGuinness did at Dungiven when he participated in a parade where people who were dressed as paramilitaries touted Armalites. He did all that confident in the knowledge that he is immune from any action in this House.

The House needs to address how we bring accountability to Ministers in the two largest blocks, because, at this moment, the rules do not provide any possibility of sanction or any remedy in those circumstances. Perhaps before it looks to Mr McCausland today, the SDLP should look to its construction of that legislation and ask why it was so constructed to give that protection and immunity. Unless that is sorted, a motion such as this is utterly a waste of time and will go nowhere, because it will be defeated by the blocking device in the arrangements of this House.

So, if you want change, you should change that, and then it will be time enough to tell whether a Minister has breached the ministerial code, because there will then be an opportunity to do something about it. In this case, I do not think that Mr McCausland has breached it.

Mr McNarry: What we have here is a charge of failure to observe the Pledge of Office and the ministerial code of conduct, linked to allegations — spurious, in my opinion — based on assumptions and interpretations of a failure to promote good community relations by not condemning actions that are contrary to the rule of law in a public response to the alleged sectarian behaviour of a single flute band. As this place is not a court of law and as the Member Nelson McCausland is not facing, as far as I know, any legal charges, what powers could the Assembly exert, even if it desired to do so, around section 30 of the Northern Ireland Act 1998, which requires, as you pointed out, cross-party support? Therefore, is not the motion impotent?

Have we perhaps reached a stage in this that is similar to the case of Spartacus? I do not compare Nelson to a persecuted and badly wronged slave; rather, I make comparison to many Members, including me, who are in the Chamber and who, if asked, would say, Spartacus-like, "I, too, am Nelson McCausland". What has happened is that erroneous charges have been levelled that could fit everyone who has participated in any form of exerting his or her own rights. Like Nelson McCausland, none of us would condone the breaking of the law — at least, not these days, in some cases. However, we would be open, honest and transparent when challenged about non-violent disobedience, just as Mr McCausland was. Therefore, it is disappointing to hear those who were previously articulate and passionate exponents of justifying civil disobedience

— even cases of violent disobedience — grandstanding on what they have called, lamentably, a matter of principle.

I regret to say that the motion has not been tabled for the good of the House or to encourage, if it were needed, better judgement from any Minister. Rather, to me, this is a sad piece of bitter recrimination. They have a fall guy to pick on, because of the people whom Mr McCausland honourably represents. That reflects more on the motion's signatories and their supporters than on anyone else. More to the fact, the motion will reflect badly in the public eye on all Members. It deliberately plays to a certain gallery and purports to represent its opinion. That suggests that there are crowds baying for Nelson McCausland's head through his dismissal from office. That is what the motion says. I do not see or hear those crowds, and I do not know where they are. However, I do see people who are turned off by this crass motion. I see people who are more concerned about employment, rising costs, education and health matters, caring for loved ones at home and fighting drugs and sex trafficking — all the things that we should and do debate from time to time. Those are the things that the public expect us to discuss, rather than this attempt at what I call pious hypocrisy.

Nelson McCausland has not broken any law. The House has no logical, practical or political reason to support the motion — no reason whatsoever. Values of office and standards have been referred to. The Minister's record shows me that he has upheld those values and standards, and he should not be persecuted in the House for doing so. I trust that the House will reject the motion.

Mr McCausland (The Minister for Social Development):

I want to say, right at the start, that I have not broken the ministerial code of conduct or the Pledge of Office, and I totally refute any suggestion to the contrary. Anyone who has read the transcript of what I actually said will know that already. Any public comments that I have made in the past or will make in the future do not need to be interpreted by the SDLP.

This afternoon's debate is totally unnecessary. The SDLP's decision to bring it forward has very little to do with parades and protests or, indeed, with mutual respect and good relations. It has much more to do with the desperate plight of the SDLP. The proposer of the motion, Alasdair McDonnell, took over the leadership of his party in November last year, and, in less than a year, he has managed to take support for his party down from 14% to 9%. That is quite an achievement, even for Alasdair McDonnell. In North Belfast, the sole MLA from the SDLP has held on to his seat with a declining vote, and, in the Oldpark electoral area, Councillor Mallon, who works in Mr McDonnell's office, is holding on by her fingernails. This is about the SDLP trying to retrieve some ground, not just in North Belfast but across the Province. We saw that some time ago with the party's ridiculous stance on the redevelopment and regeneration of the Girdwood site, and now we see it again in relation to parades, an issue on which, in the past, it has generally been almost invisible, as someone, on one occasion, painted on a gable wall not far from Ardoyne. Desperation can be a powerful motive.

A censure motion had been mooted by the SDLP for some days, but, when it was confirmed last Tuesday, I was sitting in the airport in London on my way back to Belfast after a meeting with Lord Freud and his officials on welfare reform. That is the sort of political work that Northern

Ireland needs, not the charade of this spurious motion. Today's debate is simply an unnecessary distraction from the real issues.

At first, the SDLP went on the attack in relation to what can be described as civil disobedience. That was its initial focus, but it was, as has been said, on very difficult ground, and it still is. The SDLP was born out of a movement that employed civil disobedience as a tactic, including the illegal occupation of public property. On his personal website, Alban Maginness states that he took part in a march in Londonderry that was in fact, although he does not state it, an illegal march. Yet, he is proud of his participation, puts it up on his website and picks out for special mention his participation in an illegal event. The founding fathers of the SDLP also advocated civil disobedience in 1971 when they launched a rent and rates strike. Will Alasdair McDonnell condemn his predecessors for their actions? Of course, Alasdair McDonnell is not a member of the Executive, and so I pose a second question: has Alex Attwood, who is a member of the Executive, condemned the founding fathers of the SDLP for their actions?

When we look at the record of the proposers of the motion, we see that it is clear that they are in no position to bring forward such a motion today without opening themselves up to charges of gross hypocrisy. Moreover, they were unable to bring forward the motion without the support of Sinn Féin. They needed the support of Sinn Féin; they pleaded for the support of Sinn Féin; indeed, they pleaded day after day and, eventually, they managed to get it. As Alasdair McDonnell told 'The Irish News':

"after an extended period of discussion, Sinn Féin decided to make common cause with us".

So, let us look at the new ground to which they moved, and it is on the issue of good relations. However, here again the SDLP has adopted a thoroughly hypocritical position. The SDLP demands high standards from Ministers in the Executive, but, surely, consistency requires that it also demands high standards from its own members. In that context, I noted the silence of Alasdair McDonnell when, on 17 April, one of the SDLP MLAs for Foyle, Colum Eastwood, participated in the paramilitary funeral of veteran republican Seamus Coyle, who had been a member of both the Official IRA and the INLA. The funeral included the firing of shots by a Real IRA gunman, and, as Mr Eastwood carried the coffin with its paramilitary trappings, he walked between two rows of men dressed in paramilitary uniforms. That was not just a funeral; it was a paramilitary display. *[Interruption.]*

Mr Speaker: Order.

1.15 pm

Mr McCausland: Later, Mr Eastwood defended his actions.

Mr Humphrey: On a point of order, Mr Speaker. As the Minister was making his contribution, the leader of the SDLP pointed to the Minister and said, "You do that all the time." Is that appropriate?

Mr Speaker: Order. I remind Members about their language in the House. Allow the Minister to continue.

Mr McCausland: Later, Mr Eastwood defended his actions. His defence makes interesting reading, but I did not hear Alasdair McDonnell or his deputy, Dolores Kelly, censure Colum Eastwood for his role in a paramilitary funeral. Alban Maginness was also silent on the matter. More significantly, Alex Attwood, a Minister in the Executive, was silent on the matter, and, even more significantly, the media did not rush to get Alex Attwood to condemn his party colleague. Meanwhile, the PSNI is investigating that funeral.

Just last month, several Sinn Féin Ministers were present at the annual republican hunger strike commemoration, which, this year, took place in Dungiven. There was no Parades Commission determination for that march. I noticed the part of the statement in relation to Ministers about equality of treatment, but there was certainly no equality of treatment from the Parades Commission. There was no determination with regard to Dungiven. Those Ministers were at an event that included young people brandishing replicas of weapons from the recent Troubles. That was no historical re-enactment of a bygone era but a re-enactment of recent terrorism. The Member for East Londonderry made a point about the band playing outside the parish church in Dungiven. Alban Maginness might want to take note of this: every Easter, the Volunteer Sean McIlvenna Republican Flute Band from Scotland plays republican tunes as it parades past two Protestant churches on the Whitewell Road, which is in his constituency. Of course, he has never commented on that, approached the Parades Commission about it or censured those responsible. Moreover, that was not the first time that replica weapons were displayed at that annual event. It has happened for a number of years. Even Sean Murray has said that it is time for change, and he is right. However, the SDLP does not see fit to censure the Sinn Féin Ministers who were there and who spoke at the event. Did the SDLP rush to censure those members of Sinn Féin? No, it did not. It has not sought to censure them this year, and it did not seek to censure them on previous occasions.

It was interesting to read the argument put forward by Sean Murray in the 'Belfast Telegraph' on 12 September. He wrote about the need for republicans to change to improve good relations. Surely, if it is an issue about good relations and if there are Ministers in the Executive who took part in that event, the SDLP should be rushing to censure them instead of seeking their support for a spurious motion. It is clear, therefore, that in bringing forward this motion —

Mr Attwood: Will the Member give way?

Mr McCausland: No. Mr Speaker, there is absolutely nothing that the SDLP —

Mr Attwood: Mr Speaker —

Mr Speaker: Order. It is quite obvious that the Member has no intention of giving way — *[Interruption.]* Order. The Member should not persist. The Minister has the Floor.

Mr Attwood: On a point of order, Mr Speaker. I ask that you make a ruling. On a number of occasions throughout the debate, DUP contributors have explicitly invited the SDLP to respond to points that they have made. When the opportunity to respond has been sought, Mr Robinson and Mr McCausland have refused to give way. Is that a proper use of parliamentary time?

Mr Speaker: All sides of the House and all Members who have spoken have taken quite a bit of latitude around the motion. If Members raise issues that are outside the motion, the Minister has every right to respond to those. That goes for all Ministers. Members complain to me about Ministers responding to issues. The simple reason for that is that Members have opened the debate further. So the Minister has every right to respond to all issues that other Members have raised in the House and which have opened up this debate. I have warned all sides of the House to try, as far as possible, to stick to the motion. Unfortunately, that did not happen, so the Minister now has every right to respond to all issues that Members have raised.

Mr P Robinson: On a point of order, Mr Speaker. Is it not the case — *[Interruption.]*

Mr Speaker: Order.

Mr P Robinson: Is it not the case that, when Members, as happens in a lot of debates, indicate that another Member in the Chamber should answer a certain question, that does not mean that they have to interrupt that Member's speech to do so. They have the opportunity to get to their feet and make their comments when called by the Speaker. That is what is called debate, and it was noticeable that the Minister did not want to take part in the debate.

Mr Attwood: On a point of order, Mr Speaker.

Mr Speaker: I will allow the Member in on a point of order, but let me say as well that it is the Member who has the Floor who decides whether he wants to take an intervention. Obviously, on this occasion, the Minister has no intention of doing so. That is where it ends, and we really should move on.

Mr McCausland: The Londonderry incident to which I referred took place on 17 April, the Dungiven incident in August. There has been ample opportunity — more than ample — for SDLP representatives and, indeed, the Minister to express their views or offer some sort of censure. It is clear, therefore, that, because of this different treatment, in tabling the motion, the SDLP has been both selective and vindictive. There was also the appalling incident at the Tí Chulainn centre in Mullaghbawn, where small children were dressed up as terrorists and given replica weapons. Sinn Féin leaders, including at least one Executive Minister, sought to explain away what happened, but did the SDLP rush to censure? Of course, they did not.

There is a tendency for Irish nationalists and republicans to suggest that only unionists are sectarian and that sectarianism does not apply to nationalists. I noticed that particularly in regard to the events on the last Saturday in August. That evening, I stood on the traffic island at North Queen Street. I looked across at the protesters at Carrick Hill. I do not know whether the SDLP Member for North Belfast was there, as I did not see him.

Mr A Maginness: I saw you.

Mr McCausland: Good, we now know that he was there. He certainly did not go out of his way to rush to condemn the crass, crude, appalling behaviour of the protesters who were standing at Carrick Hill. There was sectarianism on the ground that day, but the impression given by the SDLP is that it was all on one side of the fence. The fact is that it was a very unpleasant day and one that I would not want to see again, but this was —

Mr A Maginness: Is that an apology?

Mr Speaker: Order. Allow the Minister to continue. The Member should not debate across the Chamber.

Mr McCausland: I want to turn to the issue of sectarianism just to illustrate the point. As Alban Maginness has spoken, I will deal with him first. Speaking in the context of the housing needs of Roman Catholics in North Belfast, he at one stage described the Torrens estate as a windfall site. A windfall is generally seen as a piece of good fortune, but there was not much good fortune for the few Protestant families there, who suffered during years of sectarian attack and abuse and were eventually ethnically cleansed from their homes. Those words of Alban Maginness were deeply damaging to community relations in North Belfast, and I believe that they betrayed an undercurrent of sectarianism in nationalist thinking.

Today's motion was signed by Caitriona Ruane, who spoke earlier. I can well remember — it is indelibly etched on my memory — her interview with Wendy Austin on Radio Ulster when Sinéad O'Connor declined to take part in the West Belfast Festival because of the issue of punishment beatings. Caitriona's exact words were that punishment beatings were not a black-and-white issue. *[Interruption.]*

Mr Speaker: Order. Allow the Minister to continue.

Mr McCausland: The Sinn Féin Member is a former member of the Executive. When she was a member of the Executive, was she challenged to condemn those words? Does she condemn her own words, or does she stand condemned out of her own mouth?

Ms Ruane: Will the Member take an intervention?

Mr McCausland: No. You have had — *[Interruption.]*

Mr Speaker: Order.

Mr McCausland: Given that the comment was made in 1999, she has had nearly 13 years to explain it away. *[Interruption.]*

Mr Speaker: Order.

Mr McCausland: I understand that the incident on 12 July is now being investigated by the police. We must await the outcome of that process. A video clip taken by a member of Sinn Féin is only part of the evidence of what happened on the day. Moreover, the band in question has stated that it was not its intention to cause offence and has apologised for any offence that may have been caused. I welcome that. That point was reiterated in a joint statement issued in August by unionist politicians, loyal orders and representatives of the band sector. Recently, I and a party colleague met Father Michael Sheehan of St Patrick's and Father Tim Bartlett. They explained their position to us, but they also noted the apology, which they acknowledged had been almost overlooked. The way forward is the way of mutual respect. That is a point to which I will return. As regards the last Saturday in August, yes, there were things — I see that our time is almost gone, so I will come quickly to my final point.

The Parades Commission, in making determinations, is supposed to take account of the impact on community relations. The system is a bad system, but the situation is made even worse by the fact that the current commission is a particularly bad commission, whose decisions are characterised by incoherence and inconsistency. It is a

commission that has sought to deny the right of freedom of religious expression by prohibiting the playing of Christian hymns.

I remain focused on working with all sections of the community to deliver a long-term solution to the problems in north Belfast, as a local representative, and for the whole of Northern Ireland, in my role in the Department for Social Development. Whether it be socially, economically or politically, I and my colleagues are, first and foremost, interested in building a community that is peaceful and prosperous and in which sectarian behaviour and violence have no place.

Mr G Kelly: Go raibh maith agat, a Cheann Comhairle. I support the motion. I suppose it was to be expected that, in a debate like this, it was going to get a bit rough around the edges. It is difficult to finish off the debate and not make it worse, but I will try to do that.

Lord Morrow: Start in Dungiven.

Mr Speaker: Order.

Mr G Kelly: Well, let us start where this came from, Lord Morrow. We are talking about Nelson McCausland, which is important. He is a Minister —

Mr Speaker: Let us have all remarks through the Chair.

Mr G Kelly: We are talking about Nelson McCausland, who is a Minister: that is the big difference in the debate and much of the "whataboutery" that has been given by the other side of the House.

A community was very wronged. That is at the core of this. Although the debate is centred around the ministerial code, let us not forget what happened. What happened on the day is that an insult, a very specific insult, was given outside a Catholic chapel. That really only manifested the sectarianism that has been shown, time and time again, in the parades that go down past Carrick Hill. What happened at St Patrick's was a manifestation of something that has been going on and on and on for a very long time. The difficulty, I think, for the Minister, as has been pointed out by Alasdair McDonnell and many others, is that the remarks he made are not just an issue of omission; he defended the sectarianism involved. He talked about empty buildings, he refused to condemn what happened, and he actually pretended — he must be the only person in this Assembly who believes it — that the anti-Catholic song, the famine song, is some sort of pop song. He is from north Belfast. I do not know whether he supports Rangers, but I am sure that, if he has been to any football matches, he will have heard the song many times before.

Caitriona Ruane said that perhaps the way out of this is for the Minister to give an apology. Perhaps that is the way out of it. As other Members have said, we can go only so far in this debate. She also said that she welcomed all those — as I notice the Minister himself did — who are trying to make an effort to move the process forward. We are heading towards 29 September, and perhaps we can get dialogue that can do some good.

1.30 pm

Peter Robinson also talked about moving forward. He has engaged and made a number of statements about that, but he spent his time accusing the SDLP and Sinn Féin of sectarianism. This was a huge act of sectarianism. We

are debating something that was an act of sectarianism. Coming to the debate and blaming everybody else is not the way to drive this forward. We talk about trying to move the whole process forward, and a number of Members have mentioned quiet diplomacy. I would like to see the quiet diplomacy. I would like to know where it is going on because there is no evidence of it. Peter Robinson talked to the Orange Order, along with many other unionists and loyalists, and he came out of that meeting saying —

Mr Bell: On a point of order, Mr Speaker. Your ruling last Monday, if I understood it, was that, when matters are clearly in the public domain, Members should be accurate in what they say. The Member for North Belfast has said that there is no quiet diplomacy going on, but he has been in meetings with me in the Executive room as we have sought to deal with the issue. He knows that there are meetings going on with the Roman Catholic priest and parishioners, so can I ask you to rule at some stage on that accuracy that you referred to last Monday?

Mr Speaker: Order. I said last Monday that Members should be careful in how they address the House and not put words into Members' mouths. However, the Member has it on the record, and I am sure that the Member will want to respond.

Mr G Kelly: Go raibh maith agat, a Cheann Comhairle. Maybe the Member should read Hansard tomorrow as well. He is talking nonsense also.

Peter Robinson came out of that meeting, and what did he declare to the world? Not that he had some way of moving this whole process forward, not that we were going to have a quiet 29 September, but that there was unionist unity. We do not even know what the unionist unity was about, but it seems that it was about condemning the residents of Carrick Hill. Mike Nesbitt went through all sorts of "whataboutery".

Mr A Maginness: I thank the Member for giving way. Does the Member accept that the only real diplomacy and dialogue that counts is between the Orange Order and Carrick Hill residents, and that has not yet taken place?

Mr G Kelly: I thank the Member for his intervention and absolutely agree with him. That is exactly where the discussions should be taking place. That is what we need to make the scene-changer in all of this.

I will move on fairly quickly. Mike Nesbitt got up, and it was all "whataboutery". He did not deal with the issues. Stewart Dickson also repeated that there should be an apology. Gregory Campbell and many others across the aisle spoke about civil disobedience. You are the only ones talking about civil disobedience; we are talking about a determination that was broken, and that makes it criminal disobedience.

Raymond McCartney said accurately that what we have here is a fig leaf of defence. Jonathan Bell gave sainthood to Nelson McCausland. Fair play to him. It was very loyal and very good. However, he showed no way of going forward. This Dungiven issue has been raised on a — *[Interruption.]*

Mr Speaker: Order, order. The Member has the Floor. The Member must be heard.

Mr G Kelly: Dungiven was raised, as well as many other issues, but they have never been raised before. There

was no determination in Dungiven. Incidentally, because it has been raised so often, not just in the House, I went and asked about it, and your information is absolutely wrong.

Mr Campbell: Will the Member give way?

Mr G Kelly: No, I will not give way. Go to the Parades Commission if you have a complaint. *[Interruption.]*

Mr Speaker: Order.

Mr G Kelly: I enjoyed some of what Jonathan Bell said. He said, "It's the economy, stupid". You are right: "It's the economy, stupid". Some £7 million has been taken out of the economy for parades, and £6 million — *[Interruption.]*

Mr Speaker: Order. Let us not have a debate across the Chamber.

Mr G Kelly: — has been spent on policing a small number of contentious parades. You are right, "It's is the economy, stupid". *[Interruption.]*

Mr Speaker: Order.

Mr G Kelly: Dolores Kelly and Alban Maginness again emphasised that this was criminal disobedience. Alban, as is his wont, gave the legal interpretation of that, and I am thankful for that.

Jim Allister and David McNarry said that it will not make any difference. I am not too sure about that. The reason for tabling the motion, even if we cannot achieve the censure, is that people out there want to know that we are making a difference on the issue.

The reason why I support the motion is that the Minister has clearly broken the Pledge of Office and the code of conduct. I know that he said that he did not break it, and that is his opinion. Whatever you think about that, I have to say that Nelson McCausland was wrong on a number of issues. On 12 July, he and, I think, another elected member of the DUP saw the stoppage and were very close to the band when it was marching around. If he had any sense — a bit of common sense — he would have gone over to the band and said, "Catch yourselves on. You are insulting people here. Wait till we go past the chapel", but there was no such action.

On 25 August, we had the same thing again. The same band that caused that insult broke the determination, along with the rest of them, apart from, I think, one band, and yet the Minister did not condemn that. He also defended the song and the act. He has to realise that that was deeply insulting to people. He said that the building was empty, but the significance to the parishioners and to the people who live in the area was that it was a Catholic chapel. He is a religious man, so he must know how deeply offensive that was.

There is an opportunity to show leadership. Perhaps it is necessary for the party to support Nelson McCausland. One Member said that the motion is about dismissing him as a Minister, but it is about a suspension for a period of time. We need to send out a notion about ministerial behaviour. Harold McCusker was quoted a number of times, and other people were quoted on the issue of civil disobedience. The one big difference is that those people were not Ministers. They did not have to take the Pledge of Office and sign up to the ministerial code. I think that we can move on from where we are.

At the core of the matter is not only the issue with Minister McCausland but the fact that we are trying to move the process forward in north Belfast, Rasharkin or wherever. To get the loyal orders to talk to residents might be a better use of time than defending this issue. Although the Members on the Benches opposite are all lined up behind Nelson — fair play to them — I know that what he did was wrong and that he should not have done it. Maybe the party leadership needs to take him aside and tell him to catch himself on. Let us show a bit of leadership — *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Mr G Kelly: Let us as an Assembly support the motion.

Mr Speaker: We will move to the vote on the motion. Once again, I remind the House that the vote requires cross-community support.

Question put.

The Assembly divided:

Ayes 47; Noes 49.

AYES

Nationalist:

Mr Attwood, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist:

Mr McClarty.

Other:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Lynch and Mrs McKeivitt.

NOES

Unionist:

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Ms P Bradley and Mr Humphrey.

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|--------------------------|-----------|-------------------------|-----------|-----------------|
| <i>Total Votes</i> | <i>96</i> | <i>Total Ayes</i> | <i>47</i> | <i>[49.0%]</i> |
| <i>Nationalist Votes</i> | <i>37</i> | <i>Nationalist Ayes</i> | <i>37</i> | <i>[100.0%]</i> |
| <i>Unionist Votes</i> | <i>50</i> | <i>Unionist Ayes</i> | <i>1</i> | <i>[2.0%]</i> |
| <i>Other Votes</i> | <i>9</i> | <i>Other Ayes</i> | <i>9</i> | <i>[100.0%]</i> |

Question accordingly negatived (cross-community vote).

Mr Campbell: On a point of order, Mr Speaker. I appreciate that things were said across the Chamber during the debate and that we have to make allowances for those. However, when making the concluding remarks in the previous debate, the Member for North Belfast, Mr Kelly, intimated that I was inaccurate when I said that I had made representations to the Parades Commission about the parade in Dungiven. I sent a letter to the Parades Commission and received a response that indicated that I had made such representations 10 months ago. I say that for the accuracy of the record.

Mr Speaker: The Member has that on the record. Let us move on.

Mr Attwood: On a point of order, Mr Speaker. During his contribution, the junior Minister from the ranks of the DUP referred to the party leader of the SDLP by reference to the word “dissident”. The record will confirm that, on a number of occasions, that Member referred to the leader of the SDLP in that way. Given how that term is generally understood in our society at the moment, that it is an inflammatory word and the very clear significance of the use of that word, I ask you, Mr Speaker, to make a ruling on that Member’s remarks and the use of that particular word by a Member of the House. I ask you to review Hansard as a matter of urgency — *[Interruption.]*

Mr Speaker: Order.

Mr Attwood: — in order to give your view on that, given that that word has such relevance and —

Mr Speaker: Order. As the Member will know, I have given him quite a bit of latitude on his point of order. The Member will also know that I insist that all Members and Ministers use proper titles when referring to other Members in the House. However, on many occasions, that is part of the cut and thrust of debate in the Chamber. Let me look at Hansard and come back to Member.

Executive Committee Business

Landlord Registration Scheme Regulations (Northern Ireland) 2012

Mr Speaker: I call the Minister for Social Development. *[Interruption.]* Order.

Mr McCausland (The Minister for Social Development): I beg to move

That the draft Landlord Registration Scheme Regulations (Northern Ireland) 2012 be approved.

I welcome the opportunity to get down to the serious business of the Assembly. The regulations were laid on 21 August 2012 and are made under article 65A of the Private Tenancies (Northern Ireland) Order 2006.

In response to the growth of the size and significance of the private rented sector in meeting housing need and in recognition that the current regulatory provisions needed to be supplemented, the Department's strategy for the private rented sector, Building Sound Foundations, was launched in March 2010. Its objective is to ensure the provision of good-quality, well-managed accommodation, which is supported by an appropriate regulatory framework and which encourages and promotes the rights and responsibilities of landlords and tenants. One of the key issues to emerge from the work to develop the strategy was the need to introduce mandatory landlord registration in order to make the existing regulatory provisions more effective. A register of all private landlords will give local councils the means to work and communicate with landlords, better equip them to ensure that landlords comply with the law, raise standards and, where necessary, take enforcement action. The collection and availability of such essential and relevant data will allow councils to deliver their statutory responsibility more effectively, for example by targeting their activity more appropriately and identifying problem landlords who do not comply with the law.

The purpose of the draft Landlord Registration Scheme Regulations (Northern Ireland) 2012 is to give effect to the landlord registration scheme, including the functions and responsibilities of the scheme registrar, and the information that a landlord must provide to the registrar in order to register and continue to be registered. Landlord registration is seen as an essential step in assisting with better regulation of the private rented sector.

The purpose of landlord registration is to create a register of all private landlords and maintain relevant and up-to-date information about those landlords and their tenancies. First, it will give local councils information to ensure that landlords comply with the law and assist environmental health officers to enforce standards and improve tenancy management, and, secondly, it will allow particular information held on the register to be accessed by members of the public and prescribed statutory bodies.

In simple terms, data collected will be used by council environmental health officers to target landlords who are not complying with legal requirements that are already in place. It will also allow tenants and others to check whether a landlord is registered and, if not, this can be reported to a council for follow-up action. As the information held on the landlord register will be an

invaluable tool for councils in the pursuit of their statutory obligations under the Private Tenancies (Northern Ireland) Order 2006, it is planned that the role of registrar will be undertaken by a council.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

The cost of establishing the registration system will be met in the first instance by the Department, which will contribute to the initial one-off start-up costs. Once established, the scheme registrar will be expected to manage the scheme, including meeting any ongoing costs, through a nominal fee paid by landlords.

The landlord registration scheme here will be light touch. That means that bureaucracy and costs will be minimised. Landlords will be able to register their details on an online system, pay a fee, receive a registration number, and be directed to various forms of guidance and advice on renting from the private sector. Although landlords will be encouraged to register online, there will be a paper-based option that will facilitate landlords who wish to register manually. Registering manually will incur a slightly higher fee. Although all landlords will be required to register, landlords of houses in multiple occupation (HMO) registered with the Northern Ireland Housing Executive will be exempt from paying a fee.

The definition of a landlord for the purposes of these regulations includes, for example, an agent. However, the onus to register still lies with the landlord. It is considered appropriate that the role of scheme registrar will be undertaken by one of our larger councils. This decision is based on the fact that councils are currently responsible for regulation of the private rented sector and have extensive knowledge and experience of that sector. I am sure that Members across the Assembly will agree that the private rented sector is critical to meeting housing need for many. I consider that these regulations will make significant improvements to the private rented sector, and that tenants will have the confidence to continue to rent privately or to consider doing so.

Mr Maskey (The Chairperson of the Committee for Social Development): Go raibh maith agat, a LeasCheann Comhairle. I welcome the regulations tabled by the Minister, but wish to express for the record a number of caveats that have been of concern to the Committee. Suffice it to say that, given the concerns that the Committee has had on the issue, which have been of concern to members right back to the previous mandate, it has considered this issue on no fewer than four occasions.

2.00 pm

So, the Committee obviously welcomes the regulations, and we will, as a Committee, support them. However, it is important to put on record our concerns, which fall into four areas. The first is the question of a fit and proper person test. That is the issue of the eligibility, if you like, of a person who wishes to become a landlord, which was, I think, recently put into law in Scotland. It was something that members considered during their deliberations on these regulations. This is all designed to improve the situation for those renting from private landlords.

From the outset, we accept entirely that the vast majority of landlords are professional people of impeccable integrity, but there are of course those who are less scrupulous. Given that there have been, and continue to be, some

unscrupulous landlords — Members are aware of the types of complaints that they receive — it is important that we have in place legislation that will not frighten good landlords but put down a real marker for those who are not so good, telling them that they have to, dare I say, get their house in order and provide a proper service to those paying them rent. When one considers the amount of public money that is paid in housing benefit to landlords and to the private rented sector, this is obviously a matter of public importance.

The regulations are designed to improve the overall situation for tenants. We want to see a situation in which both landlords and tenants have a clear understanding of their responsibilities, rights and obligations. In Scotland, for example, they have legislation that requires a person who wishes to be a landlord to meet a fit and proper person test. That deals with a range of issues, including whether there is a criminal history there, or maybe a person has been a bad landlord, or the agents letting the property have a history of antisocial behaviour in their properties, or some other criteria. Without going into all the criteria that may be adopted, the Committee wished to see a fit and proper person test of landlord eligibility established. That, again, is part of the framework and the environment within which, we believe, the provision and the standards of houses for private rental would be dramatically improved.

The Minister referred to registration fees. The Committee was of the general view that the registration fee may be too limited, too low. Although we do not want a fee that will be a burden on landlords, we think that registration fees are too low. We have to consider the fact that the registration fee for a landlord who owns a single property will be the same as that for one who may own 100. That has to be taken into consideration in establishing a registration fee.

The fines for non-registration — again, the Committee looked at this. It felt that, if landlords were in default of their responsibilities — and again, this applies only to those unscrupulous landlords who are out there, not those with professional integrity, who we all know are out there — the fines, as we understand them, would not be a deterrent. For example, to use the Scottish model again, I think that the maximum fees are up to £50,000. The Committee is not saying that it wants to see a £50,000 fine as a maximum; in fact, it was cautioned against seeking to second-guess what the judiciary may wish to impose. However, the Committee felt that there needs to be a maximum fine that would be a deterrent for people who fail to register. Again, we thought that that was very important.

On the issue of an information pack, we felt, as a Committee, that it would be important that all landlords be issued with an information pack that details their responsibilities, obligations and, of course, rights. Equally, the Committee was concerned that those information packs would also be provided to people renting accommodation. To try to encapsulate the Committee's views; it thought that these regulations, as the Minister has outlined them, are too light touch in design. Some Committee members thought that, over the past years and given that this was dealt with in the previous mandate, they may more aptly be described as soft touch.

The Committee believed that, in general — I think I am faithfully recording this — the regulations need to be more robust if we are going to achieve the outcome that

the Minister and the Department are saying they want to achieve. Therefore, as I said, they wanted to increase the registration fees and the fines for non-registration.

One of the things that we were very clearly reminded about and advised of by the Department over the last number of months when we were deliberating on the regulation was that the regulation can go no further than what the primary legislation of 2006 provides for. Some members of the Committee had rehearsed the fact that, in the previous mandate, they had argued for a more robust Private Tenancies Order, but they were advised at that time by the Department that their concerns could be addressed by way of statutory regulation in the upcoming period. Lo and behold, we now discover that that, in fact, has not been the case. I will not use the term “misadvised”, but certainly that was the interpretation provided to the Committee at that time. I was not on the Committee at that time, so I am going by members' recollections, and clear recollections at that. The fact of the matter is that, at this moment in time, the primary legislation of 2006 prevents this regulation from being more robust. That is an issue.

We were advised that the Department would want to review the regulation within something like a two-year period. That, of course, will take us into a new mandate, and I think that the Committee will be quite determined to ensure that we monitor it much earlier than that, and as soon as we can. We entirely accept the intention of the Department and the Minister to ensure that the regulation improves the situation for those who are renting from the private sector and that it drives up standards, accountability and so on. We want to make sure that the Department puts in place a monitoring process so that we can track that in a shorter time frame in the time ahead.

Therefore, notwithstanding the reservations and caveats that I have outlined — I do not want to go into them in any more detail, but obviously the Committee expressed a number of reservations, which I am rehearsing this morning on its behalf — the Committee recommends that we support the statutory rule.

Mr Copeland: I will begin by thanking the Minister for bringing forward the proposals, and I agree with and echo most, if not all, of what the Committee Chair said. Anything that will raise the standards in the private sector is clearly welcomed. Even at this late stage, it is the least that we should expect.

In Northern Ireland, around one in six people lives in privately rented accommodation. It is therefore imperative that that sector is adequately regulated. The landlord regulation scheme is certainly a step in the right direction towards achieving that end. It is my hope that the scheme will also act as an educational tool for landlords. Private landlords should and must be held to account at every potential opportunity. They should be made fully aware of their responsibilities to their tenants and acknowledge the role that they play in this society. In future, with the scheme in place, there can be no excuses regarding any ignorance of responsibility or duty.

When we talk about incompetent landlords, we refer only to a small fraction, but that fraction is still too large. If we are to retrieve the image of the privately rented sector, we must do all that we can to eradicate shoddy landlordism. There are, of course, bad tenants as well as bad landlords, and the scheme should act as an educational tool for them

also. In future, it should not be acceptable for tenants to ignore their responsibilities to their landlords and, indeed, to their neighbours.

Under the new scheme, the vulnerable persons in our society who are living in private rentals are afforded a reassuring hand. I am particularly mindful of our student population, who are, at present, dependent, to a large degree, on the honesty of their landlords. So too are foreign nationals residing in Northern Ireland, who are driven, by the way in which we provide social housing, to the private sector. Here they find themselves possibly at risk of exploitation due to language barriers as well as their unfamiliarity with our system.

This registration scheme will allow tenants to put their trust in a landlord and vice versa. It will provide peace of mind for the vast majority of good landlords and tenants alike. The scheme was first mooted in 2009-2010 before the Housing (Amendment) Bill passed Final Stage a year later, in March 2011. I will register my small disappointment that the scheme was not in place for the start of the current academic year, therefore subjecting students to another year of potential exploitation by incompetent landlords.

Mr Durkan: I, too, thank the Minister for proposing the motion. I will not go over the Chairperson's and Mr Copeland's comments, although I agree wholeheartedly with most of what has been said. I also welcome the regulation of this sector and the improvements that that should bring to the quality of tenants' lives.

It will help to clamp down on what Mr Copeland described as incompetent landlords and on what Mr Maskey described as unscrupulous landlords. However, it is also very important that, as Mr Copeland and Mr Maskey said, landlords are afforded some protection, because the vast majority, on whom we are going to be ever more reliant, are good landlords with consciences.

As Mr Maskey said, it is regrettable that the Department has not moved to include the legal obligations in these regulations, but I will take them as they are, because they certainly represent a step towards the regulation of landlords in Northern Ireland and provide a safeguard for tenants as a result. I support the motion.

Mr F McCann: Go raibh maith agat, a LeasCheann Comhairle. I support the adoption of these regulations. In the previous mandate I tabled two motions in the House calling for mandatory registration. One was successful and one was not; Members must have been in a bad mood on that day because they did not pick up on it.

My party raised the issue of the need for regulation of the private rented sector at Committee after Committee after Committee, and we were glad at the end when, through the Housing (Amendment) Bill, the regulations were drawn up. As Alex said, we were unhappy that a more robust registration scheme had not been brought forward. However, this is a beginning, and the sooner the scheme is in place, the better it will be for tenants who suffer at the hands of bad landlords.

The private rented sector has become the biggest supplier of social housing across the board. It is bigger than the Housing Executive and the housing associations put together, and £100 million in rent goes into the sector every year. The main issue for any of us who have dealt with the private rented sector over the years on behalf of

our constituents is that we have found landlords, by and large, to be inflexible, especially when we were arguing about rents.

The purpose of the registration scheme is to bring those bad landlords and all landlords onto a register so that people can attend to those issues. I think I heard the Minister say that the registration scheme would be given to councils. That is a wise move, because council officers have the experience that will allow them to pursue those matters.

I am concerned that some of the issues that were raised in Committee and which, we were advised, would be picked up in the regulations, have not been included in the regulations that are in front of us. However, I hope that, as the scheme goes on, we will be able to include them in any update of the Housing (Amendment) Act 2010 or through further regulations.

Many tenants will welcome the regulations and will see them as a first step in protecting them against many landlords. Although I support the registration scheme, I want to say that — it has been said before a number of times in different debates — Members who speak in the debate should declare whether they are landlords themselves.

2.15 pm

Mr McCausland: I can assure the Member and the House that I am not a landlord. I own no property other than my own home.

I am pleased with the consensus of support across the Assembly for the regulations. I thank the Chair, Mr Maskey, and the Committee for Social Development for the positive way in which they dealt with the regulations. If I miss any issues, I will follow up in writing to Members.

Mr McCann raised a point about the appointment of a scheme registrar. As yet, no final decision has been taken as to the body that will take on the role of registrar. However, the preference is for one of the larger councils to fill that role. It is a wide-ranging role, because the registrar will be required to promote, develop, oversee and maintain the landlord registration system. That includes providing guidance on the system; making the prescribed information available on the public register; issuing landlords with certificates; and a whole series of other functions. There is something very appealing, almost natural, about one of the larger councils filling that role, and that is the thinking at the moment.

Mr Maskey asked whether it is fair that all landlords pay the same fee regardless of the number of properties that they own. Obviously, there are landlords who own only one or two properties and landlords who have a wide portfolio of properties. The Northern Ireland scheme will be a register of landlords and not a register of properties, although landlords are expected to list their properties on the registration. The registration fee is set at £70 — £80 for manual registration — for a three-year period, which equates to a total of £2 a month. Moneys received from fees will pay only for the operation of the landlord registration scheme and not the actual regulation of the private rented sector. However, a council can use any fixed penalty moneys for regulation of the private rented sector.

We will see how the scheme operates over the next number of years. It is important that we get the private rented sector right. It is a major contributor to meeting housing need in Northern Ireland. We want it to be seen as an attractive option from which people will not shy away. We want people to see it as a reasonable, attractive option and consider it.

Mr F McCann: Will the Minister give way?

Mr McCausland: Yes, sure.

Mr F McCann: You also raised the issue of HMOs, which were to be exempt. I know that consultation on HMOs is in the process of being completed. Are you saying that that decision will be put back and dealt with in the consultation?

Mr McCausland: I will come back to that in a moment.

As far as I remember, Mr Maskey also raised the issue of introducing a fit-and-proper-person test. We want to drive up standards in the sector, which is clear from what I just said. There is no evidence to indicate that a person's ability as a landlord equates to his being a fit and proper person.

At this stage, the key issue is to ensure that the chief purpose of a register of landlords is to create a central source of information about landlords and their properties. That information has not been available in the past. I am sure that Members, as local representatives, will feel that it is important to be able to access that information so that they can contact landlords and know who they are. With some properties, nobody seems to know who the landlord is, so it will be beneficial to have clarity. It will be light touch and will minimise unnecessary hurdles and costs. The information collected will be shared with councils to enable them to target enforcement action.

HMOs and the need for action were also mentioned. All landlords will have to register, but if a house is in multiple occupation, the landlord will be registered with the Housing Executive. They will be exempt from paying the fee, but they will still have to register.

Those are the main points that were raised. We would have liked the regulations to be in place sooner; that would have been good. However, we are moving as quickly as possible, and the scheme is welcomed by everybody. I am certain that we all want to see improvements in the sector, make it an attractive option and give tenants confidence in renting privately. I thank Members for their interest in these regulations, and I hope that they back them.

Question put and agreed to.

Resolved:

That the draft Landlord Registration Scheme Regulations (Northern Ireland) 2012 be approved.

Tenancy Deposit Schemes Regulations (Northern Ireland) 2012

Mr McCausland (The Minister for Social Development): I beg to move

That the draft Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 be approved.

These regulations are made under articles 5A and 5B of the Private Tenancies (Northern Ireland) Order 2006.

One of the key issues in the Department's 2010 strategy for the private rented sector, 'Building Sound Foundations', was the need to introduce a mandatory tenancy deposit scheme to address the problems that arise around the return of tenant deposits.

Tenancy deposit schemes will provide benefits both for landlords and tenants by encouraging a more professional approach to tenancy deposit practice, minimising disputes and going some way to improving the sector's reputation as a desirable housing option. It is not intended that the scheme will make deposits compulsory, but it will apply where a landlord decides to take a deposit from the tenant. For every new tenancy where a deposit is required, the landlord must be covered by a tenancy deposit scheme that is approved by the Department.

The introduction of a tenancy deposit scheme has a number of objectives. First, it will safeguard the tenant's deposit, which will minimise the difficulties that can occur between landlord and tenant on the return of a deposit. Secondly, it will ensure a speedy and independent dispute-handling service that is free for both the landlord and tenant to use. Thirdly, it will improve accessibility to private rental accommodation for low-income families and the most vulnerable. Fourthly, it will gather relevant data on tenancy deposits, the dispute service and the performance of the scheme administrator so that policy development can be underpinned.

The purpose of the draft Tenancy Deposit Schemes Regulations is to give effect to the establishment of tenancy deposit schemes, including the functions and responsibilities of a scheme administrator and the information that a landlord must provide to both the administrator and the tenant to ensure that the tenancy deposit is secure.

The regulations set out the requirements for the approval of a scheme administrator, and only those who satisfy those requirements will be approved to operate a tenancy deposit scheme. The role of scheme administrator will be advertised. I have asked my officials to ensure that the scheme administrator can be appointed as soon as possible after the regulations are made and pave the way for the speedy introduction of a scheme. That will probably be early in the new year.

Two types of tenancy deposit scheme will be allowed to operate in Northern Ireland, similar to the custodial and insurance schemes that have been operating in England and Wales since April 2007. In the custodial scheme, which is free to use, the landlord hands over the deposit to the scheme administrator for safe keeping in a designated account, and either the tenant or the landlord can apply at the end of the tenancy for repayment of the deposit. In the event of a dispute, the scheme administrator will hold on to the disputed amount until the dispute is resolved.

Under the insurance scheme, the landlord holds on to the deposit and pays a fee and any contribution towards insurance to the scheme administrator. The landlord refunds the deposit to the tenant when it is due to be refunded. In cases where there is a dispute, the landlord hands over to the scheme administrator the disputed amount to safeguard until the dispute is resolved.

I am sure that Members across the Assembly will agree that the private rental sector is critical to meeting housing need for many, and I consider that the regulations will make significant improvements in the private rented sector so that tenants can have confidence in renting privately, in handing over their deposit and in having that deposit refunded at the end of the tenancy.

Mr Deputy Speaker: I call Mr Alex Maskey, the Chairperson of the Social Development Committee. As Question Time begins at 2.30 pm, I may have to interrupt you.

Mr Maskey (The Chairperson of the Committee for Social Development): I do not think that you will have to, a LeasCheann Comhairle. I will be very brief.

The Committee first considered the SL1 on 28 June, and, at that meeting, it was content for the rule to be made, although the Committee sought clarification on a number of issues. The Minister outlined many of those, which are to do with the nature of the scheme, the type of scheme, who may be the registrar, and so on. Although the Committee would like to have had that information at the time, it did, of course, agree that the statutory rule be made. As Chair of the Committee, I endorse that on its behalf.

Many Members will be aware of the issue of dealing with of unscrupulous landlords. Thankfully, such landlords are in a minority, but a number of people have fallen foul of unscrupulous landlords or been in circumstances in which deposits have been taken from them more or less routinely rather than as required. Therefore, the Committee welcomes the deposit scheme for tenants and the information that the Minister has provided to the House. On that basis, we will endorse the regulations.

Mr Deputy Speaker: Question Time begins at 2.30 pm, so I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member to be called to speak will be Mr Michael Copeland.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Agriculture and Rural Development

Dairy Farming: Code of Practice

1. **Mr Girvan** asked the Minister of Agriculture and Rural Development what support her Department is giving to dairy farmers in urging Dairy UK in Northern Ireland to engage with the farmers' unions to implement a code of practice for the dairy sector supply chain similar to the voluntary code of practice launched in Great Britain earlier this month. (AQO 2470/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): At the outset, I advise that the voluntary code of practice on contractual relationships that has been agreed between dairy farmers and milk buyers in Britain is an industry document. It builds upon existing arrangements in the dairy sector. We have been following developments in Britain closely in liaison with the local dairy industry. During that process, their view has been to await the outcome of the negotiations in Britain before assessing its relevance and applicability to the local industry.

Following agreement of the voluntary code in Britain, my officials have been in contact with representatives of the Ulster Farmers' Union and local representatives of Dairy UK to encourage them to develop a local position on this matter, and both organisations are fully apprised of the need to do so quickly. Last week, Dairy UK gave the local representatives of the organisation an outline on the new code, and they have now arranged a meeting with the Ulster Farmers' Union on the matter. I hope that both parties will reach a decision soon on the best way forward for our dairy industry.

Mr Girvan: I thank the Minister for her answer but the message that I am getting from farmers, not just in the dairy industry but in the whole agricultural sector, is that they are all coming under extreme pressure because of the increased cost of fodder and grain. I want to make sure that those concerns are being taken on board and that we do not lose part of our agrifood industry due to lack of support from the Department.

Mrs O'Neill: I totally agree, and I sympathise with farmers. It is a very difficult time, particularly with the weather and the increase in prices on the global markets, and we have to continue to work with the industry. That is one reason why Minister Foster and I established the agrifood strategy board to look at the challenges for our sectors. Unfortunately, a lot of the issues, such as pricing and global markets, are beyond our control, but we have to work with industry and do our best for all those involved. When we are talking about the dairy sector and the voluntary code, we must recognise that there is a distinct difference between the set up here and that in Britain in that most of our farmers are involved in co-operatives and so are involved further up the chain. We will have to continue to work with industry to make sure that we

protect all our industries. Dairy is an important player in gross agricultural output, but all our sectors need to be supported given all the challenges that are presented to them.

Mr Swann: Can the Minister guarantee the House that she will bring measures — and will she outline those measures — to bring stability to local milk producers, processors and retailers before the ending of milk quotas in 2015?

Mrs O'Neill: The Member will be aware that, as I said in an earlier answer, we are working very closely with the industry to support its needs. We have become involved in the EU dairy package, which works with industry to look at what markets we should explore after 2015 when quotas go. One difference between us and Britain is that we are self-sufficient in milk and milk products whereas Britain is not. So, we are targeting the export market. We will continue to work with the industry to make sure that we are prepared for post-2015. That work is ongoing.

Mr McAleer: Will the Minister tell us the main elements of the voluntary code?

Mrs O'Neill: Yes. The code of practice put into place in Britain recently allows for a period of 30 days' notice to a change to a farmer's price or other contractual terms. There is provision in it that, where buyers exercise their discretion to change a farmer's price or other contractual terms, the farmer can, in turn, exercise his right to terminate the contract on a month's notice if he disagrees with the change. There are some other aspects to it, particularly around encouraging processors to engage with producer groups, and terms to allow a producer to expand production, and, if the purchaser does not want all the additional volume at the same or existing terms, there is an option for the producer to supply another buyer on a non-exclusive contract. Finally, the review process will be kept under review and reviewed after 12 months.

DARD: Headquarters

2. **Mrs Cochrane** asked the Minister of Agriculture and Rural Development to outline the business case for the move of her Department's headquarters to Ballykelly. (AQO 2471/11-15)

6. **Mr Anderson** asked the Minister of Agriculture and Rural Development what sites, other than Ballykelly, were evaluated for the relocation of her Department's headquarters. (AQO 2475/11-15)

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. With your permission, I will answer questions 2 and 6 together.

As Members will be aware, the Department's headquarters at Dundonald House and Hydebank are no longer fit for purpose. It was against that backdrop that my predecessor, Michelle Gildernew, saw an opportunity to spread high-quality, public sector jobs across the North and announced her intention to consider relocating the headquarters of the Department of Agriculture and Rural Development (DARD) to a rural area. I progressed that further by securing a Programme for Government commitment, and a strategic outline case for the project has been approved.

In relation to the relocation to Ballykelly, a number of steps were taken before reaching my final decision. The first stage in the process was to develop a long list

of potential locations. That list was taken from the new regional development strategy. My officials scored each local government district against a defined set of criteria, which included nine socio-economic factors such as unemployment levels, deprivation and earnings levels, as well as practical considerations such as the number of public sector and Civil Service jobs already sited in the area.

As a result of that analysis, the top two areas indicated were both in the north-west. I made my decision to relocate to Ballykelly based on two further factors, namely the availability of the Executive owned site at Shackleton Barracks, and the availability of buildings on that site that could be converted to office accommodation. Use of that site and the buildings available has the potential to significantly reduce the cost of relocation from £26 million, which is the estimated cost of a newbuild.

I have asked officials to provide me with a business case that outlines the options for relocating the headquarters to Ballykelly. That business case will consider other issues such as value for money and potential savings.

Mrs Cochrane: I thank the Minister for her response. Can she confirm that no staff will be forced to relocate to Ballykelly against their wishes?

Mrs O'Neill: I have said publicly that we have a significant period ahead in which we can work with the trade unions and get everyone talking and planning for the move. We do not expect to be on the site until 2015. I recognise that relocation could cause some problems for some of the existing staff. I have given assurances that I do not want to see any existing staff forced to move. I will take the time that we have to develop and implement change. That can include looking at more flexible working, and maybe doing things a wee bit differently. I do not expect that existing members of staff will be forced to move, but it may not be possible in all situations.

All staff have rights and responsibilities under their existing contracts. Those rights will be honoured. I expect that the key element in all of this will be to work with the trade unions in the time ahead. We will continue that dialogue until 2015.

Mr Anderson: I thank the Minister for her response. In light of her decision to relocate DARD headquarters to Ballykelly, and the possibility that no core staff will be left in Belfast, did you consider services within the Department, such as fisheries, being located at one of the main fishing ports?

Mrs O'Neill: As I said, the programme board looked at a set of objective criteria and took forward that piece of work without ruling out any area. There was a long list of locations. When the board applied the criteria, it presented me with a list. No consideration was given, at that stage, to moving the fisheries section to a separate site.

What is most important about the move is that we are relocating high-value, public sector jobs. We are creating a fairer distribution of those jobs across the North because, for too long, they have all been centralised in one area, and that is unfair. That is something that Bain recommended some time ago, and the Executive have given a commitment to rebalance that distribution. It also helps to build our economy in a fairer way, with a better distribution of jobs.

Mr Byrne: I thank the Minister for taking the brave decision to relocate a major public sector office block outside Belfast. That is welcome, and it promotes balanced regional development. Will the Minister tell us what criteria were used in assessing the various sites, and whether her Department gave consideration to private sector design-and-build schemes?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. The criteria that were used were based on deprivation, availability of public sector jobs, earnings levels, land availability, unemployment figures and demography. All those things were taken into account and applied to the 26 council areas, as I described in an earlier response. It was a very objective process. The programme board put a lot of time and effort into making sure that it brought forward the best recommendations. I think that it was a very fair process. I am glad that you have welcomed the move to Ballykelly. I would like to make this point: people are concerned about jobs and the amount of jobs. There are actually 800 public sector jobs in that area for people who travel into the Belfast area. There is massive potential there for people to get a better work/home balance.

Mr McClarty: I thank the Minister for her responses so far. I also thank her for the very wise decision to relocate the Department to Ballykelly. Obviously, such a move will be huge logistically and phased over a period of time. When is that phasing due to begin, and over what length of time?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. The more detailed business case is being developed. The work has started now that the location has been named, and it narrows it down and allows you to take it into proper costings. The work is ongoing with trade unions. That conversation has already started, and they have been consulted along the whole process. As I say, now, given the implications for staff, it is very important that we continue those conversations and develop them further. There is potential for staff who are outside the existing DARD staff to move into DARD because of the opportunities to work closer to home. That work will be ongoing. We expect work to start on the site in the middle of next year, with the move-in date being in 2015.

Animal Welfare

3. **Mr Agnew** asked the Minister of Agriculture and Rural Development what steps she intends to take to improve enforcement action on breaches of animal welfare legislation. (AQO 2472/11-15)

8. **Mr Wells** asked the Minister of Agriculture and Rural Development to outline the legislation that deals with cruelty to dogs. (AQO 2477/11-15)

13. **Mr Sheehan** asked the Minister of Agriculture and Rural Development, in light of vicious attacks on family pets, how the new arrangements outlined in the Welfare of Animals Act (NI) 2011 are being implemented. (AQO 2482/11-15)

Mrs O'Neill: With your permission, Mr Speaker, I will take questions 3, 8 and 13 together.

The Welfare of Animals Act 2011 replaces the Welfare of Animals Act 1972 and is a major step forward in protecting the welfare of both farmed and other animals; that is, domestic pets and horses. The 2011 Act has addressed

the legislative gap between the high levels of protection previously afforded to farmed animals compared with the somewhat limited protection that was given to other animals, including domestic pets, and greatly strengthens the powers to deal with animal welfare issues. The Act introduces a duty of care for all protected animals; allows action to be taken to protect animals from unnecessary suffering; strengthens the powers in respect of animal fighting; provides powers to regulate a wide range of activities involving animals; and increases the penalties for serious animal welfare offences.

The 2011 Act recognises that animal cruelty and causing unnecessary suffering to any animal are very serious offences, and I think the penalties reflect that. From 2 April 2012, the 2011 Act has significantly increased the penalties for animal welfare offences from three months' imprisonment and/or a £5,000 fine, to a maximum of two years' imprisonment and/or an unlimited fine. These new penalties are stiffer than those in Britain, which has a maximum penalty of one year's imprisonment and/or a £20,000 fine. I believe that the Welfare of Animals Act 2011 is fit for purpose and that the tough penalties that have been introduced in this new legislation will provide a strong deterrent, thus protecting animals from unnecessary suffering and cruelty.

The Act has extended the resource that is available to deal with breaches of animal welfare legislation. Enforcement roles in the new Welfare of Animals Act 2011 are very clear: my Department continues to have responsibility for farmed animals; the PSNI continues to have responsibility for wild animals, animal fighting and welfare issues where other criminal activities are involved; and councils now have responsibility for other animals, which includes domestic pets and horses.

The Act places a statutory enforcement obligation on DARD, councils and the PSNI, who can exercise discretion as to how best to implement those powers in order to prioritise the actions within available resources.

Mr Agnew: I thank the Minister for her response. I certainly welcome many of the improvements to the legislation on animal welfare that were made with the 2011 Act. We are all well aware of the recent horrific story of the dog called Cody, which brought to light the issue of animal cruelty. The frustration, Minister, is that when you go to report those issues —

Mr Deputy Speaker: We need a question.

Mr Agnew: — to the police, they refer you to the USPCA, when the police are the correct port of call. What can the Minister and her Department do to ensure that the 2011 Act is properly implemented, and any breaches enforced?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. I can confirm to the Member that I had a discussion with the Chief Constable, Matt Baggott, recently on that very issue. The USPCA also raised with me the fact that people were not always sure of the best point of contact. I think that one single point of contact would be very helpful. We have done some work — we have done a lot of work actually — in trying to promote the fact that we now have new animal welfare officers and the roles that councils will carry out, and we are encouraging people to make that point of contact. However, as you say, given that there are three agencies involved, it is important that we continue to raise awareness and to publicise those

contact points. Over the coming weeks, my Department intends to issue a press release, which will be aimed at farmers in particular. It will look at the actions that they should take to protect the welfare of their animals. It is also important that all agencies that are involved in animal welfare get involved and make sure that their points of contact are very clear and easily identifiable for anybody who needs to report anything.

2.45 pm

Mr Wells: The Minister's predecessor made it very clear that she was personally committed to stamping out animal cruelty. Does the Minister share that view? Does she also agree that the only way to make those who perpetrate those evil deeds sit up and think is for a very stiff custodial sentence to be imposed on someone who carries out an evil act of animal cruelty?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. Like my predecessor, I am committed to stamping out animal cruelty. We have driven forward this legislation, and we have given councils all the support — financial and departmental advice — that we can. The sentencing, fines and everything that is in place since we brought in the new 2011 Act are adequate, particularly if you compare them with what is going on in Britain. This is stronger legislation than anywhere else on these islands, and that is important to note. All of us need to be very proactive in promoting good points of contact, as was raised previously, and in promoting good animal welfare standards. What happened to Cody the dog, as has been raised, was simply not good enough. It is something that shocks everybody and raises the issue of animal welfare in the minds of everybody.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. Can the Minister tell us how the councils are enforcing the Welfare of Animals Act?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. There are five animal welfare officers in place, and those officers can work across the whole of the North, if necessary. They are not based in or confined to one area. It is important that I update the House on the number of complaints that have been made to councils since the power was passed to them on 2 April. Until 31 August, 2,190 complaints were passed to councils. Some of them were unfounded, but some required action to be taken. The councils dealt with some by offering advice to people on how they could improve on what they were doing. That is more of a preventative approach. A lot of action had to be taken, and there have been some prosecutions. I am very pleased and encouraged by the positive approach that has been taken by councils to date in respect of their new responsibilities. I am also very pleased about the ongoing close and effective partnership working there has been between the Department, the PSNI and council officials. The one thing that I would like to make clear today is that we need to give sufficient time for these new practices and arrangements to bed in, and the Department will continue to monitor them very carefully.

Mrs McKevitt: Minister, given the high number of complaints, which you have just released to the House, have you any plans to increase the money in the councils' budgets to enable them to deliver a more proactive service, as you alluded to in your previous answer?

Mrs O'Neill: As I said, the Department is providing an annual sum to help councils to implement their new role. To date, £760,000 was available for the 2011-12 year and £780,000 for this financial year. We are aware that that is going to increase by £20,000 each year for the next couple of years. At this stage, councils have not come and asked for additional funding, but we are continuing to keep the lines of communication open and to keep things under review. At this stage, it seems to be manageable in the budget that has been placed there.

Mr Elliott: Does the Minister accept that the vast majority of farmers implement proper animal welfare? How will she ensure that those law-abiding farmers who do things right will not be on the wrong side of the legislation? Will the system be overburdened with bureaucracy?

Mrs O'Neill: The legislation does not attempt in any shape or fashion to be overly bureaucratic or to impact negatively on farmers. The legislation is purely about animal welfare. As you said, the majority of farmers are involved in good practice. Obviously, it is in their interests to be so, but they also care about the land and the livestock that they look after. So, the legislation is not geared in the direction that you have outlined.

DARD Direct: Newtownards

4. **Mr Hamilton** asked the Minister of Agriculture and Rural Development for an update on the roll-out of the DARD Direct office in Newtownards. (AQO 2473/11-15)

Mrs O'Neill: The Department of Finance and Personnel (DFP) has confirmed that a lease was negotiated for Sketrick House in Newtownards in July. A tender process is required to refurbish this property to meet the DARD Direct specification. Although this process has commenced and contractors have been shortlisted, the prioritisation of the work to repair the flood damage caused by the incident at Dundonald House has impacted on DFP's timeline for delivery of this project. This refurbishment is now expected to be complete in early May 2013.

Mr Hamilton: I thank the Minister for her reply and for the good progress that she outlined. The Minister will know that Newtownards was not originally selected as a site for DARD Direct but, because of a local campaign, it was ultimately picked. Notwithstanding the issues that the Minister raised, will she assure the House and the rural community in Ards and north Down that there will be no further undue delay in bringing that one-stop shop solution to the rural community in that area?

Mrs O'Neill: I am happy to confirm that. As I said, early May 2013 is the date by which we expect to have moved in, and all staff should be in place at that stage. Unfortunately, the events of 27 June, when torrential rain caused the flooding of Dundonald House, changed the picture somewhat. I am content that the work is ongoing and that things will be in place by May 2013.

Mr Nesbitt: The Minister will, no doubt, be aware that the Newtownards divisional veterinary office has seen a 10% increase in TB among herds, which is the highest in Northern Ireland. Does she need any more reason to commit fully to eradicating TB in Northern Ireland, and what actions has she taken?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle —

Mr Deputy Speaker: Minister, the question is not relevant, but you may answer if you so wish.

Mrs O'Neill: I was just going to make the point that it was a bit far of a stretch from the original question. The Member is aware of my position on TB.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister detail how many staff will be relocated to the DARD Direct office in Newtownards?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. Currently, 35 staff are headquartered at Kiltonga and 10 at Portaferry Road, and all will move to the new office.

Rural Challenge Programme

5. **Mr Brady** asked the Minister of Agriculture and Rural Development how the new rural challenge fund will operate. (AQO 2474/11-15)

Mrs O'Neill: The rural challenge programme 2012 opened its call for applications for funding on 14 September. The programme invites community and voluntary groups to identify poverty and isolation issues in their rural areas and communities, and it provides an opportunity to obtain funding support to develop and implement solutions.

The challenge programme will support bottom-up, community-led activities, and funding is available for up to 100% of eligible costs for at least 70 projects, with funding ranging from a minimum of £2,000 to a maximum grant of £10,000 per project. The project implementation period is anticipated to be 21 months, with letters of offer to successful applicants scheduled to issue in February/March 2013.

Following recommendations from the evaluation of the previous rural challenge programme, applicants must focus on assisting at least one of the following target beneficiary groups: children and young people; lone parents; the unemployed; disabled people; carers; the elderly; and ethnic minorities. The selection process for successful projects will be competitive, and the intention is to fund 10 projects from each beneficiary grouping.

Best practice workshops will be arranged to assist and inform applicants throughout the process. Across the North, rural support networks will be present at these workshops and available to assist community and voluntary groups in completing their application forms as required. The deadline for receipt of applications is 14 December 2012.

Mr Brady: I thank the Minister for her answer. Will she tell us how successful the rural challenge programme was in 2009?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. The 2009 challenge programme was a component of the then £10 million rural anti-poverty and social inclusion framework. That framework sought to address rural poverty and social exclusion through a number of relatively large and specific programmes, namely, community development; fuel poverty; rural transport and access; and rural childcare. In financial terms, the rural challenge programme was, at £300,000, a smaller part of the framework. It is fair to say that the independent evaluation of the programme, which was undertaken by NISRA, has highlighted that, as a

small grants scheme, the programme was extremely successful in attracting a relatively broad range of projects and delivering a range of activities across the North. Approximately 78 projects were delivered, providing various services for around 6,000 beneficiaries. The 78 funded projects were delivered by organisations such as community groups and associations, sports and social clubs, youth clubs and charitable organisations. The project was very successful, and this round aims to build on the successes of the previous programme.

Mr Campbell: The Minister will be aware that, in recent weeks, concern has been expressed in some pockets of rural areas regarding the inaccessibility of broadband. Although that is primarily a Department of Enterprise, Trade and Investment (DETI) responsibility, will she undertake to examine the issue to find out whether, if groups from rural areas make applications under the rural challenge fund to try to get better accessibility to broadband in those areas, that will be considered?

Mrs O'Neill: Groups simply come forward under the target areas that I identified, and all applications will be looked at on that basis. You are right that rural broadband is primarily a DETI responsibility. However, I have taken up the issue since coming into office. Under the rural development programme, we have set aside £5 million to work with DETI at targeting the "not spots". In some areas, people have no access, and in other areas, access that is not worth having. We need to address those problems. It is frustrating for people in rural areas when they hear about faster broadband speeds when they are not even on the slowest speed rung of the ladder. I will continue to work with DETI on that project.

Mr Kinahan: If and when schools in rural areas are closed as part of area planning, does the Minister see the rural challenge fund being used to help those people who suffer from poverty and social exclusion?

Mrs O'Neill: As I said in my original answer, all groups under the target groups are welcome to come forward with ideas and projects. The beauty of the fund is that it allows people to tailor an application to the needs of their local community. Whether it is children or young people, carers or disabled people, a group that comes forward with a worthy project targeting any of those groups will be considered. The fund is unique in that there is no predefined way to do things. If people have a solution to suit the needs of their area, they should come forward.

My colleague the Minister of Education is committed to the educational needs of all children and to raising standards across the board. He is aware of particular instances in rural communities, where a school is quite often the centre of a community. That is why there are criteria in his policy to look at the impact of that on the wider rural community.

Mr Deputy Speaker: As Mr Raymond McCartney is not in his place, I move on to Mr Francie Molloy — *[Interruption.]* Order. I remind Members that you do not shout across the Chamber.

Lough Neagh

9. **Mr Molloy** asked the Minister of Agriculture and Rural Development what progress has been made on exploring

the possibility of bringing Lough Neagh into public ownership, as had been agreed by the Assembly on 17 April 2012. (AQO 2478/11-15)

Mrs O'Neill: Following the Assembly debate, I submitted proposals to the Executive in May on the formation of a cross-departmental working group. The proposals were endorsed, and a key requirement for the working group is to produce findings and recommendations, where appropriate, to my Executive colleagues by November 2012. I can confirm that the working group has been formed and met during September. In addition to the research and work being undertaken in the different Departments involved, an informal consultation has been launched with groups and organisations that have been identified as key stakeholders. The purpose of the consultation is to obtain their high-level views on the proposal regarding public ownership. At this stage, I am pleased to report that the working group is on track to meet its objectives and provide its findings and recommendations by the November deadline. If as a result of the working group's investigation, more time is required, I will immediately make my Executive colleagues aware of that.

Mr Molloy: I thank the Minister for her answer. What are the potential courses of action for the Executive once the findings and recommendations have been brought forward from the Lough Neagh working group? What does she see as being the next steps?

Mrs O'Neill: Go raibh maith agat, a LeasCheann Comhairle. The working group was established to provide high-level analysis for the Executive on the proposals regarding public ownership so that an appropriate way forward could be identified. Once the working group has provided its findings and recommendations, my Executive colleagues and I may decide that it would be appropriate to arrange further, more detailed investigations into the matters raised. It is also possible, when the findings are extremely compelling, that the potential for public ownership is ruled out. We have to be open-minded about all the issues that may come forward. It is important that we are open to commissioning further work to identify how the strategic and operational management of the lough is held by different Departments, how that could be improved and how we can maximise the benefits to the people of the North. Given the number of problems that were identified during the earlier debate, the potential benefits in public ownership of Lough Neagh are tremendous.

3.00 pm

Culture, Arts and Leisure

Mr Deputy Speaker: We must move on to questions to the Minister of Culture, Arts and Leisure. I remind Members that the Speaker received a letter from the Minister of Culture, Arts and Leisure indicating that she would not be available for plenary business this week. The Minister of Education will, therefore, respond today on her behalf.

Salmon Conservation

1. **Mrs Dobson** asked the Minister of Culture, Arts and Leisure to outline her Department's timescale

for introducing legislation following the results of the recently released consultation on salmon preservation. (AQO 2485/11-15)

Mr O'Dowd (The Minister of Education): There are a number of stages to be completed on salmon conservation policy development. A statistical analysis of the responses to the consultation has been completed, and officials are considering that, together with scientific and other advice. The Minister will decide what actions are required to provide robust protection of wild Atlantic salmon stocks that are in the Department of Culture, Arts and Leisure's (DCAL) jurisdiction. The Minister will continue to consult stakeholders and the Committee for Culture, Arts and Leisure in taking forward the necessary legislation, and she anticipates that that will come into effect during 2013.

Mrs Dobson: Does the Minister accept that salmon conservation must be tackled by legislation or regulation? Will she — or he — give a commitment that the relevant work will be taken forward in time for the 2013 fishing season?

Mr O'Dowd: It will definitely be "she" who will take forward the recommendations. I understand that the consultation is ongoing and that the Minister wants to take time to evaluate the consultation responses and have further discussions with the Committee before deciding on the most appropriate way forward. Clearly, that may be legislation, but the decision will be taken in due course.

Mrs McKevitt: That was one of the questions that I was going to ask. Given the importance of the fishing industry, particularly in the south Down area, the conservation policy will be of grave importance, especially for people's welfare and well-being. Does the Minister envisage that the conservation policy will be in place for the 2013 salmon fishing season? That question should be answered.

Mr O'Dowd: As I indicated in my original response, it is the Minister's plan to have the policy in place by 2013. However, I am sure that the Member will agree that it is also important that the consultation responses are analysed and that discussions with the Committee are ongoing. I am sure that she will also realise that the conservation of salmon and the protection of the livelihoods of those who are involved in the fishing industry are joined together, because if there is no salmon, there will be no fishermen — or women, for that matter. So, we have to ensure that the salmon is conserved in a way that also protects the rights and entitlements of those who are involved in the industry.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers so far. Can he give an update on the success of the voluntary catch-and-release scheme for salmon in DCAL waters?

Mr O'Dowd: Yes. DCAL, as a fishery owner, introduced a catch-and-release-only policy for salmon in all public angling estates' waters for the 2012 season. Feedback from the angling community indicates that that decision has attracted widespread support. That is borne out by the fact that a total of 75% of the respondents to the recent public consultation on salmon conservation were in support of mandatory catch and release for recreational angling. A number of private fishery owners and angling clubs have also confirmed that the waters that they control are now catch and release only for salmon.

Mr Storey: Given the recent concerns that anglers expressed about guidance that the Minister issued in February, especially on banning the use of the humble worm as bait for fishing on rivers, such as the River Bush in my constituency, does the Minister envisage any further restrictions on the fishing community, which are clearly in contravention to everything else that is being said about trying to enhance fishing and make it a sport and tourist —

Mr Deputy Speaker: I think that the Minister has got the gist of your question.

Mr Storey: Thank you, Mr Deputy Speaker.

Mr O'Dowd: As I have said repeatedly, the Minister wants to take into account the consultation responses, which have been logged with her Department. As I also said, the salmon has to be preserved to preserve angling rights. That makes sense to me even as an observer. So, it is about making sure that both are properly balanced.

I understand that the reduction in Atlantic salmon numbers is a matter not only for this island but one of international and global concern. Further international research is going on into that matter, but I have no doubt that the Minister of Culture, Arts and Leisure will continue to play her part in ensuring that there are salmon in the waters to be caught.

East Belfast Arts Festival

2. **Mr Douglas** asked the Minister of Culture, Arts and Leisure for her assessment of the success of the recent East Belfast Arts Festival and its role in showcasing east Belfast and Northern Ireland as a cultural destination for international visitors. (AQO 2486/11-15)

Mr O'Dowd: I understand that a full evaluation of the success of the festival has not been completed at this stage. However, initial feedback is that the inaugural festival has been successful. I understand that reviews and media coverage have been positive and that the publicity for and marketing of the festival have been successful. It is estimated that around 2,000 people enjoyed the highly successful concert on Saturday 8 September, featuring headline act Van Morrison.

Arts and culture are key to the success of building cultural tourism to showcase east Belfast and the North of Ireland as a destination to which to attract international tourists. Local festivals such as this one contribute to the richness and variety of that offering for visitors.

Mr Douglas: I thank the Minister for stepping in for the Minister of Culture, Arts and Leisure to answer that question. Does he agree that community-based festivals make an enormous contribution to local life and that they need help and support? That festival was an inaugural festival, and it was done on a shoestring budget. Does the Department have any plans to bring people together to look at future festivals?

Mr O'Dowd: As the Member will note, in my original answer I stated that the Department has made it clear that it sees local community festivals as an integral part of its strategy and a way of promoting tourism to the North and further afield. I understand that funding to the festival was in the region of £5,000 from the Arts Council, although there may also have been sponsorship. There was a time delay in the application being submitted for further funding, but I think that those matters can be overcome.

The success of the festival was well noted. I noted it in the media myself. Van Morrison was a big attraction, and it was a major coup for the festival organisers to get him involved at a very early stage. Therefore, from DCAL's point of view, it appears that community festivals are the way forward. There is a lot of good work to be done with the East Belfast Arts Festival, and, if it continues to build on the success of this year, I have no doubt that it will be up there among the best.

Mr Copeland: In many ways, the Minister has answered the question that I wanted to put, but can he indicate whether he has any knowledge of any thought as to how the growth of the festival will continue to be promoted through funding being applied to it? It is a new venture in east Belfast, and it deserves support.

Mr O'Dowd: I understand that Arts Council officials have already met the organisers since the festival's completion, and they are discussing the way forward for future years. The key to the success of any community festival is the community and the organisation involved. As I said to Mr Douglas, it is clear that a festival that has the nerve and tenacity to ask for Van Morrison is on the right track. I have no doubt that, in future years, it will continue to see success. I also understand that there will be further discussions with Belfast City Council and other funders to ensure the success of the festival.

Mr Lyttle: I thank the Minister for his responses so far. Does he agree that cultural festivals, and, indeed, the East Belfast Arts Festival, can make a great contribution to building a shared future in Northern Ireland? I am thinking of the East Belfast Arts Festival working in partnership with the West Belfast Festival. I was at an Irish-language documentary screening —

Mr Deputy Speaker: Will the Member come to his question please?

Mr Lyttle: — with Sammy Douglas in Ballyhackamore library. Will that be considered when looking at what future contribution the Department can make in supporting this great festival?

Mr O'Dowd: The simple answer is yes. In your question, you pointed to a number of examples of co-operation between east and west Belfast. I understand that west Belfast held one of its events in east Belfast this year for the first time ever, which is a very good thing. If you look at the example of west Belfast and where its community festival came from, it grew out of adversity and strife, and it has now built itself into an internationally recognised festival, presenting a totally different image of the west Belfast area. I have no doubt that east Belfast can do likewise, working in conjunction not only with the east Belfast community but with communities across Belfast and, indeed, further afield.

Ms McCorley: Gabhaim buíochas leis an Aire as a chuid freagraí go dtí seo. Before I ask my question, will the Minister join me in congratulating the Donegal team on their great success yesterday? Will he outline how much DCAL contributes to community festivals and indicate why the Department believes that this is good value for money?

Mr O'Dowd: I am more than happy to join the Member in congratulating Donegal on their wonderful success in the All-Ireland yesterday. The fact that I am standing beside a Mayo woman while doing so makes it that wee bit richer.

I was one of the lucky 82,000 people to be in Croke Park yesterday for the match. It was a fantastic display of sportsmanship and celebration, so it was great to be there. Congratulations to Donegal, and commiserations to Mayo.

In answer to your question, since 2008-09, DCAL has allocated more than £450,000 a year to the community festival fund. That funding is calculated using population and deprivation measures for each council area. Councils are required to match fund the allocations from DCAL. The value of community festivals can be found in the way they build social inclusion, promote talent, develop skills, provide diversionary options, generate employment opportunities and celebrate the greatness of communities across the North. They are an important and vital contributor to our wider cultural and artistic product.

2012 Olympics: Legacy

3. **Mr Nesbitt** asked the Minister of Culture, Arts and Leisure how her Department will maximise the legacy of the Olympic and Paralympic Games. (AQO 2487/11-15)

6. **Mr A Maginness** asked the Minister of Culture, Arts and Leisure, given the outstanding success of our Paralympians and Olympians, what steps her Department is taking to continue to build on the success of the London 2012 games. (AQO 2490/11-15)

Mr O'Dowd: With your permission, Mr Speaker, I will take questions 3 and 6 together.

In 2007, Ms Ní Chuilín's Department worked with stakeholders to produce the Northern Ireland Olympic and Paralympic Games 2012 strategy to ensure that the North fully participated and delivered a lasting legacy from this truly global event.

The strategic legacy benefits were identified as community engagement, economy and sport. DCAL led and co-ordinated the delivery of the strategy for the games, with key partner organisations driving the respected areas of responsibility. Sport NI is responsible for the sporting legacy. Volunteer Now is responsible for the volunteering legacy. The Arts Council is responsible for the arts and cultural legacy, and Invest NI is responsible for the economic legacy.

DCAL will continue to build on these partnerships in order to ensure that local projects and initiatives inspired by the 2012 games can develop and further enhance future events such as the City of Culture and the World Police and Fire Games.

The success of our athletes at the Olympic and Paralympic Games 2012 will also serve as an important measure of sporting achievement, as defined in the DCAL sports strategy, Sport Matters. In addition, the success of the games generally, the achievement of our local athletes, the inspiration of international competitors who trained here and the 2012 Inspire Mark programme will all be used as a catalyst for driving forward Sport Matters' three key pillars of sporting legacy, namely improved participation, performance and places for sport.

Mr Nesbitt: I thank the Minister for his answer and recognise what he says about the UK City of Culture and the Police and Fire Games. I am sure he will accept that our youth live in an instant generation of Facebook and

Twitter. Were any actions unveiled alongside the closing ceremonies to try to attract them into engagement?

Mr O'Dowd: I understand the Member's question and his point about the instant gratification of social media. I think that we are being unfair to our youth in many ways. I think that the Olympics and the Paralympics and especially the achievements of our local athletes will live on for many years. Many young people will be inspired by people such as Jason Smyth, Michael McKillop, Bethany Firth, Peter and Richard Chambers, James Brown, Eilish Byrne, Paddy Barnes and Michael Conlon. I hope that I have not missed anybody out.

Mr Campbell: Alan Campbell.

Mr O'Dowd: Alan Campbell. I apologise; I am just reading from this list. All those people have shown great strength and devotion to their sport. Unfortunately, I only watched it on the television, but anybody who was lucky enough to be in the stadium would have seen that those people are leaving a long-term legacy. Our youth deserve a little more credit. I have no doubt that many young people are engaged, or planning to engage, in sport because of the Olympics.

3.15 pm

Mr A Maginness: I agree with the Minister that it was a wonderful occasion for our sportspersons, whether Olympians or Paralympians. My constituency was particularly blessed with Michael McKillop and Paddy Barnes. Has the Minister any plans to develop a boxing strategy arising out of the wonderful success of our boxers in the games?

Mr O'Dowd: The DCAL Minister announced a strategy to provide further funding to the boxing fraternity. She has a great personal interest in boxing. There is a plan in place. The Department is currently surveying boxing clubs right across the North to see what equipment and materials are required. That will be reported back to the Minister, who will then put a funding strategy in place.

Boxing is a great diversion for boys and girls to bring them in off the streets and show them a different way. It is a very fulfilling sport. Although it may be one on one in the ring, there is a great team atmosphere around a boxing club.

Mr Campbell: Looking forward to the next Olympic Games, obviously that will be part of the legacy. Everyone is aware of the difficult choice that Rory McIlroy will have to make in respect of golf, and we will support him, whatever that choice. However, does the Minister agree, and will he ask his friend the Minister of Culture, Arts and Leisure, that the same opportunity that is afforded to the likes of Rory McIlroy, Graeme McDowell and others to play for team GB and Northern Ireland, or team Ireland, should also be afforded in the Olympic Games to boxers so that they are not compelled to fight for team Ireland when they could fight for team GB and NI if they wish?

Mr O'Dowd: We should not bring our political rancour into the sporting world. If one thing has been shown over the Olympics, regardless of what team anyone from here played for or joined, the whole community got behind them in support. No matter what flag they wrapped around their shoulders at the end of the event, I noted that all sections of the community were elated that somebody from here was achieving on the world stage.

Mr Ó hOisín: What impact will the funding that went into the Olympics have on other projects in the years to come?

Mr O'Dowd: A number of points have to be taken into account in terms of National Lottery policy and legislation, which, as you know, is a reserved matter. At the outset of the Olympic Games bid, the Government consistently said, for instance, that Lottery proceedings would form part of the funding. There are four Lottery distributors, namely Sport NI, the Arts Council, the Big Lottery Fund and the Heritage Lottery Fund. The estimated local contribution is around £40 million. It should also be noted that the National Lottery will be entitled to a share of the proceedings from the sale of land and property at the Olympic Park. I have no doubt that the DCAL Minister will continue to lobby for further funding from sources such as the National Lottery and the Olympic legacy to ensure that our current batch of athletes, and our athletes of the future, are well equipped.

Mr Allister: One issue that arose in the context of the legacy of the boxing successes was discussion about sectarianism in the sport, particularly in light of the report from the Sandy Row amateur boxing club. Why have departmental officials not yet met the club to discuss those issues, and what steps does the Department intend to take to deal with those personal experiences of sectarianism?

Mr O'Dowd: Sectarianism has no place in any walk of life, whether in sport or elsewhere in our society. I am not sure whether or not DCAL officials have met members of the club. I am not sure whether that request is in, but I am sure that DCAL officials will contact the Member in due course and brief him on that matter. I am not in a position to answer his question in detail.

Mr Molloy: I ask the Minister question 3. Sorry; question 4.

Regional Stadium Development Programme

4. **Mr Molloy** asked the Minister of Culture, Arts and Leisure what progress is being made on integrating sustainable economic, social, equality and environmental outcomes into the stadium programme. (AQO 2488/11-15)

Mr O'Dowd: The Executive are firmly committed to the use of public money for maximum improvements to the lives of those areas and communities that suffer grievous socio-economic inequalities. The Department also has stand-alone statutory and public policy requirements, as a public authority in its own right, that impose specific procedural and general duties attached to section 75 of the NI Act 1998. In keeping with those, social clauses that will maximise the sustainable economic, social, equality and environmental outcomes have been firmly embedded throughout the procurement and delivery process for all three sports stadia. Relevant clauses and measures have been factored into both contracts for the professional services and construction works contracts that have been put out to tender and will be included as an important element in the contract award criteria going forward.

The inclusion of those clauses will maximise the socio-economic impacts that are achievable through the significant investment that is being made by the Executive on the stadiums programme by targeting measurable and monitored employment opportunities and socio-economic outcomes at the areas and communities of society that are assessed as being the most objectively needy and

providing a wide range of social returns for areas and communities that live in proximity to the new stadia.

Mr Molloy: Go raibh maith agat. Apologies for last time. I thank the Minister for the answer. Will he explain or outline the innovative ways in which DCAL is using section 75 to promote socio-economic returns?

Mr O'Dowd: Section 75 has historically been implemented in procedural terms by public authorities under guidance issued by the Equality Commission. That is required to ensure compliance with schedule 9 to the Act. In addition, however, section 75 imposes general duties on public authorities, such as demonstrating due regard to the need to promote equality of opportunity among various sectors. Building on those procedural and general duties, and taking into account relevant case law, DCAL is seeking to use section 75 in a positive and purposeful fashion to practically promote sustainable economic development alongside greater social equality.

Mr Humphrey: I thank the Minister for his answers so far. I ask him for an update on the three stadia: Ravenhill, Casement Park, and, of course, most importantly — as a member of the green and white army — Windsor Park.

Mr O'Dowd: I can provide the Member with that — if I just get the right page. Apologies; I am a substitute today. The three stadia are progressing; the regional stadium programme is on track and progressing well. The governing bodies of the three sports are now working in full accordance with the new delivery arrangements. As for Ravenhill, planning permission has been approved; the design team has been appointed; a contractor is to be appointed in October; and construction is due to commence in November. The completion date remains September 2014. As for Casement Park, the design team was appointed in early September. Engagement with the Department of the Environment (DOE) strategic planning division is continuing. It is intended that a contractor will be appointed by July 2013, and the completion date is September 2015. As for Windsor Park, the design team has been appointed; early designs have been published; and community consultation is under way. Planning issues are being addressed in conjunction with strategic planning division. Construction is scheduled to commence in July 2013, with a completion date of June 2015.

With regard to specific clauses, the bidders for the Ravenhill contract have been asked to provide the following social benefits: employ seven long-term unemployed; create four new apprenticeships; have 5% of their workforce in recognised apprenticeship schemes where the workforce is over 20 employees; have two student placements; and have five practical proposals post-contract that will develop a range of social returns in the area.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. I was going to ask the Minister whether he could tell us when he expected the first Armagh versus Donegal Ulster final at Casement Park, but I know, Deputy Speaker, that you probably would not allow that, and even the Minister's renowned foresight perhaps could not see that far into the future. What steps will the Department take to ensure that the progress made to date is maintained and that the projects will remain on time?

Mr O'Dowd: I assure the Member that Down will be there before Armagh will, but that is another matter. There are

regular engagements now among the authorities in each of the codes, DCAL and the programme manager. The Department is confident that, now it has a handle on this matter, the right people have been put in place, a proper focus has been placed on it and the programmes will be delivered in the timescales envisaged.

World Police and Fire Games: Volunteers

5. **Mr Lyttle** asked the Minister of Culture, Arts and Leisure, in light of the important role played by volunteers in the Olympics and Paralympics, to outline the efforts her Department has made to recruit volunteer helpers for the World Police and Fire Games 2013. (AQO 2489/11-15)

Mr O'Dowd: It is widely recognised that one of the big success stories of the Olympic and Paralympic Games was the spirit and enthusiasm of the volunteers. The World Police and Fire Games will take place in Belfast from 1 August to 10 August 2013, and around 10,000 athletes and 15,000 visitors will arrive in Belfast next August. Volunteers will be critical to the success of the games.

2013 World Police and Fire Games Limited (WPFGLtd) was established to deliver the 2013 games. The company has contracted Volunteer Now to recruit, train and manage the 3,500 volunteers required for the games. An advertising and public relations programme to recruit volunteers was launched at the start of September, and online volunteer registration opened on 3 September. Registration closes on 31 October to ensure that the necessary assessment, training and vetting of volunteers can be completed on time. As of 14 September, 1,400 people had registered their interest to be volunteers. I encourage all people and all communities across the North to support the games and to consider volunteering their skills and talents to make the games a success.

Mr Lyttle: I thank the Minister for his response. It is obviously a huge achievement for Northern Ireland to have secured the World Police and Fire Games. Does the Minister think that his colleague the Minister for sport is doing enough to capture the imagination of people in Northern Ireland by connecting them with the scale of possibility of that event? Indeed, is she working with the tourism Minister and the Minister for volunteering to make sure that we get as much information out there about the volunteering and tourism opportunities involved?

Mr O'Dowd: That is the easiest question of the afternoon, and the answer is yes. Now that the Olympic and Paralympic Games have passed, I think that there will be a focus on the World Police and Fire Games and the potential that exists for those games in Belfast. It is a major international sporting event.

Many programmes have been made and many articles penned about the Olympic and Paralympic Games, and one of the main features was the role of the volunteers. They made those games the "Friendly Games" and brought that extra dimension. I have no doubt that DCAL will be able to recruit 3,500 volunteers here to go out and do their part on the streets of Belfast and further afield to make the World Police and Fire Games the "Friendly World Police and Fire Games".

As local representatives, it is up to us all to encourage people to come forward and volunteer. The Department has specifically put an onus on people from socially

deprived and neighbourhood renewal areas to come out, get involved in the games and make them their own. I think that we are in for a very exciting time with the World Police and Fire Games, and I have no doubt that local people will make them the "Friendly Games" as well.

Miss M McIlveen: Is the Education Minister in a position to update the House on what progress WPFGLtd has made to secure the private sponsorship required to deliver the games in 2013?

Mr O'Dowd: Unfortunately, the Education Minister cannot answer that question, but I have no doubt that DCAL officials will be in contact with you and will give you whatever details they have on that matter.

Mr Deputy Speaker: Mr Maskey.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. You are very observant. Will the Minister give us an assessment of the World Police and Fire Games company's approach to using volunteers, specifically to encourage broader social inclusion and engagement between communities and the emergency services?

Mr O'Dowd: Yes. The World Police and Fire Games company is working under significant time and organisational pressures to deliver one of the biggest international sporting events ever held on the island of Ireland. An important part of its strategy is to build on social inclusion and encourage positive engagement between communities and the emergency services.

One of the great scourges faced by our society is the extent to which respect for the emergency services — fire, rescue, police and ambulance — is not universal. In some communities, considerable educational engagement work is still needed to help build proper relationships. The Minister of Culture, Arts and Leisure and her officials are in constant contact with senior figures in the World Police and Fire Games company, and they have no doubt that everyone is committed to maximising social inclusion and community engagement over the next year.

3.30 pm

Executive Committee Business

Tenancy Deposit Schemes Regulations (Northern Ireland) 2012

Debate resumed on motion:

That the draft Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 be approved. — [Mr McCausland (The Minister for Social Development).]

Mr Copeland: I welcome the regulation, as it is clearly long overdue. I register with the Department yet again my quiet disappointment at the delays.

We in Northern Ireland have been forced to watch from the sidelines as the rest of the United Kingdom moves ahead with its tenancy deposit schemes. At long last, we can elevate ourselves to some sort of equal footing with our colleagues in Great Britain. A more structured approach can only serve to benefit the reputation of the private rented sector, which I think we all agree is in dire need of image repair in some cases.

Around one in six people live in privately rented accommodation in Northern Ireland. That includes students and families, as well as migrants from foreign countries who have chosen to reside here, many of whom are in my constituency of East Belfast. The student population of this country in particular has been anticipating the tenancy deposit scheme for quite some time. At a time of increasing university fees and when families are finding it ever more difficult to make ends meet and support their children through third-level education, any scheme that will ensure that students get a fair deal is to be wholly welcomed.

There is a variety of landlords out there, just as there is a variety of tenants. Some landlords own a single property, while others possess vast portfolios. It is important to note that no landlord will be exempt from this scheme. We welcome that. Landlords who have operated fairly in the past have absolutely nothing to fear or be concerned about in these proposals. It is the landlords who thrive on greed and the misfortune of others whom we hope to eradicate.

(Mr Deputy Speaker [Mr Beggs] in the Chair)

The National Union of Students - Union of Students in Ireland (NUS-USI) previously conducted research, which revealed that, out of a sample of 1,302 students, 48% had their deposit unfairly withheld in their view. An introduction of this tenancy deposit scheme will ensure that these cases will in future be given a fair hearing by an independent body. That can only be to the good. Bearing in mind that these student figures are only those that we know of, what about the figures for foreign nationals having their deposits withheld? They face a more onerous and difficult situation due to the burden of language barriers as well as their general unfamiliarity with our system and our way of doing things. Therefore, if we take the figure of 48% of students who have had deposits unfairly withheld and apply that to foreign nationals, the elderly and young families, it is clear that tenants may not have been treated fairly for many years. Crucially, repayment of deposits in disputed circumstances will provide a mechanism whereby

tenants can contest that decision and indeed win. That was not previously the case.

The dispute resolution mechanism will ensure that an adjudicator will provide a service that is free of charge to both the tenant and the landlord. Hopefully, this will serve to reduce the number of disputes that are dragged through the courts every year. This scheme will elevate tenants to a position of parity with their landlords by giving them the right to appeal any disputed decisions through an independent body. Again, this is something that can only be welcomed by any reasonable person.

One benefit of lagging behind the rest of the United Kingdom is that we can learn from others' mistakes and highlight the areas of the tenancy deposit schemes that have worked well. Hopefully, by studying the experienced models, we can assure the people of Northern Ireland that we are going to get this one right. I support the motion.

Mr F McCann: Go raibh míle maith agat, a LeasCheann Comhairle. I support these regulations. Members who have already spoken have covered most of what I was going to say, and, as Alex said, we do not want to repeat them. However, I will repeat them anyway.

This is an important regulation. This problem is not just confined to students or foreign nationals; it happens right across the board. All of us who deal with constituents have dealt with horror stories of people having their deposits held back when they were leaving or asked to leave a property.

This certainly paves the way and will send out the right messages to people who choose to live in the private rented sector that the Assembly has taken on board their concerns and is moving to try to assist them. We need to keep an eye on this legislation because we may be able to add to it. Landlords and their agents have used every excuse to hold back deposits, and we have all seen the consequences of that. People have left a privately rented house, had their deposit withheld and found that they could not afford to go into any other house. They ended up either sleeping on a settee in a relative's house or, sometimes, on the street. So the regulations will be welcome and accepted. We should see them as a first stage in how we deal with the private rented sector across the board. I support the motion.

Mr McCausland: I am pleased with the consensus of support across the Assembly and the parties for the regulations. I thank the Chair and the Social Development Committee for the positive way in which they dealt with the regulations. Members' contributions generally set out the need for such a provision and indicated their support for it, which is encouraging. If any matters need to be followed up, I will do so in writing. I am certain that we all want improvements in the private rented sector. We need to make it a more attractive housing option and give tenants confidence when they rent privately, particularly when handing over and getting back their deposits. I commend the motion to the House.

Question put and agreed to.

Resolved:

That the draft Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 be approved.

Committee Business

Criminal Justice Bill: Extension of Committee Stage

Mr Givan (The Chairperson of the Committee for Justice): I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 14 December 2012, in relation to the Committee Stage of the Criminal Justice Bill [NIA 10/11-15].

The Committee Stage of the Criminal Justice Bill began on 4 July 2012. It is not a particularly large Bill, consisting of 10 clauses and four schedules that cover three distinct policy areas. To enable scrutiny of the Bill to start as soon as was possible, the Committee resumed its work after the summer recess. It sought written evidence by early September, which provided almost eight weeks for organisations and individuals to respond. To encourage views to be submitted, the Committee wrote to a wide range of key stakeholders and placed notices in local newspapers and on the Assembly website.

The Committee has received 25 submissions, many of which comment on and raise issues about the Bill's clauses and schedules. Several more submissions are due this week. The Committee began to take oral evidence at its meeting on 20 September. Further evidence sessions are scheduled up to 25 October.

Given the interest in the Bill and the need for robust and detailed scrutiny of the areas that it covers, at the Committee's 13 September meeting, members agreed to seek an extension to the Committee Stage until 14 December 2012. In seeking an extension, the date agreed takes account of the time that is needed to take oral evidence, carry out the clause-by-clause scrutiny and compile and agree the Committee report. It will also enable the Committee to consider a range of other important issues that are not related to the Bill, such as prison reform, the courts estate and a new five-year strategy for victims and witnesses of crime that the Department has indicated that it intends to bring to the Committee before the Christmas recess. The Committee will undertake its scrutiny responsibilities for the Bill in a diligent manner, and it requires time to discuss the issues fully. The Committee will report to the Assembly on the Bill as soon as possible within the proposed deadline of 14 December this year. I commend the motion to the House.

Mr McCartney: Gabh mo leithscéal, a LeasCheann Comhairle. Obviously, the Chair outlined the need for the extension, and we will be in total support of it.

Question put and agreed to.

Resolved:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 14 December 2012, in relation to the Committee Stage of the Criminal Justice Bill (NIA Bill 10/11-15).

Private Members' Business

Housing Benefit

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion has 10 minutes to propose and a further 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes to propose and a further five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Durkan: I beg to move

That this Assembly calls on the Minister for Social Development to retain the direct payment of housing benefit to social landlords, following the anticipated introduction of universal credit, to avoid rent defaults and potential homelessness.

The coming months will see the presentation, dissemination and, hopefully, the minimisation of the adverse impact that the Welfare Reform Act will have here on many thousands of vulnerable people. We have already discussed and debated several of the more draconian elements of the reform, including swathes of people with disabilities losing disability living allowance (DLA) and incapacity benefit; people under 35 years old being expected to live in a single room; and people being taxed on extra bedrooms. We emphasised time and time again throughout those debates the urgent need for the Assembly to shape the legislation to suit Northern Ireland, rather than to merely accept, and effectively rubber-stamp, something that has been made in England and that has no cognisance of the realities of life here.

Although there is little doubt that the Tories' agenda is focused on cutting expenditure, the move towards universal credit is being packaged as a means of both giving and teaching claimants financial responsibility. There is to be a single household payment of benefits to one nominated person in each household. That move in itself is fraught with danger, and I fear that many households are going to have to learn the hard way. Families will have major difficulty managing budgets, which is something that many have not done before, especially when those budgets have already been reduced due to benefit cuts and rising unemployment. Problems will also arise in families, especially where there may be addiction problems. Will the benefit find its way to its intended target? That, however, is a debate for another day, so we must focus today on the housing benefit component of universal credit.

According to the Housing Executive, in 75% of cases housing benefit is paid directly to landlords, whether that is the Housing Executive, a housing association or, increasingly, a private landlord. However, under the new arrangements, it is proposed that that benefit will be paid to the tenant, along with their other benefits, in a single monthly payment. The implications of claimants being unable to budget and, as a consequence, jeopardising their rent payments, are serious and manifold: debt; increased reliance on doorstep lenders; and, ultimately, homelessness.

The motion supports the retention of our current system, which allows tenants who believe that they are financially capable to have the money paid directly to them, and those who worry about their ability to budget will be able to have their rent paid directly to their landlord. Although housing benefit allows for that choice, the majority of social housing tenants who are housed by the Northern Ireland Housing Executive are bound by their tenancy contract to have whatever rent is being paid by housing benefit paid directly to the Housing Executive. The motion therefore serves to protect not only tenants but the needs and sustainability of the Housing Executive, housing associations and private landlords.

3.45 pm

Over the past year or so, the SDLP has engaged with charities, advice services, housing associations and many others on the impact of welfare reform. All those with whom I have spoken have expressed concerns about the impact of removing direct payments. All are anxious about the inevitable increases in rent arrears, court actions, evictions and homelessness. That impact is a very real and imminent prospect and could lead to very serious consequences for society as a whole.

Not only are we faced with an overhaul of the benefits system, but we are currently in the midst of what could fairly enough be described as a housing crisis in the North. The removal of almost guaranteed rents, paid directly from the housing benefit stream, will hit the perception of the sector among the financial institutions and capital markets. Currently, reliable rental income assists housing associations in particular in borrowing from financial institutions, thereby contributing to the development of new social housing with less cost to the Department and, indeed, to the taxpayer.

Likewise, we have become increasingly reliant on the private sector, but it is certain that it will not rely on uncertain rent payments to cover mortgages and avoid repossessions. Many private landlords are reluctant to consent to leases that do not have direct debits or standing orders set up for payments. That is another obstacle for housing benefit claimants. That will also add, no doubt, to the burden of the Housing Executive and the housing associations in helping those who are unable to meet the requirements that are imposed by the private sector.

I welcome the inclusion of the private sector in the amendment, as it was not explicitly referred to in the motion. Lord Freud has acknowledged that, although we are bound to operate a closely aligned social security system with Britain, if a case can be made for Northern Ireland's individual circumstances, we will be afforded the opportunity to avail ourselves of those flexibilities.

Regrettably, we have higher levels of benefit dependency than other parts of the UK. We have a higher percentage of people in unemployment and more people on DLA — the list goes on. Housing benefit requirements here are very different from those in other jurisdictions. We have no equivalent of rent officers, and local housing allowance is administered differently. Here, as I said earlier, more than three quarters of housing benefit is paid directly to landlords compared with 20%, or one fifth, in England.

Overall in Northern Ireland, according to the Consumer Council, people are less financially capable than their

counterparts in Great Britain, and individuals will need support to learn the skills that are needed to manage their financial affairs. Just last week, the Minister for Social Development said:

“the benefit of devolution is that we can look at things, pick out the good things, learn from other things and make sure that we do it right. We will certainly do that.”
— [Official Report, This Bound Volume, p176, col 2].

We would contend that, previously in the House, the Minister has not always done that, but given the DUP amendment, with which we cannot really disagree, I have confidence in the Minister to do so on this issue. In the past, he has indicated to me that he is committed to putting measures in place to ensure that the universal credit system does not disadvantage customers or place them in undue hardship.

I trust that he will give a commitment that he will not only secure the IT functionality but implement it. I appreciate the spirit of the amendment, but we also believe that we are obligated to retain direct payments. We ask the Minister to do that and, if necessary, find the money to do so. In our opinion, the amendment is a dilution of the motion. By accepting the amendment, we would be accepting that we may get universal credit without direct payments, something that we certainly do not want to happen. It is also important that we support the Minister in his endeavours. Hopefully that collaborative approach can bear fruit.

Although our previous attempts to ameliorate the impact of welfare reform have been rejected by some out of an apparent reluctance to test the constraints of parity, this proposal appears relatively — and I do say “relatively” — low cost and, therefore, should not suffer the same fate. We must test what flexibilities exist if we are to take seriously our role as legislators or if we are to be taken seriously as a devolved Government. Although the retention of direct payments will not stop the tsunami of cuts, it will at least reduce their impact. We must give people here any shelter that we can.

Ms P Bradley: I beg to move the following amendment:

Leave out all after “Development” and insert

“to secure, with the Department for Work and Pensions, the IT functionality to allow the choice to make direct payment of housing benefit to both social and private landlords following the introduction of universal credit, thereby helping vulnerable people to avoid rent defaults and potential homelessness.”

I will start by thanking Mr Durkan for moving the motion. To be perfectly honest, I have to say that I agree with many of the statements he made. However, I see the amendment as being complementary to the motion and not something that waters it down. It gives people the choice. We have discussed and debated this many times in the Committee for Social Development. All parties in that room have had the same concerns. Our Minister also has concerns and has been lobbying for the essential IT systems to be put in place.

The general belief underpinning the changes to our welfare system is to make benefits as similar to work as possible. It is believed that, in turn, the transition will be easier for individuals. That is a justifiable and robust belief, but it is

human nature to shy away from change. One of the main advantages of being in work is the ability to make choices and be in charge of our own destinies. There is little doubt that allowing those in receipt of housing benefit the option to manage and budget their own money will be an empowering experience for some and may give individuals confidence to secure employment.

I support the amendment, as developing the IT functionality will allow people to choose how their rent is paid and make individuals more accountable and more confident about being in charge of their own lives and, ultimately, increase their confidence. For some, it may be the first time that they have been asked how they want to manage their money. They have to be proactive with that decision. However, as a society, we have a duty to ensure that any changes do not make already difficult or challenging lives more stressful. For some people, managing their own budgets will not be practical. For them, the choice to have the housing benefit paid straight to their landlord, regardless of what housing sector they reside in, will be the empowering choice for them. We must ensure that our system does not place the most vulnerable people in society in an even more precarious position.

Supporters of the end of direct payments would claim that provision will be made for those who are deemed vulnerable. However, that raises the question of what the word "vulnerable" constitutes and how we can be sure that we include everybody in that category. We must be sure that the hidden vulnerable are included, as far as possible, in being given the choice. Obviously, it is impossible to draft a Bill that will cover every eventuality. However, we must ensure that flexibility is included so that, when a vulnerable person or household is identified, the move to direct payments is as quick and painless as possible. The amendment will allow that to happen.

As a society, we have a duty to care for those who are most vulnerable. We can do that by ensuring that we do not accept the implementation of a one-size-fits-all system. We must also remember that some people might not need direct payments to continue but need support to change to the new system. For some, it will be the first time they have responsibility for ensuring that their rent is paid in full and on time.

We must also have in place a system that addresses the issue of arrears due to loss of work. Trials in England have shown that the second most popular response by landlords to arrears is to serve a notice to quit, or to threaten to serve such a notice. Often, people get into arrears because of a sudden drop in income, most commonly due to loss of employment, which alone can lead to mental health issues, without the added worry of losing their home. Therefore, a flexible system that allows for direct payments to be made either way could help during such turbulent times. The direct payment may be only a temporary measure, allowing the person and their family some space to adjust to the drop in their income. Not everyone will have, or will want, direct payments, and some may receive them for only a transient period. Therefore, it is imperative that we have the necessary IT systems in place.

For those reasons, I ask the House to support the amendment.

Mr F McCann: Go raibh míle maith agat, a LeasCheann Comhairle. I support the SDLP motion. I am still unsure about whether the amendment has been accepted. I take it from Mark Durkan's expression that it has not.

I understand the intention for tabling the motion. The issue being discussed will hit many thousands of people in our constituencies across the board. About four or five years ago, Mickey Brady and myself, who were both on the Social Development Committee, debated in the Chamber the need for direct payments. At that stage, it was included in the workings of the Assembly that direct payments would be made. To go back to that now is short-sighted. We have a duty to protect those most in need in our society.

The issue of parity was raised by Mr Durkan. Previous Ministers have used the same excuses that are being used now, namely that parity is imperative and should not be broken. We have argued all along that we have a duty to look at how we push parity to the limit to ensure that people get what they are entitled to.

I commend the proposer of the motion, but if the proposal is passed by the Executive we will be into a whole series of presentations, debates and discussions on welfare reform, and direct payments will be part of that. So, while I understand the Member's motive for bringing the motion to the House, it might be a bit short-sighted because we are going to deal with it as part of a wider discussion in a couple of months.

I support the amendment. I am sorry that an arrangement could not have been made, because one of the things that we need to do is to send out a clear message to people that we share their concerns about the impact that universal credit will have. Picking up on something that Paula said, in the past the argument was that if people did not get direct payments, the choice would be between putting a loaf of bread on the table to feed their families or paying a landlord. In many cases, people will choose to feed their families. That is always the important message.

I support the motion. *[Interruption.]* I do not support the amendment, Alex is telling me.

Mr Copeland: I support the motion and the amendment. I support the amendment because it includes and encompasses the private rented sector, which the motion clearly does not. This experiment has been tried in the past with people on housing benefit in the private rented sector, where there is a thing called shortfall. People can hardly afford to pay the shortfall, accrue arrears and find themselves in the category of "intentionally homeless".

4.00 pm

However, it is vitally important that social tenants in Northern Ireland should retain the right to have housing costs paid directly to their landlord. A report released last week from the Social Market Foundation (SMF) says that the majority of social tenants who are receiving housing benefit want payments to go to their landlords. In fact, 80% of social tenants who currently receive housing benefit choose to have this paid directly to their landlord, a system that apparently works very well. Low-income households are strongly opposed to any removal of direct payments to landlords. Most are concerned that any change would lead to people spending their housing benefit on inescapable costs other than discharging their rent, for example,

heating their homes and putting food on the table for their families. In turn, we will inevitably see increased arrears, and this has the potential to lead to an increased number of evictions and increased levels of homelessness.

The SMF report also found that families were concerned about moving from a weekly to a fortnightly or monthly payment and how this would affect their ability to budget. Iain Duncan Smith has suggested that the Government would allow a fortnightly payment to continue on an interim basis in some cases. I — and, I believe, we all — would welcome the application of those sentiments. We should not forget that, if direct payments are ended, it will incur extra costs for landlords, for example in managing arrears, associated legal costs, payment collection and increased transactions. The list goes on and on.

The same report also notes that changes to the housing benefit system are also likely to create significant problems for social landlords and could, in some cases, damage their credit ratings as their income would seem to be less sure and less stable. It states:

“The result would be that housing associations would have to pay more to borrow money, with knock-on implications for the building of affordable housing and new dwellings.”

It seems very clear to me that any withdrawal of direct payments would be hugely detrimental to the very class of people who we in this place should be striving to assist. Direct payment of housing costs greatly helps tenants to budget, avoiding any potential arrears and safeguarding the family home. Undoubtedly, it shields tenants from unnecessary burdens, protects social landlords' financial viability and maximises private investment in social housing.

The architects of this, I am sure, return from their warm, comfortable offices on a magnificent piece of transport infrastructure and do not find loan sharks at the door or in the front room. They will probably never in their lives have to take a judgement and tell one child that they can go on a school trip while another cannot. They will never have to justify why the kid next door has a better bike or, indeed, a better pair of shoes. This, in its current form, will undoubtedly — and I do not think there is a single Member in here, who has any working-class elements in their constituency, who will not know the difficulties that housewives and mothers particularly face on an almost daily basis in the choices that they make. We talk about budget shortfalls in government Departments of millions of pounds. On some occasions, a budget shortfall of 50 pence can be the difference between eating and not eating. Those are not words thrown in to annoy one. They are facts. There is a level of our society that is barely above subsistence and anything that puts something in their way that would be detrimental to the position as it is, never mind trying to improve it, is not to be countenanced.

Mr F McCann: Will the Member give way?

Mr Copeland: Yes, indeed, Fra.

Mr F McCann: I have listened to you speak in the Committee and in debates in here, and I know that you have a social conscience. Does that mean that your party will support any amendments to ensure that direct payments are made?

Mr Deputy Speaker: The Member has an extra minute.

Mr Copeland: With respect, I do not think that I will need it. My party will consider each amendment on the basis of the amendment, and, as we all know, there is the word “parity”. I believe that parity should be examined and tested and that we can act on the basis of what we discover at that time. If you are asking me whether I am prepared to put my name or my party's name to something that I know will hurt people who I represent or who live in my constituency or, indeed, your constituency, then, sir, I have to say, no, I will not.

Ms Lo: I welcome the opportunity to speak on this very important motion on behalf of Mrs Cochrane, the Alliance Party member of the Social Development Committee. Of course, I was a member of the Social Development Committee last term.

Direct payments have been a central issue since we first heard the ideas behind the new universal credit. As Mr Durkan mentioned, many groups in the voluntary sector have serious concerns about housing benefit payments being changed, particularly for vulnerable tenants, when payments had previously been paid directly to landlords. The direct payment system is a lifeline for many social housing tenants, as it ensures that they will always have a roof over their head no matter what. The proposal to make the payments to tenants instead poses a serious risk not only for households with a member who has gambling issues or addictive tendencies but for households where there is domestic abuse or where vulnerable young people live or where a tenant has a serious physical or mental health illness. Over 133,000 households in Northern Ireland have direct payments set up with landlords, and that helps to prevent homelessness and rent arrears. Therefore, I do not think that the retention of direct payments should be reserved for vulnerable groups only. Ideally, tenants should have the choice, with safeguards in place to avoid tenants getting into rent arrears or losing their home.

The intention of the proposed changes to housing benefit under universal credit is to increase an individual's control and responsibility over their personal income and outgoings. However, my experience of dealing with constituents highlights the importance of ensuring that payment of housing benefit to tenants should only be introduced after an appropriate risk assessment has been carried out and if the tenant has requested that option. We do not want to end up in a position where tenants build up significant rent arrears or become homeless because of a decision to potentially axe a system that has worked well here for so long. That has the potential to cause significant knock-on effects for that person's family, their mental health or their ability to seek employment or training.

I was pleased to hear the recent announcement by the Secretary of State for Work and Pensions in which he spoke about flexibility with regard to retaining fortnightly payments for some under welfare reform. That bodes well for Northern Ireland recipients, and, while we need to maintain parity in the level of benefits paid, I hope that we, as an Assembly, can work together to explore as many possibilities for operational flexibility as possible in order to tailor the welfare system to local circumstances. I hope that the Minister for Social Development appreciates the importance of direct payments to social landlords and that he can retain that option for those who need or want it.

We see no benefit in disallowing tenants this choice and putting their tenancy at risk. I support the amended motion.

Ms Brown: I speak on the motion as a member of the Social Development Committee.

Universal credit, as part of the overarching benefits system, has not been universally welcomed by many in the community and voluntary sector, numerous interest groups such as Citizens Advice and many of those in receipt of benefits, who fear that the proposed changes may leave them in debt or, in the worst case, homeless. The problem as I see it is not necessarily with the idea of amalgamating various benefits into one universal credit but rather in the scale of the systems, both IT and corporate, that will be required to deliver the new benefits.

At the best of times, change can be daunting, but, for the most vulnerable, it can lead to fear and anxiety. Anyone who has witnessed the catastrophic failure of government IT projects, such as the working family tax credit fiasco, will be less than optimistic that the massive organisational change needed to deliver universal credit will be delivered either on time or within budget.

The motion raises concern over the direct payment of the housing benefit aspect of universal credit to claimants. Those concerns are echoed in a recent report by the Social Market Foundation, which said that the majority of social tenants want their housing benefit payments to go directly to their landlord. At present, many housing benefit claimants are responsible for paying their own rent but can opt to have their benefit paid directly to their landlord. Under universal credit, the biggest change is that the claimant will receive one monthly lump sum, which represents different aspects of their claim, according to needs and entitlement.

The theory behind the direct payment of housing benefit to the claimant is one of ensuring and promoting financial independence. There is something worthwhile in ensuring and promoting financial independence. No one, for example, suggests that those in debt should be awarded endless credit as a means of getting by. However, that is different from removing choice from individuals who want to ensure that their rent is paid on time and their home is secure. So, yes, encourage those who want to take responsibility, but do not penalise those who want that extra bit of support.

With so many competing pressures on family finances, it is imperative that government does not make things more difficult than they already are. I am happy to support choice, but I have reservations about that choice being dependent on yet another untested IT system. I support the intention of the motion and the general aim of the amendment.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. The Member who spoke last underlined the reason why Sinn Féin will not, even reluctantly, support the amendment. To do so would be to accept that we would have to depend on the Department for Work and Pensions (DWP) or whoever to resolve the matter for us. Whereas, my party is looking for the political and government intention to resolve the issue, so that people who need or wish to avail themselves of direct payments to landlords should have that right built into the legislation.

My party supports the motion, as my colleague Fra McCann has outlined. As Paula Bradley said earlier, when the issue was raised at the Social Development Committee, all parties and members around the table were of one mind. They shared the concerns expressed by a lot of people and stakeholders. From our own direct experience as local representatives, we know that this will be a matter of concern for a lot of people who may fall foul of it if they lose the right to have payments made directly to landlords. It will create difficulties, push people into debt and maybe into homelessness. So my party is concerned about that. As I have said, that concern is shared by all the parties.

The difficulty is that, when it comes to taking decisions, Members sometimes rely on the issue of parity. Three Members have referred to parity from their different perspectives. None of us would ignore parity — far from it. We all know that we have to deal with parity, but the views in the Chamber vary. My party's view is that we have not really tested parity. We do not think that we should be stuck with parity as an absolute point of principle. As I have said to the Minister directly, I certainly do not believe that the Assembly or, indeed, the Department has been willing to push the bounds of parity. That is a matter that we have to consider. Let us look at parity, at some point, to see how we can address matters even within the parameters of parity, although that might require a different way of administering the system. That is what we have to look at here.

The intention behind the motion is shared by most parties. The intention is to address this problem that people will experience, should money not be paid directly to landlords. However, it could be dealt with administratively. It should not be an issue around money, and, therefore, it should not be a problem of parity. It should be a matter of facilitating this solution. That is why I say that it is a political and, indeed, departmental decision, as opposed an IT issue. IT is an issue — of course, it is — but we have to look at the policy decisions that we need to take, as opposed to why some particular system does not enable it. So let us decide what we need to do politically.

Fra McCann has already touched on this. Probably, in the next number of weeks, we will be dealing with the Welfare Reform Bill, which will address the matter. We will have to tease it out in considerable detail. So in one sense, the motion is premature in coming to the Chamber at this time. Given that we have repeatedly articulated this argument, Sinn Féin Members have no difficulty in supporting the motion. It is important that we deal with it more effectively and on a more substantive basis when we give the Welfare Reform Bill our full consideration. We will look at it at that point.

4.15 pm

Mr McCausland (The Minister for Social Development): I listened with interest to all the Members who contributed to the debate and thank them for their input. It is certainly an important issue, and I am sure that we all recognise and agree that it touches the lives of many people across Northern Ireland.

As the Minister with responsibility for social security, I welcome the opportunity to respond to the motion, which calls on me:

“to retain the direct payment of housing benefit to social landlords, following the anticipated introduction of universal credit, to avoid rent defaults and potential homelessness.”

It is worth setting out clearly the extent of the issue. In the current usage of direct payments for Housing Executive tenants, who make up 42% of the rented sector, 100% is paid directly to the landlord. In the case of housing associations, the percentage is 97%, and, even in the private rented sector, the percentage is 74%. Overall, across the entire sector, 86% — we sometimes say that the percentage is 80% — of people in Northern Ireland in the rented accommodation sector have their payments made directly to a landlord. That, of course, is very different to the situation across the water in Great Britain, where the majority of people do not have that direct payment and have the payment made to themselves. It is a different situation —

Mr F McCann: Will the Minister give way?

Mr McCausland: Yes.

Mr F McCann: It goes back to what I said earlier. A number of years ago, we took a decision in the Chamber that, at that stage, people said ran against what was happening in other jurisdictions. A decision was taken to pay rent directly because we took on board the difficulties and hardships that people would face if it was done otherwise.

Mr McCausland: I thank the Member for his intervention. I was simply setting out the numbers so that we are aware of the scale of the direct payments that we are talking about: 86% goes directly to a landlord as opposed, perhaps, to 20% across the water.

I was not entirely clear whether the proposer of the motion accepted the amendment. It would be helpful if I could have clarification on that. He seems to be away in a world of his own. I will repeat the question: will the proposer of the motion clarify whether he accepts the amendment? There are two key issues. First, it is important that we also include the private rented sector, and that needs to be included in a motion. Secondly, there is an issue with practicality, and we must keep the focus on the delivery of the IT system and not do anything to weaken our negotiating position with Westminster to ensure that the IT system that is developed has the flexibility that we absolutely require in Northern Ireland.

Mr Durkan: I thank the Minister for his invitation to clarify. The words “social landlords” are in the motion, and the definition of “social” includes any landlord in receipt of housing benefit for a tenant. Therefore, although it is not explicit, it was, without a doubt, intended to include private landlords. On the technical aspects, I have to come back to Mr Maskey’s points. We are fully sympathetic to the amendment and will support the Minister in his endeavours and work with DWP. However, we believe that it is imperative that we retain the capability for direct payments here. Therefore, we believe that the amendment is a dilution of the motion, and unfortunately we cannot accept it.

Mr McCausland: That has clarified the matter for me, which is helpful.

Although I welcome the motion, I must state at the outset that I do not believe that it goes far enough. It does not recognise that there are significant numbers of benefit customers in private rented accommodation. The term “social” is very specific, as it does not include private rented accommodation. We may say that somebody thinks that it might or might not, but the fact is that it does not. It is very specific. It is, therefore, important that we have the amendment to ensure that people across the rented sector, including, specifically, the private rented sector, have the benefit of direct payments to the landlord. Furthermore, the motion does not reflect the decision that I have already adopted and the outcome that I am actively pursuing, which is that, in Northern Ireland, we will have the IT flexibility to enable us to make the payment of the housing element of universal credit to all landlords. That is with the specific objective of helping vulnerable tenants to avoid accruing rent debt, with all the consequences that that can bring for themselves and their family. I think that all parties recognise the difficulty there; we are agreed on that. However, how we achieve our objective is the issue.

Members should also note that, at the April meeting of the Executive’s subcommittee on welfare reform, I advised colleagues that, in principle, I was in favour of housing costs being paid directly to the landlord rather than to the customer. I, therefore, welcome the proposed amendment, which reflects my position and the efforts that my departmental officials and I have been making to ensure that we have the necessary technology in place to make direct payments of housing costs to landlords under universal credit. The matter has been on the radar for some time, and I have raised it at a number of meetings with Lord Freud, the Minister for Welfare Reform in the Department for Work and Pensions. In fact, it was a central aspect of the discussions that I had with him just last week, when we met him in London to discuss the adjustments that need to be made to the computer system when universal credit is introduced in Northern Ireland, particularly so that it will enable the direct payment of housing costs to social and private landlords in Northern Ireland.

Members should also note that, within the constraints of the parity principle, I am pursuing other adjustments to make sure that universal credit is better tailored to the needs of Northern Ireland customers, once we have the Welfare Reform Bill through the Assembly. I have asked that the IT functionality be put in place to allow the universal credit payment to be split between members of a household. In addition, I have asked the Department for Work and Pensions for the IT capability to make universal credit payments more frequently than on a monthly basis. Although I will continue to vigorously pursue those changes with Lord Freud, Members should note that there are practical considerations because of the extent to which we utilise the computer systems provided by the Department for Work and Pensions for the delivery of benefits in Northern Ireland. They include DWP’s capacity to deliver the changes; a consideration of whether the changes are technically achievable in an acceptable time frame; and, where we diverge from the DWP policy, the extent to which the Northern Ireland Executive will have to bear the costs to adapt the computer system.

Members should be under no illusion that this is a simple matter. Although universal credit will simplify benefits for customers, be easier to understand and make it easier

for the customer to claim, the IT that enables that to happen is complex and state-of-the-art. Over the years, my Department has, necessarily, relied on DWP for the systems needed to deliver the range of social security benefits. That will continue to be the case. I visited the DWP operation at Birchwood near Manchester, where the universal credit system is being developed. I was very much struck by the enormity of the challenge, and, for that reason, I caution Members against thinking that the design changes that we need for Northern Ireland can be simply and easily embedded into the new computer system. I think that the figure that I was given to allow a package of changes to be brought forward can be in the region of 10,000 man or woman hours, as the case might be. That could be for flexibilities for Northern Ireland or the basic changes that are required to enable the system to deliver for Northern Ireland, such as taking account of postcodes in Northern Ireland and bank holidays that are different, for example. There are a range of those blocks of changes, and not only for Northern Ireland. This is a major piece of work.

I highlight to Members the fact that DWP Ministers have adopted the policy of paying universal credit by household on a monthly basis, and they will include support for housing costs in that payment. This is in the context that universal credit will be an integrated benefit that will replace income support, income-based jobseeker's allowance, income-related employment and support allowance, housing benefit, child tax credit and working tax credit. It will be available to working people on a low income as well as to those out of work. The aim of universal credit is to smooth the transition to work by reducing the financial support that a person receives at a rate consistent with the increase in his or her earnings.

The move to an integrated benefit is seen by DWP Ministers as an opportunity to encourage people to manage their own budgets, in much the same way as other households. In fact, universal credit should, as far as possible, replicate a wage, so the way in which it is paid is critical to the DWP policy intention. As support for housing costs will form an element of the overall universal credit payment, and in light of the drive to encourage personal responsibility for budget management, it is clear that serious consideration needs to be given to how it is paid. However, the proposed move represents a significant change for landlords and tenants, more so for those in Northern Ireland. Even in Great Britain, it is recognised that some tenants may have difficulty managing this approach, and there will be provision, when a tenant falls into arrears, for payments to revert to the landlord.

I support much of the policy intent behind universal credit. It will help to break the benefit trap that hits many people, which must be good for them and their families. However, this is an area in which we need to take a different approach. The option to have housing payments made directly to landlords must be available not only to the vulnerable but much more widely. So we are on the same page across the Assembly on that issue. I do not consider that the approach that I have been pursuing would breach parity, because we are talking about how we deliver a benefit, not about changing the benefit itself. That measure is a very positive aspect of the current welfare reforms.

I recognise that some Members who spoke during the debate cited real concern about how the payment of

housing cost to customers may impact negatively on their lives. I share those concerns. I recognise the efforts of DWP Ministers to promote independence, something with which, philosophically, I can agree, but I believe that we need to have in place IT that enables direct payments to be made to landlords.

Clearly, the debate has been worthwhile, as it has allowed Members to set out their valid concerns about the potential consequences of paying the housing cost element of universal credit directly to customers. It has also been a welcome opportunity to hear Members' concerns, and, it has given me, from the perspective of a Minister, the opportunity to inform Members of my position on the matter and bring them up to date on the work that I and officials are actively pursuing. This should ensure that the universal credit computer system is adapted to provide for the direct payment of housing cost to landlords, thus delivering my policy position and meeting the particular needs of Northern Ireland customers. Members can be assured that this will remain very high on my radar, and I will keep the Assembly updated as my consultations with Lord Freud mature over the coming months.

In closing, I again want to stress this core point: we should not suggest anything that would indicate to Westminster that we would be able to cope with delivering direct payments that had to be made manually. The practical implications of that include the possibility of human error and an enormous cost. Developing our own IT system is out of the question financially. The best option for Northern Ireland is to be part of the main system but with the flexibility that we require. Therefore, I commend the motion as amended to the Assembly, and I seek support for it on the basis that that would send the strongest signal to Westminster that every Assembly party is looking for the same thing: we want Westminster, particularly DWP through its IT experts, to deliver for Northern Ireland the flexibilities that we want and require. By speaking with a unanimous voice, we send the strongest message to Westminster, which is where it needs to go, that everyone speaks together on this. That is how to get the best result from those at Westminster.

4.30 pm

Mr Easton: Our welfare system should be a hand up, not a handout. We should work to ensure that those on welfare are able to retain as much of their independence as possible and be in control of their own finances. I believe that the amendment will allow that to happen.

In recent trials of the new payment system in England, 11% of households experienced arrears. The most common cause of those arrears was a sudden drop in income, not the change to the payment system. That is a positive finding, but it should not make us complacent about the change being introduced to Northern Ireland. We are in charge of making decisions that can impact directly on people's lives. I take that responsibility very seriously and believe that the Committee does too. We will do all in our power to ensure that we protect the most vulnerable in our society. In ensuring that we have a system in place to allow protection for those who need it most, we are living up to that responsibility. In ensuring that we have a dual payment system in place prior to the introduction of the new system, we will allow those who fear the new system most, for a variety of reasons, a degree of security.

The one thing that a person needs to survive, after food and water, is shelter. It is one of our most basic needs. Many people fear a sudden drop in their income, simply because that would place the security of their home at risk, regardless of whether that home is bought or rented, private or social, a palace or a bedsit. I remember that, a few years ago, the Simon Community ran a campaign highlighting the fact that most people are just two pay cycles away from becoming homeless. We must ensure that this change does not see a rise in homelessness. In trials, the most common reaction from landlords to arrears was positive, allowing for the deficit to be paid back in small amounts. Worryingly, however, the second most common reaction was to mention the possibility of giving a notice to quit or to actually serve one, with 4% refusing to renew the tenancy. With a large number of people relying on the rented sector, private or social, and many of those people young or at risk of being either in poverty or just above the poverty line, there need to be safeguards in the changes to ensure that we will not add to the number of homeless people or those at risk of homelessness.

We also have to consider the impact such changes will have on landlords. According to the National Housing Association, landlords fear that extra administration charges will come with the change. The potential is for those charges to be passed on to tenants, which may increase the burden on the private sector for those on a low income who have a top-up to their housing benefit. That could have a serious impact, bearing in mind that, in the trials, 7% of respondents indicated that their arrears were due to housing benefits being less than anticipated.

I do not think that we need to continue with the status quo. The amendment allows the choice to be offered as to how the housing benefit will be paid. The vulnerable will be protected because their housing benefit can continue to be paid directly to the landlord, while those with a sense of control of their finances will pay their rent to the landlord themselves.

I turn to some of the comments made by Members. Speaking on the main motion, Mr Durkan mentioned that no flexibility was given to the Minister on direct payments and giving people a choice. He said that it excludes the private sector. Although he tried to explain that, I do not think he explained it very well.

Mr McCann said that he supported the amendment, but then Mr Maskey told him that he was not supporting the amendment. Maybe Sinn Féin can explain how it changed its view within one second.

Mr F McCann: Will the Member give way?

Mr Easton: Go ahead.

Mr F McCann: I said at the start that I supported the motion. I hoped that there would be agreement and the amendment would be accepted, but that was not the case at that time. At the end, I made the mistake of saying that I supported the amendment. My colleague put me right, saying, "No, it is the motion."

Mr Deputy Speaker: The Member has an extra minute.

Mr Easton: I thank the Member for his explanation, but it might have just been a big mistake.

Mr Copeland said that he supported the amendment, because it included private landlords. He believed that

parity needed tested but said that he would never agree to anything that would hurt the most vulnerable in our society. I echo that.

Anna Lo wanted flexibility and supported the amendment. Pam Brown expressed concerns about the delivery of the IT system. She supports direct payments and people having a choice.

Mr Maskey, who does not support the amendment, does not seem to want to give the Minister the chance to have a choice, which is unfortunate. He talked about the IT system. He does not want to support the amendment, which gives the Minister the chance to put in place the changes that are needed in the IT system. If we do not get the IT system right, we will fail the most vulnerable people in society. If we do not get that flexibility in the IT system, Members who are against the amendment are to blame for letting the most vulnerable people of Northern Ireland down. That ends my comments. I support the amendment.

Mr A Maginness: I thank everyone who participated in the debate. Everybody expressed concern about the problems that might beset vulnerable tenants in a situation where, in fact, they did not have the option of direct payment.

I want to make one point about social landlords. The Minister suggested that the motion does not include private landlords. My party's view is that social landlords include private landlords who are in receipt of a publicly paid benefit, to wit, housing benefit. I am not going to fall out with the Minister on that. I will just say that our motion is not defective as a result of that particular phraseology.

The good news is that in the interests of sending a strong and, hopefully, united message to Lord Freud and Westminster, my party will support the amendment as put forward by the DUP. I do not often agree with the Minister for Social Development. However, on this occasion, I am in agreement with him. My colleague has stressed that he wants the option to be there. He believes that it is a necessary safeguard for vulnerable tenants.

The position is quite different in Britain, where 20% of payments are made directly to landlords. That system has been established for a long period. There is an entirely different situation here, where you have got over 80%. In that situation, there is, obviously, an option there. It is helpful to everybody involved — the Housing Executive, housing associations and private landlords, and to households in managing their budgets.

The Minister stressed the point about IT. We agree with him on that. A manual system would pose considerable problems. We want to avoid that. It should be stressed to Westminster that the position in Northern Ireland is entirely different to that of Britain and that we want to retain that position, which has served us well. All the social partners would be in favour of that position. As was stressed by Anna Lo, housing groups, pressure groups and groups that represent vulnerable people in society are appreciative of the problems that could occur if, in fact, that flexibility was not there.

I thank Paula Bradley, who emphasised those points.

I thank Anna Lo again for stressing the point about vulnerability and operational flexibility, which is not a departure from the principle of parity. I also thank Pam Brown, Alex Maskey and Fra McCann. As usual, Mr McCann expressed his concern for those who are in need

in our society. For a long time, Mr McCann has pursued these issues with great vigour, and one has to appreciate where he is coming from on this matter. I do not think there is any great difference of opinion throughout the House. It is just a matter of finding the right words to accommodate a solution to the problems that have been presented by Mr Durkan. I thank Mr Durkan for his contribution and for proposing the motion. Finally, I thank Mr Alex Easton for his summary of the amendment.

Question, That the amendment be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly calls on the Minister for Social Development to secure, with the Department for Work and Pensions, the IT functionality to allow the choice to make direct payment of housing benefit to both social and private landlords following the introduction of universal credit, thereby helping vulnerable people to avoid rent defaults and potential homelessness.

Animal Cruelty

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate.

The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer of the amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

Before we begin, I remind the House that I understand that investigations are continuing in relation to an attack last month on an animal in Maghaberry. I ask Members to take care that nothing that they say will prejudice any case that may come before the courts or, indeed, any other case that comes before the courts.

Mr G Robinson: I beg to move

That this Assembly calls on the Minister of Agriculture and Rural Development to extend the sentences available for deliberate and severe animal cruelty to include longer periods of imprisonment to ensure that perpetrators receive a punishment that fits the crime.

I want to say at the outset that we, as tablers of the motion, cannot accept the Sinn Féin amendment, as we feel that it weakens the motion.

It is a recent horrific act of unimaginable cruelty that has brought this topic to the Assembly for debate today. It truly is a shame on some members of our society that this debate has to be brought, but it is my belief that the topic needs aired fully and addressed. I wish to express my sympathies to the Agnew family, who have come through a most traumatic and distressing time, but they have done so with great dignity, earning them much respect throughout Northern Ireland and further afield. I also welcome them to the Public Gallery to hear this debate. None of us can begin to imagine the terror and pain that their pet dog, Cody, experienced during that horrific attack and in the days following it. At this point, I commend the veterinary team who worked so hard to treat Cody and all vets who deal with cruelty cases, as well as the Ulster Society for the Prevention of Cruelty to Animals (USPCA) and the many other bodies and individuals who care for animals.

The perpetrators who commit such acts deserve to face the full rigours of the law for consciously deciding to inflict such heinous crimes on defenceless animals. The current law outlines a maximum custodial sentence of two years for such an act of barbarism and intentional cruelty. In my opinion, that is not enough. In reality, the criminal or criminals will possibly serve much less than a year, if they even get a custodial sentence. That is not prejudging any possible sentence in this case.

4.45 pm

I understand that a lack of conscience, displayed by the torture of innocent animals, is a warning of an individual who may commit other serious crimes, as was evident in the cases of John Wayne Gacy in the USA and Luka Magnotta in Germany. Those are just two examples of how some perpetrators of animal cruelty can get involved in more serious criminal activity.

In her answer to my question for written answer, the Minister stated:

"These new penalties are stiffer than those introduced in England and Wales in the Animal Welfare Act 2006".

With respect, Minister, I am not concerned with jurisdictions for which the House does not legislate. I am interested only in Northern Ireland legislation. Recent acts show that more needs to be done by way of punishment to deal with cases of extreme cruelty, as in Cody's and other pet cruelty cases.

I supported the Welfare of Animals Act (Northern Ireland) 2011, but as with any legislation, there are times when a gap is exposed by events after implementation. The 2011 Act has great intentions, but where such deliberate and heinous cruelty is displayed, it is essential that the punishment fits the crime. I do not doubt the Minister's sincerity in her belief that the Act makes sufficient provision, but I believe that reform is required. We must look at increasing the maximum penalty available to the courts, and such penalties must be used. It is also essential that enforcement is made a priority. We can have every good intention but fail, in reality, due to lack of enforcement. *[Interruption.]*

Mr Deputy Speaker: I remind Members that only the Member speaking should be on the Floor and that other conversations should not be heard.

Mr G Robinson: Thank you, Mr Deputy Speaker.

Failure is not acceptable. Perhaps, then, minimum as well as maximum tariffs could be considered to give the judiciary more options in animal cruelty cases.

The Minister also stated in her written answer to me that the new legislation will provide a strong deterrent. Cody's case and that of the youths who tried to burn a kitten alive in Londonderry, to name but two, prove that there is little deterrent in the current legislation and that it needs to be reviewed or consulted on. I will, at this point, remind people who were rightly enraged by that callous act that the police are dealing with the case in the correct and proper way in order to investigate the crime.

I acknowledge that such inhumane behaviour towards animals is apparently rare, but rarity should not be an excuse for a lack of tougher punishment for perpetrators. Rarity means such crimes are even more disgusting and unacceptable, and they must, therefore, attract a premium when sentencing. That is what the motion seeks from the Minister: recognition of the severity of such acts and provision of suitable punishment.

I want to emphasise that this debate is not about scoring political points. It is centred on ensuring that people who are found guilty of deliberate and severe animal cruelty have to pay a price for their vicious and cruel actions. It is, I believe, essential that we change the existing legislation to ensure that the punishment fits the seriousness of the crime. We should not be ashamed to say that we need to change legislation when a gap is exposed in that legislation. I commend the motion to the House and ask for unanimous support.

Mr McMullan: I beg to move the following amendment:

Leave out "extend the" and insert

"support the full use of the extended".

Go raibh maith agat, a LeasCheann Comhairle. The cowardly and despicable attack on 26 August that left a harmless and defenceless dog with over 20% burns to its body shocked everybody, and quite rightly so. It is hard to comprehend that any human could do that to a defenceless animal. After two weeks, and in consultation with the family, the dog was put to sleep to prevent it suffering further.

That was, unfortunately, not an isolated case. Recently, two young boys tried to burn a kitten, and a golden eagle was poisoned. How many times have we seen swans with crossbow bolts sticking in their bodies? People, for their own benefit and gratification, use sticks covered in glue to take young finches and siskins out of hedges and then use the birds for breeding purposes. They do so just so they can say they have a different coloured bird. That is all wrong.

Animal cruelty does not happen only in rural areas. Recently, believe it or not, the police and the USPCA rescued a pig and a goat from a third-floor flat in Belfast. It is believed that the animals were to be taken for slaughter for food. I give those examples to emphasise the seriousness of the issue. People may scratch their head at that example, but animal cruelty is a serious matter, and we have to go right across the board.

Members could talk about incidents of cruelty at great length. However, what can we do? In the legal profession, it is well known that young people who engage in animal cruelty will, nine times out of 10, graduate to more serious crime. Some of the most notorious crimes in legal history are evidence of that.

On 22 February 2011, the Assembly gave final approval to the then Minister of Agriculture, Michelle Gildernew MP, to important new legislation on animal welfare. The Welfare of Animals Act 2011 replaced the Welfare of Animals Act 1972, which, as Members are aware, was 40 years old. The Assembly gave its full permission, including to the Minister of Justice. Every aspect of the Bill was looked at — sentencing and the whole gamut — and when all that was done, the Assembly was in full agreement with the legislation.

A key benefit of the Act is that it will require a duty of care for non-farmed animals, and it provides powers to allow action to be taken to prevent such animals from suffering, whereas under the old legislation, people had to wait until the animals suffered before they could be taken away. Any person who has responsibility for an animal in its day-to-day care, whether temporary or permanent, will be legally responsible for the animal's welfare. That is to be welcomed.

In the 1972 Act, the penalties were three months in jail and/or a £5,000 fine on summary conviction. In the 2011 Act, that will increase to a maximum of six months in jail and/or a £5,000 fine on summary conviction, and up to a maximum of two years in jail and/or an unlimited fine on conviction by indictment. The new penalties are much more severe than those in the Animal Welfare Act 2006 in England and Wales, which are a maximum of 51 weeks in jail and/or a £20,000 fine. Our penalties are still higher than in Scotland.

From 2 April 2012, the Department of Agriculture and Rural Development (DARD) has had new powers to seize farmed animals that are suffering or are likely to suffer, and if their

circumstances are unlikely to change. Only the PSNI had powers of seizure in relation to animal welfare incidents. Week in, week out, there are more cases of people being held responsible for cruelty to farmed animals. In a recent incident, an animal was brought to an abattoir, where vets decided that it had to be put down in a vehicle's trailer. The farmer was fined for the state of that animal. If people bring an animal to an abattoir in such a state and are handed out a stiff penalty of a fine of thousands of pounds, they would be reluctant to do it a second time.

From 2 April 2012, councils have had responsibility for enforcement in respect of non-farmed animals, including horses. Under the Welfare of Animals Act 2011, DARD will provide annual funding to help councils in that new role. This year, £780,000 is available, and that will increase by £20,000 in each of the remaining two years in this Budget period.

We are only weeks into the new legislation. We must give it time to work. We cannot legislate for people's twisted minds. If people want to go out and inflict severe cruelty on animals, as much as we would like to, we cannot change the law every time that such severe cases come before us. We have heard about such cruelty in some of the cases that we discussed here and that brought the debate to the Chamber today. We have to give the legislation time to bed in. In reality, it is now down to the courts. The Assembly agreed the Welfare of Animals Act. So, it is now down to the courts, the judges and those in that system to fully implement it. As we heard people talking about in the past, the point is not to have these people in court to give them a slap on the wrist. One of the problems is that a lot of the people who are engaged in cruelty are under the legal age, so they come under the Children Act. Therefore, the courts will take a different view of that. So, we have to be careful. I appreciate the emotional feeling of the whole thing, but we have to give the new laws time to bed in.

The PSNI now has powers of responsibility for wild animals and animal fighting. The Welfare of Animals Act also provides the Department with the powers to make future regulations to improve animal welfare or to ban the keeping of certain animals, should that be necessary.

I support the amendment. I counted up roughly, so I could be held to a number here, but nearly £10,000 of fines were handed out in four cases of cruelty. When it comes to pets, I totally agree: the law has to be firm and severe, but the issue is now down to those who bring the cases to the court. It is down to the courts, judges, solicitors, councils and all those people out there. The sympathy aspect cannot work. If you have any type of animal that has 20% burns to its body, a horse that is found in a field and is hardly fit to stand, or a swan with a crossbow bolt through its neck, tell me who should get the sympathy. It is not the people who inflicted that pain or injury; it is the animal. I often wonder —

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Mr McMullan: — whether if those animals would just bite back, there would be less cruelty.

I support the amendment.

Mrs Dobson: I apologise for being a few minutes late at the start. I welcome the opportunity to speak on this important matter today. My party will support the motion as

amended. The wording is not what we would have chosen, but I will talk a little more about that later.

The tragic story of Cody the Border collie dog, her battle for survival, with tentative signs of improvement and occasional good days, and her eventual inability to recover from her wounds grabbed the public's attention in Northern Ireland and across the United Kingdom. That was followed by a palpable sense of anger among animal lovers when she eventually passed away, succumbing to her injuries. However, the death of the three-year-old collie, which was an animal that the Agnews affectionately called a member of the family, was not totally in vain. It brought animal welfare right to the top of the public consciousness and it was a story that led on the front of our newspapers for several days. Graphic photographs showing her injuries were circulated through the media, adding to the public shock and revulsion. Given that people are on bail in connection with that case, it would be inappropriate for the Assembly to make any judgement on their culpability. However, it was extremely important that the police acted swiftly, as there was such a tide of public disgust at how anyone could douse a dog in flammable liquid and set it alight. If nothing else came out of that tragic incident, hopefully it was that the public anger was so strong that it may make others think twice about carrying out similar acts.

5.00 pm

(Mr Principal Deputy Speaker [Mr Molloy] in the Chair)

Although what happened to Cody was a heinous crime, unfortunately, such acts are nothing new in Northern Ireland. Over recent months, there have been dozens of other reports of animal abuse and neglect. Stories such as swans being stoned by youths, birds being shot by pellet guns and left to endure long deaths or pets not being provided with their basic requirements of food and water appear regularly in our local and regional newspapers. The animals concerned are often defenceless, and it is the human reaction to their suffering that can make the real difference to public attitudes towards animal cruelty. Of course, although most incidents of cruelty are one-offs, there is no denying that, in some instances, the cruelty shown to many wild and domesticated animals is on a systematic and organised scale.

When we read the stories of animal cruelty that appear in the media, I am sure that everyone in the House cannot fail to be moved and have a real sense of exasperation about the mindsets of those who can inflict such levels of suffering on totally innocent animals.

For many families, animals form a major part of family life. The famous naturalist Gerald Durrell entitled his autobiography 'My Family and Other Animals', and I noticed with interest this week that Clare Balding has entitled her autobiography 'My Animals and Other Family'. We need more advocates for animal welfare. Voluntary organisations do a fantastic job every day looking after the needs of domesticated and wild animals. As a society, we owe it to our animals to reciprocate the unconditional love they so often show to us.

It was also with interest that I read that the British Veterinary Association believes that there is a complex interrelationship between people who abuse animals and

their own personal experience. Indeed, the American Humane Association has very aptly stated:

“When animals are abused, people are at risk; when people are abused, animals are at risk.”

As has been said, the Welfare of Animals Act (Northern Ireland) 2011 quite rightly makes it an offence to cause unnecessary suffering to an animal, and it imposes a duty of care on anyone responsible for an animal to take reasonable steps to ensure that the animal's welfare is protected. Yet clearly, for some, that is still not a big enough deterrent. However, it is not the place of the Assembly to cast judgement on judicial rulings, and if the penalties are not severe enough, tabling a private Member's motion will do little about the situation. Instead, I pose two questions to the Members who proposed the motion. First, have they met the Justice Minister, and, secondly, have they reviewed the penalties for similar crimes across Great Britain?

Mr Byrne: I also support the amendment. The issue has gained a lot of public attention in recent times, particularly in relation to some pet animals. Very often when those stories hit the headlines there is, obviously, a strong reaction. That was particularly the case for the collie dog Cody. Collie dogs are highly respected by farming people and by others who may have them as pets.

The legislation on animal welfare was changed in recent times for the first time in 40 years, the previous Act having been enacted in 1972. I agree with Oliver McMullan that to amend legislation so quickly is not wise. I think that we should give the existing Act time to permeate and work effectively.

We need to see meaningful sentencing, and there is an issue about who should deliberate on that.

There are other animal cruelty and welfare issues out there. I am aware of a farming situation in which 20 animals were inspected recently. The man who owned them was living on his own and was unable to look after the animals because of his health and financial situation. Those 20 animals were in severe need of attention and feed. There are also many cases of people who have horses, ponies and donkeys and are in some cases no longer able to feed them. There is a question about how these animals should be monitored.

The Minister referred earlier to money allocated from the Department — around £750,000 — to district councils in relation to animal welfare officers. I fully support that. If more money is required, it may have to be legislated for and agreed in the Assembly. The SDLP is strongly in favour of bringing attention to this issue. We support the amendment because we think it is more effective in the short term.

Mr McCarthy: On behalf of the Alliance Party, I support this very timely motion on animal welfare, as well as the amendment. I agree that the punishment must fit the crime, and that sentences for the culprits must be extended.

Animal cruelty is heinous and totally uncalled for. The recent, highly publicised slaughter of an innocent dog, as has been mentioned by other Members, was certainly the last straw. Our thoughts today have to be with the family of that pet. They must still be in shock and suffering enormously because of that dastardly act. We are

aware that DARD acted last year through the Welfare of Animals Act (Northern Ireland) 2011. That Act raised the bar in relation to the welfare of all animals. That is to be welcomed, but, in my opinion, legislation is not enough. I suppose that, like nearly everything else in life, the issue comes back to the need to educate our young people at the very earliest stage. Even in the home before they go to nursery school, they should be taught to treat all our animals as they would treat human beings: with dignity and respect. Maybe then this dreadful problem could be avoided.

I commend in the highest terms all our local organisations, such as the USPCA and others in Northern Ireland, as well as all their staff, for their determined efforts, despite the inherent dangers in the work they do, to put an end to animal cruelty. Everyone in this House should take their hats off to those organisations for the work that they perform. The cruelty that some animals have to endure is unbelievable, simply, and this makes it worse, for the enjoyment of bloodthirsty individuals. I am thinking of dogfighting, cockfighting, badger-baiting and other horrendous acts of cruelty.

I am aware that, under last year's Act, local councils are now responsible for animal welfare. The Minister replied to some questions about that earlier today. I declare an interest because I am still a member of Ards Borough Council, and I am delighted to say that that council is leading the way in these things, but during the consultations, I know that councillors and officers were very concerned about the extra work being forced on them. They were not concerned about the work but about the insufficient resources from the Assembly with which to adequately perform that work. The Minister said in her response that she would perhaps look sympathetically on applications to her Department from councils for further funding. I have no doubt, Minister, that you will have those requests.

Animal cruelty is wrong and, regardless of where it takes place, the culprits must expect to receive a serious sentence if for no other reason than to be a deterrent to others. People who deal in animals must also know the consequences.

On reading the motion, I recalled the day, not that long ago, that the horses and hounds arrived in my quiet village of Kircubbin. Members may put their minds back a few years; it was the headline for the time. The horses and hounds arrived in a quiet village and, during that episode, the hounds got into a private walled garden and cornered the family cat. The end result was horrendous: the cat was torn to pieces before the eyes of its owner, who, you can imagine, was shattered. That may not have been someone's intention to do that, but somebody was certainly responsible for those animals doing that on the cat.

We also have a serious problem of animals such as cats, rabbits, badgers and foxes being killed on our roads. I do not know what can be done to prevent that slaughter, but, again, it is a form of — hopefully, unintentional — cruelty by unwary drivers.

In conclusion, there must be zero tolerance of all forms of animal cruelty. That includes abandonment of young animals such as cats, pups, etc —

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr McCarthy: — on rural roads. As the motion states, sentences must be extended and increased. I support the motion, and I hope that the Minister will take notice of what has been said in the Assembly today.

Mr Buchanan: I support the motion, but we will not be supporting the amendment, for the simple reason that the amendment asks us to make full use of what is already in place. We believe that that is not sufficient or strong enough in the circumstances that we are in. That is why we brought the motion to the House today.

As has been mentioned, the Welfare of Animals Act (Northern Ireland) 2011 was introduced to the House in June 2010 and received Royal Assent in March 2011. No doubt it was an improvement and a step forward in the welfare of animals compared to the previous Welfare of Animals Act (Northern Ireland) 1972, which was well outdated and provided little or no protection.

The newer Act seeks to increase the penalties to a maximum of six months' imprisonment or a fine of £5,000 on a summary conviction, and to a maximum of two years' imprisonment or an unlimited fine on conviction by indictment. However, in light of what generated the motion, the question that all of us in the House must ask ourselves is: "Does this actually go far enough in seeking to be a deterrent to those who, for whatever reason, chose to cause some of the most horrific injuries and suffering, especially to our non-farm domestic animals?" That is not to forget some of the other animals, such as rabbits, hares, badgers and our bird population. The sheer scale and litany of abuse and injuries that we have witnessed being inflicted over the past year alone on these defenceless animals are absolutely appalling. They are an indictment of the society that we live in.

In the north-west alone, in the past year to 18 months, some 19-plus incidents of animal cruelty were reported to the PSNI. Those ranged from the poisoning of a golden eagle and ravens in my West Tyrone constituency to hare coursing and greyhounds chasing rabbits for sport and then tearing them apart. Youths also threw stones at injured swans. Kittens were scorched and caught in traps. A German shepherd dog was also found battered and burned in an industrial estate. However, the most horrific of all in recent days was the attack on the pet collie Cody in Maghaberry. That vicious attack left many of us shocked beyond belief and led to some 60,000 people taking to Facebook and Twitter to voice their utter contempt.

We in the House would do well to take stock of any gaps in the current legislation and seek to make urgent improvements in an effort to provide a deterrent to this litany of animal abuse. According to one reporter, Cody's injuries were so severe that her ribs and joints were visible through her burnt flesh. That report posed the question of how we, as a society, treat animal cruelty. That is a question that we should all be asking ourselves in the House today. How do we — as a society and as a legislative body — treat animal cruelty today? I know that the Minister has sought to defend the current legislation. However, is giving someone a six-month sentence or two years in jail, when they will probably be released in 12 months, adequate punishment for causing such appalling

injuries, pain and death to animals? That is not justice; that is not adequate punishment.

5.15 pm

As an animal lover myself, I know the affection that a pet dog can lavish on its owner. In fact, it becomes part of the family unit, and it is alarming to think that some of the most hideous acts of cruelty are being carried out on those creatures by some as young as nine or 10 years of age.

Mr Poots: Does the Member agree with me that the indescribable cruelty that was inflicted on Cody the dog is something for which six months in jail would fall well short of what the public would expect, and that, consequently, the House has to respond? It is not just the cruelty to the animals — it is the impact on the children who were in that household, and, indeed, the wider family, who have lost a dog that was part of their family and that they loved very much. Therefore, although the sentences may have been well enough conceived, in their implementation they will fall well short of public expectation.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mr Buchanan: The Member makes a good point. Our legislation falls well short of what the public expects for such a crime. That is why we urge the Minister to take that on board, have another look at the legislation and bring forward a stiffer sentence for people who carry out such acts of cruelty as we have seen. A slap on the wrist is simply not adequate; we must have a much stronger deterrent. We must have punishment that fits the crime if we want to see that behaviour brought to an end. That is why we support the motion.

Mr Principal Deputy Speaker: As this is the first debate in which the Assembly will hear from Mr Declan McAleer, I remind the House that it is the convention that a maiden speech be heard without interruption.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. As you quite rightly said, this is the first opportunity that I have had to participate in a debate, and I thank you for giving me time to say a cúpla focal — a few words. Members will be aware that I was co-opted to my position in the Assembly in place of Pat Doherty. I want to pay tribute to Pat. Pat served as MLA for West Tyrone from 1998 and gave 14 years' sterling service to our constituency. He continues in his role as MP for West Tyrone. He is arguing the case for West Tyrone and trying to improve the quality of life of its people. He is playing his role across the water, and, indeed, in Leinster House, as well as in other bodies, arguing the case for our constituency. I pay tribute to Pat, and I know that I have big shoes to fill in the Chamber.

I also thank my Sinn Féin colleagues, both here in the Assembly team and my colleagues in West Tyrone, for selecting me to this position. I also want to give a special thank you to Assembly staff and officials; I have found them to be very helpful in enabling me to settle down and find my way around.

My constituency of West Tyrone is very rural. The two main towns are Strabane and Omagh, and the remainder of it is exceptionally rural. I am from the village of Loughmacrory, and anybody who is from a rural area will know that they are very proud of where they are from. For

many others, it might be a dot on the map, but for people like me and anybody who is from a small area, it is the centre of the universe. I will be a councillor for another few weeks, and I also have a representative role for villages such as Killyclogher and Mountfield, with which I have a strong affinity. Given the rural constituency, I felt that it was appropriate to sit on the Committee for Agriculture and Rural Development and the Committee for Regional Development. As I said earlier, I am still a councillor, and have been since 2007. I succeeded my late father, Barney, who was a councillor from 1989 on Omagh District Council. I hope that the experience that I have gained on Omagh District Council, and while working as a political adviser for Pat Doherty MP, will help me in my new role as an MLA.

Turning to the subject matter of the debate, I will speak against the motion and in support of the amendment. Like all right-thinking people, I am shocked and repulsed by the stories of sadistic behaviour and cruelty to vulnerable animals that we hear about on the news. Recently, we heard the high-profile story of Cody the dog — it has been mentioned widely in the debate today — who had to be put down after being doused in flammable liquid and set on fire.

Many other incidents of abuse have been reported in different council areas. For example, two Labrador pups were tied to a post and abandoned in freezing conditions in Derry. We have heard about badger-baiting throughout the country, dead horses being found in fields in County Antrim and the use of glue-covered sticks to catch wild birds in Limavady. Indeed, there was an incident in which a golden eagle and a raven were poisoned in Castledearg in my constituency of West Tyrone. Just this morning, I read a story on the front page of the Tyrone Herald about a gang of youths in Cookstown who tortured and killed a cat.

In response to those incidents and others, the Assembly introduced new legislation last year, which came into effect in April 2012. The objective of the Welfare of Animals Act 2011 was to introduce more protection for non-farmed animals, particularly domestic pets, by aiming to stamp out unnecessary suffering of those animals. The Act puts an onus on anyone who keeps a vertebrate animal to ensure that it is kept to an acceptable welfare standard. It has given the PSNI more powers to deal with animal fighting and has introduced new powers to take action to prevent animal suffering as opposed to having to wait until the suffering has occurred. The 2011 Act also increased penalties for animal welfare offences and extended powers of seizure. The Minister of Agriculture and Rural Development, Michelle O'Neill, and her predecessor, Michelle Gildernew, have made funding available to councils to implement the provisions of the Act.

As Oliver McMullan pointed out, the Welfare of Animals Act 1972 allowed for a maximum of three months imprisonment and/or a £5,000 fine.

Mr Principal Deputy Speaker: The Member must bring his remarks to a close.

Mr McAleer: The new measures that came into effect in April 2012 provide an even stronger deterrent. The penalties are among the toughest in these islands. A LeasCathaoirleach, it is clear that the Assembly and the Minister of Agriculture and Rural Development take the welfare of animals very seriously. The new law, which enshrines the enhanced powers —

Mr Principal Deputy Speaker: The Member's time is up.

Mr McAleer: I call on Members to reject the motion as it stands on the Order Paper and to support the amendment.

Mr Givan: I commend my colleagues for bringing forward the motion. The incident that brought this issue to public attention was clearly the attack on Cody the collie. That attack took place in the village of Maghaberry, where I live, so I am familiar with the impact that it had on the community. I met the Agnew family earlier, and we are aware, from the Justice for Cody page, of the impact that that attack has had on what is a terrible family loss.

Northern Ireland people are renowned for being animal lovers and for having pets. I have had pets before in my home and I know that when you lose one of those animals it is as though you have lost a family member to whom your children become very attached. We can only offer our sympathies to the family and try to understand the loss, particularly for the children, and the impact that such an attack can have.

It was a particularly barbaric attack to douse a dog in lighter fluid and set it on fire. That is the mark of individuals who clearly have no regard whatsoever for the welfare of animals. It is paramount that those individuals, who are on bail, should have charges brought against them and that they should be brought before the courts.

Our issue is that, when they are brought before the courts, which is what we hope for, there will not be sufficient legislation or a sentencing framework in place to give them the type of sentence that, I think, the vast majority of the public believe they should be given for carrying out such an attack. We do not believe that a six-month summary maximum sentence in a Magistrates' Court is sufficient, nor do we believe that a two-year maximum sentence, which is available to the judiciary, is sufficient. That is why we are disappointed that the amendment was tabled. I say to the parties that are going to support the amendment that the Assembly should look again at the sentencing that is available. We will be quite happy to work with those parties to find a consensus on the maximum sentences that should be available.

Mr McMullan: Will the Member give way?

Mr Givan: In a moment, when I have developed this argument a little bit.

Just this morning, I spoke to the district commander in Lisburn, who updated me on this investigation. I know that people will be interested to hear that they are waiting on the results of forensic testing on items that were seized. Let us hope that that police investigation will ultimately provide the evidence for this case to be able to be put before the courts. I commend the family for their dignified campaign and the Justice for Cody web page. The public can only have been touched by the way in which the family have conducted themselves, which is in stark contrast to the individuals who carried out their barbaric attack.

It is important for Members to note that, for people who carry out attacks on animals such as what happened to Cody, it is only a very simple step to attack a human being. The mindset of people who can attack a defenceless animal in the way that this dog was attacked is very disturbing for society. The necessary deterrents should be in place to prevent individuals who carry out these attacks from doing it again.

Even if Members do not support the motion but seek to amend it, I will still not think that this has been a lost opportunity because of the public awareness that has been raised. Prosecutions for animal welfare incidents are on the increase. The magnitude of our concern about these types of attacks will be registered with the judiciary and the Public Prosecution Service. They will take note of this debate. I hope that more people will be prosecuted and taken to the High Court as opposed to the Magistrates' Court, and that if found guilty in the High Court, the judges exercise the maximum punishment that the law allows to dispose of that.

I caution Members against taking a defeatist approach. I noted Oliver McMullan's comments that you cannot change the law every time there is a severe case. Yes, you can. In fact, that is exactly what this Assembly is about: responding to community needs.

Mr McMullan: Will the Member give way?

Mr Givan: Yes.

Mr McMullan: I thank the Member for giving way. Given his role there, has the Member raised this issue at the Justice Committee?

Mr Givan: The Member should not try to deflect from this. He is aware that this legislation is the responsibility of DARD. The Chairperson of the Committee for Agriculture and Rural Development will be able to speak on it later. Of course, I have already raised this issue with the police in respect of their investigation, so do not be smart. Let us have a proper discussion around all of this rather than trying to deflect from the issue.

Mr McMullan: On a point of order, Mr Principal Deputy Speaker. In asking a question or raising anything in the Assembly, the Member is out of order in saying: "Do not be smart." That is not the cut and thrust of any debate. It is just a mindset, and I see it as out of order.

Mr Principal Deputy Speaker: Order. I ask all Members, from all parties and on all sides, to be careful in the language that they use. However, it is the cut and thrust of debate, and that is not really a point of order.

Mr Givan: No, I did not think so, Mr Principal Deputy Speaker. It was just an attempt to mask the embarrassment of not supporting the motion and seeking to amend it.

Jo-Anne Dobson asked whether we have looked at GB and spoken to David Ford about it. I say to Members: do not be followers; be leaders. We do not need to follow what other jurisdictions do in this regard. We have already led on this issue, and we can be proud of the legislation that we introduced. However, we are making it clear from this side that we can go further. Let us be leaders in this field and demonstrate that we see the welfare of animals as a key priority for the Assembly rather than follow the minimalist approach that other jurisdictions have taken to the issue. I hope that Members will reflect on that, reject the amendment and support the motion.

Mr Newton: I support the motion. In doing so, I commend the work of the PSNI and the USPCA in tackling animal cruelty. Many cases have been and highlighted, not least that which my colleague has just referred to. There have been issues of badger-baiting and dogfighting, and the trading of endangered species for huge amounts of money.

Minister, I would also like to raise a matter on which the legislation is weak and, in fact, does not cover. It is in the area of what is described as entertainment. I am referring to travelling circuses or menageries, where wild animal training continues. Those belong in the days of bear-baiting and dogfighting, which were also once described as entertainment. Proud and beautiful wild animals are kept in small cages and are trained to entertain the public. I pay tribute to Belfast City Council, which recognised animal circuses as being a cruel form of entertainment. Belfast City Council has banned animal circuses or circuses that have wild animals from its property. My colleague Paul Givan indicated that he wanted to go further, and we do need to go further, Minister, than the provisions of the existing legislation.

5.30 pm

A circus is a commercial business that trains wild animals to carry out tricks. Those tricks are not natural to the animals, but they require many hours of degrading and routine practice, which is usually carried out under the control of a whip-carrying animal trainer. Over recent years, there have been many revelations about circuses and the ill treatment that is required to force those animals to perform for the paying public. Those proud, mighty and magnificent animals do not easily take to riding on each other's backs, to jumping through hoops or to carrying out tricks that are unnatural to them but which the paying public find entertaining.

I particularly refer to those animals that are part of the touring menageries and circuses, which spend a considerable length of time on the road, moving from location to location. The animals are caged in what are referred to as "beast wagons", which seems an appropriate title. The animals are confined for hours with little exercise. It is impossible for a travelling menagerie to give those huge animals the exercise, relaxation and amenities that they require.

I pay tribute to 'The Sunday Times' for an investigation that it carried out with the USPCA a number of months ago into the trading of endangered animals. Species are being traded, not just in the UK but in Northern Ireland, for huge amounts of money. That is inexplicable to me: I cannot understand how anyone who is supposed to be an animal lover would want to buy endangered species and keep them in an unnatural habitat. The level of animal cruelty in that sense is beyond comprehension.

In the latest revelations about illegal animal trading —

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Wells: Will the Member give way?

Mr Newton: I will.

Mr Wells: The Member is making a very important point, and I wish to hear its conclusion.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mr Newton: The latest revelations about wild animal trading or endangered species trading show the heartless cruelty effected by the human beings who are supposed to be animal lovers but move the species from place to place and in a manner that is totally unnatural and cruel.

The scale of that and the huge amounts of money that the animals are being traded for are shocking. The penalties, Minister, do not deter those who are prepared to engage in this activity.

They see it only, and it can only be seen, as cruelty to those animals. I support the motion.

Mr Frew: I speak as an MLA for North Antrim, not as the Chairperson of the Committee for Agriculture and Rural Development. I could have asked the researcher to go back to last term and go through the ins and outs of the Welfare of Animals Bill. I could have spoken for five, 10 or 20 minutes on the ins and outs of that. I say that because we need to move forward, and the Assembly and the Executive need to show an agility to react to things and to pass laws and consider practices when they are needed. I genuinely believe that this is a case where that must come into play. I congratulate all of the MLAs who were involved in the previous Committee for Agriculture and Rural Development and the previous Minister of Agriculture and Rural Development on the passing of the Welfare of Animals Act. It was a massive piece of legislation, which accounts for so much. We in the Committee for Agriculture and Rural Development are currently going through and scrutinising aspects of that as they come in secondary legislation.

It is very important that we get all aspects of animal welfare right, and it is equally important that, when something is ingrained in law, we have the ability to change it no matter what timescale is involved. I plead with the Minister that, although the motion might not be successful, she and the Department look at it to see what can be done in the future to extend the sentences here for some heinous crimes against animals.

The terrible case of Cody the dog brought this issue to everyone's sitting rooms, and you could not fail to feel emotional about what that poor dog went through and about what the family went through. We can only imagine the torment for the family, including the children, and the wider family circle and the friends in the community who had to deal with this. It is a horrific case, and it was a heinous crime. We cannot come down hard enough on people who perpetrate such crimes.

In the past number of years in my constituency of North Antrim, I have had to deal with cases. An example is of the great wildfowl pond in Broughshane, which attracts 400 visitors a week. It is a great facility and is used by the people of Broughshane and wider afield. People come from all over Northern Ireland to visit the pond. It has many species of swan and geese and ducks. A number of years ago, we suspected that someone was bringing a dog in at night to blood that dog to fight. It was destroying the birds, ducks, geese and swans that were in the pond for everyone's satisfaction and enjoyment. Someone saw fit to go in and destroy them to help to blood a fighting dog. That is indefensible. We had surveillance cameras up, but they were to no avail and we could not catch the culprit. It was very clear from the way that animals were being left on the side of the pond that it was not a fox that was doing the damage. It is very important that we come down hard on people who do this sort of crime.

It is not only about the real heinous crimes but how people treat pets. Do they feed them correctly? Do they give them shelter? Are they getting fresh water? Are they free

from pain, injury and disease? Are they free from fear and distress? Sometimes, that is as much a cause of concern as the spectacular cases that we see on our TV screens. We need to do something more by way of education. Whether this motion falls or succeeds, I ask the Minister to consider this issue again, show agility in her legislation to deal with cases and to go with the public on this.

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Frew: I think that the public are right.

Mr Agnew: I thank the proposers for bringing the motion and for putting animal welfare and animal cruelty on the agenda; it is often absent or at least not given sufficient time and focus. The horrendous act that was perpetrated on Cody the dog has brought animal welfare and animal cruelty up the public agenda and has led to this debate in the House.

I grew up in an estate where, unfortunately, these types of act were not uncommon. When I was a kid, I knew of people who swung cats around by the tail and cut their tails off. I heard stories of cats being thrown on bonfires, and, for whatever reason, where I grew up, it seemed fair game to attack a cat whereas dogs were different. I never understood that mentality and that differentiation, and I have never understood any justification for animal cruelty.

My own cat has three legs after being mauled by a dog in the presence of and with the encouragement of its owner. He was my mum's cat and was set upon by that dog, and only because of the intervention of a neighbour, my cat, Ozzy, was not killed. He was raced to the vet and lost a leg, but his life was saved and now, thankfully, he is thriving. I had to bring him to my home in Bangor because the dog that perpetrated the act, with the encouragement of the owner, still lived up the road from my mum. Whilst the incident that was perpetrated on Cody has brought this to our attention, it is but the tip of the iceberg. Many acts of animal cruelty are going undetected and without any legal enforcement.

When we talk about animal cruelty, we need to be clear that cruelty against any animal is wrong. That is important. It is the same when we talk about wild animals, as Robin Newton mentioned, circus animals, farm animals, animals in labs that are being tested on without, in some cases, any form of pain relief and, as we discussed a lot today, pets.

To me, the Assembly has, to some extent, failed in the past on the issue of animal cruelty. I refer particularly to the Green Party's private Member's Bill on fox hunting that this Assembly voted down thereby deciding that the fox was not allowed this Assembly's protection from cruelty. A fox suffers no less than my cat suffered when set upon by a dog. Mr McCarthy mentioned the cat that got caught up in the hunt, and I have heard about other cases where dogs and family pets have been caught up in hunts. They deserve no less protection from this Assembly than pets do.

I mentioned the issue of circus animals, as did Robin Newton, and I have tabled a motion on that issue. I urge all Members here today who are genuinely committed to ending all forms of animal cruelty to put their name to that motion and bring it to this House so that we can put an end to the horrendous acts that are committed on circus

animals, including their treatment in being trained, how they are transported and how they are kept.

The commitment to animals and to ending animal cruelty must be genuine and not fleeting simply because it is high on the public agenda because of the media attention for the issue at this time. Whether we go for stronger sentences or not, the legislation will be meaningless if we do not have proper enforcement, and I raised that issue with the Minister today during oral questions. It is no good having long sentences if people are not charged, convicted and sentenced. So, we need to put a focus on enforcement, and that means giving priority to it and putting money into it. The enforcers have a hard job detecting those crimes, and they need the public to help by reporting them. Equally, when the public report such crimes, we need an adequate response. Earlier, at Oral Questions, I cited instances of when I had called the police and was told to go to the USPCA, which then told me to go back to the police.

5.45 pm

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Agnew: We need to clear that up, make it clear and enforce the legislation. Without enforcement, the legislation is meaningless.

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank George Robinson, Thomas Buchanan, Paula Bradley and Jim Wells for tabling the motion. As has been said, the motion rightly highlights the issue of animal cruelty. It also highlights the issues that have been discussed around the substantial penalties that are available under the Welfare of Animals Act 2011 for those who commit serious animal welfare offences and the need to ensure that the punishment absolutely fits the crime.

I also thank Oliver McMullan, Chris Hazzard and Declan McAleer for tabling the amendment, which calls for me to support the full use of the extended sentences available under the Welfare of Animals Act for serious animal welfare offences, including deliberate and severe animal cruelty:

“to include longer periods of imprisonment to ensure that perpetrators receive a punishment that fits the crime.”

Before getting into the detail of my response to the motion, I extend my sympathy to the Agnew family of Maghaberry on the loss of their much-loved dog, Cody. I am a dog owner myself, and I understand the connection that you feel with a dog. I am sure that the sense of loss that the family feels is tremendous. I believe, as do all Members who have spoken today, that such abhorrent acts cannot and should not be tolerated in today's society.

The Welfare of Animals Act 2011, which my Department has implemented, is a major step forward in protecting the welfare of farmed animals and other animals. It affords a high degree of protection to animals and greatly strengthens the powers to deal with animal welfare issues. The Act has introduced a duty of care to all protected animals, allows action to be taken to prevent animals from experiencing unnecessary suffering, strengthens powers in respect of animal fighting, provides powers to regulate

a wide range of activities involving animals and increases the penalties for all animal welfare offences.

Prior to that Act, the penalties for animal welfare offences had not been reviewed since 1972. In the 1972 Act, the maximum penalties were three months' imprisonment and/or a £5,000 fine on summary conviction. When the Welfare of Animals Bill was considered by the Assembly, everyone agreed that the penalties for welfare offences needed to be increased substantially. The 2011 Act replaced the 1972 Act, and at the same time it significantly increased the maximum penalties for animal welfare offences to a maximum of six months' imprisonment and/or a maximum fine of £5,000 on summary conviction — that is when a case goes to the Magistrates' Court — and a maximum of two years' imprisonment and/or unlimited fine on conviction by indictment, and that is in the High Court with a jury.

Providing the option for serious cases to be dealt with either summarily or by indictment, with an unlimited fine on indictment, is important as it allows the most serious cases to be heard in the High Court and, potentially, for a longer prison sentence. It also reflects how seriously my Department views animal welfare offences. In addition, the court can deprive a person convicted of a serious animal welfare offence of ownership of the animal to which the offence relates, should they be the owner. The court can also disqualify a person convicted of a serious animal welfare offence from owning, keeping, participating in keeping or controlling or influencing that animal in any way for such a period as it sees fit. That disqualification can be for life, and for one or more species of animal.

The proposed penalties were put to the Minister of Justice, the Executive and the Agriculture and Rural Development Committee before they came to the Assembly. The Minister of Justice advised that he was content with the proposed offences and the penalties in the Bill. He commented that they were proportionate and sat comfortably within the criminal law framework. The proposed offences and penalties were included in the draft Bill and passed into law by the Assembly through the introduction of the Welfare of Animals Act 2011. I strongly emphasise that, at that time, no party or MLA raised any concern about the proposed penalties in the Bill. The Assembly fully supported the Act and the substantial penalties that are included in it.

I am pleased that the new penalties for animal welfare offences became operational on 2 April this year. I assure you that I take the welfare of animals very seriously and believe that the new tough penalties introduced by the Act will provide a strong deterrent, thus protecting animals from unnecessary suffering, including deliberate acts of cruelty.

The Act recognises that causing unnecessary suffering, including deliberate acts of cruelty, to any animal is a very serious offence, and the penalties contained within the Act reflect that. The extended penalties that we have are stiffer than those in Britain, so we have in place the strongest penalties in these islands. I strongly support tough penalties for animal welfare offences, and, having just recently extended the sentences available for serious animal welfare offences, I believe that we now need time to allow a number of cases to be taken before the courts before any consideration is given to increasing the new penalties.

I am pleased to note that, in one of the first cases, the PSNI recently secured a successful prosecution at Downpatrick Magistrates' Court where a defendant was found guilty of causing unnecessary suffering to a dog. The defendant was fined £250 and was also prohibited from keeping animals for five years.

Another important consideration is that sentencing within the legislative framework here is a matter for the judiciary. In making sentencing decisions, judges take into account the law, the seriousness of the offence, any aggravating or mitigating factors, sentencing guidelines and all relevant circumstances in each case. I have been advised by the Minister of Justice that the Lord Chief Justice, in his programme of action on sentencing, is enhancing the structures by which the judiciary ensures consistent and appropriate sentencing. I understand from the Minister that, under his programme of action, sentencing guidelines on offences of animal cruelty heard in the Magistrates' Courts will be developed in the near future, and I am happy to keep Members informed of how that develops.

I believe that the new tough penalties introduced by the 2011 Act will be a strong deterrent to thugs who would carry out such barbaric welfare abuses as happened in the recent case with Cody. I support full use of the extended sentences available for serious animal welfare offences to include longer periods of imprisonment to ensure that perpetrators receive a punishment that fits the crime. I intend to meet my counterpart in the Department of Justice to ensure that the guidelines on sentencing encourage the courts to make full use of the range of penalties available and, in horrific cases such as that of Cody, to apply the maximum penalty possible.

I also take this opportunity to reassure Members regarding the implementation of the new Act. The Act has extended the resources available to deal with breaches of animal welfare legislation. The enforcement roles in the new Welfare of Animals Act are very clear: DARD continues to have responsibility for the enforcement of the welfare of farmed animals; the PSNI has responsibility for wild animals, animal fighting and welfare issues where other criminal activities are involved; and, from April this year, councils, for the first time, have responsibility for the enforcement of the welfare of other animals, such as domestic pets and horses.

The new powers in respect of animal welfare have enhanced and strengthened the role of councils in dealing with local issues. As council dog wardens and environmental health officers have already been dealing with dog-control issues, councils have experience and a presence in residential areas, where most welfare offences in respect of domestic pets are likely to occur. The councils are enforcing the Act on a regional basis. There are five welfare animal officers in place. The role of councils involves investigating complaints and taking appropriate enforcement action, which could be simply providing advice, issuing an improvement notice that is legally binding or prosecution action.

According to recent information provided to me by councils, the total number of calls to councils between 2 April and 31 August this year was over 2,000, and 1,802 were animal welfare complaints. Some of the complaints proved to be unfounded and others resulted in verbal advice being given to the animal's owner. A total of 85 formal improvement notices were issued, 24 animals

were seized, and a prosecution action will be pursued in a number of cases.

Throughout the debate, a number of Members referred to funding for councils. I want to make it clear that the Department is making available £760,000 for this year and £780,000 for next year, and that will then increase by £20,000 for the next two years of the spending period. To date, I have been very encouraged by the positive response from councils to their new responsibilities. We now have a very close working relationship between councils, DARD and the PSNI in making sure that all arrangements are in place.

Mr McCarthy: Will the Minister give way?

Mrs O'Neill: OK.

Mr McCarthy: Will the Minister tell the House whether the Department received any representations from councils regarding the lack of funding for the duties that they are expected to carry out?

Mrs O'Neill: To date, all councils seem to be managing within the budget that has been set. We have always said that the door is open and that we will continue the conversation. If a council were to come to me, further down the line, to say that it was insufficient and demonstrated the case, then we would have to take a look at that.

In coming to a close, I take this opportunity to assure Members that I am totally committed to protecting and safeguarding animal welfare. The Welfare of Animals Act that my Department brought forward is a major step forward in protecting the welfare of farmed and other animals, including cats and dogs. The Act introduces a duty of care for all protected animals; it provides the same level of protection for other animals as was previously available for farmed animals; and, crucially, it allows action to be taken to prevent suffering, as opposed to waiting until the suffering has occurred. The Act has also strengthened powers in respect of animal fighting, including dog fighting, and, as I said, the Act significantly increases the maximum penalties available for all animal welfare offences. I believe that it affords a high degree of protection to animals and greatly strengthens the powers to deal with animal welfare issues effectively.

Councils and their animal welfare officers are doing sterling work on the ground in respect of domestic pets and horses, and, as I said, enforcement of the new Act is working well. As I explained earlier, I believe that the new tough penalties that became operational here only on 2 April will be a strong deterrent and will help to prevent animal welfare abuses. The public will be left in no doubt that causing unnecessary suffering, including deliberate acts of cruelty to domestic pets, will not be tolerated and that the perpetrators will be punished.

I genuinely believe that we must give time for the Welfare of Animals Act to bed in and let a number of prosecutions reach the courts before consideration is given to increasing the maximum penalties available for animal welfare offences. Therefore, I do not support the motion.

I turn now to the amendment. I explained that I strongly support the full use of extended sentences available for serious welfare offences to include longer periods of imprisonment to ensure that perpetrators receive a punishment that fits the crime. On that basis, I support the amendment.

As I said earlier, I intend to meet the Minister of Justice to ensure that the courts will be encouraged to make full use of the range of penalties for animal welfare offences, and in horrific cases, such as the Cody case, apply the maximum penalties possible. I am encouraged that one of the first court cases under the 2011 Act has been well publicised in the local press, and I will encourage the relevant agencies to publicise the outcomes of those cases widely. I think that tough sentences will deter others from committing similar offences.

I will pick up on a few points that Members made. Kieran McCarthy talked about the need for education. I absolutely agree, and it is a key issue. We need to talk to young people about the fact that animals feel pain. We need to take that forward as part of mainstream education. I intend to take up that issue with John O'Dowd, the Minister of Education.

George Robinson picked up on the fact that one of the areas that we need to look at is the introduction of minimum penalties. That is a reasonable avenue to go down, and we could explore it further. When I meet the Minister of Justice, I will raise the issue with him, because it is a matter that could possibly be included in the sentencing guidelines that are being developed for the courts.

Jo-Anne Dobson talked about meeting the Minister of Justice. As I said, I have been engaging with the Minister of Justice, and our officials are regularly in contact.

I want to pick up on the general point that time is needed for the Act to bed in. We do not yet have the evidence to say that it is not working. I think that the sentences are tough, and the judicial system thinks that the sentences are tough. With ongoing regular communication with everybody who is involved, I think that we can improve things.

Paul Frew talked about the agility to move forward, but reasonableness is also a factor, and we have to give the legislation time to bed in. It has not been in operation long enough for anyone to be able to say that it is not working. Even if legislation were to change in the future, the sentencing in the cases of Cody and the other high-profile cases that have been raised are, unfortunately, not going to change. None of us can answer for animal cruelty and for those who are involved in these barbaric acts, but we can raise awareness, make sure that animal welfare is a high priority for everybody who is involved in looking after animals and ensure that DARD, the PSNI and the councils continue to work together.

Mr McMullan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank everyone for their contribution to today's debate. I find it disappointing that the proposer of the motion dismissed the amendment before I was able to talk about it. We all want the best protection for our animals, which should be of the highest standard. We all have that in common, which came through in the debate this afternoon. Recent events, which were, quite rightly, highlighted in the media, have drawn attention to the minority of people who are involved in these horrendous crimes. Indeed, the Minister was quite right to point out that, although we have laws, we cannot legislate for people's minds and thinking; that is something else.

The Minister referred to the ongoing action and responsibility of DARD, the PSNI and the councils. We

need to give the legislation time to bed in. If we feel that it is not adequate, we can look at it again. Several Members, quite rightly, mentioned the situation in the not-too-distant past before the Welfare of Animals Act 2011 came in. When people went to the police, the council or whatever authority, they were told to go to the USPCA, and so on. Now we know who is responsible, and there can be no hiding from the legislation.

6.00 pm

If, for example, there is a report about a non-domestic or farmed animal, there is a body responsible for that, just as there is for domestic pets and non-farmed animals. There can be no more hiding behind the question of whose job it is to do what. As soon as we get that done, the better. I can understand people getting emotive and looking for longer sentences, but we must wait to see whether those enacting the policy and who have the legal wherewithal to prosecute are doing so. So, at this stage, it would be nonsensical to try to change the system. We must give them a chance to put into operation what the Assembly has put in front of them.

I have just a few observations to make. Joe Byrne mentioned looking at giving more money to councils, and he was quite right to bring that up, because we have to look at all these things. As the Minister said, that door is not closed.

I agree with Kieran McCarthy that we have to start by educating younger people. We have to make sure that pet shops, or whoever sells animals, has a programme to hand out to young people or their parents. We have to think about all that. So, you are quite right about that.

Steven Agnew talked about testing animals in laboratories. He was agreeing with me when he said that those with the legal powers must be seen to act. You are quite right.

Paul Givan accused me of being smart. If being perceptive is being smart, I am guilty. I do not know what category I would put you in, because if the Chairman of the Justice Committee has not raised it at his Committee —

Mr Principal Deputy Speaker: All remarks should be through the Chair; do not use "you".

Mr McMullan: Sorry about that.

Paul Frew, quite rightly, also stated that education was important, and that was a theme that came through. I do not know the percentage, but quite a lot of animal cruelty cases involve those who are under the age of 16 or are minors. This is part of the problem, too: we still do not know whether the courts will hand out stronger sentences. As the Minister said — I was heartened to hear other Members also say this — we now have legislation, and I ask the Assembly to give it a chance to bed in. This afternoon, the Minister has been quite open and clear in saying that the door to revisiting the legislation is still open. The legislation itself includes powers to look at that again. Members, I am here to talk on the amendment —

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr McMullan: — but let us give this whole thing a chance.

Mr Wells: I think that this is a test of the Minister's commitment to stamp out animal cruelty. For all her many

faults, her predecessor, Ms Gildernew, had, I believe, a genuine commitment to animal welfare. That was exhibited by her stance on the decision by your good self, Mr Deputy Speaker, to try to inflict further hare coursing on the people of Northern Ireland. Although most Back-Benchers and, indeed, the Front Bench spokesman for Sinn Féin, meekly followed you through the Lobby in support, Ms Gildernew and Mr Mitchel McLaughlin made it very clear that they did so under the strongest possible protest and that Mr Martin Ferris was forcing them to do something that they had absolutely no time for. I noticed that Mrs O'Neill made very little in the way of her opposition known at that time. So, this is a test of whether she is committed to animal welfare or is simply reading a set text that the Department gave to her. We will wait and see; the jury is out.

I had a dog called Simon. I had him from when I was four until I was 21 — 17 years. For the first 13 years, he used to run behind my bicycle along the main street of Moira. For the last four years of his life, he sat on the handlebars and looked around the entire village as he sailed down that same street on the way to the canal. Thirty years later, people still remember that and my fondness for that dog. That was only three miles from Maghaberry, where this dreadful incident happened. That has crystallised my concern about the treatment of Cody.

This issue is likely to end up before the courts, and we all hope that it will. Therefore, I think that the less said about it the better, because we do not want to say anything that would prejudice a fair trial. However, it has highlighted the increasing concern among our public about animal welfare. I congratulate George Robinson, who raised the issue. Oliver McMullan, Kieran McCarthy and Joe Byrne all emphasised just how abhorrent they found it, but Thomas Buchanan added some interesting material. He quoted 19 similar incidents in the north-west of the Province. The reality is that there are still people in Northern Ireland who regard the torture of animals as a legitimate pastime. What is important about this incident and others is that we need to send out a very clear message to the community that we, as a society, will not tolerate those who torture domestic animals. We have made huge strides forward in the treatment of farmed animals, and we can now say that Northern Ireland is probably one of the most welfare-friendly agricultural communities anywhere in the world. We are proud that our animals are exceptionally well treated as a result of European directives, and we can sell our products on the open market with a very clear branding of being welfare-friendly. Equally, we need to be a society that is known throughout Europe as being welfare-friendly to our domestic pets. Therefore, I think that the clear message from today is that we will not tolerate this in our Province, and we want an example to be made of those who do it.

While we are all polishing our halos and congratulating ourselves on how wonderful we are in our attitude to domestic animals, let us remember the obscenity of how circus animals are treated. Mr Agnew and Mr Newton raised that issue. The Minister would do well to support the motion or to legislate to do what many other civilised countries have done and ban the use of wild animals in circuses. That is an anachronism that has to end. Remember that there are other issues that we still have to be concerned about.

I am Chair of the all-party group on visual impairment, and I recently met guide dog owners who had Alsatians as their guide dogs. They are very intelligent animals, yet, tonight, as we speak, how many thousands of German shepherd dogs are tied on a very short chain in yards throughout Northern Ireland? They are never exercised, they are never given any form of stimulation, and they spend their entire life on a six-foot piece of chain. That is no way to treat an intelligent animal, yet our welfare legislation allows that to happen.

I see the Minister of the Environment, who, unfortunately for him, is in the Chamber today. What is he doing to control the indiscriminate use of snares? As we speak, how many hundreds of badgers, foxes and hares are writhing in agony in a snare from which they cannot escape, as the snare tightens around their neck and they die a very slow, agonising death? I will let the Minister intervene if he wants to, but he has been promising us for several months that he will bring in a licensing system to control the abuse of snares, yet we have seen absolutely no evidence of it being introduced in Northern Ireland.

Mr Attwood: I anticipated that the Member would raise this matter. That is why I came here and set myself up for the firing squad.

There will be a consultation in the near future in respect of snares. However, more generally, today I have written to Minister Ford, to the Chief Constable and to others to gather people together to deal with the issue of cruelty to animals. Given the profile around badger baiting recently and the prosecutions in that regard, I am trying to gather together the relevant agencies to upgrade and upskill our attempts to deal with issues of animal welfare. Therefore, far from sitting and not acting in respect of snares and in terms of that strategic intervention, I am gathering together all those who have an interest in the protection of animal welfare and the enforcement of the law in respect of animal welfare. I hope that that goes some distance to reassure the Member.

Mr Wells: I am glad that the Minister came to answer my point. He knows that I have asked a series of questions for written answer about this issue, but I hope that whatever he introduces will ensure that we do not have a situation in which snares are left unattended not for 24 hours but for days and weeks, with animals dying a very painful death in those snares. That is a cruel, horrible way for any animal to die, and we must banish that practice in Northern Ireland for ever.

What is the honourable Member for Mid Ulster, the Agriculture Minister, doing about puppy farming, which, as practised in many remote rural areas in Northern Ireland, is an obscenity? The dogs are kept in appalling conditions, and yet we do not seem to have grasped how important it is to enforce animal welfare legislation for that. That must be dealt with. Although we all feel that the fate of Cody was absolutely appalling, as were other similar instances, it is no good concentrating on that issue when, behind our backs, real issues with animal welfare in Northern Ireland still have to be dealt with. People ask, "Why should we be concerned about animal welfare? Why should we be concerned that, in Dundonald, for instance, people regularly dump badgers in coal bunkers, bring them out to let them be ripped to pieces and almost to death by dogs, and then put them back in again until next time?". The problem is that the people who do such things also do it to

human beings. If we cannot instil respect for animals in our children and community, is it any surprise that there are vicious and evil attacks on fellow human beings? I think that how we treat both the most vulnerable human beings and animals is a measure of us as a society, and we have to act.

I will watch with interest to see how fervently the Minister addresses the issue. I get the feeling that all she is prepared to do is to take her briefings from the Department and that she has no personal commitment to the issue. I want to be proven wrong, Minister. I want, some day, to stand up, apologise and say that I was wrong about your view on this, but I am not getting that view from you at the moment. I certainly got it —

Mrs O'Neill: Will the Member give way?

Mr Wells: Yes.

Mrs O'Neill: We had the debate today, and I have put on record my commitment to dealing with the issue. During Question Time, I also gave you that commitment. I can do no more than that. If you are a reasonable person, you will see that this has been in place for only a very short time. If you are a reasonable person, you will look at this and ask, "Where is the evidence that this does not work, that it is not sufficient and that the punishment does not fit the crime?". If you can give me evidence at this early stage to show that that is the case, I will certainly listen to it. You have not been forthcoming with that to date. The point is that, in such a short time, you cannot establish that. We need to see cases going to the courts. When the legislation went through the Assembly, I do not recall you raising an issue with it. I do not recall you saying that the sentencing was not sufficient.

Mr Principal Deputy Speaker: Everything through the Chair.

Mrs O'Neill: Through the Chair, that is the point that I put back to you today. I am committed to this issue. I think it is clear that everybody in the House is very passionate about the issue, but we need to give the legislation a chance to work.

Mr Wells: I have to say that the honourable lady is a much better speaker when she is speaking from the heart than when reading from a prepared DARD statement. Perhaps there is a lesson there for the future.

I read the article in the 'Down Recorder' about the mistreatment of the dog in Downpatrick. To my mind, a £250 fine is not adequate punishment for the horrendous treatment of that animal. That should have led to a custodial sentence, but that did not happen. That is the problem. The first test, in my opinion, has been failed. Therefore, we need to put somebody behind bars for a long time to show him that we will not tolerate this type of cruelty in Northern Ireland.

Question put, That the amendment be made.

Question, That the amendment be made, put a second time and negatived.

Main Question put and agreed to.

Resolved:

That this Assembly calls on the Minister of Agriculture and Rural Development to extend the sentences available for deliberate and severe animal cruelty to include longer periods of imprisonment to ensure that perpetrators receive a punishment that fits the crime.

Adjourned at 6.18 pm.

Northern Ireland Assembly

Tuesday 25 September 2012

The Assembly met at 10.30 am (Mr Speaker in the Chair).

Members observed two minutes' silence.

Ministerial Statement

British-Irish Council: Environment

Mr Attwood (The Minister of the Environment): In compliance with the requirements of the Northern Ireland Act 1998, I wish to make the following report on the twelfth British-Irish Council (BIC) meeting in environment sectoral format, which was held in Vogrie Country Park, Midlothian, Scotland on Friday 7 September 2012. The Northern Ireland Executive were represented by me and Jonathan Bell MLA, junior Minister in the Office of the First Minister and deputy First Minister. This report has been endorsed by junior Minister Bell, and he has agreed that I should make the statement on behalf of both of us.

The meeting was part of an ongoing series of meetings in the British-Irish Council since the first summit of 17 December 1999, which identified the environment as one of the issues for discussion. The Scottish Government were represented by Paul Wheelhouse MSP, Minister for Environment and Climate Change. It was, in fact, his first meeting on his second day as Minister for Environment and Climate Change, having replaced Stewart Stevenson, who is a really dynamic person. When I met Stewart Stevenson, my view was that he was the modern-day incarnation of Braveheart. He has been a member of the Scottish National Party since the 1960s; God knows there were very few members of the nationalist party back then. Paul Wheelhouse also chaired the meeting. The Irish Government were represented by Jimmy Deenihan TD, Minister for Arts, Heritage and Gaeltacht Affairs. The Welsh Government were represented by John Griffiths AM, Minister for Environment and Sustainable Development. The States of Jersey were represented by Deputy Robert Duhamel, Minister for Planning and Environment. The States of Guernsey were represented by Roger Domaille, Minister for the Environment Department. The Isle of Man Government were represented by Phil Gawne MHK, Minister for Environment, Food and Agriculture. The UK Government were represented by Jeremy Eppel, the deputy director for international biodiversity and evidence in the Department for Environment, Food and Rural Affairs.

As the junior Minister would confirm, the meeting focused on biodiversity and covered strategies, awareness campaigns, the management of invasive species, ecosystems approach, public engagement and strategies used to monitor and survey habitats and species.

Prior to the meeting, Ministers took part in a BioBlitz with local schoolchildren to gather information and boost

records of species in Vogrie park. In Northern Ireland, 80% of our schools are members of the Eco-Schools project, and, indeed, I hope to make some announcements in respect of that project in the near future. That project and BioBlitz are ways of embedding an appreciation of biodiversity, ecosystems and the environment in general in the education of our young children. Although it might have been a bit awkward for five or six Ministers to run around a forest with 20 or 30 children, it was very instructive to their understanding of habitats and species.

Ministers discussed the development of biodiversity policy and delivery mechanisms for dealing with invasive species across member Administrations. Ministers also noted the opportunity to share the outcome of current pilots that look at practical tools and resources for the delivery of ecosystem services on the basis of the findings of the UK National Ecosystem Assessment. The issue of ecosystems is a bit abstract, but we should think about the wildfires in peatland areas last year, which affected 8% of our peatland in the North. It cost the Fire Service £8 million to manage those fires in the space of a dozen or so days, never mind the interference with recreation and the damage that was done to biodiversity and farming interests. That conveys what ecosystems are about. If you maintain that peatland, you can mitigate those risks. In that way, what is somewhat obscure can become very real.

Ministers welcomed the news that, as a result of the British-Irish Council, the Joint Nature Conservation Committee will enhance the existing network to allow the Channel Islands to share their monitoring and surveillance data with the wider society through the National Biodiversity Network Gateway. They also welcomed the fact that that work has been brought forward and will be in place by October 2012.

Ministers recognised the threat that invasive species pose to the island ecosystems that make up the British-Irish Council membership. At present, there are two frameworks, one in Britain and one in Ireland, through which, on an island basis and, increasingly, on an islands basis, the threat of invasive species is addressed. There may be questions about that later. To bring it home, people may be aware that an invasive species was found in Strangford lough in the past weeks. Today and tomorrow, divers from Wales with knowledge of that particular invasive species are diving in Strangford lough to see the scale of the risk. When you remember that invasive species are now the second biggest threat to biodiversity and ecosystems globally, you can understand that, although this may be about hogweed in some places, it is actually about a fundamental threat to the character

of our heritage, the environment and the benefits that ecosystems bring.

Following the presentation by GB's non-native species secretariat, Ministers discussed existing awareness campaigns, how to improve monitoring, warning systems and risk assessment across British-Irish Council member Administrations. Ministers also discussed the potential for an expert meeting in the run-up to the anticipated EU directive. That directive has been coming for some time and is expected over the next number of months. It will lay down new standards for the management of invasive species. Some advanced work has been done in that regard over the past 10 years here and in Britain. Nonetheless, given the risks that exist, it is clear that Governments generally and with the assistance of Europe will have to escalate their response to that ecological threat.

Ministers received a verbal update from the London Government on Sellafield, which, we should remember, is the largest nuclear facility in Britain. It was agreed that it would be discussed at a future meeting of the Council.

Ministers agreed that the next ministerial meeting would be hosted by the Isle of Man Government and that the theme of that meeting would be sustainable consumption and production; for example, marine spatial planning. Bearing in mind the Marine Bill that is about to come before the Assembly for consideration and the fact that we are somewhat behind the curve when it comes to marine spatial planning, the gathering in the Isle of Man, which is strategically placed for a conversation about the Irish Sea and marine issues generally, will, I hope, look at marine management. We all have our own nautical miles interests, but there is a shared resource there that we need to manage sustainably.

Members welcomed the continued close co-operation between member Administrations on environmental issues and asked officials to keep the Council updated on biodiversity issues and ecosystem approaches.

Ms Lo (The Chairperson of the Committee for the Environment): I thank the Minister for a comprehensive statement. I am sure that the meeting proved to be quite useful on various issues that are relevant to us, including, as you said, marine spatial planning.

The previous Programme for Government had a target to halt the loss of biodiversity by 2016, but this has now been extended to 2020 in the current Programme for Government. How will the Minister ensure that the new target will be met and will not slip any further?

Mr Attwood: I thank the Member for her question; she is quite right to ask it. How will we ensure that there is no further slippage and that biodiversity has the profile and the protection it needs? We had not had a review of our biodiversity strategy since 2002. A review of the biodiversity strategy is taking place, and I hope that it will be published in the next number of months or into 2013. If I can leave a fingerprint on it, it will be that the biodiversity strategy will take forward the wealth of knowledge that has been gathered over the past 10 years, not least from the conference in Nagoya.

I am mindful of the European environmental biodiversity strategy, which was adopted in 2011, and of the increased risks to our environment, our marine life and the impact of climate change. Therefore, I would like to think that

that biodiversity strategy will be much more rigorous and more challenging than the one 10 years ago was. That will be inevitable, because I think our appreciation of issues around biodiversity, the scale of threat to our biodiversity and the accelerating threat, not least because of climate change, should mean that we should scale up our ambition.

Secondly, we need to embed in the character of government the ecosystems approach — across government. Biodiversity is only a collection of elements of natural wonder, but, when you integrate those elements through ecosystems and have that approach at the heart of government, you will understand that our water, our land, our air, our marine and so on are part and parcel of the quality of our lives and our economy, going forward. It is estimated that, in Britain, the benefit from ecosystems in recreational terms alone is worth £400 million a year. It is reckoned that the wider benefit, excluding health, of an ecosystems approach is £1 billion a year. Beyond the biodiversity strategy, therefore, we have to assess our government policies against how we manage ecosystems and how we recognise the benefits that they bring. I will give an example. In my opening remarks, I mentioned the threat of wildfires and the damage that they do to ecosystems. On the other hand, to go back to your question, if you look at the strategy that is now being rolled out at the Garron plateau in the glens of Antrim, you will see a project that has just been announced. I announced it three or four weeks ago on the one good day in September. It protects the bogland and develops it for recreational purposes. It maintains its quality for storing carbon and water management. It also sustains uphill farming in that part of the world. In all those ways, there should be many Garron plateaux around the North to demonstrate that we are putting into operation the protection of biodiversity in a way that is sustainable and lives up to the ambitions that we should reach.

10.45 am

Mr Hamilton: I thank the Minister for his statement and encourage him to continue to work on a British Isles basis to enhance our environment. The Minister may be aware, for example, that a joint links conference will be held in Belfast this week, at which the Northern Ireland Environment Link and its equivalents from Scotland, England and Wales will look at how they can better promote the protection of the environment on an east-west basis. From the Minister's statement, I notice that a discussion was held on Sellafield, to which, I am sure, the Minister made an open-minded and positive contribution. At the other end of the scale —

Mr Speaker: I encourage the Member to come to his question.

Mr Hamilton: — I notice that the report does not state that renewables were discussed at the summit. Will the Minister assure the House that that area, in which there are great east-west opportunities, continues to be explored by the British-Irish Council?

Mr Attwood: He did not use the words, but I will conclude that he agrees with the sentiment that renewables are arguably Ireland's biggest economic opportunity, and, if you look at renewable opportunities —

A Member: He did use those words.

Mr Attwood: I missed that and am sorry that I did not pick up on it. I am sure that I would have had some witty reply.

We should look at some recent developments, such as the interconnector between the Republic and Britain. Some planning applications are ongoing, not only for offshore wind farms by world leader SeaGen and similar examples that will come on board over the next years but for other innovative renewable technology based on the character of the land. I will not go into those, because the planning applications have not yet been lodged. However, they mean that we can define ourselves not only as being at the cutting edge of renewable technology but as creating renewable energy jobs in the future.

The issue was not discussed at the environment sector meeting because it is being taken forward at a more global British-Irish Council level. At the Stirling meeting of the BIC in June, John Swinney, on behalf of the Scottish Government and other member Administrations, outlined the work that he had taken forward since the BIC meeting in Guernsey in June 2010. At that meeting, the BIC, after what I understand was years of resistance from the London Government, agreed a corporate approach to renewables, given that the issues of wind, wave and tide affect all the island members of the BIC, including Guernsey, the Channel Islands, the Isle of Man, Britain and us. That meeting was important in that John Swinney again demonstrated the difference between being in government and being in power. Two years ago, he took big concepts about renewables, broke them down and put into operation a strategy that saw that issue being moved forward corporately by BIC members. That included getting dedicated funding from Europe. I refer Members to the statement and the papers from that BIC meeting because what he demonstrated proved that individual Ministers working together corporately in Governments can move issues forward.

The Member referred to Sellafield, which was touched on at the meeting. There was no greater conversation than that. As he might have hinted, I have my own view on nuclear energy. In as much as I can reassure him, there are no proposals for nuclear facilities in the North. There are no expressions of interest in the North about nuclear waste management, all of which is located in Britain. On the other hand, I understand that the London Government have a provisional ambition for up to 11 nuclear power stations. They cannot decide that issue unilaterally; it must be decided corporately by the people and Governments of these islands, given what happened in Fukushima in Japan. When these things go wrong, they are critical and create major risk. In my view, given that this issue not a devolved matter, it would be folly for the London Government to take it forward without the proper, full consultation and involvement of the devolved Administrations.

Mr McMullan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his presentation so far. Will he quickly bring us up to date on the verbal update on Sellafield that the UK Government gave to him? Will you, Minister, tell me why there is so little mention of Sellafield in your Marine Bill? Maybe I have got that wrong, but, given that you talk about the ecosystem and the fear of the proposed 11 new stations that the English Government are talking about installing, do you not agree that, with a close proximity to our north coast —

Mr Speaker: I encourage the Member to finish.

Mr McMullan: — Sellafield should be one of your high priorities for the ecosystem in your Marine Bill?

Mr Attwood: I thank the Member for his question and for thanking me for what I have said so far. We will see how it is on the far side of this answer. I have a view on the nuclear option going forward, and I indicated broadly what that might be. That said, there has been, especially over the past decade or two, much more collaboration between the British Government and the Irish Government on nuclear power and the risks that so many of us believe it carries. There has been an upgrade of the monitoring of the Irish Sea by both the Irish state and the Northern Ireland Environment Agency. So, at present, 50 places of monitoring are working on a regular basis, and they monitor not just water quality but shellfish and even seaweed to assess what might be the continuing or residual impact of Sellafield — or Windscale — on the quality of the Irish Sea.

The Marine Bill creates an architecture for marine spatial planning. It is the architecture. That is what primary legislation normally does — it sets out the structures and broad parameters that are then taken forward in operational terms. That is what will happen with the Marine Bill. I think that we will have some robust conversations about the Bill, because I may be minded to try to persuade the Executive to go in certain directions with it beyond my proposal for a marine management organisation. So, there will be marine plans on the far side of the passage of the Bill. Marine plans will, no doubt, bear in mind and take into regard all the water management issues in the Irish Sea, including ongoing assessments of the impact of Sellafield on the quality of water and other species of life in the water. So, the Bill is not silent, and it would not refer explicitly to Sellafield.

Mr McMullan: *[Interruption.]*

Mr Attwood: Well, then, you table an amendment. If you believe that, did you table an amendment at Committee Stage to give —

Mr Speaker: Order.

Mr Attwood: I am sorry; through you, Mr Speaker. Did the Member, his party or anyone else give expression to that issue at the Committee Stage of the Bill? I do not think that they did. If something is brought forward at Consideration Stage, I will certainly look at it.

Clearly, all issues that impact on the water quality in the Irish Sea should be part of the conversation about marine planning. Whether it should be part of the Marine Bill per se is problematic, but, clearly, the issue of Sellafield is not problematic, and, therefore, its impact on water quality and marine management generally are matters that any government would be taking forward properly.

Mr Elliott: I thank the Minister for that relatively brief report. I follow on from the last question. Has there been any indication of whether there will be proposals or plans to increase the output from Sellafield?

Mr Attwood: I can rectify that particular problem if you want me to and speak at some length.

The environment sector agreed that we needed to come back to the issue of Sellafield. I will explain the approach that I have taken. Following the tsunami in Japan and

given the requirements from Europe, never mind those of the domestic authorities, to assess risks around nuclear facilities in the light of what happened in Japan, I kept a correspondence going between my Department and London, into which I copied the Minister for the Environment, Community and Local Government in the South. We did that to ensure that assessments were ongoing, that we knew what was being said, that we knew what the conclusions were and that any additional risks would be mitigated. I have been very attentive and vigilant, not simply because of my views on nuclear power but because of the heightened risk that people sensed arising from what happened following the tsunami in Japan.

As I understand it, there are some proposals to develop Sellafield through a MOX facility — I think that that is what it is called — but that is a reserved matter. It is a matter of concern that, in taking forward some of the proposals, the London Government have not, as I understand it, consulted us or other devolved Administrations. As I said in my earlier reply, we need to be acutely aware of the issue, given Sellafield's profile, the concerns about its impact and the fact that deaths are purported to have risen because of cancer clusters. My family has some evidence of that following the death of my 16-year-old cousin in Liverpool, to where, the family believes, the wind from Sellafield carried dust particles that gave rise to cancer. We must continue to monitor the situation, and, as I indicated, if and when the British Government decide that they want to act on the development of the nuclear facility industry in Britain, they will need to have due regard for concerns, not least those of the people of this island.

Mrs D Kelly: I thank the Minister for his report, which ranged from the strategic European context to implementation at local level. On sharing practices, has he reached any conclusions about the merits of having an independent environment agency? Nations that have such an agency have better biodiversity outcomes. What assessment has his Department made of the effectiveness of the biodiversity duty placed on local authorities?

Mr Attwood: I thank the Member for her question. She will be aware of my view that, given the scale and wonder of our natural environment and the need to protect it, the increasing challenges, opportunities and requirements of the management of that environment, further directives from Europe — for example, on invasive species — and the importance of the environment to Northern Ireland's economy, the quality of our lives and the future character of our place, it is best protected by having independent oversight. That is a principle that I agree with and support in other areas of public policy such as police complaints and the Prisoner Ombudsman. I believe in the principle of independent oversight and regulation as a better model for serving significant areas of public policy and that that principle should apply equally to the issue of having an independent environment agency. Whether my view would prevail is problematic, because, as the Member knows, I have argued vigorously for an independent marine management organisation. I hold to that view and will make that recommendation again to the Executive. However, on the basis of previous indications around the Executive table, at this stage it is uncertain that my argument will prevail.

Mr Weir: I thank the Minister for his statement. I want to ask him about actions on invasive species. In his

statement, he referred to existing awareness campaigns, how to improve monitoring and so on. Are there any specific plans at this stage to upscale action in Northern Ireland on invasive species, or will that be undetermined or have to wait until we get the EU directive?

11.00 am

Mr Attwood: I thank the Member for his question. Given the fact that, as I indicated earlier, the second biggest threat to ecosystems is invasive species, and given the scale of that threat, this question is very important: will the scale of our response be upgraded? To be fair, especially since 2004, the authorities North and South — the National Parks and Wildlife Service in the Republic and the Northern Ireland Environment Agency in the North — have begun to roll out a good model of management of this issue. Indeed, it is a model that others are beginning to learn from.

The consequence of that is the identification of 800 invasive alien species that are here or are likely to, or may, come here. When an invasive species is identified, there is an immediate assessment of what it might be and what the consequences might be, and an alert is sent out. On the far side of the alert, there is an attempt to control and suppress the invasive species. On the far side of that, there is a management strategy if nothing else prevails. In all those ways, there are good structures and good interventions to deal with the scale of invasive species, given the threat and risk that they carry.

(Mr Deputy Speaker [Mr Beggs] in the Chair)

To go back to the question, a website is now available where people can go and make assessments of invasive species themselves. There are two campaigns — Be Plant Wise and Check, Clean, Dry — which appeal to garden centres and gardeners on one hand and those involved in water sports on the other. They seek to get the message across that how we conduct ourselves in water sports recreation, and in respect of the plants that we buy and the plants that are imported to garden centres, contributes in numerous diverse ways to mitigate the risk of invasive species.

There is no doubt that the good work of the last decade has to continue and be upgraded, because there is also no doubt that the level of risk continues to increase. What has happened with the sea squirt in Strangford lough, and other examples in the past six months of invasive species coming to these islands, means that, in my view, we need to take an all-island approach. That is why, arising from the environment sectoral meeting a number of weeks ago, officials are gathering to see what opportunities might exist on an all-island basis to escalate our response, given that it is a shared threat wherever you may live or work on these islands. There may be a more definitive answer to the Member's question on the far side of the officials' meeting.

Lord Morrow: My question is very similar to what Mr Weir has just asked about invasive species. In the Minister's statement, he talked of:

"current pilots that look at practical tools and resources for the delivery of ecosystem services".

Will you outline in some detail, but not too graphic detail, exactly where we are in relation to those practical tools?

I would have thought that we were past that stage by now but, according to the statement, we are obviously not.

Mr Attwood: I think, Lord Morrow, that if you were to ask people in the North generally whether they understand what an ecosystem is and what the benefits of an ecosystem are, you would find that they have very little understanding of it. That is not a negative comment on people. It is merely a statement of the fact that an understanding of the benefits that ecosystems bring in water management, carbon reduction, economic opportunities, recreational opportunities and sustainable farming has simply not been fully grasped, perhaps even by government never mind more generally.

There is a need for a cultural shift and a shift in our understanding to embed ecosystem principles in how we manage our economy. The fact that it was only in more recent times that we deployed an ecosystem assessment in Northern Ireland and Britain is manifest evidence that the understanding of the benefits that this can bring are still maturing. It was only in October last year that, at Hillsborough, I launched the ecosystem assessment for Northern Ireland after it had been launched in Britain.

Clearly, to get people to more fully embrace and understand the benefits, we need to have pilots to demonstrate those. For example, in north Antrim, there was a restoration of the Garron plateau. There was a strategy for the restoration of that bogland, which recognised the opportunities that it would bring for farmers, as well as its impact on recreation activities, carbon reduction and water management. After the pilot, if we are able to replicate that approach in other areas of bogland and peatland in the North, we would have examples of how taking an ecosystems approach is a win-win-win everywhere.

Another example is the response to the damage that was caused in April 2011 by the wildfires, particularly to bogland. Arising from that incident, I established a wildfires forum. There was an argument that other Departments should lead that forum, but I said to my officials that we would lead it to mitigate the risk of wildfires occurring in peatland areas, and consequently mitigate the damage to farming interests, recreational interests, biodiversity, and so on. Ultimately, we led the forum to mitigate the risk of an £8 million fire bill, which was the resultant cost of the 12 days in April when those fires were at their height. That way, you demonstrate real-life ways in which pilots and better practice in ecosystem management can bring benefits.

Mr Rogers: I thank the Minister for his responses so far. Given that I am a cancer survivor and that my daughter had leukemia when she was six, our concerns about Sellafield are very real. Recent media reports have stated that jobs could be created in the production of nuclear batteries for spacecraft, using waste plutonium stocks. Will the Minister reassure me and all inhabitants of the east coast, particularly in south Down and north Louth, where every other family has been touched by cancer, that he will bring our concerns to the British-Irish Council?

Mr Attwood: I thank the Member for his question. I convey my sympathy to his family and all the other families who have suffered from cancer. There is a belief that cancer clusters on the east coast are a consequence of the fall-out of nuclear particles from Sellafield, or Windscale as

it was previously called. As I indicated, members of my family who live in Liverpool bear testament to that concern.

In February this year, I wrote to the Infrastructure Planning Commission in London, which is taking forward opportunities, as the London Government see them, for the rolling out of more nuclear facilities. I would not have written to that commission in February if it had not been to flag up in very strong terms that the Northern Ireland Government have an interest, that I as a Minister have an interest and a concern, and that there is a concern, especially on the east coast, about cancer clusters arising from past or present activities at Windscale or Sellafield.

That is why, on an ongoing basis, there is such a rigorous programme of monitoring. In February this year, the relevant authorities in the South and the North conducted an assessment of Carlingford lough, which is not so far from where the Member lives. Whilst the report on that has not yet been published, it was a thorough interrogation of the quality of the water, the sea life and other organisms in the lough to draw a conclusion on whether there was a risk. The science, I am told, indicates that the risk, compared with other examples of exposure to naturally occurring radiation, is small. Whether the science confirms that or not, London needs to be aware that there are heightened concerns on this island, that Britain cannot make unilateral decisions, given the proximity of Britain to the island of Ireland, that the matter has to be properly considered with the devolved Administrations and that, in making their assessments, the British Government have to have due regard to our interests. I have a personal view in respect of nuclear, and that view is confirmed by the events in Japan.

Mr Wells: I assume that, when the honourable Member refers to "the North", he means that part of Her Majesty's realm known as Northern Ireland, but I will not be too hard on him.

On the issue of invasive species, can I have a categorical assurance from him that he will do everything to prevent Reeves's muntjac deer from getting into Northern Ireland? He knows the profound impact that that species has had in the southern Home Counties in England and the way that it has wiped out the understorey of vegetation and destroyed wildlife. Can he also give me an assurance that he is doing everything possible to stop the spread of the grey squirrel in Northern Ireland? In both south Down and the Ards peninsula, this species is moving rapidly southwards at the expense of the native red squirrel. If we do not do something soon, the red squirrel will be extinct in Northern Ireland. What is his Department doing to stop, first, the arrival of an invasive species in the form of muntjac and, secondly, the very worrying trend of increasing grey squirrel numbers?

Mr Attwood: Mr Wells, I am entirely comfortable with interchanging the words "the North" and "Northern Ireland". I do not have any hang-ups about it, and, if you were to check the Hansard report from today and other times, you would see that I sometimes refer to "the North" and sometimes to "Northern Ireland". I never refer to it in any other terms. I am comfortable, and other Members should be comfortable, in respecting those who use other terms or who interchange terms to describe the north-eastern part of the island of Ireland.

Mr D Bradley: It is not meant to be derogatory.

Mr Attwood: No, it is not. It is not. We are all the product of our history and our tradition, and we are all learning. That may even extend to you, Mr Wells. I knew Jim, or Mr Wells, back at Queen's, and I do not think that he has changed one iota since then. His speech yesterday on animal cruelty was a wonderful speech —

Mr Deputy Speaker: Can we return to the question, please? *[Laughter.]*

Mr Attwood: I outlined the broad strategy on invasive species, both in Britain and on the island of Ireland. We have some of the more advanced models of monitoring alert, which, no doubt, will be escalated on the far side of the European invasive species directive. However, my sense is that that directive might not add that much more to our understanding or to the structural approach that we are taking to managing invasive species. I was going to be in a position to talk about Japanese knotweed, the giant hogweed, the potential threat of the North American signal crayfish, a raccoon that was found in Wexford and other examples of invasive species that are a threat and a future threat on the island of Ireland. I will come back to the Member on the two matters that he raised.

Committee Business

Paediatric Congenital Cardiac Services

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion has 10 minutes to propose and a further 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): I beg to move

That this Assembly calls on the Minister of Health, Social Services and Public Safety to reassure parents that the future service model for paediatric congenital cardiac services will prioritise the needs of their children; and further calls on the Minister to explore fully an all-island solution with his counterpart Dr James Reilly.

Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to bring the motion to the Floor of the House on behalf of the Committee. Many Members have a strong interest in the issue, and you can see from the list of names down to speak in the debate that there is a keen interest in it. It is important that the debate gives people the opportunity to convey their views directly to the Minister, who has an interest in it as well.

11.15 am

A LeasCheann Comhairle, through you, I begin by acknowledging the work that has been done by the various charities and parents and children in highlighting the issue and bringing it to the public's attention. Many of the charities have met MLAs and have provided us with useful and up-to-date information on the topic of paediatric cardiac services. I formally thank them, especially the parents and young people, for taking the time and effort to do that.

Yesterday, a number of charities as well as young people and parents attended an event at the Assembly. It was great to see so many young people and children here who have used the service at the Royal Belfast Hospital for Sick Children and are here today to tell their stories. Yesterday's event was a celebration of the lives of those young people, and I accepted a petition from the group on behalf of the Health Committee. Indeed, the Minister took time out of his schedule to talk to parents and children and accepted the petition from them.

More generally, for the record, the Health Committee has been concerned about services for children, and we visited the children's hospital and the Clark Clinic in June 2012. As a Committee, we will continue to lobby the Minister for a new women and children's hospital, but I will park that and leave it for another day.

I will now talk about the review, which, in effect, brought the issue of paediatric cardiac services to a head and led to the debate today. In March this year, the Minister announced that he had asked the Regional Health and Social Care Board to undertake an external review of paediatric cardiac services in the Belfast Health and Social Care Trust. Each year, around 140 children require surgery. Most of the surgery is done at the Royal hospital, while a number of children are referred to other

centres either in Dublin or England. The review was published in July 2012 and found that children here with congenital heart disease are well served by a dedicated and experienced team of doctors and nurses. It did not identify any immediate safety concerns with the current arrangements but did conclude that the surgical element of the service in Belfast was not sustainable. The review recommended that potential safety risks be addressed within six months, and, in effect, that means that paediatric cardiac services would have to stop within six months, too.

When the review was published, the Minister made a written statement to the House on 1 August. He announced that he had asked the board to set up a working group to look at potential models for delivering the service. Parents and parent group representatives are included on the working group, and that is to be welcomed. The group has met a number of times. I also welcome the fact that the Ambulance Service is part of the working group, because transport issues are key to this debate. The Minister said that he had specifically asked the working group to look at the potential of an all-island model as well as considering a model that involves arrangements with centres in England. The criteria and service specifications developed by the working group will be subject to public consultation. Again, that is to be welcomed.

Part of today's motion calls on the Minister to reassure parents that their children's needs will come first when decisions are made on this matter. I want to take this opportunity to directly relay to the Minister the concerns that parents and parents' groups have expressed, and I have done that in meetings with him and when passing him in the corridor. We do not always see eye to eye but, in fairness to the Minister, he has met the groups and the charity and, as I said, took time yesterday to meet some of the people involved.

The group believes that it is not appropriate for a review team to use an agenda and criteria specifically created to assess services in England and Wales to assess services here. We have our own unique set of circumstances, and our health service should be assessed on its own terms. You cannot compare England and Wales, where there is a population of 60 million, with the population in the North of 1.8 million: it is not comparing like with like.

There is also concern that the review was rushed and that clinicians in Belfast were not given a reasonable timescale for completing the extensive documentation required. Parents are also concerned — and this is worrying — that they were afforded only one hour of consultation with the review team, whereas, in England and Wales, similar review teams engaged with parents over a two-year period. How is that comparing like with like?

In England and Wales, there is a criterion that paediatric cardiac surgery centres should be within three hours' travelling time, by ambulance, for the child. Clearly, that will never be the case if children from here must travel to England. They cannot travel by land; they need to travel by air transport. Yet, in the English review, it is stated that air travel cannot be relied upon because of the danger of poor weather, such as we have today. So parents are puzzled as to why air travel is seen as unacceptable for children in England and Wales but suitable for our kids. What is the difference? What is the difference between our kids and those in England and Wales?

I also refer to what is happening in Scotland, and I know that other Members will do so too. A report on paediatric cardiac surgery in Scotland was published in May, which reviewed the services provided at the Royal Hospital for Sick Children in Glasgow. The standards laid down by the review team states that children's heart surgery should operate with a minimum of 400 patients a year and four surgeons. However, Scotland's caseload is 300 patients annually, and three surgeons are employed. There is no indication that Scotland will change its model which, like Belfast, has actioned outcomes. Scotland does not intend to give up its dedicated children's heart surgery unit. We have to ask whether we can learn from the Scottish model and the attitude of the Scottish Government.

Parents have also stressed that the needs of children are wider than the clinical treatment that they receive. Other factors need to be taken into consideration. It is traumatic enough for families to be told that their child has a heart defect, but to be told that the only option for treatment is to get on a plane to England adds enormously to that burden. Having a sick child is highly stressful, not just for the child but for parents, brothers, sisters, grandparents and wider family. Parents, in particular, need the full support of the wider family network when they go through this experience. In order for parents to be able to support the child, they need support from others, so that they can rely on the emotional resilience of the family and build on it.

There are also issues of transfer. When a child is transported to England by air ambulance, sometimes there is room on the flight only for the patient, and the parent has to make his or her own way there. At other times, the mother may be too ill to travel. There are practical issues. Train travel in England must be paid for upfront by parents, who may then claim back the cost. However, that option might not be affordable for them. In some instances, families are asked to pay for accommodation and then claim it back. There is all that stress, on top of trying to reassure yourself that your child will be OK. There is all that time spent filling in forms.

That brings me to the second part of the motion, which calls on the Minister to consider an all-island solution. That is what parents want, if the service cannot continue as it has done in Belfast. There is an option for working with Our Lady's Children's Hospital in Dublin. It would mean that children and families would not need to travel by plane and would be within a reasonable distance of their own home and family. It would also mean that other relatives would be in a position to visit the child. There are other issues, and I am sure that other Members will elaborate on them.

Parents have to continue with their jobs and family life. They might have other children at home, so having an extended family network there benefits the parents.

Also, we would not be starting from scratch. The Department, the board and the trust have developed links with Our Lady's Hospital. The review recognised that partnership, and we acknowledge that it stated that those arrangements need further work. I know that the Minister is looking into that.

I am conscious that I am running out of time.

Minister, we have examples of co-operation. We see them with the cancer centre in Altnagelvin, through co-operation and working together, and at different times in various

boards in the border counties. So I welcome the fact that paediatric cardiac surgery is a regular topic for discussion in the North/South Ministerial Council.

Mr Deputy Speaker: Will the Member please draw her remarks to a close?

Ms S Ramsey: I welcome the fact that the Minister has met with James Reilly and will continue to talk with him about this. I urge the Minister to continue those discussions, and I commend the motion to the House.

Mr Dunne: I welcome the opportunity to speak on this important and sensitive issue, which applies right across the Province. Cardiac services for children and young people are crucial, and their needs and quality of care must be a top priority as we move forward on the issue.

Having attended a recent public meeting in Bangor in my North Down constituency, as well as the event here yesterday in Parliament Buildings, I, and many others, were made aware of the strength of feeling and emotion around this complex issue. I pay tribute to the work of the Children's Heartbeat Trust for the very special work that it carries out daily. We were all very much impressed with the presentation given here yesterday. Unfortunately, congenital heart disease is one of the most common problems at birth in Northern Ireland. Charities and support groups, such as the Children's Heartbeat Trust, can be a real help and encouragement for families with children who have heart problems.

I also pay tribute to the work of the Clark clinic in the Royal Victoria Hospital for the excellent work that it carries out. The dedication and skills of the staff were brought to light by the very emotional personal stories we heard from young people yesterday. The life-saving specialist work that has been undertaken must be fully recognised and commended. The reality is that, had it not been for the Clark clinic, unfortunately, some of those who were here yesterday might not have lived to this day.

Our Minister, Edwin Poots, has said that he does not want a second-class service for parents and children in Northern Ireland, and that is to be welcomed. I know that the Minister is well aware of the concerns of parents and families and the fears of local charities. It is important that, as the motion suggests, we prioritise the needs of children at this time. It is crucial that high standards of care are maintained in any future arrangement. We need to explore all options in order to achieve the highest standard of care and the best possible outcomes for those children.

Mrs Dobson: I thank the Member for giving way. Obviously, he recognises the very deep feelings and concerns of children and families across Northern Ireland about the review, which has led to tens of thousands of signatures on their petitions. Does the Member have sympathy with the view that the Executive should be looking to Belfast and not Dublin to form the hub of the future provision resulting from the review?

Mr Deputy Speaker: The Member has an extra minute.

Mr Dunne: Thank you, Mr Deputy Speaker. It is, certainly, a priority that Belfast is looked at first. However, we must broaden our horizons if the need arises. It is critical that a service is maintained, first, within Northern Ireland, and, indeed, in Ireland, if that is to be the case. That includes being able to offer the most highly skilled consultants, surgeons, nurses and support staff possible for the care

of our children. We must do all that we can to ensure that some level of service is retained in Belfast. However, we have to face reality, and that reality may involve some co-operation between our health service and the Republic of Ireland's health service in order to maximise the level of service that we can provide to our most vulnerable children and young people.

At the meeting held in Bangor recently, there were mixed views about the transfer to Dublin. Some families were, understandably, very much against going to Dublin for treatment, while another family gave clear evidence that they had gone to Dublin with their baby and got excellent treatment from the hospital service there. The issue of travel is significant for sick children and families, and it must be taken seriously in any review. Travel to England is not suitable for many families with dependants and just adds to the stress and worry of the operation.

In conclusion, I urge the Minister to take on board the genuine issues raised and the real cries for help from families, parents, grandparents and the friends of those children affected by this terrible condition. It is vital that the paediatric service provided is accessible and available at the point of urgent need for the most critically ill children in Northern Ireland. I support the motion.

11.30 am

Mr Gardiner: Thank you, Mr Deputy Speaker, for the opportunity to speak in the debate. If my postbox is anything to go by, this debate matters to a great many people. The House will be aware of the widespread public concern about the future of children's cardiac services in Northern Ireland, following a review of the children's congenital heart services at the Royal Victoria Hospital. The review found that although the services were safe, they were no longer sustainable. It is not only my postbag that has been very busy on the matter; I believe that some 10,000 people have signed an online petition calling for the retention of paediatric heart surgery in Belfast.

Ms S Ramsey: I want to update the Member. That petition has now reached in and around 52,000 signatures.

Mr Gardiner: Thank you for that correction.

Mr Deputy Speaker: The Member has an extra minute.

Mr Gardiner: In today's debate, we will hear about all-Ireland solutions and all-of-the-United Kingdom solutions. I am disturbed by the fact that such political overtones are now entering what should be a debate centred on patient care and priorities in the health service here. I believe that we need to solve the problem closer to home by re-examining the way in which reform and reordering of the health service in Northern Ireland is proceeding.

Such major dramatic changes to front line medical care in such a sensitive area, which involves young children, need to be avoided if at all possible. I do not believe that front line medical care should be reduced in such an area if there are still savings to be made by reducing health service bureaucracy. Have all those avenues been exhausted? Can the Minister really assure us that every avenue in eradicating fat and waste in health service bureaucracy has been explored? He should turn to a dramatic decision such as this only if he can answer yes to that question.

I have concerns about the review of our health service. If the review of the health service here had been carried out by an individual who was not a health service bureaucrat, would the outcome have been different? That is a legitimate question. I remind the House that a review would sometimes be improved if it were conducted by someone completely outside the system rather than by someone who is so much part of it. Often, people within the system are too close to the organisation to see it clearly and without the baggage of having worked closely with many of the services they seek to reform. Can they do so fairly?

I would be grateful if the Minister, in his response, would explain exactly why the retention of the service in Belfast is inefficient or too expensive. Exactly how much money is involved in this very costly human decision?

I know that the Minister is trying his best to balance all the competing demands on resources, and I respect him for that. I know that I have always had positive, useful and productive talks in the past with the Minister over a range of health issues. That is why I assure him that my questions are designed to get at the truth and are not cheap political points. That is not the way I operate. I want to explore viable alternatives, if at all possible. Could the future of paediatric congenital cardiac services in Northern Ireland be seen in some other broader context or reset within a wider group of services, which would enable children's clinical specialisms to survive in this Province?

Mr McDevitt: At the outset, I declare an interest as the guardian and older brother of a young adult with special needs who is here today only because of the services provided by cardiac services at Our Lady's Children's Hospital in Crumlin, a hospital that is indirectly affected by the McKay review.

It is very sad that such an eminent review team should have paid such scant attention to the needs of this region. A very in-depth review was carried out in England and Wales, and there seems to be plenty of evidence of very detailed consideration having been given to the clinicians' views and experience; the infrastructure of hospitals; the transport infrastructure between existing centres and proposed new centres of excellence; and, most importantly, parents' and patients' experiences. Yet, clinicians, hospitals and parents in this region had the opposite experience. They were given scant notice of their opportunity to participate in the review, and, having received that scant notice, they were able to prepare, at best, only limited responses to some critical questions. A grave inequality was perpetrated by the people who were behind the review on this region. I think that that needs to unite us because, in responding to the review, we need to start from the position that we were not treated right during it.

That said, the actual findings perpetuate that inequality even further. They expect us to accept a standard of transport, for example, that is not acceptable and not recommended for patients in England and Wales. The most obvious example is air transport. They expect our sick babies to get on planes or helicopters and be transported by air when they themselves say that that is not an acceptable mode of transport for such chronically ill patients in England and Wales. That is a high double standard and a gross inequality.

You would think that they would have given more time to understanding the needs of this region. Given that the

region is part of an island — I am not making a political point; I am simply stating geographic fact — and that the island has existing clinical collaborative networks in this very area of medicine, they might have thought about talking to colleagues in Dublin. We hear from the review team that they did. They spent 90 minutes on Skype. Is that the way to seriously review such a critical clinical service? I am no expert in this area, but I know that that is not the way. If any Minister came to the House with a review that was carried out to that standard, he or she would know that the response that they would get would be a very negative one indeed.

Mrs D Kelly: I thank the Member for giving way. I met some of the families yesterday. I have a close friend who swears that her child was saved only because of the intervention by and availability of the service at the Royal Victoria Hospital. What indication is there that such evidence was actually taken into account in the review?

Mr Deputy Speaker: The Member has an extra minute.

Mr McDevitt: Thank you very much, Mr Deputy Speaker. Mrs Kelly made a very important point indeed, which was that it is very difficult to have genuine confidence in the review's report. That is because it is very, very difficult to point specifically to where the voices of this region have been heard and properly considered in the report's findings. We are being asked to accept an England and Wales solution to an Irish or Northern Irish challenge. That is not right, and it is not acceptable.

I think that it is worth putting a few other matters on the record. First, as has been said, no one questions the clinical standards at the Royal Belfast Hospital for Sick Children. Nobody. Nobody questions the excellent clinical standards across the island. Indeed, I am told by senior clinicians in the field that practically everyone who practises paediatric cardiac medicine on the island of Ireland has been trained in England to the same standard as those who practise paediatric cardiac medicine in England. So, if nobody questions those standards, how can you be so blind to the opportunity that you can avoid the need for something simple, such as an airlift? How can you be so blind at a review level to the simple geographic fact that there are two existing centres on this island that could, with a bit of goodwill and foresight, be developed into a single clinical network?

It is a significant moment for the House. It is an opportunity for us to coalesce around a common-sense, sound clinical opportunity. It is an opportunity for us to be able to say to the children of this region that we will do our damndest to ensure that they have access to world-class cardiac services and that that access will be as close to them as we can make possible.

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Mr McDevitt: I support the motion and look forward to the Minister's response.

Mr McCarthy: As a member of the Health Committee, I support the motion. However, I would like to have seen the word "Belfast" included in the motion calling for the retention of this vital service. That, surely, must be the aim of the Assembly as a priority. Working with the Dublin Minister Dr James Reilly, we can all benefit from a service on this island in both Belfast and Dublin.

I have to express some cynicism about the whole exercise, and I was very interested in Conall McDevitt's contribution. If I have got it right, it appears that a review of children's cardiac services was carried out across the water, with the result being the closing of a number of services. Then somebody in Northern Ireland thought that it would be a good idea to bring the review team to Belfast, probably knowing what the outcome would be: yet another closure in Northern Ireland, greatly disadvantaging our people. That is what they call "Transforming Your Care". If this goes ahead, it seems to me that it will look more like "transferring your care", and that should be resisted. Given that the children's cardiac service in Belfast has been a real success story for most of 40 years, perhaps longer, it seems strange that somebody would suddenly say that it is safe but not sustainable and will have to close.

Yesterday, along with other colleagues, I had the pleasure of attending an event upstairs hosted by my colleague Judith Cochrane. Anybody who was there could not have been anything other than moved by the contributions made by the parents and, indeed, infants who have benefited from this exceptional service. I sincerely hope that everyone in the Chamber will resist the review's proposal and take whatever measures that we can, on our own or jointly with Our Lady's hospital in Dublin, to provide this vital service for our infants and their families.

The review on which all this is based is, it seems to me, highly flawed, as our Committee Chair remarked. It did not consider the difference between having 1.8 million people in Northern Ireland and over 60 million people across the water. Other Members have passed comment on the time that clinicians in Northern Ireland were given to respond to the review. As I understand it, parents had one meeting with the review team. What about parental choice? It simply will not happen. Babies being taken to England without their mother's consent will result in post-natal depression and many other consequences. Surely that has to be resisted. However much some people support the proposals, they will disadvantage our infants and parents.

I have real concerns about the lack of parent representatives on the local PCCS working group. It was agreed that four parents would be representatives, but I see only two people doing that work, and I wonder why.

I pay tribute to everyone working at the Clark clinic at the Royal. Last week, I paid a visit to the clinic, where I saw for myself the fantastic work carried out there. I spoke with staff, clinicians and parents and saw the babies, and I met members of the Children's Heartbeat Trust. Everyone there is totally committed to the welfare and care of their young patients. The clinic must be supported and recognised as a place of excellence and dedication. The volunteers of Heartbeat deserve enormous credit.

In conclusion, Mr Deputy Speaker, I say that this Assembly came into being to provide a better life for all in Northern Ireland. All 108 Members are here today courtesy of the voting public. It is essential that we prove that devolution is successful and worthwhile. This vital service worked extremely well throughout the direct rule period. It would be truly disastrous if, under local representation and a local Health Minister, children's cardiac services were taken out of Northern Ireland. I appeal to our Health Minister to listen to the local people and politicians, to the cry of our young survivors — as we heard yesterday — and to the wider population, and stamp his authority on

the issue. He has the power to ensure that this excellent facility stays in Northern Ireland.

I attended a public meeting in Bangor last week, as did my colleague from North Down, and it was heart-rending to hear the parents' stories. There are other public meetings in Northern Ireland, and there is one scheduled for Lisburn on 9 October. I appeal to the Minister, who is an MLA for that area, to present himself and hear direct from the parents —

Mr Deputy Speaker: The Member's time is up.

Mr McCarthy: — and the nurses and to save this vital service.

11.45 am

Ms P Bradley: As a member of the Health Committee, I support the motion. As a mother, I cannot begin to imagine how parents must feel when they learn that such a vital organ in their baby or child needs urgent medical attention. However, as a parent, I can imagine that the families of those children want them to receive the best care possible as soon as possible and somewhere that allows them, as the Chair has previously stated, access to their full family support network.

As a former health worker, I can appreciate the demands and stresses facing our health boards. I believe that we as decision-makers have a responsibility to ensure that the service that we provide our fellow citizens with is the best that it can be. At the moment, just 1% of babies will need paediatric congenital cardiac services, with around 140 children from Northern Ireland undergoing surgery each year. Only 90 of those operations will be able to be carried out in Northern Ireland. It is already practice to send children for treatment to centres in the Republic of Ireland or England. Although there is no doubt that having to travel to those centres will place stress on families, it is important to know that doctors and surgeons perfect their craft through high volumes of patients. That, and that alone, means that PCCS are simply not going to be sustainable in Northern Ireland.

It is already practice in the UK for such specialist surgery to be located in specialist centres. Wales, for example, has no surgical option, with children being operated on in England. Scotland has one such service. We listened this morning to Members around the Chamber talking about a service in Belfast. I know that I can say on behalf of my party, and I can probably say on behalf of Sinn Féin, the SDLP and everyone else that we would love to have that service in Belfast. However, I am going to take the point that Conall McDevitt said — as he runs out the door — about common sense. I believe that common sense must prevail in this situation.

To me, an all-island solution is the one that we should pursue if we are to take our lead from the UK. I understand that there are a number of issues that the Minister has to work through in order for that to happen, but I am sure that he will do that with the energy that this affords. I am also sure that he will want to ensure that whatever option is finally selected will be the best option for all our children in Northern Ireland.

The safe and sustainable quality standards state that the criteria to maintain a centre in Northern Ireland would be that the service should be staffed by four full-time

consultant congenital cardiac surgeons; it should perform a minimum of 400 paediatric surgical procedures a year, with the recommended number being 500, and it must provide enough staff to provide a full 24-hour emergency service, with legally compliant rotas, including cover by consultant paediatric cardiologists.

It is clear that, with such small demand, a region the size of ours cannot hope to sustain such a centre. It should also be clear that safety concerns have not been raised about the quality of care that patients get currently. The issue is purely the sustainability and future safety of the service if it is to be left as it is. The staff who care for and nurse our sick children do an outstanding job, sometimes in challenging circumstances, and that needs to be made very clear this afternoon. The high standards of care that they have set must continue to be met.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. As a member of the Health Committee, I support the motion. It is a very emotive subject, but the bottom line in all of this is that we are talking about a unit that saves the lives of children. We should never get away from that pertinent fact. We heard a lot about the logistics of travel. Children here are apparently expected to put up with certain travel conditions and to accept things that are not acceptable in England and Wales. Parity on other issues is rammed down our throat, so maybe this issue could be looked at in a more devolved way.

In some cases, particularly for women who have just had children, travel is not feasible. The Minister referred to that in recent days. For instance, he talked about a woman who has just had a C-section and is unable to travel but whose baby has to go to England to have surgery. That is certainly not acceptable, and it can obviously have a traumatic effect on the child and the parents. Indeed, in all this, the way parents have been treated is quite inexcusable. I know that Members have gone into a lot of detail about the review, or the lack of it. I think that this should have been addressed properly, and it obviously has not.

An all-Ireland solution or, as Mr Wells prefers to call it, an all-island solution, needs to be looked at. Common sense has been mentioned. The Minister has said on many occasions that health is not political. I am sure that he is pragmatic enough to look at an all-Ireland or all-island solution. I know that he has and continues to have talks with his counterpart, Dr James Reilly, in the Twenty-six Counties. In respect of finding a solution, CAWT — co-operation and working together — includes many health initiatives. In my area, for instance, there is cross-border co-operation at Daisy Hill A&E and, indeed, at the renal units, where beds are reserved for renal patients from north Louth. The new roads infrastructure means that it takes approximately two hours, or sometimes less depending on the time of day and traffic, to travel between Belfast and Dublin, so many more solutions can be found to get around this.

On a personal level, I have a friend whose son was born with Down's syndrome and had excellent surgery at the paediatric unit. He is now 12, is in mainstream education and is living a very normal and happy life. He is where he is today because of that unit. I think that that has to be remembered.

Ms Brown: I also speak as a member of the Health Committee. In opening, I would like to pay tribute to all those families who have, in a very short space of time, put together a very powerful lobbying voice on behalf of their children. The campaign is an example of how local people can join together, irrespective of class, creed or political outlook on life, for the greater good. Whatever the outcomes in respect of the arguments, the campaign should serve as a lesson to local communities everywhere that they do not need to be disconnected either from the Assembly or politics in general. I pay tribute to them and I hope that this debate will highlight their concerns and assure them that we as politicians are here to listen to them and to do whatever we can to ensure that their voices and arguments are heard.

Without wishing to lessen the experiences that families have gone through, it seems to me that what we are looking at is another example of how best to achieve efficient and effective healthcare for those who need it most. Northern Ireland is traditionally a community-based society. We are all used to expecting a wide range of services and facilities to be available to us locally. For the most part, the health service is able to meet those needs, but the reality is that, with each review that takes place, questions arise about the sustainability of services, and this issue is an example of that.

Let me just say that if I were a parent in the same position as some of the families who are here today, I am certain that I would be adding my voice to their campaign and that I would be calling for the retention of the services available at the Clark clinic at the Royal.

As a member of the Health Committee, I have to say that it is simply impossible for the health service to be all things to all men, women and children. Politicians are often criticised for promising much but delivering little. I am, therefore, not going to stand in this Chamber and promise parents that we have all the answers and will deliver everything that has been asked for. What I will say, however, is that I have heard the heartfelt views that have been powerfully expressed, and I will work with the Committee and the Minister to ensure that no child suffers unnecessarily, and that families are not put under unnecessary strain. I know the Minister has given an undertaking to look at the range of options —

Ms S Ramsey: I thank the Member for giving way. I have just a couple of points. We were very conscious of the fact that we did not want to put in the motion — and you are a member of the Committee — where the service should be. We were conscious of the fact that we needed to explore all the options, and if that means across the island, then explore those options. However, we are also very conscious of the fact that if this goes down to resources or money, then the argument is lost. That is why we are pushing the Minister to talk to James Reilly, so that we can have that all-island approach, in which both Departments on both sides of the border can come together and get the result that is needed.

Mr Deputy Speaker: The Member has an extra minute.

Ms Brown: Thank you, Deputy Speaker, and I thank the Member for the intervention.

As I said, I know the Minister has given an undertaking to look at a range of options. I believe that he has said that no child should, by necessity, be flown to another

jurisdiction for treatment if at all possible. I agree with him on that. However, it is a reality that, for whatever reason, be it telecommunications, science or better transport links, the world is shrinking and other options, which previously might have been seen as unreasonable, are now becoming feasible. I, therefore, support the Minister's discussions with his counterpart in the Irish Government regarding a shared services approach. That is not dismissing the wishes of parents or minimising the strength of feeling around this issue. It is, rather, a commitment to do whatever we can to ensure that nothing is too much of an obstacle when it comes to saving a child's life and that this Assembly takes the voices of the electorate and the community seriously. We are here because families want us to make a difference. We owe it to them to do our best in finding solutions that work. I support the motion.

Mr McCallister: I am a member of the Health Committee. I apologise to the House for missing the start of the debate; I was attending the Assembly and Executive Review Committee.

Can I say out the outset, like colleagues, that no one could be but touched and moved by some of the stories in the huge volume of correspondence that I received about this issue. I pay tribute to those in lobby groups and the Children's Heartbeat Trust, and groups such as that that bring this issue to the fore. It is what the Assembly should be and is about, and how we connect with the people whom we seek to serve.

I think Mr McDevitt touched on some of the very real concerns round the review. Mr colleague Mr Gardiner also talked about issues round the review. Unfortunately, the way and timescale in which the review was carried out, particularly in comparison with England, certainly gives rise to some concerns and some credibility to those views. Medical professionals were not given the allotted time to prepare, and that damages the review significantly. Mr McDevitt's point about a 90-minute Skype conversation between the review team and Dublin does not suggest to Members, or give confidence to Members or the public, that it was taken as a serious option. That needs to be addressed, and I look forward to the Minister addressing that and clarifying some of those issues.

At the heart of this will be the numbers. I agree with the Chair of the Committee that if this was about just money, it would be an appalling situation to be in. There are debates around numbers and medical expertise. We all know the medical profession is moving much more to specialties, much higher, so they need the numbers going through. The all-island approach certainly seems to deliver the numbers. Therefore, there probably has been disappointment in the House, in the Committee and among the wider public that the work at looking at that option with Dublin, and speaking to Dr Reilly, the Minister's counterpart, is not at a more advanced stage.

Mr Clarke: I take the point about the talks not being at a more advanced stage. It is interesting; I was just reading through the Assembly report, and even you asked the question earlier this year in relation to surgeries carried out in Dublin.

I notice from the response that, in 2008-09, 368 patients travelled from Northern Ireland to Dublin, and in 2009-2010, the figure was 190. I cannot find any supplementary question asking why so many travelled from Belfast to

Dublin for surgery during those years. Maybe you could explain.

12.00 noon

Mr Deputy Speaker: The Member has an extra minute.

Mr McCallister: The Minister is in his place, and I am sure that he can give us the up-to-date figures on any variations. You would hardly expect me, not being a medical professional, to say why more surgeries were carried out in one year than in another. Why on earth would I know the answer to a question such as that?

Mr Clarke: Will the Member give way?

Mr McCallister: I am happy to give way to others during the debate. However, if the Member is going to ask stupid questions, he should just sit there.

Ms S Ramsey: Will the Member give way?

Mr McCallister: Yes.

Ms S Ramsey: We are talking about real-life stories and about our children, so I will try to refrain from allowing the debate on what is a very emotive motion to become a political row.

A point made earlier is that there is co-operation and working together to achieve the best outcomes for our people, North and South, so we should continue with that.

Mr McCallister: That is what the debate should be about: getting co-operation. I accept the argument that we will probably never have the facilities, not even on the whole island of Ireland, to do everything that we want to do. A cohort of children will still have to travel to centres in England. My criticisms are of the review and of the apparent lack of speed when looking at the issue with Dublin. I would be quite happy if the Minister, during his response, said that the negotiations were at a much more advanced stage than we have been led to believe so far. I think that the Committee and the House would take encouragement from that. We want to hear that, and we want to hear that it is a viable option. We would also like to hear that keeping some surgery in Belfast is a viable option. Maybe, if the facilities are better there than in Dublin, why should we not look at Belfast being the main hub on an all-island basis? Is that an option? These are the questions that I would like and expect the Minister to answer during his response.

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Mr McCallister: For us, the nub of the issue is how we build the service in Belfast, support families and give the best care that we can in Northern Ireland.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. As a member of the Health Committee, I speak in support of the motion. It is unfortunate and disappointing that some Members today chose to turn the debate into a Belfast versus Dublin issue. We all have a duty of care to find a solution that not only protects but enhances the service for our very vulnerable children and young people.

It is the view of many parents that the review seemed simply to dismiss the service as unsustainable and proceeded to suggest that it might close within six months,

after which time our children were expected to consider air travel as an option. However, such a consideration was deemed unsuitable for children in England and Wales. There, the review engaged in a two-year consultation, whereas the review here, as Members rightly outlined, was rushed and left little room for genuine or meaningful consultation.

Yesterday, as the Committee Chair said, a number of charities attended an event at the Assembly, and, as Members rightly pointed out, those children and their parents are the real heroes in this. Yesterday, listening to the story of young Holly and others, you quickly became aware that some of those children simply would not be here but for that vital service. The fact remains that, every year, 140 children require surgery for heart conditions.

We, as I stressed, have a duty of care to enhance that vital service. I take comfort from and welcome the reference to common sense prevailing in this debate from a number of Members who spoke. We need to examine the potential of an all-Ireland model. We have island-wide examples of that working in my constituency, where the cancer unit has clearly shown how it can provide a service for the entire north-west, including Donegal. We owe a duty of care to those children and young people, and we would be failing in our responsibilities if we did not examine models of co-operation that not only protect that vital service but enhance its delivery across the island. I support the motion.

Dr McDonnell: I pay tribute to and thank the Health Committee for bringing this important issue to the House. I also compliment the Minister on his very pragmatic efforts around many of these matters and the sterling work that he does. There should be no politics, constitutional or otherwise, around health, particularly children's health, and I know that the Minister takes that pragmatic approach.

Before I begin to outline the arguments for why every effort must be made to retain paediatric congenital cardiac services in Belfast and on this island, we need to remember that the infant patient, who is sometimes only a few hours old, is at the centre of the service that we are debating today. That infant is almost always a fragile or vulnerable very young child with a very flimsy hold on life. It is critical that we never lose sight of that. It is critical also that we get a pragmatic balance in what we are at. We want to deal with the emotional needs of extended families and the logistical needs of getting the patient — the infant or child — to where an adequate service is delivered. Equally, we want to ensure that the highest possible standard of care is given.

Surgery of any kind is traumatic, particularly so for a young child. It is traumatic not just for the infant, who has to come through the surgery at such a vulnerable stage in their life, but for parents and the extended family. The stress is heightened — to unimaginable levels, in my book — if the family is forced to travel to Birmingham or London by air or whatever. Quite often, the mother of a very sick child who has to be moved in that way, who has just recently been confined and may have had a caesarian section or whatever, ends up having to find her own way. That disruption continues through the family. Maybe the father is trying to earn a living and all the rest; perhaps he tries to stretch and travel and hop back and forth between a sick child far away and a family at home. The strains that that can place on family members who have to stay behind

to work, keep a wider family functioning and care for remaining children are very significant.

I echo the concerns that have been expressed by colleagues in the Chamber today about the recommendation to close the Belfast unit and how it came about. I have concerns that the comparison with England does not stand up and that the lead-in time was not long enough. I also have concerns that the report that contains the recommendation has too narrow a focus on numbers as opposed to the overall impact, which is the key measurement in any first-class patient-centered service.

I have met many of the families and some of the children who rely on the service and have survived into childhood because of it. I have met representatives of the Children's Heartbeat Trust, and I am very pleased to see a number of them in the Gallery. I share their preferred option that as many of the non-complex services as possible should be retained in Belfast and that there should be a closer working relationship with Dublin. I am heartened that the Minister broadly agrees. I have talked to the Minister at length and am grateful for the time he has afforded me. I want to explore fully the retention of as much of the service in Belfast as possible through whatever discussions we can have. I also raised that issue at a Committee in the Irish Parliament that I attend at times, and I was very heartened by the positive attitude of a number of TDs and Senators —

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Dr McDonnell: — across a number of parties. I hope to meet the Minister in the South, and I intend to support every effort of our Minister here to ensure that we have a seamless, effective and high-quality service for the children, whether that is, hopefully, in Belfast, or in Dublin or wherever we have to find it.

Mr Buchanan: I am grateful for the opportunity to speak on the motion. At the outset, I commend the Minister on his sterling work to date on this matter. There is no doubt that the review of paediatric congenital cardiac services, which was announced on 30 March, and its recommendations of 1 August have caused much concern and anxiety amongst parents of children with heart disease, who fear for the future of paediatric cardiac surgery at the Clark clinic at the Royal Belfast Hospital for Sick Children. As cardiac heart disease is the most common birth defect in Northern Ireland — some 250 children are born with the condition each year and one third of that number require surgery — it is important that parents are reassured that any future service model will continue to cater for their needs.

Many children and young people throughout Northern Ireland are living testimonies to the excellent, high-quality care they received from a team of highly skilled and experienced doctors, nurses and support staff at the Clark clinic, who were responsible for saving their life in the first few months after birth and through follow-up operations. However, the grave concern is that, should that service be removed, it will jeopardise the provision of other procedures such as interventional catheterisations and life-saving emergency and stabilising procedures, which are delivered by paediatric cardiologists only where there is surgical backup cover.

Although the review team acknowledged that there were no safety concerns with the paediatric cardiac

surgery, it recommended that that service was no longer sustainable. It would appear that that finding was based on a demographic model for England, which has a population of over 60 million people. Therefore, I question whether that is a good comparison for the Clark clinic in Belfast, which has provided a high standard of care for many years. It is also worth noting, as has been mentioned, that the consultation document for England and Wales did not consider air travel as an option, as it was considered that it could not always be relied on. As a result, paediatric cardiac surgery services in Bristol are to be retained simply because those living in south Wales and south-west Cornwall would be forced to use air travel if they were to close. What then for our children in Northern Ireland? Does the same criterion apply?

Mr Clarke: I thank the Member for giving way. On the point of air travel, if the Member has attended any of the Children's Heartbeat Trust roadshows, I am sure he will appreciate that parents have to travel on commercial flights. That is the thing that struck me the most. Many people may be listening to the debate who are not affected by this or do not have families who are affected by it, and will not understand why air travel is not really an option. The thing that surprised me most — I am sure you feel the same — is that parents have to travel on commercial flights some time afterwards.

Mr Deputy Speaker: The Member has an extra minute.

Mr Buchanan: I take on board what the Member said and, perhaps, the Minister will take that on board as well.

Those are only some of the genuine fears and concerns that have been raised with me in my constituency office. I have had meetings with parents who fear that those who are too young to have a voice could be denied vital heart treatment in Northern Ireland or, indeed, on the island of Ireland. I encourage more discussions on, if you like, an all-Ireland basis on retaining that type of surgery.

12.15 pm

I must confess that I am very passionate about the delivery of children's services at the Royal Belfast Hospital for Sick Children. As a parent who spent some weeks at the hospital with a very ill child, albeit in a different ward, I know something of the fear, anxiety, pain and emotions that grip the heart of a parent whose child's life hangs in the balance. However, two things help to ease that pain: first, parents know that their child is in the hands of professionals and is receiving the very best medical treatment; and secondly, the support unit of friends and families is near at hand. For most patients in the Clark clinic, that support unit is no more than two hours away by car, but if they were across the water or elsewhere, they would be disconnected because the family unit would be further away. It is important that those issues are taken on board, because when a parent is waiting in hospital and a child's life is hanging in the balance, it is like being on a roller coaster: things are up one moment and down the next. That causes much concern and brings grief to the hearts of parents, and that is when they need support from the family unit.

I know that the Minister is committed to providing the best possible service and I commend him for setting up the working group through which parents have an opportunity to voice their concerns and put their views forward. I ask

the Minister to take on board all the views from the parents and various groups when he makes his decision, so that, hopefully, we will get a service model that will cater for everyone here in Northern Ireland.

Mr Deputy Speaker: I call Steven Agnew, and I advise him that we must go to the Minister at 12.20 pm. The Member will have up to three minutes.

Mr Agnew: Thank you, Mr Deputy Speaker, and I appreciate your allowing me to speak to the motion. I will not cover all the points that I had intended to and will try to stick to those that have so far not been addressed.

We have had it confirmed that the Clark clinic is safe. That decision is based on objective criteria that the needs of patients are being met and that the required services are being provided there. The UK safe and sustainable team has said that those services are not sustainable. That, however, is not based on objective criteria but the arbitrary criterion of numbers. Four hundred patients is deemed a safe level, but as was pointed out earlier, that is in a mainland GB context. That team said that three hours' travel is sustainable and safe for patients and that it should be no longer than that. Can those figures be challenged?

We have to define what is sustainable for Northern Ireland. It is about making choices. I was touched by the many stories that I heard when attending the same event as Mr Dunne. I heard the stories of families in our constituency and how they are being affected. On behalf of those families, I ask whether we can define what is sustainable, because we have difficult choices. However, we have a choice about whether we continue to fund the Clark clinic as a surgical unit. We have a choice about whether we continue to put resources into training surgeons with the necessary specialisms to operate on these children. We have a choice about what the all-island model might look like, because although I have no fundamental disagreement with such a model, I wonder what it would look like. Could it include people from border counties travelling to Belfast to undergo surgery? Would that help us to keep a sustainable surgical unit in Northern Ireland? If that is not sustainable, Minister, please tell the families why not, given that it has been sustainable for the past 30 to 40 years.

Ultimately, what are the alternatives? The alternatives could be that we end up with services that are not safe. We may have units that are safe, but it may not be safe for the families who have to travel. That three hours' travelling time could be the difference between life and death. I have heard a number of stories that I had hoped to give more detail on, but I do not have time. I have heard of children who were saved at the Clark clinic because they underwent emergency surgery. A retired ambulance driver told me that paramedics do not have the necessary equipment to transport such children in an emergency. So, we have to make sure that not only our units but our families are safe.

Mr Deputy Speaker: Will the Member draw his remarks to a close, please?

Mr Agnew: I thank you, Mr Deputy Speaker.

Mr Poots (The Minister of Health, Social Services and Public Safety): I am very much aware of the great concern among the parents and families of the children who use paediatric congenital cardiac services here in

Northern Ireland, and I understand the reasons for that concern. That is why I very much welcome the opportunity to debate this issue and to hear Members' views, as well as to explain the reasons for the review.

The motion calls on me:

"to reassure parents that the future service model for paediatric congenital cardiac services will prioritise the needs of their children; and ... explore fully an all-island solution"

with the Republic of Ireland. I am happy to provide that reassurance on both counts. First, and without question, these children's needs will be prioritised in any future service model. In prioritising those needs, a key issue has to be, and is, to ensure that the services that are provided for our children are safe and effective. That is at the core of the review.

I should also be clear that the report, which the expert panel produced in July, did not find any safety concerns with our service. However, it noted that the paediatric congenital cardiac surgery service in Belfast is not sustainable and that potential safety risks should be addressed within six months. Members ask why the panel concluded that the service is not sustainable. First, when Dr Gladstone retired, a succession plan had not been put in place. That was despite the fact that he had notified the trust some time before of his wish to retire. He actually stayed on longer than he desired. In 2010, when he eventually retired, we were left with these circumstances. Subsequently, we have had a congenital cardiac surgeon who is mentored by a retired consultant who was also a congenital cardiac surgeon. That consultant has indicated his desire to retire next year and to no longer do that work. So, as we look down the line, the challenges rise further.

Mr McCallister asked why we are not further ahead in talks and why we are in this situation, given that Dr Gladstone retired in 2010 after indicating a number of years before that his desire was to retire.

The expert panel's report also highlighted many excellent features in the current service that present opportunities for the development of a future model for children's cardiology. The report notes the dedication and commitment of the cardiac team that is delivering the service in Belfast. I, too, acknowledge fully the work of that team, which sees something like 1,200 cases each year. I should say that that team should remain unaffected by whatever decision we arrive at. I would like to make it very clear that the work that goes on with the cardiologists in the Royal Belfast Hospital for Sick Children should remain unaffected by whatever decision on the surgery we arrive at. I think that the team is superb.

Since I received the expert panel's report, I have had the opportunity to meet the paediatric cardiologists in the Belfast Trust. Their commitment and dedication to the service is very evident. I have also had representations from patients, families and fellow MLAs, and I know the esteem in which the service is held. I also pay tribute to Dr Gladstone for the service and the standard of care that he provided for many years. The fact that we are having such trouble replacing him is testament to his skills and commitment.

I cannot ignore eminent professionals' views, which, I think, some Members wish me to. That would be a very

foolish recommendation for them to make. It is incumbent on me as Minister to take appropriate steps to address the concerns that they have expressed. In so doing, I want to have a clear appreciation of all the options that are available for the delivery of this service for children in Northern Ireland, including an all-island, all-Ireland solution with the Republic of Ireland. The consultation will include consideration of the option of commissioning PCCS primarily from Belfast so that my decision is fully informed on all issues. However, it is necessary and appropriate that I acknowledge that there is no realistic option that would permit a stand-alone paediatric cardiac surgery in Belfast. That is the relevant experts' clear analysis and the view of the service commissioners. People may not like that and find it hard to accept, but it is a factual situation.

That should not be a surprise, as there are some specialties in which our small population is simply not large enough to support a sustainable service model. That is an unavoidable reality, because if we were to seek to retain surgery here, expert staff would not see enough cases to sustain their skills, and it would be impossible to provide a safe and sustainable rota to cover unforeseen emergencies on a 24/7 basis. Those are the underlying logical reasons for the model that is at the core of the approach taken in other jurisdictions — in particular, the need for a team of four surgeons at each site. Hence we face a challenge in Belfast that is not about money. I can give Mr Gardiner that assurance. It is not about money or any unwillingness to recruit but is simply the way in which the medical world now operates.

I will now deal with the consultation itself. I asked the Health and Social Care Board, working with the Public Health Agency, to develop for consultation a commissioning specification, criteria and options for the delivery of the service for Northern Ireland. A working group, including patient representatives, parents and clinicians in its membership, was set up to take that important work forward. I have now received a copy of the draft consultation document, and I want to thank the working group, particularly the parents and parent groups, for their time and commitment to the development of the document in what was a challenging timescale. I appreciate that parents' time is very precious.

Mr McCarthy: Will the Minister give way?

Mr Poots: I think that I heard enough earlier. We are looking at real solutions, not at simplicity, as perhaps you and Mrs Dobson — in her fleeting visit to the Chamber — would suggest. We have to deal with very complex situations in very difficult circumstances, and simple, throwaway lines do not really add much to the debate.

I have agreed with the HSCB that we will issue the consultation document for a period of 12 weeks. The consultation document sets out the standards that the HSCB proposes for the commissioning of paediatric cardiac services in future. The standards cover a range of issues and are intended to ensure that we have a safe and sustainable service. Those issues include staffing and activity levels; monitoring of outcomes, facilities, capacity information and choices; access to services; clinical engagement; and arrangements for parents.

It is important that our children receive the same standard of care as that provided to children elsewhere in the UK.

I will repeat that: it is important that our children receive the same standard of care as that provided to children elsewhere in the UK. Indeed, it would not be acceptable for our children to receive a lesser service. That is why it is important that everyone carefully consider the standards proposed and use the opportunity to put forward their views. Standards are rising in what can be done, and we want to have the very best for our children. Second best is not good enough.

I can assure Members that I have met the Minister for Health in the Republic of Ireland, Dr Reilly, and discussed our mutual wish to explore fully the potential for a service to be provided on an all-island basis. Officials from both jurisdictions have engaged in discussions on the matter, and those will continue throughout the consultation period. I spoke to him again by phone yesterday on that issue and another issue. That will go on, and we will be meeting to seek to develop things further. I think that it is to its advantage as well as our advantage to come together and have an all-island network for paediatric congenital cardiac care, and I am very happy to look at that.

Ms S Ramsey: Will the Minister give way?

Mr Poots: Yes, I certainly will.

Ms S Ramsey: Minister, I appreciate all that you are saying, and some of the points that you make are reassuring. If the work is ongoing, can you tell us where the six-month timeline that was in the review sits?

Mr Poots: I do not think that the six-month timeline will be met, but that is something that we can manage. It does not cause me that much concern that we may not meet the six-month timeline. We have to look at all the practical possibilities. As I have said, I want the best service. If it is an all-island service, I want it to be the best service that is available. That is my strong preference at this time. I want to explore fully the all-island solution.

12.30 pm

As I have made clear on many occasions, my ultimate aim is to ensure safe and sustainable services for children from Northern Ireland. Therefore, I urge everyone to consider the proposed standards options and assessment criteria set out in the consultation document and to let us know whether there are any additional areas or options that we should consider.

I want to assure you that this will be an open and transparent consultation process. I will provide all key stakeholders with an opportunity to have their say in this critically important service for children. In parallel with the consultation process, the working group will continue to complete a robust analysis of the current transport arrangements for children, including those with congenital cardiac disease, to determine the best way to deliver these services. I want to have that information available before I make a final decision on the future model for PCCS in Northern Ireland.

At the end of the consultation period, the HSC Board will complete a detailed analysis of the consultation responses. Those responses, along with the application of the criteria to each of the options, will help to inform the way forward in identifying the preferred service model for children from Northern Ireland who need specialist cardiac care. I will make a decision on the preferred model in early

2013. The consultation document will be available on the HSCB website.

I thank the Committee for tabling the motion. I reiterate my assurance to parents that the future service model for paediatric congenital cardiac services will prioritise the needs of their children and that we will explore fully an all-island solution with the Republic of Ireland.

I will deal briefly with a few of the issues raised in the debate. The Chair of the Health Committee, Sue Ramsey, said that it was not appropriate to use criteria developed for England. She was concerned that the review was rushed and parents had had only a one-hour meeting. She referred to the three-hour travel time and problems with air transport and the fact that 300 procedures were performed each year in Scotland with only three surgeons, which put it in a considerably better position than us, with 140 procedures a year. Safe and sustainable criteria are supported by most professional and parent groups and were a reasonable benchmark for the review of paediatric cardiac services here. The working group includes clinicians and parents, and it has developed criteria for the services here, recognising the safe and sustainable standards and the unique issues for families in Northern Ireland. Those will be part of the public consultation that will be launched today.

Mr Gardiner raised a number of issues. He said that the review should be conducted by people outside the system and asked why Belfast would be inefficient or too expensive. First, the external review was led by Sir Ian Kennedy and a respected team. Sir Ian is neither a clinician nor a health service administrator; he brings his legal expertise to the review process. The issues being considered are not financial but are about creating a service that allows for a team to have the required skills and to be available on a 24/7 basis.

Conall McDevitt, remarkably enough, spoke for almost six minutes, and I did not find anything on which I could substantially disagree with him, which was refreshingly new. I believe that our team did not get adequate time to respond to the review, and Mr McDevitt's points were fair in that sense. He and Mickey Brady referred to air transport not being acceptable in England. It is important to recognise that we already have a lot of children who travel to England. In fact, around 70 children a year travel to England by air ambulance, and that happens regularly. Many of them present the most complex cases of paediatric congenital cardiac care. Around 35 transfers were by air ambulance back to Northern Ireland from centres in GB. I am, however, very aware of the concerns around air travel, and that is why the HSCB has been asked to undertake a robust analysis of the current transport arrangements.

Dr McDonnell also made the point that the mother could well be confined as a result of a caesarean section and so forth.

Mr Deputy Speaker: Will the Member draw his remarks to a close?

Mr Poots: I certainly will. That must be one of the most difficult situations in which a parent could find themselves in.

I apologise if there is anybody I have not got to, but time has beaten me on this occasion.

Mr Wells (The Deputy Chairperson of the Committee for Health, Social Services and Public Safety): This debate has shown why it is so important that we have a devolved Assembly. Under direct rule, this decision would have been taken by someone who jetted into Northern Ireland for maybe one day a week. There would have been absolutely no consultation with elected representatives in Northern Ireland. This has been a mature debate in which there has been an explanation of the dilemma that the Minister undoubtedly faces and a clear articulation of the concerns of parents.

I congratulate those who instigated the campaign on the issue. As Mr Gardiner stated, all our mailboxes have been full of well-written letters from constituents and others. I read and replied to them all. The one that really hit me was an e-mail written on behalf of a young boy called Cathal from Dromore in County Tyrone. I was on my way down to the new South West Acute Hospital in Fermanagh with the Health Committee when I happened to open that e-mail. It was one of those messages that just hits you between the eyes. It was about the struggle for life that he endured, the serious heart operations that he underwent and what faced him. He made it very clear that he believed that, had it not been for the Clark clinic, he would not be here today. We have all heard such poignant comments, and no one here is trying to ignore those comments. They are very valid and have to be taken into consideration, as was reflected in the comments of various Members.

Gordon Dunne said that he had been to one of the public meetings in Bangor and had heard at first hand the concerns that were expressed. Like many others, he expressed his great gratitude for the work of the staff of the Clark clinic. The one thing that we are all agreed on is that the Clark clinic has done outstanding work over the past 40 years. Mr Dunne was the first of many to raise the issue of travel and the difficulty of people having to travel by air, often when the young people concerned are extremely ill and their parents are very anxious. We all sympathise with that view.

Alderman Gardiner said that 52,000 people had signed the online petition. Mrs Dobson said that the figure was 60,000, which would not surprise me; it is growing very quickly. Mr Gardiner questioned the bona fides of those who carried out the review. I think that the Minister has already answered that very clearly by stating that they were more than capable of dealing with the issue.

Conall McDevitt, as usual, made a very articulate and interesting contribution. He poured scorn on the nature of the review, the time given to it and the fact that some of it was done in a 90-minute conversation with Dublin on Skype. He also paid tribute to the Clark clinic. The Minister dealt with that issue and said that some of it was not of his making. I have to say, having looked at the evidence, that I am doubtful whether the consultation would have come to a different conclusion even if it had been more extensive. We would still have been left with the issues that Mrs Bradley raised and that we cannot get around.

Kieran McCarthy is not here, but he came out with quite an interesting line. He said that it was not "Transforming Your Care" but "transferring your care". I wish I had thought of that line; it is quite a good one. I am sure that the scriptwriter up in Alliance Party headquarters is proud of himself. Like many others, Mr McCarthy also pointed to the flaws in the review. I wish that Kieran would not go

for the populist one-liners. They will undoubtedly get him a headline in the next 'Ards Chronicle', but they do not actually deal with the substance of the case.

Paula Bradley was perhaps the only MLA who really faced up to the hard realities of what is going on with the service. It is not unique to children's cardiac surgery. The reality is that health is becoming more specialist by the day. Gone are the days when you had the general surgeon who could do your ankle in the morning and your brain at night. Now, young consultants — they look frighteningly young — are becoming more and more specialist. The question is this: can we sustain a service that has four consultants ready for all eventualities, 24/7, 365 days a year? Can that be sustained in Northern Ireland if only 90 cases a year are dealt with here? Can we do it? Unfortunately, the answer is that we could do it, but it would mean tying up a lot of highly paid expert consultants when those resources could be used elsewhere. What would they do with their time? How would they hone their skills and keep up with best practice? How would we attract senior clinicians to carry out that work? That is the difficulty we face in many aspects of the health service; it is not unique to this issue. Paula made the point that we need between 400 and 500 cases a year. We only have a fraction of that number, and there is no realistic prospect of it increasing.

Mickey Brady raised the issue of transport by air but failed to recognise that at the moment we transfer large numbers of seriously ill young children by air ambulance and other means to England for surgery. Unfortunately, that has to be done, and no matter what model we adopt we will still transport seriously ill young children to England for surgery. That is unavoidable, because there are hospitals in GB that specialise in the most complex of cases. We will have to continue to do that. He paid tribute to CAWT, which is developing cross-border policies.

Pam Brown often brings us back to the human aspect of these cases. She speaks as a mother, which we value, because it is important that we remember the anguish that parents face during these very difficult times. It is good, when we talk about statistics and clinical standards, to bring it back to the human scale.

John McCallister queried the lack of speed and progress in talks with Dublin. I hope that the Minister answered that when he said that he has been in regular contact with Dr Reilly about this important issue and is moving as fast as possible. Unusually for him, Mr McCallister made a good point when he said that Belfast could be made the main hub of an all-island approach. I say "all-island", but there are no political hang-ups here, Mr Brady; I can assure you of that. We want to do what is best for our children. We are not interested in borders as far as this is concerned, and we want to do our best for very vulnerable children. Maybe, Belfast could be made the place where the services are concentrated, and children could come from the Irish Republic to Northern Ireland. I hope that that will be considered; it is a good idea.

Alasdair McDonnell recognised a pragmatic approach and stressed, once again, the point that families should not be forced to move to England. He also asked — this issue comes up time and time again — whether we should compare ourselves with England, which has 55 million people compared with our population of 1.8 million. He has a point, but we are still left with the difficulty of trying

to keep four consultant surgeons going 24/7 with such a small number of operations.

Maeve McLaughlin from Londonderry made the point that we should not consider everything from a Belfast perspective, and she was right to make that point on behalf of the north-west. She supported the motion but also said that the recent success in attracting the new cancer unit to Altnagelvin showed that we can send expert services west of the Bann.

Tom Buchanan spoke from personal experience of tragedy in his own life, and he is to be admired for bringing his knowledge of how difficult it is for parents in these tragic situations to the debate. He spoke of the quality of the care that he received as a parent, albeit in a different ward in the Royal, and how it was important to have friends and family together in these terribly stressful circumstances. Like Pam, he brought a very human approach to it.

Steven Agnew made the point that the Clark unit is safe, and we all agree on that. The difficulty is that it is not sustainable. He asked whether the 400 patient figure was arbitrary. The difficulty is that neither Steven Agnew nor I are experts in the matter. However, when we appoint some of the country's best brains to look at the issue and they say that there should be 400 patients a year, who are we to question that figure? That figure matches the trend throughout the United Kingdom and the world, with larger numbers of patients required to hone skills to ensure that you attract and retain the best staff and clinicians. We cannot avoid that. That is the elephant in the room.

I am convinced that the Minister has at his heart the needs of the children and what is best for them. There is a huge range between retaining the present service in Belfast in its entirety and continuing as you were, and transferring everything somewhere else. There is a huge gap between those two options. We need to explore all the options between the two stances and come up with something that is best for the children of Northern Ireland.

I agree with Mr Brady: the journey time between Belfast and Dublin has shortened dramatically in recent years. With the new motorway system, there are people commuting every day down that motorway. Therefore, getting children to and from facilities in Dublin is not that difficult. Obviously, most parents would prefer to take their child down the motorway to Dublin than go through the anguish of having to fly them to England, but, at the end of the day, no matter what we do, we will still be flying people to England.

I wish the Minister well. It is a very difficult decision, but I know he will do what is best for the young children of Northern Ireland.

Question put and agreed to.

Resolved:

That this Assembly calls on the Minister of Health, Social Services and Public Safety to reassure parents that the future service model for paediatric congenital cardiac services will prioritise the needs of their children; and further calls on the Minister to explore fully an all-island solution with his counterpart Dr James Reilly.

Mr Deputy Speaker: The Business Committee has arranged to meet immediately after the lunchtime suspension. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business will then be Question Time.

The sitting was suspended at 12.44 pm.

On resuming (Mr Principal Deputy Speaker [Mr Molloy] in the Chair) —

2.00 pm

Oral Answers to Questions

Education

Children's Commissioner: 'Review of Transitions to Adult Services for Young People with Learning Disabilities'

1. **Mr Givan** asked the Minister of Education how he will address the issues relating to his Department contained in the Children's Commissioner's 'Review of Transitions to Adult Services for Young People with Learning Disabilities'. (AQO 2500/11-15)

Mr O'Dowd (The Minister of Education): I welcome the Children's Commissioner's report on transition. My Department has previously taken actions to strengthen the transition planning process. This includes the permanent appointment of education transition co-ordinators in each of the education and library boards; ensuring a person-centred approach to alleviate the difficulties encountered by young people in relation to the process; and the provision of appropriate life skills training for independent living. I will ensure that the education issues in the commissioner's report are given due consideration and that the areas identified for improvement are fully explored. My Department will also be considering the Children and Young People's Strategic Partnership's consultation document, 'Transition to Adulthood of Young People with Disabilities Draft Action Plan'.

Mr Givan: I thank the Minister for that response. He will be aware that the report deals with other areas, such as health and social security, but I appreciate the response on how he intends to take forward the gaps identified relating to his Department. The report also highlights — it has been raised before — the inconsistency of provision. The South Eastern Education and Library Board only provides for those with moderate learning difficulties (MLD) up to the age of 16. Other boards provide for them up to the age of 19. In my constituency, Beechlawn stands ready to make post-16 MLD provision. Can the Minister take up that issue with the education board to ensure that there is no inconsistency and that those with learning difficulties in that board area are not suffering compared with other people in Northern Ireland?

Mr O'Dowd: I welcome the fact that the Executive passed the draft policy memorandum for the special education needs (SEN) review at their July meeting. One reason why I was keen to move forward on the SEN review was to ensure equality of services, delivery and treatment across all the education and library boards. I want to see in place the best services for young people with additional learning needs. If the Member wishes to raise specific issues about provision in his constituency, I am more than happy to deal with those directly. The overall policy objective in SEN is to ensure that there is equality of delivery across all education boards to all young people with additional learning needs.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. Have the transition arrangements resulted in any significant improvement in academic outcomes for SEN pupils in mainstream schools, thereby better preparing them for life after school?

Mr O'Dowd: A range of policies have assisted in the improvement of educational outcomes for young people with SEN. The percentages of SEN pupils leaving school with five or more GCSEs at grade A* to C or higher and with two or more A levels at grade A to E have shown significant improvement in the past five years. In some cases, the percentages have almost doubled. The percentages of SEN pupils achieving two or more A levels at grades A to E have increased over the period from 2005-06 to 2010-11. So, we are seeing an increase in educational attainment for young people with SEN, but it is a matter that we require to continue to pay close attention to.

Mr P Ramsey: I welcome the Minister's comments. Mindful of the guidance in the SEN code of practice, what mechanisms are in place to enable young people's contributions and views to count in decision-making, particularly in and around transitions?

Mr O'Dowd: With transitions, there is already a responsibility to carry out a review for any child with a statement, and that should involve the parents and the views of the young adult. It has to be remembered that we are dealing with a young adult at that stage, and their views should be taken on board. I will continue to review the draft SEN legislation as it is being prepared in consultation with the Education Committee. Where we can strengthen provision to ensure that the views of young people are taken on board in any circumstances, we will.

Arvalee School and Resource Centre

2. **Mr Buchanan** asked the Minister of Education for an update on the future of Arvalee special school and resource centre following the fire which destroyed its premises. (AQO 2501/11-15)

Mr O'Dowd: First, I express my shock and sympathy following the damage caused by fire at Arvalee special school. It has had a devastating impact on the whole school community and on some of the most vulnerable children in our society. I also record my admiration for the parents of pupils and the staff of Arvalee and the Western Education and Library Board for the manner in which they have worked together to ensure continuity of the education of pupils at Arvalee. The pupils have already returned to full-time education. Those of primary-school age and some of the younger post-primary pupils are attending Knockavoe School and Resource Centre in Strabane, and the remaining pupils have been accommodated in St Eugene's High School, Castlederg.

Clearance of the Arvalee site is ongoing, and, following necessary demolition and renovation and the provision of additional modular accommodation, it is hoped that the pupils will be able to return to the school by January 2013. I have instructed my officials to investigate all possible options to allow for the provision of new school buildings for Arvalee to be constructed on the Lisanelly site as a matter of urgency.

Mr Buchanan: I thank the Minister for his response. Can he give us more indication of when the newbuild for the

school will commence on the Lisanelly site as part of the education campus in Omagh? It is important that the newbuild commences as soon as possible.

Mr O'Dowd: As the Member will appreciate, the current situation is not of our making. The appropriate authorities are continuing to investigate the devastating fire at Arvalee, and the cause, to the best of my knowledge, has not yet been identified. We were presented with a catastrophe on the weekend before the schools started back, and our immediate concern was to identify premises for the children and young people to attend. That has been achieved, and we are now looking at the medium-term plans and whether we can move back to the Arvalee site. We believe that, after the investigation by the Western Education and Library Board, that will be possible as a medium-term solution. Some of the buildings on the site can be secured. However, a major clearance operation has to take place as there is a lot of damaged material, including asbestos. I do not want to raise undue concerns about that, but asbestos was disturbed or broken up during the fire and will be removed by properly qualified contractors.

We continue to investigate moving the school permanently onto the Lisanelly site. I want the school to be constructed and open by 2015, and I am working to that time frame. I have met my officials and will meet them again tomorrow to discuss capital build programmes, and Arvalee is high on the list of our priorities.

Mr Byrne: I thank the Minister for his support for the local community on the matter. However, can he reassure the public at large that Lisanelly will become a realistic project and that Arvalee school will be there as soon as possible? In the meantime, can he assure us that all funds and resources that are necessary to provide interim arrangements will be available with no need for fundraising at a local level?

Mr O'Dowd: The Lisanelly campus is a Programme for Government target, and we have to meet certain conditions under the Programme for Government. I believe that Lisanelly can and will succeed, but local leadership will be required. I can understand that long-established schools with a long history will want to remain on their current site or to seek to meet their own accommodation needs, but I do not agree with it. Now is the time now for a more collective view on education, and the Lisanelly site presents us with a great opportunity to move forward on a site with shared facilities but with schools holding on to their own identity. That is the way forward, and it can be a shining example of modern educational delivery into the future. Strong local leadership will be required to deliver that, but I think that we will get there.

My Department is looking at interim funding options for Arvalee. That may include the October monitoring round, but I assure the Member and the House that we will do everything within our power to assist the young people of Arvalee school to return to the Arvalee site as soon as possible and to move into modern, fit-for-purpose accommodation on the Lisanelly site as quickly as possible.

Schools: Area Planning

3. **Mr Girvan** asked the Minister of Education for an update, including the timescale, on area-based planning for primary and post-primary schools. (AQO 2502/11-15)

11. **Mr McQuillan** asked the Minister of Education for an update on the primary schools area plan consultation including when the information relating to it will be released. (AQO 2510/11-15)

Mr O'Dowd: Principal Deputy Speaker, with your permission, I will answer questions 3 and 11 together.

The boards continue to make progress in the area planning process, and Members will know that, in March, they published the viability audit of all schools and, on 5 July, published the post-primary plans for consultation. That consultation will end on 26 October, and I encourage everyone with an interest in education to make their views known. That can be done online or in writing to the boards.

Following the consultation, the boards will analyse the comments and take account of the views of the public as they enhance and refine the post-primary plans. I would like to have the revised plans before the end of the year. However, I will want to be fully aware of the issues emerging from the consultation. I will want to satisfy myself that the public have confidence in the process, the information and the proposals. That will help me to determine how much work is required to refine and enhance the plans. At that time, we will be in a better position to determine the date for approval of the post-primary plans.

The boards are also working to finalise the area plans for primary schools. The publication date is, however, dependent on the level of response to the post-primary plans and the level of refinement needed for those plans. It is important that we learn the lessons from the post-primary consultation. We must take account of the public, especially with respect to whether the plans help them to understand the need for change and show them the way forward.

Mr Girvan: I thank the Minister for his answer. Mention was made of consultation. It is an online consultation, and that might be fine where schools are concerned, but what opportunity is there for parents and boards of governors other than that? Would another method of getting engagement with all stakeholders not have been more appropriate?

Mr O'Dowd: There has been some confusion in the media about the consultation process we launched. It was launched in early July. We took the opportunity, later in the summer, to launch an online consultation process as well. Members of the public, schools, parents, key stakeholders and whoever can respond in writing to those plans. The online facility is there to assist anyone wishing to complete the consultation response by that method. It is not the only facility available to members of the public or anyone else.

Mr McQuillan: I thank the Minister for his answer so far. Does he agree that the sooner all this information is released to the public, the better it will be for some of the smaller rural schools? Such schools find themselves in limbo. Parents are nervous about sending their children to those schools while the axe hangs over them.

Mr O'Dowd: I am keen to complete the post-primary area planning process as quickly as possible. I think it wise, however, to learn whatever lessons need to be learned from the post-primary review before we launch the consultation process on the primary school review, though I am also keen to get that off the ground for a number of reasons, including those the Member suggested. I also believe that we are reaching decision time on these matters.

With regard to the sustainable schools policy, the Bain report has been around since 2006. Everyone has debated the need for rationalisation of our schools estate, but we have not reached the decision-making stage. I am keen to get to the decision-making point, which will allow for certainty in the system and allow parents and pupils to know, with a degree of certainty, about the future of schools in their community.

Mr Kinahan: It is good to hear that the Minister will learn lessons, but I would be more keen on delaying.

Will the Minister detail to what extent existing levels of sharing across all the sectors will be taken into account in the area planning process to ensure that few, if any, schools are forced to break those structures, even just a little bit?

Mr O'Dowd: We should present it to schools not as breaking their structures but as an opportunity. We have an opportunity to move forward in a different mode. Generally, around the House, Members agree that there is a greater requirement for sharing in our education system and for shared education, moving forward. As part of the Programme for Government, I recently announced the establishment of a shared education advisory team, which will report to me.

I have made it clear, in the terms of reference for area planning, that I am keen to see shared education projects coming forward. I also want the boards and schools to be imaginative in their approach to this. When I review the plans, I will do so with the mindset that I want to see opportunities for shared education contained in them, because I believe that it is a sensible way forward for education. For the good of our society but also because of the stringency of the budget, it is only wise that we ensure that our schools, which are public resources, share as many of their facilities as they can and that the communities around them are comfortable with that.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Minister reiterate the core principles behind area planning?

Mr O'Dowd: The core principles of area planning are to determine the needs of an area across all sectors; to compare what is needed with what already exists; and to identify gaps in the provision. The process recognises existing school sectors but does not, as I said, rule out any opportunities for new ways of doing things. The terms of reference explicitly encourage creative and innovative solutions, including shared schooling on a cross-sectoral basis. Area planning is about planning into the future and setting our schools estate up for the next 25 to 30 years and beyond to ensure that a sustainable schools estate is in place to deliver a modern education curriculum.

2.15 pm

Mr Rogers: I thank the Minister for his answers thus far. Will the Minister clarify why ELBs are using "outside Belfast and Derry" to define rural in the viability audits, while the Department has more accurate information on its website?

Mr O'Dowd: It is quite simple: the sustainable schools policy, which has been consulted on and agreed and is departmental policy, defines rurality as everywhere outside Derry City Council area and Belfast. I thought that it was only prudent that we stayed with that definition, at least until the area planning processes are complete. I felt that if I was to meddle or change the definition at this time, I might be accused of moving the goalposts on a policy that has already been consulted on and is in place. There is certainly merit in discussing a redefinition, but I do not think that now is the time to do it.

Mr Principal Deputy Speaker: Question 4 has been withdrawn.

Schools: Area Planning Consultation

5. **Mr McCarthy** asked the Minister of Education to outline the extent to which the Northern Ireland Council for Integrated Education has been included in the consultation on the area-based planning process. (AQO 2504/11-15)

6. **Mr Cree** asked the Minister of Education how his Department is ensuring that parents and schools are afforded every opportunity to participate in the ongoing consultation process on area-based planning. (AQO 2505/11-15)

10. **Ms Ruane** asked the Minister of Education what specific measures were put in place to ensure meaningful youth engagement in the area-based planning consultation. (AQO 2509/11-15)

13. **Mr D Bradley** asked the Minister of Education how he proposes to have meaningful consultation with parents and young people on area-based planning proposals considering the limitations of online consultation. (AQO 2512/11-15)

Mr O'Dowd: With your permission, Mr Principal Deputy Speaker, I will answer questions 5, 6, 10 and 13 together.

The five boards published their post-primary area plans for public consultation on 5 July. The consultation will run for 16 weeks until 26 October 2012. The consultation offers everyone with an interest in education a chance to give their views. The terms of reference require the boards and the CCMS to engage actively with the other school sectors and their representative bodies. The plans will report the extent of that engagement, and I will consider the appropriateness of the level of engagement when I assess the revised plans following the consultation.

I understand that the boards have made specific arrangements to help young people to get involved. Specifically, the Youth Service and the youth forum in each board will conduct a series of focus groups. The Participation Network has agreed to circulate details of the consultation to its 120-plus membership list. The boards also e-mailed all schools to ask that they encourage their staff, young people and their parents to respond. As stated earlier, there are a number of ways to respond to the consultation. People can complete and return the

response document online or download the document and return it by post to the board. Those who do not have access to the internet can contact the board for the documentation, and they may also wish to consider using public libraries to access the internet and so on.

Mr McCarthy: I thank the Minister for his detailed response. Does he agree that, for area-based planning to be meaningful and successful, it must be cross-sectoral and that, therefore, the input and experience of NICIE is vital? NICIE is the Northern Ireland Council for Integrated Education.

Mr O'Dowd: That I do know. I agree with the Member, and I recently approved a business case for NICIE to the value of £38,000 to allow it to participate in the area-planning process in a detailed and informed manner. So I am keen to hear the views of NICIE and other sectoral organisations. The boards have a statutory responsibility for the provision of education in their area, and it is up to the boards to bring together the figures and the necessary information to plan ahead for education across all sectors. That is why the boards and the CCMS, which is the other body involved in education, are taking the issue forward. However, the boards are the submitting authority. As I said, NICIE has been financed recently to further assist it in the process.

Mr Cree: I also thank the Minister for his response. Will he consider an annual but much less arduous snapshot viability study to ensure the collection of the most recent data on which area planning can be based over the coming years?

Mr O'Dowd: I am actively considering conducting annual viability audits. I do not want them to be seen as league tables or used by the media for the wrong purposes. They are there to collect information about the current state of our schools, both financially in relation to their enrolment levels and their examinations attainment. So, they are useful information for the Department to have and, in the future, for ESA etc to have. I am, therefore, actively considering conducting them annually.

Ms Ruane: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you, Principal Deputy Speaker. What reassurance can the Minister give that a collective approach will be taken to the area-based planning process, given the number of education bodies involved?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a ceist. The key to a centralised approach to this is that the Minister and the Department are the responsible body for signing off on the area plans. So, although there has been some concern that education boards have, perhaps, approached this in a different manner, they have all approached them under the auspices of the terms of reference, which are signed off by the Minister. At the end of the day, the Minister is the person responsible for signing off the final area plans. As I go through the area plans, I will, therefore, want to assure myself that they fully meet the terms of reference, that they have taken on board the views expressed during the public consultation and that they are in line with the Department's direction of travel and policies. There will, therefore, be a centralised policy at the heart of an agreed area plan.

Mr Principal Deputy Speaker: I call Dominic Bradley.

Mr D Bradley: Thank you very much, Mr Principal Deputy Speaker.

Mr Principal Deputy Speaker: It is the grouped questions.

Mr D Bradley: Gabh mo leithscéal?

Mr Principal Deputy Speaker: It is the grouped questions.

Mr D Bradley: Gabh mo leithscéal, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagraí. I thank the Minister for his answer. To what extent is cross-border co-operation considered part of area-based planning?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. Cross-border co-operation on this matter along the border corridor is important, and we have tasked the education boards with looking at that imaginatively. Can they provide educational services to the benefit of the young people in their area on a cross-border basis? When I come to assess the area plans, I will look for that in detail as well. The Member will be aware that, through the North/South Ministerial Council, we are conducting an attitudinal survey along the border corridors to see whether there is a demand among parents and pupils to travel across the border. All that information will be taken on board. We want to provide effective, efficient and excellent educational services to the communities along the border, and that may involve sharing resources with our counterparts in the Twenty-six Counties.

Education and Skills Authority

7. **Mr Gardiner** asked the Minister of Education to explain the reasons for the delay in the introduction of the Bill relating to the Education and Skills Authority. (AQO 2506/11-15)

Mr O'Dowd: I am pleased to say that the Executive have agreed to the introduction of the Education Bill. Subject to the Speaker's agreement, I intend to introduce the Bill on 2 October. This is excellent news for all those working to improve our education system. I would like to have been able to introduce the Bill much sooner, but Members will appreciate that I could not do so until Executive agreement was obtained.

Mr Gardiner: I thank the Minister for his response. Given that the Bill was approved by the Executive, once again, only last week, can the Minister give the House a quick overview of the reasons for the delay?

Mr O'Dowd: A week is a long time in politics; that is one of the reasons. The Education Bill has proven to be a difficult piece of legislation. It is also an emotive piece of legislation, understandably so. Many people have views on education, and I am glad of that. All the political parties have views on education, and I appreciate that as well. The education sectors out there, who, through many years, have delivered education to our young people, wanted to be assured that their views were listened to and, where it could be the case, taken on board. I think that we have achieved that through the new Education Bill. It will be up to the Assembly and individual Members to judge that for themselves. If the Speaker agrees that the Bill is competent and it is introduced on 1 October, the Second Reading will, I believe, be around 8 or 9 October, when

the Bill will be open to full debate. Members will be able to scrutinise the Bill, and they will be the final adjudicators of whether it serves the educational needs of the local population. I firmly believe that it does.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a chuid freagraí go dtí seo. I thank the Minister for his answers up until now. Now that the ESA Bill has finally secured Executive agreement, can he outline what the main benefits of the new arrangements will be?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a ceist. The main benefit of the Education Bill will be to modernise how education is delivered in our society. It will reduce eight bodies to one, which will create a more modern, effective and efficient management structure. It will not be ESA's role to manage schools. The management of schools will be the responsibility of boards of governors. However, the overall policies that we want to see the ESA deliver will be those set by the Department. The role of ESA will be to raise standards; as I said, it will not be to run schools. ESA's role is to plan, support and challenge. Strong intervention powers are reserved for my Department. There will be an independent tribunal with the power to stop ESA interfering in schools if individual schools or sectors have concerns about the body.

I think that we have achieved a Bill that will allow ESA to continue with its functions while reassuring people who perhaps are afraid that the control of education will be centralised. That will not be the case. Boards of governors will continue to run schools. Schools will have a lot of independence in their day-to-day affairs.

Mrs Hale: When will the Minister make an announcement about the establishment of a sectoral support body, as outlined in his statement welcoming the ESA Bill?

Mr O'Dowd: I hope to be in a position to do that very soon. The establishment of the controlled sectoral support body has been delayed as a result of delays to the Bill. However, I assure the Member that my officials are working away on that matter. I hope to ensure that contact is made with members of the controlled sector in the coming days and that a meeting is called as soon as possible to give reassurance to those members and to start a programme of work. The controlled sectoral support body is an important part of the ESA Bill. It is also an important part of the strategy to raise education standards across the system.

Mr McClarty: How will the delayed education reform affect the outcome of area-based planning for primary and post-primary schools?

Mr O'Dowd: It will not. ESA will become the body responsible for area-based planning when it is established and fully functioning. Until then, as Minister, I am responsible for the matter. As I outlined in a statement to the House in late September 2011, I believed that the time was right to move ahead with area planning; that the system was creaking at the seams; and that we needed to make decisions. As I have outlined to Members previously, public consultations are vital. I believe in them strongly. However, when the public consultation process is over and I have taken account of all the views expressed, I will make decisions on area planning. Area planning will be not the Big Bang theory but an evolutionary process. It will evolve and move

on to the ESA, which will have responsibility for the further delivery of area planning in future.

Higher Education: Access to Success

8. **Mr Maskey** asked the Minister of Education to outline how his Department will be engaging with the Department for Employment and Learning in relation to the Access to Success scheme. (AQO 2507/11-15)

Mr O'Dowd: I have Paul Maskey's name here. It is definitely Alec. I welcome the strategy's focus on widening participation in higher education and raising young people's aspirations and levels of attainment. It complements my focus on addressing educational underachievement among young people from disadvantaged backgrounds. DE and DEL officials meet regularly. Indeed, I met the Minister for Employment and Learning this morning. DE officials provide input to the draft strategy and will continue to work with their DEL counterparts in support of the strategy. That will include contributing to any appropriate projects or working groups that DEL may establish as the strategy rolls out. I also regularly meet Minister Farry to discuss issues of common interest to both Departments. Undoubtedly, the strategy and its implementation will form part of those discussions in coming months.

Employment and Learning

Further and Higher Education: STEM Subjects

1. **Mr McQuillan** asked the Minister for Employment and Learning to outline the change in the uptake of STEM subjects in higher education institutes and further education colleges over the last five years. (AQO 2515/11-15)

Dr Farry (The Minister for Employment and Learning): I continue to give the uptake of STEM subjects priority status. The future growth of our economy will rely on a workforce with skills in science, technology, engineering and mathematics. My Department has played a leading role in the production and implementation of the STEM strategy, which the Executive endorsed in March 2011.

That strategy aims to promote science, technology, engineering and mathematics and to encourage more people to gain skills in those areas to meet the needs of the economy. It contributes to one of the four strategic goals in my Department's overarching skills strategy. The aim is to increase those qualifying from Northern Ireland's higher education institutions with graduate and postgraduate qualifications in STEM subjects from 18% in 2008 to at least 25% by 2020.

2.30 pm

The higher education strategy, which I published earlier this year, seeks adjustments in the academic profile to provide a greater emphasis on STEM and economically relevant subjects, including postgraduate opportunities. I have committed to creating an additional 700 economically relevant STEM places by 2014-15 at our local universities. In 2010-11, there were a total of 90,910 enrolments on STEM-related courses at the Northern Ireland higher

education institutions and further education colleges, which represents 44% of overall enrolments. That compares to 85,365 enrolments in 2006-07, an increase of over 5,000, or 6.5%, over the five-year period.

Mr McQuillan: I thank the Minister for his answer. Does he agree that the promotion of STEM subjects should be a priority for his Department, considering the demand for employees with those qualifications?

Dr Farry: It is indeed the case that our education system has to have a much stronger economic focus. We need a lot of interventions, ranging from, for example, careers and labour market advice, through to the provision of relevant courses. It is important that we address skills shortages and mismatches in our economy and plan for future skills needs.

Mr B McCrea: The Minister will be aware that the Committee visited the Armagh Planetarium last week. He may not be aware that, on Tuesday, representatives of the Armagh Planetarium are coming to Stormont. On 15 October, the Assembly will be hosting Science and Stormont 2012. Will he encourage Members to attend those events to send out the message to all in our community that science is a good thing and that this is the way forward?

Dr Farry: I am very happy to join the Chair of the Committee in endorsing those events and in encouraging people to visit and participate in them. It is important to stress that the encouragement of the take-up of STEM subjects cannot be left to the school system alone or traditional educational methods. We have to use any and every innovative technique we can to grab the interest of young people at an early stage. There is sometimes a gender issue, so we particularly want to encourage girls to take up careers in those areas.

Mr McElduff: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I do not know what planet Mr McCrea is on, but there were a lot of space cadets and rockets at the planetarium last week when we visited it.

Will the Minister outline the international links that Queen's University and the University of Ulster have developed to best deliver the STEM agenda in both universities?

Dr Farry: I thank Mr McElduff for his question. His references to space are very tempting, but I shall resist going down that avenue.

Of course our universities are very keen to develop international links. The pursuit of an international strategy is very much a core theme in the recently published higher education strategy. That can involve a whole range of different activities, including the attraction of more overseas students to local universities, which adds to our diversity and exposes us to other ideas and opinions. It is also important that we encourage research links. Our universities are encouraged to develop those links, particularly in STEM and economically relevant areas, whether that is part of things like the US-Ireland research alliance or partnerships under framework programme 7 and what will become Horizon 2020 European funding.

North/South Ministerial Council: Education

Ms Ruane: Ceist uimhir a dó, le do thoil. Question number two, please.

Dr Farry: That is OK; my Irish is good enough to catch that one.

2. **Ms Ruane** asked the Minister for Employment and Learning to outline the issues which he plans to raise at the next meeting of the North/South Ministerial Council when it meets in education sectoral format. (AQO 2516/11-15)

Dr Farry: My areas of responsibility do not feature explicitly in the agreed work programme for North/South Ministerial Council (NSMC) meetings in educational sectoral format. Therefore, I do not attend. Nevertheless, I meet Minister Ruairi Quinn regularly to address matters of mutual interest. The importance of co-operation on third-level education was raised at the NSMC plenary meeting in June. I also discussed the matter with Ruairi Quinn in a bilateral format, and I would be happy to participate in further discussions on the matter.

Ms Ruane: Go raibh maith agat. Gabhaim buíochas leis an Aire as a chuid freagraí go dtí seo. Thank you for the responses to date. The Minister will know that a significant number of students from the North have been denied admission to universities in the South because of the Central Application Office's (CAO) non-recognition of A levels. Can the Minister outline what measures he has taken in partnership with John O'Dowd and Ruairi Quinn to ensure that the CAO properly recognises A levels?

Dr Farry: I thank the Member for raising that issue. It is important because it goes to the issue of equality of opportunity for our residents in pursuing their options for higher education. It is primarily the responsibility of my colleague John O'Dowd, but it is something that he and I have raised with Minister Quinn, and I know that Minister Quinn is very sympathetic and understands the case that we are making. The Central Applications Office in the Republic is, of course, the key decision-making body in this regard, and it is for that office to make those reforms, but a very strong and unified message is going out to it. I understand that progress is being made, and John O'Dowd and I will certainly continue to apply pressure to ensure that we get an outcome for our citizens in that regard.

Mr Dallat: I am sure that the whole House would encourage the Minister to meet Ministers in the Republic to iron out all the anomalies that exist as a result of partition. How many special needs teachers are registered to work throughout the island of Ireland as a direct result of agreement of the North/South Ministerial Council?

Dr Farry: Again, Mr Dallat is leading me down the route of making a much wider comment on the political geography of this island. However, let me just say that I am perfectly happy to be a Minister in the devolved setting of Northern Ireland, but I recognise that we are part of a single island, that we have to co-operate with our neighbours on the island and that there will be a large number of issues, including education and higher education issues, where there is significant crossover. The House will be aware that the Confederation of British Industry and the Irish Business and Employers Federation published a report last year that sets out a number of recommendations to better improve student flows on the island, which are considerably underdeveloped compared to flows elsewhere, and we are looking to address those.

I suggest that the specific points on special needs teachers are primarily a matter for John O'Dowd, but,

between us, we will ensure that a formal response is given to the Member on the specific point about the numbers.

Social Enterprise: Training

3. Miss M McIlveen asked the Minister for Employment and Learning what steps his Department has taken or intends to take to ensure that training is available in the skills required for the social enterprise sector. (AQO 2517/11-15)

Dr Farry: I recognise the important contribution that the social enterprise sector can and does make to the economy in Northern Ireland. That is also understood in the context of the economic strategy, specifically under the encouraging business growth aspect. In March 2010, the Executive launched their cross-departmental social economy and enterprise strategy, which was developed in conjunction with a wide range of stakeholders and key Departments, including mine.

Where social enterprises are established as businesses, my Department treats them as it would any other business of a similar size. This means that they can avail themselves of a range of services, including, for example, the skills solutions service. A fully trained skills solutions adviser will visit a social enterprise, talk to its management to help them to identify their training needs in light of their business objectives, advise them on how those needs can be met and provide information on available financial support. I encourage more social enterprises to avail themselves of that service. Information is available on my Department's website. Social enterprises have also benefited from my Department's management and leadership development programmes and have received financial support to achieve Investors in People status. The six regional further education colleges also offer opportunities for upskilling social enterprises to help them to meet their business objectives.

Miss M McIlveen: I thank the Minister for his answer. As he will know, his constituency of North Down and my constituency of Strangford have the lowest number of social enterprises in Northern Ireland. Social enterprises can, obviously, provide and nurture a variety of skills as well as create employment, particularly in deprived areas. Given that the barrier to establishing such enterprises really is a lack of capacity, will the Minister commit to addressing the shortfall in capacity through appropriate training or mentoring schemes?

Dr Farry: I fully understand the Member's point. Indeed, in recognising the contribution that social enterprises make, I should acknowledge that some social enterprise organisations deliver some of my Department's services. That may be the case for a number of my colleagues as well.

I am not sure that we are in a position to tilt the playing field in favour of a particular type of business, but I certainly give the Member and the House a commitment that my Department stands very ready to assist any business, including social enterprises, in addressing their particular skills needs. In terms of resources having to be diverted elsewhere, we will not be found wanting, and it will not stop us from going ahead with any of this. Of course, wider issues will have to be addressed in the context of the economic strategy, and that will also involve my colleague

Minister Foster. In respect of my responsibility, we are very happy to engage in addressing skills and training needs.

Mrs Overend: Will the Minister tell us how he is actively encouraging relevant organisations to increase the uptake of European money, such as the European social fund, to establish and support social enterprises? What funding has his Department provided to that important sector of the economy?

Dr Farry: I thank the Member for her question. The European social fund moneys are allocated on a competitive basis through a number of calls. At present, moneys are fully allocated. I stress that point because I know that a number of Members are applying pressure to see whether there is any loose change in the system. We have asked the European Commission, particularly in light of underspends elsewhere in the system, whether there is the potential for the redistribution of funds to Northern Ireland, through something akin to the monitoring round process that we are familiar with, but, unfortunately, that has not been forthcoming. When the next European Union budget is struck, there will be a new round of European social fund moneys available for Northern Ireland, and another process will be commenced. I certainly encourage a wide range of projects to come forward for that.

FG Wilson: Job Losses

4. Mr Beggs asked the Minister for Employment and Learning to outline how, in order to retain the skills of workers following the job losses at FG Wilson, he intends to assist them in gaining alternative employment. (AQO 2518/11-15)

Dr Farry: My officials have been proactive in determining what steps we can take to assist with redundancies, to provide upskilling and to identify alternative employment. They have worked with FG Wilson in relation to redundancies since the earlier announcement was made in June.

Through our redundancy advice service, we work in partnership with the Social Security Agency, further education colleges, HMRC and other agencies to provide advice on alternative job opportunities, access to training courses, education opportunities and careers advice, as well as a range of other issues such as benefits and taxation. The redundancy advice service is available to go on site to deliver a tailored package of support to each employee. It is vital that we not only retain the skills of workers but formally recognise existing skills through accreditation, if necessary, and provide upskilling, where appropriate, to meet any new specific demands of other employers.

I also had the opportunity to raise the issue at the inaugural meeting of the advanced manufacturing and engineering services working group on 19 September 2012. The working group includes business leaders from the sector, employer representative bodies, representatives from the colleges and universities, and other Departments and agencies. FG Wilson representatives gave an update and highlighted that the company is at the beginning of a 90-day consultation to determine the implications of the redundancy announcement.

FG Wilson, the Confederation of British Industry and officials from my Department confirmed that they had received expressions of interest from companies interested in exploring the possibility of redeploying affected staff. My officials will engage closely with the outplacement provider appointed by FG Wilson in taking that work forward and will continue to work closely with all key stakeholders to maximise the redeployment of workers to other suitable opportunities in Northern Ireland.

My Department is also exploring options for reskilling and upskilling affected staff through the Northern Regional College. The college informed me that, as well as offering upskilling and training, it offered to undertake a skills audit of staff. Likewise, Belfast Metropolitan College has contacted FG Wilson to offer a range of support, including job searches, careers information and access to its training facilities.

2.45 pm

Mr Beggs: In the past, the Minister indicated that employees could have an opportunity to participate in a tailored training programme and that there would be discussions with potential employers. Will he elaborate on the type of training programme that could be available, so that more of those who might be made redundant will have an opportunity to reskill and continue employment?

Dr Farry: I thank Mr Beggs for his original question and his supplementary. Clearly, this is a very important issue. A number of strands are under way and under discussion between different government agencies and FG Wilson, in particular about retraining. It is important to stress that we have a wide range of skill sets available through the workers of FG Wilson. Indeed, many of them will already be highly skilled. We first need to understand exactly who will be made redundant. As you will appreciate, we are going through a redundancy consultation period, which is why I am stressing the point of the skills audit. However, our further education sector — in particular, the Northern Regional College, which has a very good track record in engineering — is well placed to provide refresher and conversion courses, taking general skills that people have and maybe retraining them in the specific skills that new companies that wish to take advantage of staff redeploying will need. That is being taken forward and those discussions are well under way.

We are also looking at how we can best facilitate other employers accessing those workers. I am pleased to see expressions of interest from a number of sources, and discussions are under way with a view to having job fairs on-site within the premises of FG Wilson.

Mr Campbell: Given the scale of the potential redundancies at FG Wilson, the catchment area for employees there is significant. Partnerships were talked about. What sort of liaison is there with the Department of Enterprise, Trade and Investment to ensure that other employers who may be looking for the adaptability and type of skill sets that exist in the workforce of FG Wilson could avail themselves of those people with the right kind of training?

Dr Farry: Mr Campbell raises an important point, and it is something that the company itself has been keen to stress. We need to have a smooth set of communications around all of this. We also need to make sure that we have a number of agencies with different specialist functions all

pushing in the one direction and that we avoid duplication of effort, which just adds complication and stress, and causes more difficulty for FG Wilson in managing the process. To that end, there are ongoing and active discussions between all the relevant agencies. My own organisation is trying to set up a single liaison point with the company to make sure that we are handling this as smoothly and efficiently as possible.

Mr Dickson: I thank you, Minister, for your detailed answers. Are you satisfied that the Northern Regional College and other education providers will have sufficient resources made available to them to deliver on the promises that have been made to a significant number of employees who, regrettably, will be losing their jobs?

Dr Farry: I thank Mr Dickson for those comments. This is, as I said, a very serious matter whenever people are losing their jobs. It is also important that we place people with the right skills in companies and encourage those companies to grow and flourish. I again stress that Northern Ireland has a real future in manufacturing. The discussions with the Northern Regional College are ongoing, and the issues to be ironed out are largely over exactly how we take forward training. I give the House a commitment that the roll-out of those programmes will not founder on the issue of money and arguments over resources.

Higher Education: Subjects

5. **Mr Kinahan** asked the Minister for Employment and Learning how he has taken into account the destination of school leavers analysis 2010-11, which was published on 31 August, in considering what subjects should be provided at our higher education institutes. (AQO 2519/11-15)

Dr Farry: It is my understanding that the Member was referring to the analysis 'The Destinations of Leavers from Higher Education Institutions'. This analysis, published by the Higher Education Statistics Agency in June of this year, provides insight into the employability of graduates and shows that this varies according to subject discipline. Although, overall, 75% of Northern Ireland-domiciled graduates found employment within six months of graduation, the highest employment rate, 97%, was for those who studied medicine and dentistry; the lowest rate, 58%, was for those who studied languages.

My Department's higher education strategy for Northern Ireland, *Graduating to Success*, emphasises the need to rebalance the current academic profile to provide greater emphasis on STEM and economically relevant subjects. In support of this transition, I have provided additional places in STEM subjects over the next three years. The strategy also highlights the need to ensure that learners in higher education are provided with the opportunities to develop a portfolio of skills, attributes and experiences that will set them apart in the world of employment. This portfolio includes personal development, creative thinking allied to enterprise and innovation, international mobility opportunities and a chance for learners to avail themselves of a work placement. These extra-curricular skills, activities and experiences will be recorded in each student's higher education achievement report.

Mr Kinahan: I thank the Minister for a good, comprehensive answer, and I welcome the idea of a portfolio of skills. Will he give an update on the 700

university places that he announced in December 2011? In 2014-15, how will they be provided to help the economically relevant subjects?

Dr Farry: I thank Mr Kinahan for his supplementary question. The background to the extra places is that they were part of the package, agreed by the Executive last September, which related to tuition fees. At that stage, we also recognised that there would be some knock-on consequences for local universities, including the potential for an increased demand for local places given the differential in fees. However, bearing in mind the importance of continuing to invest strategically in the future of our economy, we decided that all 700 places would be for economically relevant STEM subjects. All those additional places will be phased in over the next three years. The first tranche is already live and has been distributed across Queen's University, the University of Ulster, where the focus is mainly on the Magee campus, and the further education colleges that also provide higher education.

Mr Storey: Given the earlier questions to the Education Minister on area planning, what discussions has the Minister had with him and the universities to ensure that there is a joined-up approach to rebalancing provision and making absolutely sure that we have in place appropriate educational facilities offering appropriate qualifications? To date, it seems that the further and higher education colleges have been left out of the process.

Dr Farry: I thank Mr Storey for that question. I wonder whether he was a fly on the wall this morning, when I met Minister O'Dowd to discuss a number of topics, and that was the main item on our agenda. I am very keen to ensure that our young people have as many opportunities, a mix of academic and vocational, as we can provide to them in Northern Ireland. It is important that each young person has a tailored package that suits his or her individual needs. It is also important that my Department works closely with the Department of Education on the interface between the school system and further education colleges. We have an entitlement framework, and I am keen to ensure, as, I am sure, is Mr O'Dowd, that we maintain that and ensure that it works as effectively as possible. We are also moving towards a consolidated 14-19 strategy statement, which will cover all the work done between the two Departments to ensure that we are capturing the opportunities and delivering for students the most appropriate institutions for their particular needs.

Mrs D Kelly: I am interested in the Minister's comments. As he knows, the primary focus will be on getting people back to work and ensuring that the courses available meet the needs of local industry and the economy. Minister, have you carried out, or do you intend to carry out, an appraisal of the applications in this academic year to see whether there are gaps in the provision across the higher and further education sectors?

Dr Farry: I thank the Member for her question. We have a very comprehensive set of provisions, so I would not so much say that gaps in provision are emerging as that there are issues of supply and demand that we need to address from time to time. I stress that we are seeing an increase in the numbers of applications for STEM subjects, particularly over the past 12 months. People are no doubt thinking more closely about their future career prospects. I know that we have seen a similar trend in the Republic of Ireland. I also understand that, in the secondary education

system, we have seen an increase in the number of applications to STEM-related GCSEs and A levels, which is also a good and encouraging sign for us.

Mr Principal Deputy Speaker: Question 6 has been withdrawn.

Parkanaur College

7. **Ms McGahan** asked the Minister for Employment and Learning to outline the level of support which his Department provides to Parkanaur College in County Tyrone. (AQO 2521/11-15)

Dr Farry: My Department has an annual contract with the Thomas Doran Parkanaur Trust to purchase residential vocational training, and it has pledged to provide funding for up to 15 training places at Parkanaur College for 2012-13. That is despite the fact that occupancy has averaged between only seven and 10 trainees during the past number of years. The Department pays Parkanaur trust an annual training fee of £16,285 a person, as well as travel costs and a weekly personal training allowance for each trainee. That is supplemented by an additional £84,000 for residential care costs. In 2011-12, the Thomas Doran Parkanaur Trust received £207,485 in funding from the Department.

Officials from the Department's disability employment service work closely with staff at Parkanaur College to help to promote the specialist facility, raise public awareness and encourage trainee referrals as appropriate. That includes organising annual visits to the college for employment service advisers and careers advisers, who provide advice to people and refer them to Parkanaur College. I am also on record as being willing to review the funding commitment, subject to demand, suitability and available resources.

Ms McGahan: I thank the Minister for his response. Does the Department intend to increase the number of places that it allocated to Parkanaur College? Can the Minister provide an assurance that the Careers Service in his Department is correctly signposting those students who might benefit most from a placement in Parkanaur College?

Dr Farry: I thank the Member for her supplementary question. I see that she is following in the footsteps of her predecessor, Michelle Gildernew, in pushing this issue.

We do not have any immediate plans to increase the numbers of trainees. As the Member will appreciate, we are currently funding 15 places, but we do not have full occupancy. She rightly highlighted the importance of making the facility known. It will not be appropriate for every person; there may be cases where they would be better taking forward their skills and training in different types of settings. However, where it is appropriate, we are very happy to draw the facility to people's attention. My careers advisers are very much aware of that. I think that I am probably the only Minister in my Department who makes annual visits to Parkanaur, and that includes my predecessors. I have had the privilege over the past two years of being to the college's annual prize-givings, which are very moving events. I will certainly continue to keep up that habit over the coming months and years.

Mr Principal Deputy Speaker: That concludes Question Time, so I ask Members to take their ease for a few minutes.

(Mr Speaker in the Chair)

3.00 pm

Private Members' Business

Civil Service (Special Advisers) Bill: Second Stage

Mr Allister: I beg to move

That the Second Stage of the Civil Service (Special Advisers) Bill [NIA 12/11-15] be agreed.

I begin by thanking the staff of the Bill Office and Legal Services for the very extensive help that they have been throughout this process. Any Member who has sponsored a private Member's Bill will know that it is a complex procedure, through which many hoops have to be passed. I am very grateful for the professional guidance of the staff and the extremely professional manner in which they conducted themselves and assisted me at all times. Whatever happens to the Bill, I come away from this process with a very enhanced view of the professional staff in the Bill Office and in Legal Services. I think that it is right and proper that I put that on the record in the House.

Everyone probably knows that the genesis of the Bill is the audacious and calculated appointment by the Culture Minister of Mary McArdle as her special adviser, and the hurt that that caused, in particular to the victim family most affected by that, the Travers family. That is what crystallised my thought processes and determination to seek to do something about that situation. The Bill flows from that determination.

I pay tribute to the Travers family. I take that back to Tom Travers, who served this country as a resident magistrate for many years. As a young barrister, I spent many days in Tommy Travers's court representing those who had got themselves into difficulty. Whereas Mr Travers was not a great one for easy acquittals, if I can put it like that, when it came to dealing with individuals, he was a most compassionate man. He was a man who would give anyone a second chance, and if there was a positive way forward for someone, he would seek it out. His humanity and compassion always struck me. In April 1984, of course, a most grotesque and murderous attack was made not just on him but on all his family members who were with him at St Brigid's chapel on Derryvolgie Avenue.

Mary Travers was 22 years of age, full of life and enthusiasm, and embarking on a teaching career. Everything I have heard about her indicates that she carried with her those same characteristics of compassion and humanity and great gentleness. She was brutally shot in the back. Her father was shot six times and grievously injured, and the intention was that her mother was to be shot also, because, as she tended to Mary, the gun was pointed at her head and the trigger was pulled but, mercifully, the gun jammed. That was one of the most touching episodes in all of the Troubles. I think it touched folk of all religions and persuasions that a young girl going about her Sunday morning religious activities could be, with the rest of her family, picked out for murder in such horrendous circumstances.

Mr A Maginness: The Member rightly raises the fact that Mr Travers was a resident magistrate, and that murder was attempted on him. One can associate that with the attempted murder of County Court Judge Garrett McGrath and the murder of County Court Judge Billy Doyle. All three of those outstanding members of the legal profession were Catholics. Would one not deduce from that that the IRA specifically identified those people in a campaign to drive Catholics out of the judiciary?

Mr Allister: The Member is absolutely right. I think it is indisputable that those who dared to serve and to dispense justice in Northern Ireland were particular objects of the murder campaign of the IRA. They were brave men who, despite the risks, did not take the easy option of simply carrying on in private practice, but burdened themselves with the duty of serving on the bench. Then and now, this community owes a debt of gratitude to them all.

I also commend the most courageous stand that has been taken by Mary Travers's surviving sister, Ann Travers. Tommy Travers was a man who, as I have described, was gentle and compassionate, but he was also most stoic and determined. That was clear from the manner in which he returned to the bench, despite his injuries, and gave many more years of service. It seems to me that his daughter Ann inherited those characteristics of determination. The manner in which she has spoken out courageously in difficult circumstances, and the manner in which she has stuck to that course, demonstrates how stoic an individual she is. This society owes her a tribute too for her strength and courage in facing up to and facing down the circumstances that arose from the appointment of Mary McArdle. Today, as it is now a matter of public record and knowledge, I hope that most in this House would join in wishing Ann Travers a full recovery from the health battle that she is fighting. If ever there was a courageous woman, it is Ann Travers.

In part inspired by and driven on by what I saw in that family, I bring the Bill to the House, so that it has the opportunity of saying that never again will someone guilty of such a vile, vicious murder be elevated to one of the top administrative posts in this land. The Bill will also ensure that, in accordance with the standard of probity that we expect in public life, that insult will not again be visited upon either a victim's family or the law-abiding community of this land.

I will move on to some of the details of the Bill. There is nothing novel about imposing the absence of a criminal conviction as a qualification for a job. I could give many examples. Estate agents cannot, by law, be estate agents if they hold certain convictions. Solicitors' clerks cannot be solicitors' clerks if they hold certain convictions, so why not special advisers in government? Special advisers are in a very special, very privileged place. They are senior civil servants in status and in reward. They have access to all government papers and are pivotal in the making of, and in coming to, government decisions. Some might say that, de facto, they are the Government at times in the negotiations that they conduct, particularly in an arrangement such as that which prevails here. Yet, they are appointed in a process of political patronage in which they are exempted from the merit principle and exempted, as things stand, from security vetting, which gave rise, just over a year ago, to the fact that the Culture Minister could appoint her former commander from the prison as her special adviser.

That is unconscionable. It is wrong. Steps must be taken to ensure that it can never happen again.

My Bill addresses four issues that affect special advisers. Number one is who cannot be appointed and why. Number two creates accountability to the Assembly by introducing an annual report on special advisers. Number three takes codes of conduct and appointment that exist as guidance and puts them on a statutory basis. Fourthly, it removes an anomaly that, I am sorry to say, affects you, Mr Speaker, whereby the Speaker, over and above the help that he has from the Commission-appointed adviser, has the capacity to himself appoint a political special adviser, a step that has not been exercised by our present Speaker. Thus, it has become something of an anomaly.

Clause 1 defines a special adviser in pretty regular and uncontroversial terms as someone appointed by the Minister. They continue in office as long as the Minister holds office and are the Minister's choice for that position. Clause 2 introduces, as a qualification for holding that position, the absence of serious criminal conviction. It is not just terrorist conviction. It is a conviction for any serious crime, be it rape, murder, or robbery — any offence collecting a sentence of five years or more.

3.15 pm

The Bill also seeks to provide that anyone in office as a special adviser who collects such a conviction loses their position and anyone already in position who has such a conviction loses their position, with the appropriate compensation, as provided for in schedule 1. I will come back to that.

Some say that I am seeking to introduce retrospective legislation. Let me say straight away that the Bill is prospective, not retrospective. It applies from the day it is made. If it was retrospective, it would take effect before it was made and would be deemed to have always had effect. The Bill will not change the legal nature of a past event. It will simply make a past event a condition of current eligibility for a position.

There are many authorities that I could take the House to, but I will mention only one, Bennion, a very famous writer on these matters, who said:

"Changes relating to the past are objectionable only if they alter the legal nature of an act or omission in itself. A change in the law is not objectionable merely because it takes note that a past event has happened, and bases new legal consequences upon it."

The Bill does not state that the appointment of a special adviser with a serious criminal conviction was void from the outset. It does not seek to claw back salary paid to such an adviser. It simply states that, from this point in time onwards, that person is ineligible to be a special adviser.

I mentioned the position of solicitors' clerks. That issue was taken to the Court of Appeal, and a very famous judgement was issued in that regard, holding that that Act was not retrospective. The court stated that:

"It enables an order to be made disqualifying a person from acting as a solicitor's clerk in the future and what happened in the past is the cause or reason for the making of the order, but the order has no retrospective effect. It would be retrospective if the Act provided

that anything done before the Act came into force or before the order was made should be void or voidable, or if a penalty were inflicted for having acted in this or any other capacity before the Act came into force or before the order was made. This Act simply enables a disqualification to be imposed for the future which in no way affects anything done by the appellant in the past."

That leads me on to deal with a point that has been touched on by the Attorney General, who, in evidence to the Committee for Finance and Personnel just last week, tentatively suggested that there could be a potential infringement of article 7 of the European Convention on Human Rights. Let me read article 7.1 of the convention. I think that, as the House follows it, it will see how strained the suggestion is that the Bill could breach article 7. It states:

"No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed."

From first principles, what does that mean? I am clear that it prohibits retrospective criminal penalties. You cannot be found guilty of something that was not an offence when you committed it, nor can you be given a penalty that is greater than that which pertained when you committed the offence.

The Attorney General suggests that it prohibits the imposition of a conviction as a qualification for a post, because that has the effect of increasing the penalty. I utterly disagree with that. I even dare to suggest that it seems he disagrees with himself. If it were right that you could not impose the absence of a conviction as a qualification for a post after that conviction and sentence had been imposed, then the Justice Bill that this House passed last year would have been beyond the competence of this House.

Paragraph 9(3) of schedule 1 to the Justice Act (Northern Ireland) 2011 introduces something new. It states:

"A person is disqualified for being an independent member of a PCSP if —

(a) that person has been convicted in Northern Ireland or elsewhere of any offence and a sentence of imprisonment or detention has been passed on that person".

What is that doing other than saying that you can retrospectively, in that sense, impose a disqualification on someone because of an earlier conviction when, at that earlier time, that disqualification was not in vogue? That is exactly and precisely what clause 2 of my Bill seeks to do, where it says that a conviction disqualifies you from holding a certain post.

As I understand it, the Attorney General is not quibbling over the possibility of someone being displaced because the compensation afforded them meets their convention rights in that regard, but he is suggesting that having any regard to an historic or pre-existing conviction offends article 7. It patently did not in the case of the Justice Bill, so why should it be so with this Bill?

Likewise, Westminster recently passed the Police Reform and Social Responsibility Act 2011, which deals with the appointment of police commissioners. It also provides something new, in that someone with a pre-existing conviction is disqualified from holding the post of a police commissioner. That was not the position when that aspirant might have committed the offence; it is the position now, and as that Act runs from now, so to speak, it now imposes that disqualification.

Again, there is no suggestion that that provision was not article 7 compliant or was not human rights compliant, not to mention the extensive legislation that prohibits people with certain earlier convictions from working with children — again, something that was introduced retrospectively, if you like.

I also note that having this debate — the Bill having been introduced and having reached Second Stage — is confirmation that the authorities of this House regard the Bill as competent. It could not be held to be competent if it were not thought to be European Convention compliant. With the legal advice that he gets, the Speaker has decreed the Bill to be competent. So, not only have I the meagre support of my own opinion, the help of the draftsman and the legal advisers, but I have the clear indication that the Bill is competent arising from the fact that it is before us at all.

I will move to some of the other clauses. Clause 3 simply defines a serious criminal conviction as anything involving a five-year sentence or more. Let me say that there is nothing magical about five years. Five years is quite often regarded in law as a significant benchmark between very serious crimes and not so serious crimes. However, there is nothing magical about it. I am not wedded to it. If the House in its wisdom thinks that a different tariff is the appropriate benchmark, so be it.

I move to clause 4. In a couple of places in the Bill, I seek to borrow from provisions in Westminster legislation that touch on special advisers. The legislation that does that the most and is most pertinent to this Bill is the Constitutional Reform and Governance Act 2010. It provides that an annual report shall be laid in respect of the number and cost of special advisers. It does that for England and Wales and, interestingly, for Scotland. It includes the devolved institutions in Wales and Scotland, but the absentee from the list is Northern Ireland. I am saying that we could do a lot worse than follow that example to bring ourselves up to speed with what is provided elsewhere.

In the Bill, apart from its main thrust, I am taking opportunities to tidy up the law here and there to what I suggest is the betterment of the situation. One of those opportunities is to bring in that reporting restriction, which is not onerous. There has been controversy and questions in the media and elsewhere — I might have generated some of those myself — about the cost of special advisers to our Exchequer. We probably all know that there are currently 19 special advisers. This report would simply entail the Finance Minister lodging an annual report about the number and cost of special advisers. If he wants to give more detail, so much the better, but that would be the de minimis requirement of him. I do not think that anyone should have anything to hide in that regard. It would be in the very prudent hands, no doubt, of the Finance Minister.

I move to clause 5. Again, this is modelled on section 8 of the Constitutional Reform and Governance Act 2010, which provides the basic tenets of a code of conduct. The Minister of Finance has such a code of conduct, and I am not criticising it or saying that it is deficient. I am simply saying that it should be put on a statutory footing to give it the extra strength, the lack of wriggle room and the lack of dissent that that affords. Let us put it on a statutory basis and get it as is done elsewhere. Clause 5(2) sets out some of the minimum things that need to be in a code of conduct. It is not that there cannot be more. There is more in the present code, and there should be more in the present code. Clause 5(2) simply states that there are minimum things that should be in it.

I come to clause 6, which again is based on the 2010 Act. It suggests that the code of appointment of special advisers should be put on a statutory footing. Why? I am not saying that the present code for the appointment of special advisers — whichever is the present code — or the guidance is wrong or glaringly deficient. I am simply saying: let us put that on a statutory footing.

So, let us insert the minimum requirement into statute, as clause 6(2) does. Clause 6(2) states that, “without prejudice” to whatever else is in the code, it:

“must provide that the appointment of special advisers must be subject to the same vetting procedures”

as the appointment of civil servants. What on earth could be wrong with that? You could have people exercising, shoulder to shoulder with permanent secretaries, the functions of a special adviser with equivalent status and the same ability to call for and examine papers and all of that; yet, one of them has been vetted before getting his or her job and the other has not. The House should say, “We expect no less”. If it is right for civil servants to be vetted, it is right for civil servants called “special advisers” to be vetted. Never forget that they are civil servants. Clause 6 nails that down, removes the wriggle room and means that any change would have to pass through the Assembly.

3.30 pm

I say that particularly because of the controversy that has attended the Minister's gallant attempts to improve the code on appointments. Last September, he issued new guidance on the code of appointment that built into the code vetting of applicants for the role of special adviser. That code has not been put into effect by all parties in this House. Sinn Féin Ministers, who have since appointed special advisers, have refused to operate the new code on appointments and refused to submit their appointees to vetting. As a consequence of that impasse, their special advisers are not being paid from the public purse. I know that because of an answer, hot off the press, that I received today from the Minister of Finance and Personnel. I asked him how many special advisers had been appointed by Sinn Féin Ministers in full compliance with his guidance on the appointment of special advisers and were being paid as civil servants directly from public funds since he introduced that guidance in September 2011. His answer was “None”.

So, we have guidance that is fine in every regard except that it is not being adhered to. I say that the answer to that is clause 6, which will put it on a statutory footing and will put it in statute the fact that vetting is required. Therefore,

it will become inescapable. If Ministers then want special advisers appointed to the Civil Service, they will have to comply with what the law says, as the ministerial code requires them to. So, I say that that is a sensible provision to make.

I now come to the fourth purpose of the Bill, which is to remove from you, Mr Speaker, the right to appoint a special adviser. It is now largely an anomaly. When the 1999 order was passed, enabling Ministers to appoint special advisers, included in it was the same right for the Presiding Officer to appoint a political special adviser by political patronage. However, we have moved way beyond that. In recent years, the Assembly Commission has appointed, by due process of recruitment, a specific adviser to the Speaker. That person's post is not dependent on a particular person holding the Speakership; they are there to advise the Speaker, whoever he or she might be. That is the way that it should be. It is, therefore, now anomalous and unnecessary for the Speaker to have the additional and unexercised power to appoint, by political patronage, a special adviser. Not only is that now effectively defunct, but, secondly, it does not sit comfortably with the independence of the Speaker to have him able to appoint by political patronage a political special adviser. For those two reasons, now is the opportunity, with this Bill, to remove that from the 1999 order and regularise that situation.

In introducing my Bill, I highlight those points. The Mary McArdle appointment highlighted a significant gap in our law, and, as legislators, we either face up to it or we ignore it. Let each Member decide whether it is right that someone with serious convictions, which can include murder, can hold a position not only to which they are not appointed on merit but to which they are appointed in spite of the pain and anguish that that causes to their victims. They are not just appointed to any post but to one of the most seminal posts in public administration. Some can be paid up to £90,000 a year out of public funds for doing the job. It is for each Member to weigh up whether they are comfortable with an arrangement that allows that to happen or whether they are sufficiently exercised to want to do something about it. The Bill, in terms that I suggest are modest, proportionate and necessary, affords the House the opportunity to do something about it. I trust that that opportunity will be taken.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Cheann Comhairle. The Finance Committee was notified at its meeting of 5 September that, should the Bill pass its Second Stage, it would stand referred to the Committee unless the House ordered otherwise. At that meeting, it was agreed that evidence should be invited from the Bill's sponsor, Mr Allister, on its provisions. The Bill confers functions on the Department of Finance and Personnel, so departmental officials were also invited to give evidence. Additionally, the Attorney General was invited to address concerns regarding legislative competence, although the Committee is mindful of the fact that it can take its own legal advice on the issue in due course. The evidence sessions were held at the Committee's meeting of 19 September.

In his evidence to the Committee, Mr Allister outlined the provisions of each clause and the schedule. The Committee heard that the Bill defines what a special

adviser is and specifies that a person will not be eligible to be appointed as a special adviser if they have a serious conviction, which is defined as any conviction with a custodial sentence of five years or more. Duties placed on the Department by the Bill include the requirements to issue a code for appointment of special advisers, to issue a code of conduct for special advisers and to lay an annual report about special advisers before the Assembly. Mr Allister also advised that the Bill would remove what he considers to be an anomaly in respect of the unexercised power of the Speaker to appoint a special adviser, and he referred to that in his speech. The practice has been that such an adviser is appointed by the Assembly Commission and fulfils the role irrespective of who the Speaker is.

During the discussion, Committee members raised a number of issues, including the process that was followed for the consultation undertaken on the Bill's policy proposals; the need for the legislation, given that arrangements for the appointment of special advisers already exist; potentially retrospective aspects of elements of the Bill; compensation for termination of employment; the status of people released under the NI (Sentences) Act 1998; and the Bill's compliance with the European Convention on Human Rights. As was agreed during the evidence session, Mr Allister subsequently provided the Committee with information on the dates of the consultation.

During the subsequent evidence session, the Committee heard from a senior official from the Department, and it should be noted that the official made it clear that his evidence should not be taken as any comment on the policy behind the Bill. The Committee heard that it was not envisaged that the requirements in the Bill to lay documents, including codes and an annual report, would present the Department with any difficulty or incur significant cost. The official answered members' questions on a number of issues, including whether there is a requirement for Executive agreement on the arrangements for the appointment of special advisers; the number of special advisers appointed since September 2011; the process for determining special advisers' salaries; proposed severance arrangements; current vetting procedures; and the possibility that Secretary of State permission is needed to amend the Civil Service Commissioners Order 1999.

Finally, the Committee took evidence from the Attorney General, Mr John Larkin, who advised that he is a statutorily independent law officer and chief legal adviser to the Executive, particularly on Bills, and wished to give as much assistance as he could to the Assembly and its Committees. The issues discussed during the evidence session with the Attorney General included the retrospectivity of particular provisions in the Bill; the release of prisoners under the NI (Sentences) Act 1998; concern about potential non-compliance with the European Convention on Human Rights, particularly article 7; the process for referral of provisions of the Bill to the Supreme Court and the European Court of Human Rights in Strasbourg; and the interpretation of convictions in other jurisdictions. I thank all those who gave evidence to the Committee at its last meeting. It was a very valuable exercise that will have helped to inform Members, particularly Committee members, in advance of today's debate.

I will move on to Sinn Féin's position. It is important to reflect on the comments of the Attorney General last week. He raised concerns that stem from article 7 of the European Convention on Human Rights, which prohibits retrospective penalisation. So, one cannot retrospectively render criminal that which was not criminal at the time. It also prohibits an increase in penalty or the imposition of a heavier penalty than was available at the time. It is worth looking at some of the Attorney General's comments. He said:

"It strikes me that in the cases where retrospective measures have been imposed throughout Europe ... — cases that have survived scrutiny at Strasbourg — have been measures that, although retrospective in their effect, have been typically for a public safety purpose."

Mr Allister made reference to the example of people who work with children and so on. Mr Larkin went on to say:

"However, you then look at a purpose and its severity ... I am not fully aware of what the purpose may be, but, as I listened, at least partly, to Mr Allister, it seems that that does loom large. It is based, at least in part, on the idea of the public, or a large section of the public, recoiling from the presence of certain people".

He continued:

"That is the point of the Bill and that is why, I think, there are dangers in relation to the competence of clauses 2 and 3 as they stand at present."

There are serious questions about the competence of the Bill, and Sinn Féin is concerned about that. That is one of the many reasons why we will not support the Bill as it makes its way through the House. It singles out former political prisoners. The proposer has said on the record that he does not want European funding, for example, to go to any ex-prisoner groups, and the Bill is against the ethos of the Good Friday Agreement, which says that the Governments —

Mr Campbell: Will the Member give way?

Mr McKay: Yes.

Mr Campbell: The Member indicated that the Bill singles out former political prisoners. Is it not more accurate to say that the Bill singles out former convicts who have served five years or more for very serious terrorist offences?

Mr McKay: It is obvious that the Bill is directed towards ex-IRA prisoners. Let us not beat about the bush; that is what this is about. That is the purpose of the Bill.

Mr Beggs: Will the Member give way?

Mr McKay: Yes.

3.45 pm

Mr Beggs: How would the Member feel if Johnny Adair were appointed as a political adviser to someone in the unionist community? Will you take cognisance of the effect that appointing someone with such a history has on the unionist community and on your own nationalist community?

Mr McKay: I thank the Member for his intervention, but it is important to reflect where we are going with all this.

There are ex-prisoners throughout all our communities. Ex-prisoners have been Members of the House on all sides, and members of every political party work with ex-prisoners. Ex-prisoners are in various positions in society and the community. A lot of them carry out very important roles. One can look at David Ervine, for example, who was a very articulate Member of the House and made a valuable contribution to the peace process. I may not have agreed with everything he said, but he played a very important part in the peace process in east Belfast and elsewhere. There is a contradiction, because the Ulster Unionist Party wanted David Ervine to join its group in 2006. At that time, David Ervine was an ex-prisoner and he had been convicted and sentenced to 11 years. So I put that to the Member: is there not a contradiction in his position?

Mr Speaker: Order. Let us not have a debate across the Chamber. This is not a conversation.

Mr Beggs: Does the Member accept that David Ervine had been elected by the people, just as Members of Sinn Féin are elected by the people, and that has to be respected by everyone? We are talking about someone who was given a very significant salary without having won a post through a merit process openly available to everyone. She had not been given appropriate security clearances to gain access to the Senior Civil Service. She was given that very important role, not on merit and without the appropriate security clearances.

Mr McKay: The Member must have misunderstood my point with respect to David Ervine, which is that he played a very valuable part in our society in recent years. Why should he have been discriminated against under legislation such as this? On this side of the House, we have a number of ex-prisoners. Why should they be discriminated against? That is a step back, an unwinding of the Good Friday Agreement. It is somewhere we should not go. We have to move forward. Isolating ex-prisoners in this society is not the way forward. That needs to be put on the record.

Mr Dickson: Will the Member give way?

Mr McKay: Yes.

Mr Dickson: The Member has referred to the isolating of ex-prisoners in the community. He has just been questioned by another Member about how one might perceive a loyalist ex-prisoner in such a role. Does he agree that that question sits at odds with the comments made by the Ulster Unionist Party leader at the weekend, who said that he would help:

"any ex-prisoner, and anyone associated with ex-prisoner groups, if they are genuine about using their commitment and energy positively for their community."?

He added:

"We made commitments in the Belfast Agreement that linger unfulfilled".

Mr McKay: Absolutely. I do not want to go too far away from the principles of the Bill, a Cheann Comhairle —

Mr Speaker: That would be very useful.

Mr McKay: There are a lot of contradictions in that party's position. We have to look —

Mr McCartney: Will the Member give way?

Mr McKay: Yes.

Mr McCartney: Further to the point made by Stewart Dickson, who reminded us, through the Speaker, of what the leader of the UUP said, I saw Mr Beggs clapping enthusiastically on television. In relation to ex-prisoners, the leader of the Ulster Unionist Party also said:

"I want them to tell me what they want to be, not what they were."

This legislation will enshrine that people will continually have to say what they were, rather than what they want to be.

Mr McKay: I thank the Member for his intervention.

Mr Beggs: Will the Member give way?

Mr McKay: Yes. I am up and down like a yo-yo.

Mr Beggs: We are talking about a very select few. Only a few special adviser posts are available. I accept wholeheartedly that the fact that someone has a past does not mean that they cannot have a future. However, we are talking about putting people into very sensitive roles, and there ought to be due regard for those who may have suffered.

Mr McKay: The Member makes an important point. A lot of people have suffered in this society. In the nationalist and republican community, a lot of people have had a lot of difficulty with people who were released under the Good Friday Agreement, but we have to move on. Prisoners have to be reintegrated into the community and into society. We cannot turn back the clock.

It is important to look at political appointments. A number of parties are taking positions that they have not adhered to themselves. In 2004, the proposer of the motion was an elected member of the European Parliament. At the same time, he was a member of the leadership of the DUP in north Antrim. In that same year, the DUP appointed as a party officer an ex-LVF prisoner who was involved in a killing in Ballymoney and received the due sentence, which would have been more than five years. At that time, Mr Allister did not take his party to task, nor did he query the appointments process. That is why I call into question the motivations behind this legislation.

As I said, we have to move on. We cannot move back to the days before the Good Friday Agreement. Prisoners are neglected and used as political pawns, as is the case here. As I have already said, they have been used by all political parties on the other side of the House. There have been some very fiery debates over the past number of days, and, on the unionist Benches, there is so much contradiction, especially about ex-prisoners. *[Interruption.]* I see that the Member for East Derry is making comments from a sedentary position, but it was only six years ago that he said, in respect of appointments to the police, that ex-prisoners should be considered on their particular circumstances. I think that he said, "if they had repented". I do not know how you legislate for repentance, but maybe the Member could inform us.

Mr Campbell: The Member for East Londonderry did not say that at all. What he said was that anybody who applied obviously had to be considered in that the envelope had to be opened. Once it was opened and it was seen that there was a conviction, that was the end of their application.

Mr McKay: I remember something different regarding the controversy that was created on 'The Stephen Nolan Show' at that time and the clash that he had with the Police Federation, but however.

In reference to the Ballymoney case, when Mr Allister was a member of the DUP in North Antrim —

Mr Speaker: Order. This is the Second Stage, and it is about the principles of the Bill. We are really straying well outside the principles of the Bill. I ask all Members from all sides of the House to stay within the ramifications of the Second Stage of the Bill. Certainly, I will allow some Members latitude in and around the principles of the Bill.

Mr McKay: I will just make one final point on the matter, a Cheann Comhairle. It is in regard to prisoners and how they have been accepted in political parties. The person I referred to who was convicted of the killing in Ballymoney said on a website in January 2007 that his convictions did not prevent the DUP — and Jim Allister, obviously, at that time — from accepting him as a member:

"nor did the party cringe when I tramped the roads and streets of North Antrim canvassing in the 2003 and 2005 elections."

I will conclude by saying that there should be no return to discrimination; there should be no return to the days before the Good Friday Agreement; and we should really stop bringing legislation and debates to the House that sit uneasily with members of the public. We should show leadership on these issues. Steps need to be taken with members of the ex-prisoner community, regardless of where they came from, to ensure that they reintegrate into society and play a positive role in our communities. Quite obviously, they have played roles in many political parties in the House, and Members have had no problem with that. The question is this: why do certain Members have a problem with that today?

Mr Cree: I welcome the opportunity to speak to the Second Stage of the Civil Service (Special Advisers) Bill. I will take your advice and try to stick to the principles. The difficulty is that, when you follow someone of the stature of the promoter of the Bill, there really is not an awful lot left to say, but I will do it anyway.

We are told — this is a fundamental point — that special advisers are employed to assist Ministers on matters on which the work of the Northern Ireland Assembly and Ministers' party responsibilities overlap. That is the first point. It would be inappropriate, therefore, for permanent civil servants to become involved in such cases, so special advisers have a role. They are an additional resource for Ministers, and, while they enjoy the position of senior civil servant, their appointments are temporary. Special advisers are exempt from the general requirement that civil servants are appointed on merit, and it is essential that they have the utmost integrity and be of good character.

The appointment of a Sinn Féin adviser recently caused much concern in the community because of her conviction for murder. Mr Speaker, as you know, a special adviser can

earn up to £90,000; it is not just any post. Under clause 2, the Bill will disqualify candidates who have such a record. Compensation or a termination payment is provided for in the schedule to the Bill, and that tends to address the issue of termination of employment.

Mr Allister has also covered the term “serious criminal conviction” very well. It has been defined for the purposes of the Bill as a conviction for which there is a sentence of five years or more.

There are other points, which, again, have been referred to. The Department of Finance and Personnel will be required to issue an annual report about special advisers employed during that year. It will also issue a code of conduct for special advisers, bearing in mind what exists in the rest of the United Kingdom and its legislation. An anomaly with respect to the Presiding Officer is also addressed in the Bill.

The overriding objective of the Bill is to place on statute the issues that have been referred to. The Ulster Unionist Party is content to support the Bill and to allow it to proceed to Consideration Stage.

Mr A Maginness: I rise to outline the SDLP’s position on the Bill. We as a party are sympathetic to the declared aim of the Bill, which is to tackle the issue of the appointment of ministerial advisers and, in particular, the protection of the victims of paramilitary violence from the appointment to office of those who have caused death and injury to their loved ones. However, that does not mean that we give unqualified support to the Bill and its individual clauses, as it stands. We will deal with a number of the matters that concern us when the Bill comes to Committee and Consideration Stage. We will, however, vote for the Bill to be sent to Committee today for legislative scrutiny and proper parliamentary examination and debate. Today, we deal only with its principles, not its details. It aims to establish justice and fairness for the victims of paramilitary violence. That is a good aim, and it is an aim that should be supported.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

This issue arises out of the appointment of Mary McArdle to the position of special adviser to the Minister Carál Ní Chuilín. Mary McArdle was convicted of the murder of Mary Travers and the serious wounding of her father, Tom Travers, a Belfast magistrate. The attack on both of them included the attempted murder of Mrs Travers. That attempt failed when the gun jammed. One could not pick a more egregious atrocity during the Troubles: the death of a young Catholic schoolteacher in the prime of her life and career, before a loving father and mother coming out of Sunday Mass. The murder was not only cruel and hideous but sacrilegious and even blasphemous. Despite those egregious aspects of an appalling murder, which, incidentally, was done to intimidate Catholics and, indeed, nationalists out of the judiciary — I made that point to Mr Allister in an earlier intervention — Sinn Féin appointed the only person convicted of the murder to be a special ministerial adviser.

That appointment was both insensitive and provocative. That is probably an understatement. Whether that appointment was unintentional or deliberate is a point debated by some today. The evidence to date suggests that it was probably a deliberate choice by Sinn Féin.

4.00 pm

First of all, the House should note that the issue of Mary Travers’s murder was raised a few months prior to Mary McArdle’s appointment in a radio interview between Martin McGuinness and RTÉ presenter Joe Duffy. At that time, Mr McGuinness was standing for election to the office of president of Ireland. Ann Travers phoned in to challenge Martin McGuinness for not condemning — indeed, supporting — the attack on her father in 1984. Sinn Féin was, therefore, warned in advance about the delicate and sensitive issue of Mary Travers’s murder. Despite that, it insisted on appointing Mary McArdle. I suspect that it did so out of political arrogance and sheer indifference to the plight of a suffering victim’s family. Effectively, it said, “We have the right to appoint and we will, therefore, exercise that right” despite the sensitivities surrounding the death of Mary Travers.

I believe that that appointment was also part of Sinn Féin’s corporate view, which is this: “If we appoint somebody like Mary McArdle, we will send out a message to all and sundry that although the war is over,” — its so-called war, which I do not accept and most people in the House would never accept — “even now, we do not admit that the war was wrong: we fought like an army and our IRA members should be treated as combatants, not as criminals.” To differentiate between Mary McArdle and a non-convicted person is unacceptable in the eyes of Sinn Féin.

In its rewriting of the IRA narrative of the Troubles, Mary McArdle is a warrior, not a murderer. She is a member of an ex-prisoner elite who could be appointed to sensitive political positions irrespective of victims’ feelings. Sinn Féin refused to budge on that issue. All of us in the House can remember that debate. Not one inch did Sinn Féin budge. It asserted its rights and stuck to them. That speaks volumes about its insensitivity to victims of the Troubles and its desire to rewrite history in its eyes.

Ann Travers, sister of Mary Travers, has fought the cause valiantly on behalf of her murdered sister and now-deceased father. She has written that it looks as though Mary McArdle was rewarded by Sinn Féin for her work as an IRA member. That highlights the need to, once and for all, have a proper mechanism to deal with the past and to address the needs of victims and their families.

Sinn Féin persists and has brazened its way through the issue, contending that it had no case to answer with regard to Mary McArdle’s appointment. It asserted that the system of appointment was acceptable and that it should not have to change it. It held to that position until it quietly moved Mary McArdle to a position in Sinn Féin. By then, the damage was done. Thus, we have the present Bill, presented by Mr Allister.

Some in Sinn Féin have argued that, because the Bill was put forward by Mr Allister, it should be opposed. That, I believe, is an unacceptable position, and we in the SDLP reject it. Yes, we strongly disagree with Mr Allister in his politics and continued opposition to the Good Friday Agreement. However, we will consider the Bill on its merits, not its parentage. We support parts of it and are concerned about other parts of it, but we will consider those in due course as it passes through its stages. Let me stress that the SDLP has given no blank cheque to the Bill. We will scrutinise its clauses in detail and bring amendments if necessary.

We want to see legislation to address the issue of appointment justly, equitably and in the context of human rights. At the end of the day, we wish to see special advisers treated no better or worse than any senior civil servant of corresponding rank. No privilege should be attached to a special adviser appointed by a Minister. We support the Bill in its Second Stage and look forward to discussing it further in Committee and at Consideration Stage.

Mrs Cochrane: I welcome the opportunity to speak on the Bill as brought forward by the Member for North Antrim.

As Members have heard, the primary objective at the core of the Bill serves to disqualify prospective and existing special advisers with serious criminal convictions, with secondary objectives designed to produce a revised code of conduct and code of appointment, to publish an annual report giving detailed information on each special adviser and to remove the capacity of the Speaker to appoint an additional special adviser. Some may, on first sighting, perceive potential merit in some aspects of the Bill. If indeed there is merit, it would probably be more appropriate that the Department itself brought forward such legislation, as it would be more considered and balanced and reflect policy elsewhere.

Looking at the Bill —

Mr Beggs: Will the Member give way?

Mrs Cochrane: Yes, I will.

Mr Beggs: Does the Member accept that legislation brought forward by the Department would have to get through the Executive, and that there might be a difficulty there?

Mrs Cochrane: I take the Member's point, although the Bill will require cross-party support here anyway, so I do not think that that should make the difference.

Looking at the Bill in detail, I see that it is clause 2 that substantially changes the current practice. It is here that we have to ask the broader question of whether the proposed legislation is appropriate. In other spheres, we do have legislation specifying certain areas of employment from which people should be barred. However, that is based either on concerns about public safety — for example, the protection of children and vulnerable adults — or the direct relevance of crimes committed to the job in question. Mr Allister's Bill is a sweeping exclusion based on his view that anyone convicted of any crime for which they have received a sentence of five years or more should be deemed unsuitable for the job of special adviser. That takes us significantly beyond exclusions that apply in other areas.

The main question that we need to ask is this: should there be vetting for special advisers? Mr Allister's view is that there should be, but he argues that it should be akin to that for other senior civil servants. There are two fundamental flaws in that logic. The first flaw is that he has argued publicly that special advisers are significantly different in power, status and employment terms from other senior civil servants. In his evidence to the Finance and Personnel Committee, he referred at length to the temporary nature of their appointment, comparing it with Civil Service appointments, which are a job for life. About their power and status, he said:

"some might say that, on some occasions, they effectively are the Government, because they almost make governmental decisions. They advise the Ministers, and many of the arrangements made are probably the product of agreement between special advisers."

No conventional senior civil servant would be comfortable with such a description.

The second flaw in his argument is that the bar that he is proposing is significantly different to the vetting arrangements for conventional civil servants. For conventional civil servants, unspent convictions, which are any convictions that result in a custodial sentence of two and a half years, are considered against a risk assessment matrix. Proposed appointees are then invited to provide comments to the Department of Finance and Personnel (DFP) on the decisions about those convictions, and DFP officials go through a process of weighing up all the relevant issues before deciding whether the offences should preclude a candidate from appointment.

Decisions about convictions and suitability for appointment are, therefore, based on relevance, and there is no blanket ban. Therefore, on the one hand, Mr Allister argues that special advisers should be treated in the same way as other senior civil servants, but on the other hand, he argues that they are quite different and should be treated differently. The fact is that they are quite different. That is why codes of appointment and conduct are in place.

The appointment of special advisers is, by its nature, a subjective decision made by elected Ministers. The job specification, the role that they play and the relevant desirable and essential attributes are left to individual Ministers to determine. In light of that, it is difficult to argue that the arrangements should, therefore, be the same, even if Mr Allister's argument was consistently that, which it is not.

The Bill is, by Mr Allister's own declaration, a response to an individual instance, in which the appointment of one special adviser caused understandable upset to a family. We must recognise the horrific and devastating effect that the actions of that individual and others involved in the murderous attack on their loved ones had, but, as legislators, we must be careful about making law on the basis of an individual case.

I also have sympathy with those who have questioned why other appointments of longer standing did not cause such disquiet in this place, and we need to be careful about the consistency and integrity of our responses. I question how those of us who voted for and, indeed, campaigned for — perhaps even negotiated and agreed — the Good Friday Agreement, with its recognition of the:

"importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, re-training and/or re-skilling, and further education"

could then support a Bill that allows for no consideration to be given to the nature of the crimes for which people have been convicted.

It is not just the Good Friday Agreement. The St Andrews Agreement, supported by others in the Chamber who

could not bring themselves to support the agreement of 1998, committed the two Governments to working with business, trade unions and ex-prisoner groups to produce guidance for employers, which will reduce barriers to employment and enhance the reintegration of former prisoners. That will not be a convincing argument for Mr Allister, but others whose parties stood in support of either or both those agreements should consider how their support for the Bill sits alongside such support.

Arising from those agreements, we have guidance for employers that is promoted by the Office of the First Minister and deputy First Minister (OFMDFM). 'Recruiting People with Conflict-related Convictions: Employers' Guidance' has been cited in courts of law as being relevant to the actions of Departments and may, therefore, be of direct relevance to the competence of the Bill.

In summary, the basic principle arising out of the guidance is that any conviction for a conflict-related offence that predates April 1998 should not be taken into account, unless it is materially relevant to the employment being sought, so there is no blanket barring on the basis of the length of a sentence. That is what our Executive ask of employers in the private and other sectors. Are we to ask one thing of those sectors about disregarding serious convictions unless they are immediately relevant to a particular position, yet we are not prepared to do it for the public sector? The Bill sets out to do that.

We cannot shy away from our differentiation as a society in transition. As I already said, if aspects of the Bill possess merit, it would be more appropriate for the Department to bring forward such legislation without the associated political baggage.

Mr Wells: Will the Member give way?

Mrs Cochrane: No, I will not give way. As we endeavour to move away from our dark past and seek to build a brighter future for Northern Ireland, we will be faced with many issues that have the potential to cause hurt and pain, and legislation will not always be the answer. Instead, we, as elected Members, must be cognisant of the impact that our decisions may have and ensure that we approach matters sensitively and respectfully. It is for those reasons that we will not be supporting the Bill's passage today.

4.15 pm

Mr Beggs: Is there a need for this Bill to be enacted in Northern Ireland? In looking at it, I certainly believe that there is. Let us be clear: it would affect a very small number of elite positions — those of special advisers only. They can earn up to £90,000, are not appointed through a normal merit process but through political appointment, and they are outside the present vetting procedures that everyone else who wishes to enter the Senior Civil Service has to go through. So, we are talking about some very particular circumstances.

It is important to consider the hurt that has been caused as a result of Mary McArdle's appointment. I am very supportive of the Bill because I do not want another victim to suffer in the same way. If someone else who had been involved in a murderous act were appointed, they would, undoubtedly, come into the public domain. The issue would be forced on the victim's family, as they would relive the incident every time that that adviser was caught on camera or on TV, as the adviser is always close to their Minister.

We are talking about a very small number of offences and about trying to protect into the future. So, this is not just about that one instance but about trying to prevent offence in the future.

The Department of Finance and Personnel has introduced regulations, but, from the evidence that was given to the Committee, it was clear that there is ongoing argument and discussion about them. I understand that they are being enforced by the Finance Minister, but what of the future? No one knows who will be the Finance Minister in the future and who will have the authority to impose such regulations. So, I think that there is a need to bring clarity on the issue through clear guidance in legislation. That is important.

The Bill talks about serious offences, which are defined as those that are awarded a sentence of five or more years. That seems to be a reasonable figure. It also talks about the need to produce an annual report on the number and cost of special advisers, as well as the need for a code of conduct on their appointment and behaviour. That also seems to be reasonable. It would also remove the existing anomaly regarding the Speaker, who has an assistant appointed through the Commission to help and guide him. The provision for the Speaker to personally appoint a special adviser on political grounds has not been exercised, nor is it needed. In fact, it would likely be detrimental to his role. So, that seems to be a wise addition in tidying up the legislation on special advisers. I commend Mr Allister for identifying that in his consultation.

Some Members mentioned that this type of legislation would undermine some of the Good Friday Agreement principles on the release of prisoners. I will tell you what undermined some aspects of the Good Friday Agreement for those who took a vote of confidence that tomorrow could be better and that everyone would leave their past behind them. The Robert McCartney murder, which happened well after the establishment of the Assembly and well after the Good Friday Agreement, undermined the confidence of the people of Northern Ireland. The Northern Bank robbery also undermined the confidence of the people of Northern Ireland. Are you saying that, were someone to be convicted of those offences —

Mr Deputy Speaker: Order. I remind the Member that we must stick to the broad principles of the Bill.

Mr Beggs: I am just coming to that, Mr Deputy Speaker. The point I am making is that if people were to be convicted for those very serious offences, it would cause great offence if they were to be appointed as political advisers. Also, with respect to those who may have committed such serious offences in the past, there is doubt about their commitment to solely peaceful and democratic means because of such incidents.

So, if we are talking about a very small number of posts, on political appointment, at very senior level in the Senior Civil Service, I believe that it is proportionate to put in a degree of protection for the public and for victims who may have suffered.

Mr Wells: The Member listened, I think with the same astonishment as I did, to Mrs Cochrane's contribution, which, I am sure, will go down very well in East Belfast at the next Westminster election. Will you, Mr Beggs, indicate to me what prospect such legislation would have had if it had been brought before the Executive and

what mechanism could have been used to block it at the Executive, which makes Mrs Cochrane's contention that this should have been brought forward through the Executive an absolute nonsense?

Mr Beggs: I understand that you have to have cross-community support. The major parties from both sections of the community in the Executive could have blocked it. So, I suspect those who would have been affected by it would have blocked it. Therefore, we should all be grateful for the private Member's Bill and this opportunity to discuss it, think about it carefully and, hopefully, approve it today and take it forward. If aspects need to be refined, the Committee can refine them and allow the Bill to progress further on its way and into legislation.

There seems to be a degree of discussion around the prospective nature of the legislation, with it potentially affecting those already in positions. Legal arguments can be made as to whether it is proportionate as regards human rights. However, I notice that there is provision in the principles of the Bill for any contractual arrangements to be honoured and for a minimum period of salary to be offered to anyone affected.

It is important to note that the position of special adviser is always dependent on the appointment of a particular Minister. Ministers' positions are, as we know, transient. They can change; and when a Minister changes, so, too, does the special adviser. So, it is not like any normal job and I think that that is a reasonable judgement on what is being suggested in the legislation. It is a political judgement that we all must come to.

I note that the Speaker in his role, and the Assembly's legal advisers, have had to make an assessment on whether the Bill is within the realms of human rights and is acceptable to move forward into legislation. Those legal advisers, who are here to advise the Assembly, have deemed it to be so.

The Attorney General intervened, had a discussion and questioned one aspect of the Bill. However, he clearly indicated that there are some aspects with which he is content. He did not clearly indicate that the Bill would breach human rights. He indicated that he has concerns. It is up to us as an Assembly to come to a political judgement on what we think is right. As I understand it, it is up to the Attorney General, at the end of the legislative process, to make his assessment as to whether the legislation is human rights compliant. If, at that point, he considers that some sections of the retrospective or prospective nature may not be appropriate, he can refer them to the Supreme Court. At that point, a judgement can be made by those who are experts in this area and adjustments can be made if deemed possible.

There is no point in us making that decision now. The Bill may be entirely appropriate and within the realms of human rights. At present, we have a political judgement to make on whether the general principles of the Bill are appropriate. I certainly deem them to be so. I look forward, with the support of the Assembly, to be able to scrutinise the Bill; if necessary, take evidence in the Committee; delve into its precise outworkings; if necessary, make amendments; and, ultimately, bring it back to the Assembly and, hopefully, forward into legislation.

I would like to offer my support for Mr Allister's Bill and his work to date, and I look forward to further progress through the Assembly's normal statutory process.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Beidh mé ag labhairt in éadan an Bhille. I will speak in opposition to the Bill. Indeed, Sinn Féin, as outlined by Daithí McKay, will oppose the Bill throughout its passage. We believe, for a number of reasons, that it should not even go to Committee Stage. I think that this is an issue of equality and fairness. If Members are to bring any sense of honesty or integrity to the debate, they should see it for what it is: an attempt to prevent republican ex-prisoners from fulfilling the role of special adviser. The proposer of the Bill has a long history of saying that republican ex-prisoners should not be treated with any sense of equality and fairness. The Bill is just part of that process. Members should be very mindful of the need to ensure that their comments on the Bill are accurate and based on fact. I noted that Mr Maginness, on a number of occasions during his contribution, used very sectional language and, when trying to sequence some of what has taken place, he was inaccurate. We should not allow that to be a feature of the debate.

I should declare an interest as a former political prisoner. Perhaps the main reason for our opposition is that the Bill is clearly in contravention of the spirit, and indeed the terms, of the Good Friday Agreement. In my opinion, Judith Cochrane, in outlining that, did a service to the agreement. Those who say that they support the Good Friday Agreement, and, indeed, those who claimed in the past to have been its architects, should also take cognisance of that. It is very important that we read out the relevant section of the Good Friday Agreement. I know that Judith Cochrane did so earlier, but I think that it is worth quoting it again for the record and, indeed, for the Hansard report. It may inform Members as they make up their minds about whether to take the Bill to Committee Stage. The agreement clearly states:

"The Governments continue to recognise the importance of measures to facilitate the reintegration of prisoners into the community by providing support both prior to and after release, including assistance directed towards availing of employment opportunities, re-training and/or re-skilling".

In my opinion, the Bill is in contravention of that spirit. It says to a particular group of people who are political ex-prisoners that they are not entitled to be a specialist adviser. No one should be under any illusion about that. That is discriminatory practice. I noted that some Members said that it was a small number of people, but it does not matter if you discriminate against one person; it is still discrimination. There is no such thing as a wee bit of discrimination: it is either discrimination or not. Who is to stop the proposer of the Bill, if he so wished, in another instance, coming in with exactly the same arguments as he made today and barring republican ex-prisoners from other areas?

Again, in the interests of accuracy and being factual, I want to point out that the proposer said, particularly in relation to the argument about retrospection, that the position of special adviser was a new one. It is not a new position: special advisers have been in place since 1999. Therefore,

any sense that the Bill is somehow not retrospective flies in the face of its terms as they are presented.

Daithí McKay outlined Sinn Féin's serious concerns about whether the Bill contravenes the European Convention. That is an important point, and I do not think that it is good enough for Mr Beggs, who I notice is now absent from the Chamber —

Mr Beggs: No, I am not.

Mr McCartney: My apologies. However, this idea that —

Mr Mitchel McLaughlin: He is on his knees.

Mr McCartney: Yes, he is on his knees.

The idea of not questioning whether the Bill is competent, because, somewhere along the line, someone will tell us whether it is, is not good enough. That is our responsibility.

4.30 pm

Mr Beggs: Will the Member give way?

Mr McCartney: Yes.

Mr Beggs: The Assembly's legal advisers have deemed it to be competent.

Mr McCartney: I do not dispute that. However, I notice that the explanatory notes talk about article 6 of the convention, but there is no reference to article 7. I am not questioning the integrity of the legal advisers, but I think that we all know that if you put two lawyers in a room, people say that you get three opinions. That may be the case in this instance.

We are marking down the possibility that this is in contravention of human rights. That concern has been raised by a number of people. Indeed, the legal advisers noted that it may be in contravention. They are not saying that they can come to a firm opinion that it is not, but they have not ruled out the possibility that it may be. That is very important.

Mr Beggs: Will the Member give way?

Mr McCartney: Yes.

Mr Beggs: Does the Member acknowledge that the Attorney General has indicated the process to follow should there be concerns? He has not indicated that he has a concern. He said that there may be concerns; he has not clearly identified whether it breaches anything. If, in the future, he considers that it does, he has a role to play, as does the Supreme Court.

Mr McCartney: No. I have made no reference to what the Attorney General said. I have said that Sinn Féin has sought legal advice, and it tells us very clearly that there will be issues in relation to the convention if the Bill is passed as outlined. The Attorney General was at the Committee. He said what he said, and I will make no comment.

Mr McKay: Will the Member give way?

Mr McCartney: I will indeed.

Mr McKay: It is worth reflecting on the words of the Attorney General. He said:

"there are dangers in relation to the competence of clauses 2 and 3 as they stand at present."

Does the Member agree that we should consider what he said in that instance?

Mr McCartney: Of course. Any person who brings anything to the debate has to have that as a consideration. All that I am pointing out is that I do not think it is a very good defence, what Mr Beggs outlined, and I say that through the LeasCheann Comhairle. This sort of idea that it does not matter whether we think that it is incompetent, and who cares, because, sure, there is somebody at the end of the process — if this goes, and there is a long, drawn-out process, there is a cost. We should not just have a willy-nilly approach to legislation. Just because we make political judgements that are not open to legal scrutiny, that is not the way to approach this.

Mr Beggs, on behalf of his party, and Stewart Dickson referred to this: it was only last Saturday that the leader of the Ulster Unionists made the point. I recall attending a conference a number of years ago. I think that Mike Nesbitt, in his address, addressed this. Other people have asked the question. Indeed, people who have found themselves and find themselves being defined as ex-prisoners often ask how long an ex-prisoner will be an ex-prisoner for. So long as there is legislation in place that defines you as an ex-prisoner, people will be classed as such. Mr Nesbitt hit the nail on the head on Saturday. He said very clearly:

"I want them to tell me what they want to be, not what they were."

That is what republican ex-prisoners are trying to do. We are trying to remove the impediments that prevent us, as republican ex-prisoners, from participating fully in society. Many legal impediments are put in front of republican and loyalist ex-prisoners. Sinn Féin will not allow a situation in which people further impose legislation that defines you and prevents you from doing meaningful employment, which is what specialist advisers do. It is important that the Ulster Unionists are aware of that.

The Bill is discriminatory. It flies in the face of equality and fairness. I say this very carefully to create the debate: it flies in the face of the Good Friday Agreement. Those who say that they support the Good Friday Agreement should offer no support to the Bill and should ensure that it goes no further than it does today. Go raibh míle maith agat, a LeasCheann Comhairle.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leat as ucht an deis cainte a bheith agam ar an Bhille seo. Thank you very much, Mr Deputy Speaker, and thank you for the opportunity to contribute to the debate.

As mentioned earlier, the debate at Second Stage deals with the general principles of the Bill. To my mind, one of the main principles behind the Bill is, or should be, the protection of the victims of paramilitaries from the appointment to office of those who caused death or injury to their loved ones.

As we are all aware, the Bill arises from the appointment of the convicted murderer of Mary Travers to the post of special adviser to the Minister of Culture, Arts and Leisure. Ms Cochrane would argue that that crime was not materially relevant to the employment being sought. Many people would disagree with her. I am sure that Ann Travers would disagree with her. Ms Cochrane said that law

should not be made on a single case, but I am sure that the reverberations of that appointment echoed through the hearts of many victims in many homes across this region. Like Mr Beggs, I would say that the parents of Paul Quinn, who was so brutally murdered, would not like to see one of his murderers appointed to the post of special adviser.

Mr McCartney said that those views fly in the face of the spirit of the Good Friday Agreement. I do not believe that that appointment was in the spirit of the Good Friday Agreement; not the Good Friday Agreement that I read and supported. That particular appointment was most insensitive. It was rightly seen by many as disregarding the feelings, hurt and sensitivities of the surviving members of the Travers family, which were so sadly expressed by Ann Travers on radio and television in the aftermath of the appointment.

Like other Members, I received a letter from Ann Travers a few days ago in which she outlined how the appointment of that special adviser to the Minister of Culture, Arts and Leisure affected her. Ann Travers was getting on with her life, having come to terms, in as much as one can, with the brutal murder of her younger 23-year-old sister Mary and the attempted murder of her parents. In her letter, she states:

"I thought I had dealt with my grief, and while various instances and hearing what certain politicians/people over the last number of years on TV/Radio have said has frustrated and at times angered me, I had managed to slot it all in that box in the back of my head, never to be opened."

In her letter, Ms Travers describes the flood of emotions to which she was subject because of that thoughtless appointment. It opened the floodgates of the past and led her to relive the awful events of the day of her sister's murder, 8 April 1984. Her life, she said, fell apart. Not only was her emotional life thrown into turmoil but she was physically affected, suffering a miscarriage and succumbing to cancer, both of which were directly attributable to the trauma unleashed on her by the appointment of the convicted murderer of her sister to one of the highest political positions available.

As Mr Maginness said, it looked very much like Ms McArdle was being rewarded by Sinn Féin for her work as a member of the IRA and her subsequent backing of the peace process, while Ms Travers was being punished for being an innocent victim and was being made to relive the awfulness of her sister's murder and the wounding of her late father. Once again, in her own words, she said:

"I found myself constantly back at the 8th April 1984, running towards Mum, Dad and Mary, Mary's gurgling head turned the wrong way."

I have heard that Sinn Féin has realised the error of its ways in the Travers case, and that it will approach such appointments with much more care and attention in the future. That may be so, but it hardly provides the type of guarantee that victims would want to ensure that no one else is subject to the emotional and physical trauma that Ann Travers had to endure.

The SDLP agrees that, under the circumstances, we need to use the strongest means available to reassure victims and to protect the public interest. Legislation may offer such a guarantee. However, we need to ensure that

any Bill that deals with this sensitive topic is properly scrutinised and does not open the door to legal challenge in relation to article 7 of the European Convention of Human Rights regarding retrospective penalisation. That was outlined by the Attorney General in evidence to the Committee for Finance and Personnel on 19 September.

I believe it is our duty to ensure that the needs of victims are catered for in any proposed regulation of the appointment of special advisers. The danger is that referral to the Supreme Court or to the European Court of Human Rights could lead to changes to proposed legislation that would render it ineffective to the extent that it would no longer serve any underlying principle or principles. We should seek to avoid that situation, and the way to do so is to apply full and rigorous scrutiny of this Bill at Committee Stage, including the scrutiny of any amendments in order to ensure that they serve victims and the public as they should.

As Mr Maginness said, the fact that we support the Bill's passage to Committee Stage does not imply our unqualified support for the Bill, but we will work as hard as we possibly can to ensure that the interests of victims are fully protected in the future.

Mr Agnew: The Green Party believes that the post of special adviser and its appointment process and governance needs to be looked at and regularised. In that regard, there are some good things in this Bill. One point that has been made a number of times in this debate, and Jim Allister said it himself, is that special advisers are senior civil servants in status and rewards, and, in that regard, they should be treated similarly. We support the proposal to bring greater transparency to this role, its remuneration and appointment procedures, as well as inviting better public scrutiny of the role.

The Bill proposes a mandatory code of conduct for special advisers, and again, we support that. We are governed by such a code in the Assembly, and we see this as a sensible measure. The Bill proposes a code governing the appointment of special advisers, and although I disagree with some of Mr Allister's proposals in that regard, I agree with the principle of there being a better process for the appointment of special advisers.

The Bill suggests that vetting procedures for the role of special adviser should be included. Again, that is true of senior civil servants, and so there seems to be sense in that. Clause 7 of the Bill calls for open and fair competition for the appointment of any advisers to the Speaker and differentiates that particular role from other roles of special adviser. Mr Allister explained that in his opening remarks.

4.45 pm

I am disappointed that the Bill does not continue the thread of treating special advisers more like senior civil servants. The point was made that special advisers act almost as a bridge between a Minister's political role and his role as a Minister — between his party and ministerial roles. That is something that the Assembly needs to consider. How much do we deviate from fair employment law when we look at party roles? I interviewed all my staff prior to appointing them. In the process of interviewing and marking candidates, the issue of trusting their position on the party and its role is a factor. However, there is no reason why any party or Minister appointing a member of

staff should exclude someone from outside their party or even somebody who fundamentally disagrees with their party's positions. Parties can protect themselves. Indeed, I have a number of students who come up and work with us and spend time in our Assembly office, and we have to ensure that what goes on in that office stays there. Around some of the discussions, we maintain a level —

Mr Wilson: Will the Member give way?

Mr Agnew: Certainly.

Mr Wilson: Would the Member be happy to accept me as his adviser on climate change? *[Laughter.]*

Mr Agnew: On the basis of merit, no I would not, Minister. You do not have the necessary qualifications. You are not an expert and, in fact, your analysis is wrong. So, based on that, I would exclude you, Minister, not because of your party affiliations, but I thank you for the intervention.

Mr McNarry: Is that not enough? *[Laughter.]*

Mr Agnew: Certainly, in the past, as a pupil of Grosvenor Grammar School, I accepted his advice on economics, and I am always willing to continue to listen to his views on those issues.

Clauses 2 and 3 bring me difficulties, including the barring of anyone with a serious criminal conviction from being employed as a special adviser. As has been highlighted, this issue arose with the appointment of Mary McArdle, who was convicted of the murder of Mary Travers. The Green Party and I have no problem condemning that murder. We have no problem condemning the grievous injuries inflicted on Tom Travers and the devastation brought to the Travers family and its wider circle. To many, the appointment of Mary McArdle was insensitive and inflammatory, but the question asked of us here today with the proposals in the Bill is this: should it be made illegal?

The Belfast Agreement included a number of provisions that many found hard to swallow, including the release of prisoners convicted of offences relating to the conflict. To be fair to him, Jim Allister did not and does not support the Good Friday Agreement. It was, in fact, the first vote that I ever took part in. I turned 18 the year of the referendum, and 14 years on, I stand over my decision to support the Belfast Agreement.

Mr Allister said that the Bill does not create retrospective legislation. However, it is a response to our past, and, in my view, would take Northern Ireland a step back.

Mr McDevitt: I appreciate Mr Agnew giving way. I suppose that I should declare a couple of potential conflicts of interest. One of them is that I am a former special adviser, and, secondly, I am a parishioner of St Bride's in south Belfast, where the murder that is the backdrop to the Bill took place.

I have a couple of observations to make. The Good Friday Agreement does not provide an amnesty for those convicted during the Troubles. It does not, and no one can say that it does. It provided the opportunity for those who were incarcerated to be liberated and to reintegrate into society. That is an important point of principle: we do not and never have had an amnesty for those convicted of Troubles-related offences.

The second point that I want to make is about the role of a special adviser. The day that I was appointed — Séamus

Mallon signed my papers — I was reminded that I was now a temporary member of the Civil Service and that I was expected to behave as such. So, I was not allowed to represent the SDLP. I had to think about my role simply in the context of the Minister whom I served and the Department that now employed me. I was reminded by the permanent secretary of that Department that I had certain duties to the Department that I had to live up to. So even though I did not enjoy the tenure or many of the privileges and benefits of being a senior civil servant, I enjoyed the status of that position. There is surely a basic point of good government — we debated standards in public office in the House yesterday — which is that, when people are appointed to a position that enjoys the status of a senior civil servant, they should be appointed in a way that does not create an inequality between them, with their background and qualifications, and the other people who are now their colleagues as permanent members of the Senior Civil Service.

Mr Agnew: I thank the Member for his intervention, and I agree that the Good Friday Agreement, the Belfast Agreement, whatever you choose to call it — I do not particularly mind — does not provide an amnesty for those who were released under its provisions. Indeed, as we know, others have been returned to jail when they breached the conditions of their release. However, the judgement of Kerr J in the Damien McComb case states:

“a prisoner released under the terms of the Northern Ireland (Sentences) Act 1998 has been adjudged not to be a danger to the public.”

Some provisions of the Good Friday Agreement are unpalatable to some people, but that is the basis on which we chose to go forward.

I see Mr Allister's Bill as a response to our past, but in my view, it takes Northern Ireland a step backwards. David Ervine has been mentioned in the Chamber today. The following quotation is often used in the Chamber and elsewhere:

“Those who forget the past are condemned to repeat it.”

I certainly share that sentiment. We have to remember where we come from, and I, as a relatively young politician in the Chamber, have to be mindful of the past that created these institutions. I agree with David Ervine's statement in that respect, but I would equally say that the past cannot be allowed to be the shackles on the feet that lead us to the future. If we continually drag ourselves back into the debates of the conflict, that is precisely what we do.

As we debate the Bill, it is important to remember that it is not simply legislating for convicted terrorists and for the past. It is legislating to go forward. It legislates for everyone who is convicted of a serious criminal offence, regardless of the circumstances. Two key focuses of our legal system should be to reduce offending and reoffending. NIACRO, an organisation that works with ex-offenders across the board for serious and minor offences, stated in its response to the Bill:

“as employment is key in reducing re-offending, it is important people with a conviction are given fair treatment when trying to find a job.”

Although the point has been made that some 19 special adviser posts exist, which is a small number, it sets a precedent about how we treat people with past convictions. Although there are sound public safety reasons for making exceptions — someone convicted of sexual offences relating to children being ineligible to work with children is one such exception that has good grounds — I feel that the grounds here are political rather than based on public safety.

In the past, when I worked with the homeless, I worked with ex-offenders and supported their rehabilitation efforts along with their probation officer. The majority of those with whom I worked were young people. Many of them had grown up in care and most of them in households where violence and alcohol and/or drug abuse were commonplace. Inevitably, they made mistakes, and, in some cases, they made very serious mistakes with serious consequences. We have a judicial system that includes punishment for those acts, including incarceration. However, it also includes rehabilitation, and it is important that we do not detract from that.

Mr Allister made it clear that the Bill is a response to the appointment of one person. However, it legislates for all those who have serious criminal convictions, and, for that reason, I cannot support it.

Mr McNarry: As a former adviser to the First Minister's office — indeed, the first First Minister's office — I am somewhat alarmed to hear by implication the suggestion that the corridors that I walked were seemingly only for the elite, who were pursuing power and corruption. I assure the House that that was something to which I was all but oblivious in my role as a senior adviser to David Trimble.

I think that it is important to get that point out of the road, because, whatever warped images there may be of advisers in any capacity, they essentially serve the purpose of Ministers' being in this place. Their duty is to their Minister and to use their best ability to serve that Minister.

I believe that the Bill has merit and that it deserves fully to proceed in the normal way. I support the role of special advisers and their political appointments. I am not going to get bogged down on these issues, so, irrespective of the McArdle issue, which has been very widely debated, and the allegations of the post being a purely party political appointment, we have a Bill that, as we should all be able to see, will improve special advisers' future integrity from the day that it becomes law. At the moment, without this Bill, what it introduces and the reasons why I accept that it should be supported, the advisers' integrity will always be under greater scrutiny.

The Bill makes necessary improvements, as should be the case in any employment position. Under this Bill, I would have found it more acceptable to be employed as a special adviser than to what I signed up to. Then, as was known, we were going into the unknown, with a lack of experience.

I find it somewhat different for me, and anyone else — Conall, my good friend across the way, might find that this is the same. The idea that there has been, or there is, parity between special advisers and senior civil servants is a myth that needs to be blown. Part of the problem that we have, which this Bill might, in fact, help, is that there is no parity. In fact, I understand that there is still no good relationship between senior civil servants and ministerial

advisers. They do not work together. They see themselves as separate. They see themselves as separate delivery mechanisms. That is not right.

5.00 pm

Mr Agnew: Will the Member give way?

Mr McNarry: Just a minute. It has always been a problem that we have not yet overcome the direct rule mentality. The special advisers are there to advise their Ministers. Sometimes I wonder and query who the civil servants are there to advise.

Mr Agnew: I thank the Member for giving way. Does he agree that the issue is not whether or not special advisers and senior civil servants work well together or, indeed, whether the system is working well but whether they are employed with a similar status and remuneration and, therefore, should have similar conditions to their employment?

Mr McNarry: I do not agree because of the situation that prevails. I cannot agree from experience, and I do not hear anyone telling me that their experiences were any different to mine.

The key issue, as Conall pointed out, is that he was reminded on his appointment that he was not really a member of the SDLP. I heard him say that, although I wish that he had practised it when he was a special adviser. *[Laughter.]* That was really something novel for me to hear during the time that he and I walked the corridor together; albeit that it was elitist and all about corruption and power, something I knew nothing about.

In terms of where we are, the category that we talk about, the mention of codes for advisers etc, I ask the Minister, and I look forward to hearing him later on, to clarify whether all special advisers assigned to and working for Ministers today have signed up to the Official Secrets Act. For me, that made conformity a most legally binding commitment.

I am sure that all special advisers have come through some halcyon days with their Ministers. I will not be allowed to mention for some time the roller coaster time that I had with my Minister, David Trimble. Whether he gets to print before me or David Campbell gets to print before the both of us, we will see who —

Mr Hamilton: That is the first time that you have been discreet, David.

Mr McNarry: Thank you for that, Simon. I really appreciate it. My discretion is based on not wanting to break the law, and I do not break the law.

The point of the Official Secrets Act is that advisers are bound by it. It is a duty and delegation from Her Majesty that you maintain secrecy in all that you do. In other words, you do not betray the faith that this House, through its appointment system, has placed on advisers.

I say respectfully to Irish republicans in the House: on this issue, you might actually want to stop involving yourselves in your own self-created victimhood about what this Bill may or may not intend to do for people from your background and what prevention it may or may not wish to impose on Irish republicans. I do not see that. I do not see it being other than fair and equitable for all Members and, therefore, for those who become Ministers, that their

appointments are their appointments. Here we have a template and a blueprint to use.

To ditch the Bill, ignore its competency and spurn the opportunities that it presents would leave us, as legislators, open to the charges of fudge and hiding from the realities and exposure that would come from moving the Bill to its next stage.

To ditch the Bill would be foolish. To leave the Assembly open to such charges, especially when we eulogise about and promote the fact we have moved on. We are continuously told that we have moved on, and we have found new ways to transmit openness and transparency. To ditch the Bill would be foolish. In my book, there is nothing to hide from and nothing to fudge.

I have, and I know all of you surely share this opinion, a lot of hope for this place. Yesterday proved that there is still some way to go, but the legacy that we can contribute, from Stormont plc, is based on something that we do in our name. There are some things that are important that you can do in your name and in our name as legislators.

Work like this, the bringing forward of Bills that are meaningful and have merit, is something that should be embraced in our name. I commend the Bill to the House and hope that we take it to its next stage and scrutinise it properly from thereon.

Mr Wilson: I am happy to take part in this debate to explain the position of the Democratic Unionist Party on this Bill.

Regulation of special advisers is something that is necessary. The debate around this particular piece of legislation and its content has been highlighted because of the way in which Sinn Féin dealt with the appointment of the adviser to the Minister of Culture, Arts and Leisure. Great hurt was caused to an individual, and great anger was caused in the general community. The way in which Sinn Féin handled the reaction to that highlighted that it really did not get where the community was on these things and that there was still great hurt there.

Many people have talked about the Good Friday Agreement, the way in which they support the Good Friday Agreement and how the Bill is reflective of the Good Friday Agreement. I speak as someone who did not support the Good Friday Agreement. Mary McArdle would never have been in a position where she could have been appointed as the CAL Minister's adviser had it not been for one of the most obnoxious provisions of the Good Friday Agreement, namely the early release of prisoners. There is a bit of revisionism going on around the Chamber today. Nevertheless, having got to this position, it is necessary that we have regulation of those who are appointed to what are, or can be, high profile public positions because of the background of some of the people who are appointed to them.

Sinn Féin has tried to roll out its victimhood, because they are good at it. They are saying that the Bill is getting at Sinn Féin. Well, it is only getting at Sinn Féin in so far as Sinn Féin was the only party to have appointed someone who caused the kind of hurt and outcry that was created by the appointment of Mary McArdle. This is not singling out Sinn Féin, and to use Mr McCartney's terms, it is not discriminatory and it is not about equality and fairness where, somehow or other, the rights of Sinn Féin are being attacked.

Mr McCartney: Will the Member give way?

Mr Wilson: I will give way in a minute. I want to finish the point. Maybe when I finish the point he will understand why I am making it. Anyone who applies for a public position or for a job in the Civil Service is subject to vetting as, indeed, are people in many other parts of public service. Given that that is the case, it would be an issue of inequality and unfairness if we were to say that there is a special category of people who are paid out of the public purse but who are not subject to that particular scrutiny. I know that Sinn Féin feels a bit sore about this, but it is not being picked on, other than the fact that one of its advisers has fallen foul of the normal vetting procedure and the normal standards that would have been required from someone who was appointed to such a public post.

Mr McCartney: I thank the Member for giving way. Everything that he has said would have had more credibility if, on his first day of office as Minister of Finance and Personnel, he had done something previous to this.

Mr Wilson: I suppose that you could say that that is true of any legislation or any regulations that are brought forward. Very often, they are brought forward in response to a situation that has arisen. This situation arose, and a response was made.

We are debating the Bill that Mr Allister has brought to the Floor of the House, and it shows the support that our party has for this particular kind of regulation. Many — not all — of the Bill's provisions are already there and are already effective. After the outcry about the appointment of the DCAL special adviser, as Minister of Finance and Personnel, I was commissioned to look at the kind of regulations we could put in place to ensure that this did not happen again. I do not want to bore the House with all of the details, but there are three basic legs to those regulations.

The first is that there had to be a proper appointments procedure. That meant that the nature of the job had to be specified, people had to apply, there had to be a process, there had to be a marking of that process and then there had to be indication of how the decision was made. The second was that there was to be a code of conduct for special advisers. That code of conduct runs to seven pages. In response to Mr McNarry's point, special advisers are not required under the code of conduct to sign the Official Secrets Act, but the code of conduct indicates that they must observe normal Civil Service rules on confidentiality unless specifically authorised in a particular instance by the appointing authority, so there is a confidentiality requirement in the regulations. Of course, the detail of the code of conduct is not specified in Mr Allister's legislation.

The third part of the guidance stated that there had to be vetting of those who were appointed — here is where I cannot understand Sinn Féin's attitude on this — on the same basis as anyone else who applies for a post.

5.15 pm

Mr Allister will take up this point, but the guidelines differed from the terms of this Bill in so far as — I think it was right to do this and probably reflects Judith Cochrane's position on the Bill — as the guidelines allowed people who had been turned down on the vetting because they had been found guilty and had served a conviction for certain offences

to appeal that decision. Given the passage of time, the circumstances, the fact that people can change, may not have reoffended and have shown remorse for what they did, some people used the term that it gives them a "way back". I listened very carefully to Mr Allister's introduction when he talked about Judge Travers and said that he had served under him, learnt a lot from him and that he was a man who gave people and looked for ways of giving people a second chance. The guidelines allowed people the opportunity to make the appeal and are not as absolute as Mr Allister's Bill.

The question is: have they been effective? On two occasions, I notified Ministers and their permanent secretaries of the guidelines and their nature, and they were never challenged. Since they have been in place, five advisers have been appointed. The Alliance Party has complied. The Ulster Unionist Party has complied. The Democratic Unionist Party has complied. Sinn Féin, on two occasions, has decided not to comply. Mr Allister put down a question about that on Monday, and I wanted him to have the answer for today's debate. I have given him the answer: in both of those situations, the individuals have not been employed as special advisers using money from the public purse.

Have the guidelines been effective? Is it possible to apply the sanctions within them? The answer is yes. That is background to give the picture of where we are.

I come to our attitude towards Mr Allister's Bill. Mr Beggs raised the issue — I do not know if any other Member did — that that is fine while you have a Minister who wishes to have those kinds of regulations, but what will happen with a different Minister? Mr Allister's position will be that, if the regulations are embedded in statute, they can be changed only with the Assembly's assent. However, if the guidelines were to be changed in the future by some Minister who takes a different view, they could be called in by the Executive and would be subject to a cross-community vote in the Executive. In response to Mr Beggs's question, there is that safeguard.

We have guidelines in place that reflect in a measured and reasonable way people's concerns about the particular appointment and guidelines that are effective because people cannot be appointed and paid from the public purse unless they are adhered to.

I look at all those things from the point of view of a teacher. When you go into a classroom, there are two ways of having authority. You can get the agreement of the pupils that you teach. You will know, as well as I do, that that is not always possible on occasions and sometimes rules have to be imposed. I can tell you that agreed rules are much better than the alternative. They are more robust; they make for a better atmosphere in the classroom and better relationships. I would have hoped that, because the rules were reasonable and measured, we could have had agreement from all the parties in the House on the guidelines and rules which were proportionate to the particular issue and to which no one would be embarrassed to sign up. That has not been possible. I suspect that, if the SDLP had appointed a new adviser some time since they were in place, that party would have also agreed to the rules.

Mr McDevitt: I guess that the answer to that is yes, Minister. Will the Minister clarify something with regard

to the disclosure he made? If two special advisers are currently in office and they are not being paid from the public purse, but they still enjoy the privilege of access to papers and departmental officials, how is the Minister, or the system, able to hold them to account, should they act in any way which is unbecoming or outside of their roles and responsibilities as special advisers? You are basically saying that there are two volunteer special advisers in the system, with all the access, but without falling under the remit of the public purse.

Mr McCartney: On a point of order, a LeasCheann Comhairle. Mr Wilson has indicated that he is speaking as a representative of the Democratic Unionist Party, so he should not be addressed as Minister or answer the question as Minister. *[Interruption.]*

Mr Deputy Speaker: It is up to the Member to clarify in which capacity he is speaking.

Mr Wilson: I will answer the question as a Member, because that is how I am addressing the Assembly.

Mr McDevitt is absolutely right. The sanction that is imposed is that there is no payment, but access to those papers is, of course, still available. However, I find that rather odd, coming from the SDLP, most of whose members seem to be able to get access to Executive papers, sometimes before the Executive have even met, let alone after the Executive have — *[Interruption.]*

Mr Deputy Speaker: Order, please. As a teacher who coaxes his pupils to be good, let me say that the debate until now has been splendid. I ask the Member to continue in that atmosphere, and remember that we are discussing the broad principles of the Bill.

Mr Wilson: I was really just responding to an issue of genuine concern raised by the Member.

Of course, yes, the individuals do have access to papers and to the Minister. However, the sanction which is imposed is that they are not employed as special advisers by the public purse. Let me just say that, regardless of what would happen with the Bill which we have before us, if parties decided that they wished to give an individual or individuals access to papers of the nature that the Member has talked about, that could still happen anyway.

That brings me to my party's position on the Bill before us. We have not had agreement, and I am disappointed that we have not because I believe that it would have been the right way forward; all of us could have signed up to the same rules that apply to people who hold public posts and posts outside the public arena.

We come to the issue of how we take this forward. For that reason, I have already indicated to Mr Allister that, in the absence of agreement from all the parties in the Assembly to the guidelines that have been laid down — the measured guidelines but, nevertheless, what I believe are effective guidelines — the answer is that perhaps we have to impose some of the rules and do it through statute. For that reason, we have indicated, and we have already indicated it to Sinn Féin, that we will be supporting the Second Stage of the Bill.

There have been issues around competence and whether all of the Bill is competent. Certainly, the Assembly's legal advice is that it falls within the remit of legislation that the Assembly can bring forward. It is competent in

that it does not discriminate against individuals and all of what is contained in section 6, I think it is, of the Act. The legal competence is there. Of course, it may well be that the Attorney General will do as he has done with other Bills, which is that, once it has gone through, he may well decide that he wishes to mount a challenge to the Bill in the Supreme Court, and I know that he has already raised some issues around that. However, as the Bill stands today, in the absence of agreement — agreement that was sought with Sinn Féin — and until the Bill passes, of course, the guidelines that we laid down will still apply and the sanctions will still be applied. No one is going to doubt the honesty or integrity with which they were drawn up, the purpose for which they were drawn up and the way in which they have been applied since they were drawn up. At the time, I know that there were those who said that it was only a cosmetic exercise and that it was just to get us over a difficult period. They have been in place now for a year, and they have been applied rigorously. It was always my intention to make that the case. However, in the absence of getting widespread agreement across the parties, we will be supporting the Second Stage of the Bill. It may well be that, as the Bill goes through, some of the issues that have been raised today will require clarification.

I want to close on this point: I find the Alliance Party's position rather strange, in so far as it has signed up and accepted that regulation is needed, and it has adhered to the regulation that is in place. However, somehow or other, it then argues — let me just take up the arguments that Ms Cochrane raised. She does not want to see people discriminated against, and she believes that any sanctions are against what was signed up to in the Good Friday Agreement. Yet, the same vetting is already in the regulations that apply at present. Now, the vetting is OK if it is in regulation, but it is not OK if it is in a Bill. I am not too sure where the logic is in that.

Mrs Cochrane: Will the Member give way?

Mr Wilson: I will give way on it. I think that we ought to have an explanation from her on that issue.

Mrs Cochrane: I thank the Member for giving way. Just to be clear, if you look back at what I said, I think that there are flaws in the Bill as it stands, and I think that, potentially, legislation should come forward to strengthen it, but I think that that should come forward from the Department. That is the reason for us not supporting the Bill today.

Mr Wilson: The Member knows full well. She is not stupid —

Mr Wells: She is.

Mr Wilson: I will give her credit that she is not stupid, but she does know that to bring any legislation onto the Floor of the House would require cross-party agreement in the Executive. Quite clearly, Sinn Féin has made it obvious today that support will not be forthcoming from it, so the desire that she has and the route that she would like to see for this legislation would ensure that it would never happen. I listened to her carefully. It was not only about the route by which we would reach the final point; it was whether the final point to which we were heading was even acceptable. As the Member for South Down pointed out, I can imagine that many of those in East Belfast —

5.30 pm

Ms Ruane: On a point of order, Mr Deputy Speaker.

The Member refers to the Member for South Down. The Member for South Down made comments, which, I think, are unparliamentary. He said something like, "She is stupid." I would like the comments to be retracted. They are disgraceful comments in the House; there is no call for them.

A Member: But she is.

Mr Dickson: On a point of order, Mr Deputy Speaker, the comment has been remade in the Chamber.

Mr Deputy Speaker: I am sorry; I did not hear the remarks. The reason why I did not hear them is that it is becoming a bit like the last two periods on a Friday evening in school. If those Members who are making remarks from a sedentary position would cease doing that, I would be able to hear what remarks are being made. Certainly, if disparaging remarks were made from a sedentary position, it is disgraceful and should not be repeated.

Mr Mitchel McLaughlin: Further to that point of order, Mr Deputy Speaker — and you will, of course refer this to the Speaker — would the Speaker be prepared to arrange to interview the Member for South Down to see whether he will deny having made those remarks from a sedentary position?

Mr Deputy Speaker: Minister, carry on.

Mr Wilson: At least he did not call anyone a pleb, as far as I know. *[Laughter.]*

Mr Mitchel McLaughlin: Further to my point of order, Mr Deputy Speaker. It may have been because of the noise, but I did not detect a response from you to my request.

Mr Deputy Speaker: I am sorry, could the Member repeat the request? *[Laughter.]* You are absolutely right; I did not hear the request.

Mr Mitchel McLaughlin: You did not hear the request? Making due allowance for the noise, and speaking into the microphone, may I ask you whether you would refer to the Speaker the suggestion that, having made a point of order and raised the issue, which you did not hear, he will make arrangements to interview the Member of the DUP from South Down and ask him whether he is prepared to confirm that he did make the remarks that were complained of?

Mr Deputy Speaker: I believe that that is a reasonable request. I will refer it to the Speaker and, no doubt, he will reflect on it.

Mr Wilson: I think I made it clear that I did not believe that the Member for East Belfast was stupid. She knew exactly the implication of her suggestion and that the route that she was suggesting to get legislation to the Assembly would not be effective, and that we would finish up with no legislation on the issue. Of course, she went on to point out that it was not only the route that was not acceptable, but that some of the impact of it was not acceptable. The Alliance Party has tried to ride two horses on this one. It is a great pity, especially since it has recognised that, basically, the main principles of this, albeit with some differences that I have highlighted today, are something to which Ministers should adhere and to which, in fact,

its own Minister has adhered. I cannot understand the difficulty.

Mr Deputy Speaker: Order. Today, we are discussing the broad principles of the Bill. It becomes dangerous when you begin paraphrasing what somebody said earlier, and I do not have access to the Hansard report to know exactly what the Member said. I think that we should go back to discussing the Bill.

Mr Wilson: With respect, I thought that I was discussing the principles. One of the basic principles of the Bill, and the guidelines that are in place, is that there should be a means of looking at the character of the people who are appointed to these posts and deciding whether they are the kind of people you would want to have in those positions. That was the point that I was referring to.

I will not go into great detail about the other opponent of the Bill, the Green Party. I know that he sidestepped the issue, but I must say that I find it bizarre that anyone would suggest that they are so liberal and open that they would accept someone as an employee in their office, regardless of their political views. I think that he gave the game away when he refused to accept me as his climate change adviser. Even in the Green Party, there are limits. He cannot say that there should not be some political consideration when appointing advisers.

Mr Agnew: Will the Member give way?

Mr Wilson: The reason why the recruitment process has been laid down and followed is to show that, first of all, at least you have sought a field of candidates, and you have looked at their competencies. However, special advisers are special in so far as they are dealing with political issues for Ministers and parties, and there will be a political stance that parties will want them to accept. That is entirely reasonable. He says that that should be open to all members of the public, when he has shown that he would not do that. I will give way now.

Mr Agnew: I thank the Member for giving way. My point was that, when we employ people on salaries of up to £90,000 a year, as has been pointed out, or even in our own offices through our expenses, we employ them through the public purse, and a degree of merit should be included in the decision. We should not just give out jobs to our friends.

Mr Wilson: There is a bit of revisionism going on there, but I will not enter into a debate with the Member on that.

In closing, we will vote in support of the Second Stage of the Bill.

Mr Allister: I am grateful to those who have spoken. If I do not deal with specific points that some Members raised, no disrespect is intended. I will begin by dealing with the general thrust of the opposition that has come from some quarters. It has been suggested, by Sinn Féin notably, that the Bill is discriminatory because it targets only what they call republican political ex-prisoners. Let me be very clear: this Bill is entirely even-handed in applying not just to terrorist prisoners — be they republican or those who call themselves loyalist — but equally to any person convicted of any serious offence. Therefore, whether it is serious fraud, rape, murder, or anything of that nature, this Bill would apply even-handedly across the board. It does not pick out or discriminate a particular class of prisoner other than those who have obtained a sentence of five

years or more, and it certainly does not distinguish in any way between terrorist and non-terrorist prisoners, or within terrorist prisoners on the basis of some perceived allegiance. I want to nail that point absolutely. That was the foundation of the attempt of some Sinn Féin Members to roll out, again, their whole plethora of victimhood, which they are so practised at.

It was interesting to find Sinn Féin so exercised about human rights. I have to say that if they and their associates had been so exercised about the primary human right to life, we would be in a much happier position tonight in this Province. However, seeking to dress up concerns about the Bill in the language of human rights, given the quarter that it comes from, will not deceive many people.

Then we had it from Sinn Féin that anyone who dares to support the Bill at Second Stage is, in some way, anti-Good Friday Agreement. You might not get any objection from me about being anti-Good Friday Agreement, but I can well understand why Members who will vote for the Bill object to that slant. I think the best answer to that came from Mr Dominic Bradley, who very clearly threw it back. He said that the McArdle appointment was against the spirit of the Good Friday Agreement, because it was a calculated, deliberate measure; a statement by Sinn Féin that it was going to elevate a particular individual because of their past, that it was going to do so because it could and to demonstrate that it had no remorse or regret for the actions of that individual or anyone else it called a volunteer in the IRA, and that it was elevating and promoting them precisely to make that point. I think that that point was well made by Mr Maginness and Mr Bradley.

In dealing with the SDLP contributions, I want to welcome the support that is forthcoming at Second Stage. I am not here to say that the Bill is perfect and that it cannot be improved. No Bill, I am sure, is in that category. Certainly, as the matter unfolds and progresses, I will be more than willing to listen to suggestions as to how it can be improved and how some people's concerns might be better addressed and might necessarily be addressed. However, I welcome the SDLP's forthright statements about the Bill's principles.

I now turn to Mrs Cochrane's contribution on behalf of the Alliance Party. It really became clear that Mrs Cochrane's problem with the Bill is not so much the Bill but the promoter of the Bill. She has a problem supporting the Bill because of its source. She thinks that the Bill should have come from the Department of Finance and Personnel, even though it could not have done so because it would have been blocked, and she seems to be saying to us that if it had come from the Department, her attitude would be different. I have to say that that puts the probity and value of someone's consideration of a proposition into a particular context: that they could contemplate endorsement if it came from someone else, but they could not contemplate that because it came from this Member of the House. I will not take offence, if offence was intended. *[Laughter.]* As the Minister pointed out, if she is saying that she is opposed to vetting — and she did say that she is opposed to vetting — then she is opposed not just to the Bill but, indeed, to the Minister's September 2011 guidance. The other thing —

Mr Beggs: Will the Member give way?

Mr Allister: Yes.

Mr Beggs: I understand that all Members were consulted on the new regulations, so is she saying that she disagrees with the views of her party leader?

Mr Allister: Who am I to enter into the internal politics of the Alliance Party? She certainly —

Mr Deputy Speaker: Order, please. I am sure that the Member would love to get back to the principles of his Bill.

Mr Allister: If I can remember where that was, I will head in that direction. *[Laughter.]* Of course, as was pointed out to her, her own party has already practised the process of vetting under the new guidance. So, I really am left somewhat bewildered. What is the Alliance Party's problem with putting vetting into the Bill? It has already practised it in guidance but opposes it being put into a Bill.

Dr Farry: Will the Member give way? *[Interruption.]*

Mr Allister: Yes.

5.45 pm

Dr Farry: I was not planning to speak on this, but as a Minister who has applied the guidelines set out by the Finance Minister, I can say that it was not an issue, because, as far as I am aware, neither of the special advisers that I appointed had any issues relevant to those guidelines. However, the fundamental difference between the two is that the guidelines from the Finance Minister include a review mechanism. They are not absolute; they move in a particular direction. The Bill before the House is absolute and unequivocal. There is no room for discretion in it whatsoever. It is an absolute statement that we believe is fundamentally against the spirit and letter of where this society has evolved over the past decade.

Mr Allister: I welcome the Member to the House. *[Laughter.]* Perhaps if he had been here a little longer, he would have known that, at the moment, we are discussing clause 6 of the Bill. What clause 6 says is that the code on appointments should be statutory and should incorporate as a minimum the same vetting procedures as apply to the appointment of civil servants. It is within those procedures that there is, in fact, a right of appeal, so to speak. So, the Member is quite wrong to suggest that, in respect of clause 6, I am seeking to introduce a different form of vetting than that which is in the guidance. I am simply saying that to make it foolproof and to ensure that there is no wriggle room, let us put it on a statutory basis. Perhaps the issue that he half got hold of was that, in clauses 2 and 3, there is a more absolute stance in regard to those with serious criminal convictions, and I make no apology for that.

Mrs D Kelly: I thank the Member for giving way. On the point of being within the spirit of the Good Friday Agreement, does the Member agree that the departure from d'Hondt in the appointment of Ministers breaches the spirit of the Good Friday Agreement? *[Laughter.]*

Mr Allister: Yes, I think there are some places the Alliance Party should not go. *[Laughter.]* That is the second illustration today of where it should not go. So, I am a bit bemused by the Alliance Party position. It is the sort of party that tells us that it does not like slamming doors. It likes keeping options open. It likes to have a variety of choices. Yet, they are the people who tonight will line up with Sinn Féin to slam the door on this Bill. I did notice that, in the contribution from the Alliance Party, there was not a

single word of condemnation of the McArdle appointment. Not a single word.

Mr Dickson: On a point of order, I demand that Mrs Cochrane be given the right to read every single word of condemnation in her speech back to Mr Allister. *[Laughter.]*

Mr Allister: If anything is likely to cause me to withdraw my remarks, it would be the threat of having to listen to that speech again. *[Laughter.]*

Mr Dickson: On a point of order, levity is being made in the Chamber about a very serious matter. It ill behoves the Member who has taken forward this Bill and this debate today on a very serious matter to bring levity to the matter. Mrs Cochrane made it very clear on behalf of the Alliance Party — and I address these comments to Sinn Féin — our absolute abhorrence of not only all violence —

Mr Deputy Speaker: Order, please.

Mr Dickson: — but the violence of that individual.

Mr Deputy Speaker: Order, please. That is not a point of order, and nothing that was said was out of order. I ask Mr Allister to continue.

Mr Allister: If Mr Dickson, on behalf of the Alliance Party, is not only condemning violence — I did not say that the Alliance Party did not condemn violence — but condemning the appointment of Miss McArdle as a special adviser, I welcome that. If he were doing that, I would say to him, "If that appointment was wrong, why not join in righting that wrong and making sure that it cannot happen again?" *[Interruption.]*

Mr Deputy Speaker: Order, I know that Members are having a good time, but this is a serious debate, so I need to hear what is being said. One Member on my right is continually shouting across the Chamber. If it happens again, I will name that Member. I ask Mr Allister to continue.

Mr Allister: Thank you, Mr Deputy Speaker. I will move on.

Mr Beggs made a number of valuable points. He pointed out that whereas the present Finance Minister might be, and is, well intentioned in making and proposing his guidance, when it comes to who might be Finance Minister next and further down the road, the future is uncertain. Therefore, it is better to have certainty in a statutory form that a Minister has to implement because the ministerial code requires Ministers to abide by the law. If the law requires vetting, for example, that requirement could not be changed without the agreement of the House. The Minister — *[Interruption.]*

Mr Dickson: On a point of order, Mr Deputy Speaker. *[Interruption.]* The Member has just said that the ministerial code requires Ministers to abide by the law. May I ask the Deputy Speaker to remind us how the same Member voted in a previous debate on the subject?

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

Mr Allister: The Minister, Mr Wilson, came to the House to deal with that point. He said that the position was that his code was made, had not been objected to and, therefore, stood. That is fine as far as it goes, except that it is not being operated by Sinn Féin. Therefore, we have a situation, as Mr McDevitt pointed out, in which we have

special advisers with all the privileges of being a special adviser except the luxury of being paid from the public purse. That situation, which could go on indefinitely, is not healthy for accountability within and between Departments. Better by far that it be placed in legislation. The Minister then said that if the code was signed up to and accepted, it could not be changed in future without Executive approval, because the Executive could call it in. The problem with that lies in the arrangements that govern this House, where nothing is free-standing and everything becomes part of a wider matrix of trade-off. Therefore, you run the risk of this becoming an issue that is simply traded for something else that someone else requires. The Minister was quite blunt when trying to trade my Bill for Sinn Féin's signing up to the guidance. That was on the basis that if Sinn Féin signed up, the Bill, as he would say, would not be necessary. I do not know whether that was a compliment.

Mr Wilson: Will the Member give way?

Mr Allister: Yes.

Mr Wilson: The Member is being a bit disingenuous in how he has presented it. The point that I made — I stand over it and believe that it is the best way forward — is that rules that are accepted by everyone are more robust, less likely to poison the atmosphere and less likely to contaminate relations. Therefore, the desired position for everyone in the Assembly should be to get an arrangement that everyone signs up to. In the absence of that, of course, the only alternative is to impose.

Mr Allister: I am grateful, but I am not sure how that differs from what I was saying about the Bill being used as a trade-off against signing up, and Sinn Féin declined. I am simply making the point that, if a future Finance Minister wanted to change Mr Wilson's guidelines to write out vetting, that too would be in the mix of trade-off in the Executive. I am saying that it is better to have it nailed down in legislation. I trust that that view will recommend itself to many in the House.

Of course, the other thing is that the guidance does not deal with and would not have dealt with the Mary McArdle situation if she had stayed in office. Under the guidance, she still would have been in office because it brought in the vetting only for new appointees. That is one of the reasons why, useful and advantageous as the September 2011 guidance is — it is an advance on the previous guidance — it did not have the capacity to deal with the situation that presented itself. That is why my Bill, which deals head-on with that issue, is the better way forward for the present and future. Those issues will no doubt be debated if the Bill proceeds down the road of Committee Stage and other procedures.

I welcome the contributions that have been made. I urge the House to permit the Bill to proceed. I come back to the point that I finished my introductory speech with: each of us has to grapple with whether we are comfortable with arrangements that allowed the McArdle situation to arise in the first place or whether we want to create a situation that rights that wrong. If we do — I believe that we should — I urge support for the Bill.

Question put.

The Assembly divided:

Ayes 62; Noes 32.

AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Dr McDonnell, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr Wells

NOES

Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Dickson, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McCartney and Ms Ruane

Question accordingly agreed to.

Resolved:

That the Second Stage of the Civil Service (Special Advisers) Bill [NIA 12/11-15] be agreed.

Motion made:

*That the Assembly do now adjourn. —
[Mr Deputy Speaker.]*

Adjournment

Craigantlet Hills: Roundabout and Dual Carriageway

Mr Deputy Speaker: The proposer of the topic will have 15 minutes. The Minister will have 10 minutes to respond. All other Members who wish to speak will have approximately seven minutes.

Mr Easton: I have brought the Adjournment debate because it is becoming an increasingly topical issue for north Down and one that is becoming deeply worrying for the residents of the Craigantlet hills. We were aware of the initial concept several years ago, and, although we did not really know the plans that well, the idea of trying to help the health and safety of road users, pedestrians and so forth is, in some ways, a good one and something that we all need to explore for the Craigantlet hills area. I have to declare an interest, in that I use that route everyday to come to Stormont, so I have quite a knowledge of the nooks and crannies, as it were, of that road.

(Mr Principal Deputy Speaker [Mr Molloy] in the Chair)

As we became more aware of the plans, we became aware of the proposed two-roundabout and dual carriageway system. I was not aware of the dual carriageway system initially, and it is something that I have deep concerns about. I also have deep concerns about the proposed roundabout near the Craigantlet Cottages, going on to the Ballymiscaw Road. I have to express concerns that that roundabout would be quite close to the cottages.

6.15 pm

I believe that the current plans are flawed. I understand that the proposals will cost about £2.25 million. They are flawed for various reasons. Roads Service did the appraisal report on the current proposal in 2009, so it is now three years out of date. I believe that things have become significantly worse and that Roads Service needs to re-examine that. Also, the computer simulations that were done by the Department for Regional Development (DRD) were based on an urban flow, not a rural flow. That is also a flawed approach in the current proposals. I believe that the computer model was programmed using the traffic flows at peak hours and not necessarily at the other hours. As somebody who uses that road every day, I know that the worst hours are between 8.00 am and 9.30 am and, when you are coming home at night down the Ballymiscaw Road, from about 4.30 pm to 5.30 pm. Even at those peak hours, at no stage between the junction of the Holywood Road, the Craigantlet Road, going on to Whinney Hill and up to the Ballymiscaw Road, is there a backlog of traffic using that single-lane route. That is why I am totally baffled about why there is a need for a dual carriageway system between those points.

I ask the Minister to take into consideration the impact that the proposals will have on the green belt. I am looking for assurances that he does not have plans for a dual carriageway to alleviate the traffic that is currently coming

from Belfast to Bangor and that there are no plans further down the road for a dual carriageway system to go across Craigantlet. People have a fear that, if this proposal goes ahead, it will open the door to that. I also ask the Minister if he can give us a rundown of what any environmental impact study has said about the proposals.

Other proposals were considered — I am not sure that they were considered seriously — such as traffic lights and a through road. The residents seem to have looked closely at those other proposals, and there seems to be some sort of consensus on a through road. I hope that the Minister may consider re-examining that as a possible proposal.

As things stand — to point out the level of opposition — we now know that the planning department has received 97 letters of objection and five petitions of objections, with a total of 263 signatures from 253 addresses. That clearly demonstrates the concerns of residents in that locality. They are not people putting three or four signatures from one house; they are all, pretty much, from different houses.

The current situation is not viable. We want health and safety measures there, but I am not so sure that the current proposals are the way forward. I believe that the £2 million could be spent in a better and more effective way and in a way that would also keep the local population happy.

I ask the Minister to look again at the decision and pull back so that we can see what we can do to improve health and safety and make sure that we do not interrupt the lives of the residents in Craigantlet.

Mr Cree: The A2 Bangor to Belfast road is one of the busiest roads in Northern Ireland with, at the last count, 45,000 traffic movements a day. Therefore, it is not surprising that a large volume of traffic heading in the same direction takes the Ballysallagh Road, which passes through Craigantlet and its busy junction with the roads from Newtownards, Holywood and Dundonald.

Several years ago, the Department had plans for a motorway across the hills, as it recognised that the A2 was getting close to its limit and no significant improvements could be made to it. The new motorway would terminate at the Holywood Arches area of Belfast, and the Department had in its possession the necessary land. I think that the Department may have subsequently sold off the land, and it would be interesting to hear what the Department's plans are for the continuously growing commuter traffic from Bangor and, indeed, the Ards peninsula.

As an interim measure, the Department proposed to improve the Craigantlet junction when funds permitted. I understand that that scheme was not included in the current budget but is being developed in anticipation of funds becoming available. The current proposals are not in keeping with the existing roads, and a four-lane dual carriageway with two large roundabouts some 300 metres apart is not acceptable to local residents. The Minister kindly attended a recent meeting with residents to hear their concerns.

At Question Time on Monday 17 September, I asked the Minister whether he would review the Roads Service proposals for Craigantlet crossroads and bring forward a scheme that avoids the Craigantlet cottages. In his reply, he acknowledged the issues, advised that the Planning

Service was considering the application and said that the Department was awaiting Planning Service's:

"independent view on the acceptability of the scheme".

He also said that he had:

"asked officials to give serious consideration to alternative layouts that had been suggested by the local residents and which would have less impact on Craigantlet cottages." — [Official Report, This Bound Volume, p113, col 1].

However, for the benefit of my North Down constituents, despite my best endeavours, the local press failed to report the Ulster Unionist input to this important issue. For that reason, I welcome this debate.

I appreciate the Minister's involvement and his undertakings, and, although 17 September was not that long ago, I look forward to any update that he is able to give the House this evening.

Dr Farry: I have no doubt that the Ulster Unionist Party will have a heavy input into the final decisions on this issue, not least given the identity of the current Minister for Regional Development.

I perhaps approach the issue from a slightly different perspective, but I can find some common cause with my colleagues in asking the Minister to consider thoroughly all the options. Before looking at the detail of what is on the table at present, it is important that we appreciate why we should consider road improvements on the Craigantlet hills. I have a great fear that, in the discussions that we are having at present, we will end up losing a much-needed improvement. It is not just an issue for North Down, even though this is a North Down Adjournment debate; it also affects people coming from the constituencies of Strangford and East Belfast.

There are two points that we need to take into consideration. The first, I am unashamed to say, is the management of traffic flows and movements in the greater north Down, Ards and east Belfast area. I am not for one minute suggesting that we want to see a dual carriageway or some sort of motorway over the Craigantlet hills, nor do I want to incentivise any more traffic to use the hills, but the reality today is that there is a significant amount of traffic going over the hills, and that is an issue that we have to deal with. For me, these road improvements are about trying to achieve a better means of managing traffic flow and to improve health and safety on what are a series of very dangerous junctions and roads on which there have been serious incidents and fatalities in recent years. The current design of those roadways and junctions acts against the natural flow of traffic. For that reason, considerable traffic backlogs build up, particularly during the morning and evening rush hours. There is a health and safety risk for drivers who are unfamiliar with those junctions. People come along unaware of the blockages that they are likely to see and, indeed, of cars that make unnatural movements. Both junctions, therefore, need to be re-engineered to better reflect the balance of traffic flows. You either change the junctions to have a different dominant flow through both, or you put in place roundabouts that treat all the entry and exit points of the junctions evenly. For that reason, I am happy to consider roundabouts at both those junctions. I am, however, also

open-minded about other solutions that others may put forward.

The aspect that is causing most concern is the notion of dualling between the two roundabouts or junctions in question. We probably all share the concern that that would, perhaps, be excessive for what is required. However, I am in no doubt whatsoever and a vast number of people in the wider area believe that both those junctions need to be re-engineered to better manage traffic flow and better facilitate health and safety. Doing that is not the thin end of the wedge. I do not see that as a slippery slope towards a dual carriageway or motorway, not least because, as I am sure the Minister will confirm, there is no more money in the pot to invest in such grandiose schemes.

We need a modest investment to make life a lot better for those who use the routes. I suggest that that would also make life easier for those who reside in the area. We had a recent precedent in north Down. Recently, Roads Service re-engineered what was formerly known as Six Road Ends. It is now a sort of four road ends plus two junctions slightly down the way, but it is, of course, still called Six Road Ends in the local vernacular. That was a wise investment by Roads Service in improving traffic flows on what was becoming an increasingly busy junction as more and more traffic sought to use the rural roads around north Down. It was important that that was taken forward.

I fully respect the views of residents in this regard. It is important that they have their voice and that we all, not least the Department, listen carefully to what is said and take on board residents' views, comments and suggestions of how things could be done differently. It is in that context that I am happy to support the general tenor of this Adjournment debate. I am happy for us to consider alternatives to that dual carriageway. Even though I suspect that roundabouts may be the most efficient way of handling both junctions, the scale of what is proposed is perhaps more than we actually need. Beyond that, I am still happy to consider with an open mind any alternatives, but my bottom line is that we need improvements at the junctions. I want the Minister to reassure me and my colleagues that he will pragmatically look at and review what is before us and not lose sight of the importance and priority of investment of public money in improving the junctions.

6.30 pm

Mr Dunne: I, too, welcome the opportunity to speak on the issue. It is a very important issue in our North Down constituency. It is critical that a suitable solution is found that will accommodate the commuters who use the route on a daily basis and, of course, the local residents, who have clearly expressed their concerns about the current proposals. Many of those residents have lived there for generations, and a lot of them are involved in the farming community. Also, a number of them are businesspeople.

I think we all recognise the need for improvements at this junction. There is a clear risk to all road users at what is an extremely busy section of road involving two junctions: the Ballymiscaw Road/Whinney Hill junction and what we call the Craigantlet junction, between the Hollywood road and the main Bangor road. So, there is clearly an issue, and it is important that everyone recognises that there are accidents at those junctions. Both junctions carry a large

number of vehicles per day, especially on weekdays at peak times. There is clear evidence that they are heavily used during peak times. A number of road traffic accidents have happened in the area, thankfully not serious. Minor accidents happen regularly, and I have one constituent who lives up there who phones me practically every week to tell me of another accident that has happened at the main junction with the Hollywood road.

Again, I put on record my thanks to the Minister for the number of meetings that we have had on the issue to date. He had a meeting with us at Stormont some months ago, and he had a further meeting with us on site. So, we appreciate the time that he has taken to come and look at the site at first hand. Certainly, the evidence was clear from the meeting on site that a lot of traffic is using the junctions. We also had a meeting with the Minister of the Environment, Alex Attwood, and we appreciate the feedback that we have been getting from him. There is also to be a further meeting with a senior planning officer shortly to look again at the issues raised by the residents.

One issue of concern has been the lack of consultation with residents initially. There was no effort by DRD to consult local residents prior to putting in the planning application, and that was a major mistake. The first that residents knew about the proposals was when they saw the advert for the planning application in the local paper. That is when they became aware of the proposals. Following on from that, we had two meetings at Craigantlet Orange hall, which were very well attended indeed and allowed the concerns of those who attended to be highlighted. At one, we had almost 100 people, and at the other we probably had around 80. So, it is obviously an issue of great concern when you get 80 or 100 people at such a meeting in mid-summer.

All issues need to be looked at. The alternatives need to be looked at very closely. We have covered that with the Minister on a number of occasions. The great concern is the size of what is proposed. What is proposed is out of character with the local area, which is rural and has been subject to strict planning policies. It was subject to the green belt planning legislation that was in place for many years and has now been somewhat relaxed. Nevertheless, planning has been extremely strict in the north Down area, and relatively little building or development has been allowed. For the residents of the area to be faced with such a proposal is extreme and certainly not what they are used to. It is not in keeping with the character of the local area, which is totally rural, as those who have visited will agree. There are a small number of houses, located mainly at the crossroads. So, it is important that anything that it is proposed is in keeping with the character of the area.

The environmental impact of the proposals is critical. The materials that will be used, the signage and the street lighting are all important. There is even talk about crash barriers being put in, which is totally out of character with the area. The impact will mainly be on adjoining properties. The residents of Craigantlet Cottages, which the Minister has visited, will be greatly affected. The difficulties they have with traffic will be compounded. Their needs have to be respected in any proposal. One lady, who is in the Public Gallery tonight, lives directly across the road from the area.

Minister, you met her when you were out on site. From her house, she will be looking out of the window to a huge

roundabout. That is unacceptable. It is bad planning, and it is not fair and not in keeping with what we want to see in an improved roads scheme.

All options need to be covered. That has been mentioned already, and I will not go into them all. The alternative new road, running down the rear of the cottages, was highlighted to you, Minister, when you were there. Roads Service has strict criteria for the provision of traffic lights, and we are tired of listening to that when we want anything done. Seemingly, its criteria would not allow that; it is unsympathetic to having traffic lights in a rural setting. That needs to be looked at, and traffic management systems would probably need to be put in place as well.

In conclusion, there is no doubt that there is a need for improvement at both of these junctions. To maintain the character of the Craigantlet area, it is critical that any scheme to meet the needs of the roads respects the local environment. Thank you, Minister, for attending the meetings with residents, and I trust that you will take on board the points made in the debate.

Mr Weir: I welcome the debate. Minister, it is important to realise that there is a broad consensus on the issue. There might be a slight degree of variation in the emphasis that Members from North Down put on this, but the significance of the issue to local people is highlighted by the fact that all six of the MLAs from North Down will be contributing. Although I have yet to hear from Mr Agnew, I suspect that we will be contributing a relatively similar message.

As others have done, I declare a dual interest as a representative for the area and as a commuter. Indeed, I combine my Assembly role as an MLA and the additional meetings that occur through my role as a Whip, so I suspect that I travel the Craigantlet road as much as or more than any other Member. It is undoubtedly the case that improvements need to be made on the road, both from the point of view of road safety and the protection of commuters and from the point of view of traffic flow. There will be a consensus for that view. There is no doubt that the status quo is not acceptable, and we will find common cause with the local residents on that. Local residents and, indeed, local businesses have taken a quite a mature approach to the issue. They have not said that everything should be preserved in aspic and that there should be no changes. They are willing to embrace change, but they want to ensure that this is the correct change and one that is proportionate.

With respect, the proposed solution of two roundabouts and a dual carriageway on part of the road is excessive. The scale of it is inappropriate. It is out of character, and, to use a phrase, it is over-engineered. As such, and as has been highlighted by other Members, there is a range of criticisms of the scheme. Some of those have been borne out by the lack of early involvement from residents. Indeed, this has led to some concerns and, perhaps, fears that will not be realised but which are understandable, given the circumstances.

As has been indicated, there is a strong feeling on the issue, and highlight has been made of the number of letters of objection, of the petition and of the number of people who attended public meetings. Minister, I know that you have visited the site. It is a largely rural area, and to have generated that level of interest in an area that does not have a large population shows the strength of feeling.

As was indicated, during the rush hour in the morning and the home run around teatime, there is clearly a problem with congestion, so solutions to that need to be produced. However, for large parts of the day, there is not that level of problem, and that needs to be borne in mind as well.

The local residents have been constructive and have put forward a range of proposals. Although there has been criticism in the past, two things need to be embraced as we move forward. Whatever the problems have been with the lack of consultation, as we move forward with a review, we need a partnership approach between the Department and local residents and a solution that seeks the full involvement of local residents and can reflect their views. Reaching agreements with local residents is very much the way forward. Local residents and local businesses have put forward alternatives that are worthy of discussion and, in many cases, worthy of adoption. There are better solutions out there than those that have been put forward. Above all, when reaching a new solution — I do not believe that what is on the table at present is acceptable — we want to see balance that reflects the need to improve and change but is sympathetic to the context of Craigantlet and appropriate to the needs of commuters and residents. I believe that that balance can be found because there is a considerable amount of goodwill and people are keen to work with DRD to find solutions.

Although I do not expect that we will necessarily get an end solution today, I am keen to hear, Minister, a commitment from you to work on the two principles of partnership and balance as we try to find a solution that is broadly acceptable to all and is appropriate for its intended location.

Mr Principal Deputy Speaker: I call the Minister for Regional Development. Sorry, I call Steven Agnew. Sorry, Minister.

Mr Weir: He has got a promotion. *[Laughter.]*

Mr Agnew: Two issues have been outlined with this proposal: congestion and safety. Although they are certainly connected, they have different aspects. On a wider point beyond this proposal, treating congestion by building more roads is akin to treating obesity by opening your belt. On the wider basis of how we have taken forward traffic management in Northern Ireland, that approach is, unfortunately, one that we seem to persist with. We continue to build new roads, and they continue to get congested. The number of people using cars continues to increase and we continue to underinvest in public transport. Minister, I appreciate that your budget is restricted and that you were handed close to a half-a-billion-pound road project, whether you wanted it or not. It is a decision by the Executive that my party very much laments, and it is a decision that restricts your approach to transport in Northern Ireland.

My concern is that the proposals are motivated more by tackling congestion rather than improving safety. Although there is congestion on the Craigantlet hills, Ballysallagh Road and at Ballymiscaw — I declare an interest, we know only too well as MLAs trying to get home — I fear that we are trying to alleviate the congestion on the A2 through the proposal and to make the Craigantlet hills a more attractive alternative to the A2. However, the A2 is a dual carriageway that was built specifically to move large volumes of traffic between Belfast and Bangor, between

Hollywood and Belfast and from wider afield. I hope that that is not the motivation, and if it is, it is certainly the wrong motivation. The Craigantlet hills should not be seen as a second main route for transport.

Those roads are often called the Stormont corridor, and were there a bus to take me home when I leave here today, I would certainly take it. There is very good provision for me to get here, Minister, in the morning should I wish to come by public transport. The problem is that if I wish to leave after 5.00 pm, I cannot get a bus home. When I was an adviser to a politician, I was able to use that public transport. As a politician, I am restricted. Were the frequency of public transport on the route to be increased, it could improve the congestion on the Craigantlet hills and would certainly be a preferable alternative to this scheme.

I concur with what my North Down colleagues said on the issue of safety. Other measures should be explored. I am not convinced by Roads Service's rejection of the traffic lights proposal. Its rejection has more to do with the fact that traffic lights may not speed up traffic movement rather than with the idea that it will not increase safety. I believe that it would increase safety.

There is a growing consensus about the provision of a through road. That is not my preferred option, but it would certainly be preferable to the current proposals, which, as Members said, are disproportionate to tackling the safety issues on the road.

6.45 pm

The lack of public consultation also concerns me. As I have seen at residents' meetings, local residents are willing to look at the issue and to accept that safety issues need to be addressed. They have engaged positively. I know, Minister, that you were good enough to meet residents' representatives, and I apologise for not being able to make that meeting. I have had reports from residents that it was a constructive meeting. In that regard, it appeared that Roads Service had made up its mind on the proposals. I hope that, with your intervention, alternatives will be genuinely pursued, and if so, I certainly welcome that. I like to prepare for all eventualities, so on that basis, I am preparing a substantial objection to the planning proposals — just in case — to cover that ground.

I welcome the comments from Members across the Floor on the removal of the green belt. I do not want to dwell on that point, but the removal of planning policy statement 14 and the introduction of planning policy statement 21 created the free-for-all that has led to this situation. That was done under the Administration of your party colleagues. With the changes in planning guidelines, it is a shame that the destruction of the green belt in North Down is now a possibility and that rural communities do not have the same protection from this type of development that they would have had in the past.

Mr Kennedy (The Minister for Regional Development):

I am grateful for the opportunity to respond to the debate. I thank the proposer for securing the debate and the Members who contributed. I have asked my officials to take note of the Hansard report, and if I do not cover some points in my response, I will do so in writing to Members.

I note Members' comments and concerns. The overall intention is to improve safety and capacity on a very busy section of road. That is common ground. It will be a

significant challenge for those who prepare press releases for the 'County Down Spectator' next week because there is likely to be some repetition.

Over the years, many representations have been made to Roads Service to make improvements to the road network in the Craigantlet area. Since the proposals were published, genuine concerns have been raised about the nature of the scheme. Most people agree that there is merit in making improvements to the local road network to reduce traffic delays and to improve safety. We simply need to identify the most appropriate solution. I am well aware of the issues raised by local residents and public representatives. I have met community representatives and, as Members said, been out on site. I am also grateful to my party colleague Lesley Cree for raising the issue at Question Time last week.

I am also aware of the difficulties faced by thousands of motorists who use the route each day, including, it would seem, a significant amount of MLA traffic. It has been said that, at times of extreme congestion, commuters have been pulling their hair out in frustration. I believe that to be metaphorical; I certainly hope so. As Minister for Regional Development, I want to see improvements across the road network that will enhance safety, reduce journey times, provide value for money and, indeed, support the economy. So, it is important that we identify a scheme that fulfils those logical and worthy objectives without compromising the quality of the life and environment of the local community.

The proposals are under consideration by Planning Service, and we await its view on the overall planning acceptability of the scheme. Although I think that that is still a useful exercise, I have, at the same time, asked officials to give serious consideration to the alternative layouts that local residents have suggested and that would have less impact on Craigantlet Cottages. I will consider the outcome of that work before making my decision on the way forward.

I do not need to detail the present scheme, as Members are aware of it, except to say that the Whinney Hill section is carrying approximately 8,000 vehicles a day and the Ballymiscaw Road is carrying nearly 10,000 vehicles a day. Although it is not part of the strategic network, it has considerable volumes of traffic when compared with the main A2 Belfast to Bangor road, which carries 36,000 vehicles a day in this general vicinity.

The route also provides an important alternative in the event of accidents or incidents that may cause delays on the A2 Bangor Road. However, it might be said that the roads in the Craigantlet area were not designed to carry this volume of traffic and that they need to be upgraded to cater for that traffic demand. An extensive history of collisions is particularly associated with the junctions in the area. On occasion, those collisions have resulted in serious injuries for road users. The current road infrastructure is clearly insufficient to deal with the existing traffic volumes, and it is expected that traffic growth on the route will continue over the next 15 years. Not surprisingly, Roads Service has received many requests from Members and other elected representatives to introduce road improvements in the area.

Contrary, I think, to some reports, the scheme does not include a dual carriageway or construction of a road on the

scale of a motorway. I think that Mr Easton raised this, but it is not the first stage in a plan to introduce a wider road improvement scheme for those roads either. Possible layouts, including a through-route proposal to join the Ballymiscaw Road to the Ballysallagh Road, were considered. I will be interested to see how the residents' proposal, which includes one roundabout and a new road to bypass the Craigantlet Cottages, performs in comparison.

Roads Service has estimated the cost of those improvements at approximately £2 million. However, no funding has been identified for its delivery within the current Budget period up to 2015. Whatever form an improvement scheme takes, it will be developed to improve road safety and reduce delays, both of which are issues that will make a positive contribution to the local economy. I think that all Members are agreed on the need for a scheme. During design development, consultants that Roads Service engaged carried out a detailed assessment of the environmental impact of the proposed scheme, and, in developing the submitted scheme, a wide range of alternatives was then considered. Those options included traffic signals, either full time or part time. I have heard some criticise traffic signals, saying that they should be advanced as a solution here. It is a rural area. Traffic signals generally slow traffic down. So, we need to give careful consideration to that. The options also included the construction of a through road with priority junctions; the construction of a new road linking on to a single roundabout; and two roundabouts with different layouts for the link road.

Each of the proposals was considered for its effectiveness in dealing with collisions and delays, as well as for its associated environmental impacts, costs and benefits. Although I am satisfied that the layout proposed by my Department will improve road safety and reduce delays, I am mindful that there may be an alternative solution that minimises the impact on the local community. The option tabled by local residents at a recent meeting would connect the Ballysallagh Road to the Ballymiscaw Road and take traffic away from the Craigantlet Cottages area. I have, therefore, asked officials to consider that option in more detail and to advise me of the outcome. I will not be making any decisions until that work is completed.

It is important to advise Members that the current proposals are being considered by Planning Service. It is appropriate that it considers our proposals in light of all the associated concerns and objections raised, independent of my Department. That, I think, will give a good indication as to whether the submitted scheme is acceptable, in principle, with regard to planning and the potential impact on the environment and the local community.

As I have said, I have been pleased to meet community representatives on a number of occasions, and I understand the local issues. Whichever scheme proceeds, there will be further consultation with local representatives and with those directly affected by the scheme, so that all their concerns and requirements can be fully considered and accommodated at the detailed design stage.

In conclusion, I assure Members that although I am committed to improving road safety and journey times in the area, I genuinely have an open mind as to which option is the best solution.

Adjourned at 6.56 pm.

Northern Ireland Assembly

Monday 1 October 2012

The Assembly met at 12.00 noon (Mr Speaker in the Chair).

Members observed two minutes' silence.

Assembly Business

Mrs Cochrane: On a point of order, Mr Speaker.

Mr Bell: On a point of order, Mr Speaker.

Mr Speaker: I will take Mrs Cochrane's point of order, then Mr Bell's.

Mrs Cochrane: Following the upset in the Chamber, last Tuesday evening, I wish to inform the House that I have since received an apology from Mr Wells, who, on reflection, recognised that his remarks went beyond what is acceptable in the cut and thrust of debate. I have accepted his apology. However, that does not excuse the behaviour of other Members of the House who were seen quite clearly on camera to resort to pack-like behaviour and to take pleasure in seeing someone upset. While some may be here for a political game, I am here to work. This is, therefore, a workplace. That type of bullying behaviour is not acceptable in any other workplace and should not be acceptable here. Mr Speaker, I ask, therefore, that you monitor that type of behaviour, as I feel very strongly that it is exactly the reason why many people, including women, with a great deal to offer Northern Ireland do not get involved in politics.

Mr Speaker: Let me first deal with the issue. As the Member said, she and Mr Wells met in my office last week, and Mr Wells gave a full and frank apology. I want to recognise that in the House. Let me also give credit to Mrs Cochrane, as she has dealt with the issue properly and not attempted to bring the Speaker into party politics. Far too often in the House, when, on reflection, Members know very well that they have said something they should not have said and admit to that, they then try to bring the Speaker into politics around the issue. That is something that I will not accept. I have to say that, on this occasion, that did not happen. This is how issues such as this should be dealt with. A Member might get caught up in the heat of debate, which is understandable, given the cut and thrust of debate in the House, but they should have the good grace to reflect and apologise when they are clearly out of line and out of order. Mr Wells did that at the outset. I have said in the House already that Mr Wells was very gracious in his apology, as was Mrs Cochrane, in accepting the apology.

As part of normal politics and the cut and thrust of the Chamber, Members should expect robust debate and expect to be challenged about what they say. There is nothing wrong with that. That is where the Deputy Speakers and myself should not get involved. Members of the House can defend themselves very well, especially when it comes to political debate in the Chamber.

However, it is not acceptable when remarks are offensive, personal, bad mannered and ill tempered. Over the past few weeks, we have seen enough of that from all sides of the House. There is no doubt about that. The House should give leadership, and I ask all Members to reflect on whether their general behaviour in recent weeks has done justice to the Assembly and, especially, to the leadership that is expected from Members of the House.

Several times over recent weeks, I have reminded the House about the standards that are expected of good courtesy, good temper and moderation. I also ask Members to treat each other with courtesy and respect and to be mindful of the dignity of the Chamber in everything that they say. I hope that, over the next number of weeks, we will all learn lessons and I will not have to return to this matter.

Some Members continually want to rise in their place just to offend other Members. Therefore, as Mrs Cochrane said, I will monitor the situation. I will deal with the issue if a Member says something that he or she should not have said during the cut and thrust of debate. They should reflect on it and at least have the decency to apologise. Let us leave it there.

Mr Bell: On a point of order, Mr Speaker. At the weekend celebrations of the Ulster covenant, Northern Ireland saw one of the most dignified, solemn and massive demonstrations in our history. I do not want to over-egg the pudding, but, although there were tens of thousands of Union flags there on the day, the Union flag was not flying above this Building, which concerned many people. The Democratic Unionist Party opposed the Flags Regulations (Northern Ireland) Order 2000, which designated 17 days. There should be an additional day for Ulster day, and I would like the support of the House for Northern Ireland Office legislation, under the Secretary of State, to ensure that the Union flag flies above this Building on these significant days

Mr Speaker: Order. That is not a point of order. Let us move on.

Mr Allister: On a further point of order, Mr Speaker.

Mr Speaker: Order. I am not taking any further points of order on this issue. If it is a different point of order, I will be happy to take it, Mr Allister, but I am not prepared to take any further points of order on this issue. Let us move on. I know that the learned Member can be very shrewd in deciding on another point of order when it is really the same point of order. I ask the Member to reflect on what I said earlier on the issue that has already been raised in the Chamber. It is not a point of order, and I have already made that clear. Let us move on.

Committee Membership

Mr Speaker: As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

Resolved:

That Mr Stephen Moutray, Mrs Brenda Hale and Mr Paul Givan replace Mr William Humphrey, Mr Trevor Clarke and Mr Tom Buchanan as members of the Committee for the Office of the First Minister and deputy First Minister; that Mr William Humphrey replace Mrs Brenda Hale as a member of the Committee for Culture, Arts and Leisure; that Mr Alastair Ross replace Mr Gregory Campbell as a member of the Committee for the Environment; that Mr Peter Weir and Mr David McIlveen replace Mr William Humphrey and Mr David Hilditch as members of the Committee for Finance and Personnel; that Mr William Humphrey and Mr Alex Easton replace Mr Peter Weir and Mr Sydney Anderson as members of the Committee for Justice; that Mr Gregory Campbell and Mr Sammy Douglas replace Mr Alex Easton and Mr Alastair Ross as members of the Committee for Social Development; that Mr Alex Easton replace Mr Stephen Moutray as a member of the Committee for Regional Development; that Mr David Hilditch and Mr Sydney Anderson replace Mr Sammy Douglas and Mr David McIlveen as members of the Committee for Employment and Learning; and that Mr Trevor Clarke replace Mr Alex Easton as a member of the Public Accounts Committee. — [Mr Weir.]

Ministerial Statements

Adult Care and Support

Mr Poots (The Minister of Health, Social Services and Public Safety): With your permission, Mr Speaker, I wish to make a statement to the Assembly on the commencement of a public consultation on the reform of adult care and support in Northern Ireland.

Care and support involves a wide range of services provided across government and is aimed at helping us to live an independent, healthy, active and inclusive life. Those services include adult social care, which is the responsibility of my Department, and social security benefits and help with housing, which are the responsibility of the Department for Social Development. Not everyone, of course, receives the same type or level of service, but the aim is for people to receive the service that meets their particular needs in the best way.

On Monday 17 September, my Department published a discussion document, 'Who Cares? The Future of Adult Care and Support in Northern Ireland'. At this stage, it contains no policy proposals; those will come later in the reform process. Rather, the aim of the document is to kick-start a debate with people in Northern Ireland on two key issues: first, what care and support services people we want to see in the future; and, secondly, where the balance of responsibility for care and support in the future should lie, between government, people who use services, carers and the wider community.

There is much that is good about the current care and support system. I want to recognise the contribution made by those who work in this area and on whom the estimated 23,000 people receiving domiciliary care and the 12,000 people who are supported in residential and nursing homes rely. I want to build on what is good and address what could be better.

Northern Ireland has the youngest population in the UK, but we are also ageing more quickly than Scotland, England or Wales. Although our population as a whole is projected to increase by 8% up to 2025, over the same period, our over-65 population is projected to increase by 42% and the over-85 population by 83%. Too often, discussion about the increasing number of older people is framed in a negative manner, as if older people were a burden on the rest of society. Let me put on record my view that our growing elderly population is one of our achievements and is to be celebrated. However, it has serious implications for demand for services. There will be a gradual increase in demand for support — yes, it is a challenging increase — but it becomes a significant problem only if those of us in government do nothing to prepare for it. I am determined that that will not happen.

Of course, with a bottomless pit of money, which we do not have, we might simply increase funding to try to keep pace with the growing demand for support. We are all aware of the financial difficulties that the world faces, and Northern Ireland is not immune from those. The days of guaranteed increases in funding are gone. However, I am convinced that we can use the funding that is available to better effect. Members will be aware that, in response to 'Transforming Your Care', Health and Social Care (HSC) is developing population plans that will propose changes

to how services are delivered over the next five years. I believe that we must also now begin the process of considering the medium- and long-term challenges facing care and support. To that end, this discussion document sets out a draft vision for the care and support system of the future that recognises the role that we can all play in looking after our own health and well-being and seeks to empower us to do so.

We also know that many people do not know what support is available or how to access it, nor do they know about how that support is funded. That must change. At the very least, people need to know how to get help when they need it and how much social care and support cost in this country. We also need a system that recognises that we should provide support that, as far as possible, prevents problems occurring in the first place and seeks to restore independence where a problem has already occurred. By intervening early, by supporting people to do things for themselves and by helping them to relearn skills that may have been lost through, for example, a stroke or a fall, we can build an affordable and sustainable system of care and support that delivers the outcome that we all want to achieve: independence not dependence, empowerment not disablement.

We have also identified key principles that we believe should underpin the care and support system: affordability and sustainability; quality; dignity and respect for the individual; equality and diversity; human rights; safeguarding; and equity of access. We must ensure that we take advantage of the small size of Northern Ireland and remove any possible postcode lotteries. People should be assessed for care and support in the same way, for the same services, against the same eligibility criteria and with the expectation of receiving the same quality of care.

We also have to recognise that, although expectations of care and support have changed dramatically in the past 10 to 20 years, the actual foundations of care and support have not kept pace. There will always be a role for traditional services such as domiciliary care, residential care and nursing home care, but we need to discuss how we can give people more choice and control over the care and support that is available. That is how we can be more flexible and innovative in our approach to care and support. The choice that people have in the services that they receive and who provides that care and support, be it in the statutory, private or voluntary sector, is what really matters to them.

We also need to have a real discussion about how we balance meeting individual preferences for how care and support needs are met with the need for cost-effectiveness. In most cases, those demands are complementary, not competing. Providing support earlier is likely to be cheaper and to enable someone to remain independent for longer. However, we need to recognise that there are some cases in which it may be less expensive to provide care and support to an individual in a residential and nursing home when they may prefer to be supported in their own home. These are difficult, challenging issues, and we cannot afford to shy away from them if we are to have the full and frank discussion that, I believe, is needed.

12.15 pm

We also need to discuss the respective roles of the main stakeholders. They are government, people who use services, carers and the wider community. Crucially, we need to talk about the funding underpinning care and support in the future and where the balance among those stakeholders should lie. In adult social care, we are already spending in excess of £810 million on services such as domiciliary care and residential and nursing homes.

Government also determines whether and how people contribute to the cost of care and support services. People who use services contribute over £100 million towards care and support, the bulk of which comes from people living in residential and nursing homes. That is because there is an inconsistent approach to charging for care and support services. Some services, such as domiciliary care, which around 23,000 people receive, are provided free. Some, such as meals on wheels, require a flat-rate contribution towards the cost, so everyone pays the same regardless of their ability to pay. Services such as residential and nursing home care are means-tested, with many clients required to contribute to the cost of their care in line with their ability to pay. That can mean that those with few assets give the majority of any income that they have as a contribution towards their care costs, while those with assets may have to sell their former home to meet the full cost of their care.

Underpinning it all, an army of carers give their time freely and willingly to care for loved ones. Carers NI has estimated that that care would be worth over £4 billion if it had to be provided by government. The system simply could not cope without the role played by carers, and we need a real discussion about how to support carers in their caring role.

Many people think that the current balance between government, people who use services, carers and the wider community is unfair — unfair because people mistakenly believe that all care and support is free at the point of delivery, like the NHS; unfair because some care and support services are free, while others require people to meet the full cost of their care subject to their ability to pay; unfair because the care and support service that supports the most vulnerable — residential and nursing homes — requires the greatest contributions; unfair because those who have assets often pay the full cost of their care and support until almost all their assets are used up, while those with little or no assets receive substantial financial support from government; and unfair because family members and friends take on so much caring responsibility but feel taken for granted and unsupported. In that context, we need to debate the fundamental issue of the role of care and support. Should it be a safety net for those who cannot look after themselves or a means of providing some protection for everyone against potentially large care costs? Where should care and support sit in the list of competing priorities such as education and job creation? Given the fact that it will not be possible to create a totally fair system, which of the issues that I mentioned are the highest priorities that need to be addressed?

The case for change, in demographic terms, is clear. There is a saying around making change happen that, if you keep on doing what you always did, you keep on getting what you always got. If we keep on doing what we have always done to provide adult care and support, we certainly will

not get what we always got, because we will not be able to afford it. We need change so that we can continue to afford to meet the needs of very vulnerable people when they come to rely on state support. The need for that change to be influenced and steered by people in Northern Ireland cannot be overstated. This reform process is not just for grandparents or elderly parents. Yes, as we get older, our need for care and support increases, but we need to be thinking about and planning for what we want for ourselves in the future now. I urge everyone, young and old, to give serious thought to how care and support should be provided and funded in the future because, some day, the person needing care and support could be you or a loved one belonging to you. My Department is conducting a six-month consultation on this major issue, with 15 events being held around Northern Ireland. Whether or not people attend one of those events, I urge them to think about the issues and let us have their views.

Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety): Go raibh maith agat, a Cheann Comhairle. I welcome the very detailed statement today. The Minister has gone some way towards giving us some detail on how the reform of adult social care will fit in. Can he give us detail, considering that it is due to go out to consultation, of how he sees the reform fitting in with the public health and 'Transforming Your Care' agendas? Will we see movement on this? I am delighted that he is looking at a six-month consultation, because this is a major issue. However, I am concerned that it might not fit in with the overall health and social care strategy. Will he give us details of what he means by the 15 events? I take it that they will be in most constituencies, with one in Belfast. If we are trying to get people involved in the consultation, we might need to look at other events.

Mr Poots: The list of events will be published on the website. There are 15 events, as you said, and they are across Northern Ireland, from Omagh and Enniskillen in the west to Belfast and Newry in the east. We are covering most of Northern Ireland. I encourage people to take part.

'Transforming Your Care' is a five-year programme of change. This process is about reform beyond that period. Crucially, the reform will consider how care and support is paid for, which was not considered in detail in 'Transforming Your Care'. The review team has had some initial exchanges with the TYC team and looks forward to working more closely with it as the work develops.

You also mentioned the public health agenda, which is something that we really need to move forward. We need to get public buy-in because healthcare begins at home; it does not begin in a nursing home or a hospital. If we do not take better care of ourselves, we will have poor health, and poor health will ultimately lead to more support being required from the healthcare system. It is in everybody's interests — the individual and the system — that we continue to promote the public health agenda and that people buy into that.

Mr Wells: As the Minister knows, the Dilnot report was commissioned to look at this issue. Will he tell me what line his Department has taken in conjunction with Dilnot? What does he believe to be happening on the mainland of the United Kingdom in the Department of Health over there on this issue?

Mr Poots: The consultation is stage 1 of our process. It does not contain any proposals at this stage; it is genuine consultation, going out to the public, getting feedback and then arriving at the next process, which will be stage 2. In developing options at stage 2, the Department will consider the broad range of ideas for reform, which will include the views put forward during the consultation period as well as developments in GB, such as the Dilnot Commission, which reported last year, and the White Paper that was published in July.

Adult social care is a critical issue. As I said, it costs us £810 million out of our budget of £4.5 billion, which is a huge amount of money. Is it best spent as we currently do it? Could we spend it better? How much more money will we need? All those questions need to be answered to identify the route that we take in the future. It is important that we work closely with all our colleagues to ensure that we get as good an understanding as possible to move the process forward.

Mr Gardiner: I thank the Minister for his statement and his concern for the elderly in our population. Will he detail the proportion of people in residential care who pay entirely for their own care? On the other hand, what is the total cost to his Department of providing care to those who are below the assessed level of £23,500?

Mr Poots: The average length of stay in a nursing home is 2.33 years, and the average cost of that care is around £52,000. The average length of stay in a residential care home is 4.51 years, and the average cost of that care is around £100,000. Of those who are in a nursing or residential home, 25% pay the full cost of their care. That figure consists of 11% private funders and 14% self-funders. The private funders are not placed by trusts; they make that choice themselves. A total of 13,000 people are in residential and nursing care, of which 10,700 are HSC-supported residents.

Mr McDevitt: I welcome the principles that will underpin the new care and support system enunciated by the Minister. I particularly commend him for his commitment to a human rights-based approach to the provision of adult care and support. Does the Minister accept that, given our demographics in this region, that will inevitably mean that we will have to spend a lot more money on adult care and support in the years ahead? Does he also accept that it will mean that we will have to challenge ourselves to be able to offer a service that is free or as close as possible to it to everyone who needs it?

Mr Poots: If we continue to do it as we have done, of course it will cost more money. We have to look at whether there are other solutions that will allow us to use the money we have as cost-effectively as possible. Incrementally, the burden on the taxpayer will rise each year. Earlier, I gave the figures for the expected increase in the numbers of over-65s and over-85s by 2025. Thankfully, neither of us will fall into that category, but, all being well, some day we will get to the point of being in that older age bracket. The truth is that, if we continue to do it as we currently do, those increasing numbers will mean that the burden on the state will be very significant.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

In Northern Ireland, we provide domiciliary care free of charge. That is not the same as in GB. Changing that would take a brave politician; you would have to be very

courageous to change that. On the other hand, we need to make a very strong case for why we should keep doing it. There are other challenges in health with, for example, neurological conditions, cancer treatments and so forth that people will want more investment in. If we are to continue to spend many millions of pounds supporting people in their own home, which does not happen in other parts of the UK, we have to make it very clear why we believe that that is a good use of our money. That is the difficult and challenging debate to be had. At the same time, we will have to look at how we can help people stay in their own home without adding to the cost. We are going down the route of telemonitoring, telemedicine and so forth. Those provide a bit of the answer, but they do not provide anywhere near all of it. We have to look at how we can do things somewhat differently and better utilise the services that we have to support people who need those services.

Mr McCarthy: Like others, I welcome the statement, and I certainly welcome the absolute commitment by the Minister to support our elderly and infirm population. I have to pay tribute to the excellent work carried out in the community. However, I worry about the discrepancies that are already prevalent between the pay and conditions of trust staff and staff in the private sector. That was mentioned in the statement, and it worries me.

Will the Minister ensure that carers and social workers receive equal pay for equal work when looking after our elderly people in the community? Otherwise, our best carers will be lost and our elderly people will be the losers. Will the Minister tell the Assembly whether, at the end of this consultation, he and his Department will act on the result of the consultation with the people?

12.30 pm

Mr Poots: It is not my responsibility to intervene in what the Member seeks me to intervene on. We operate in a free market; we do not operate in the former Soviet bloc. People go out and tender for work and pay their employees for the work that they carry out. That is not my responsibility; the market is responsible for setting that. Employers who do not treat their staff well — who give them a minimum wage and so forth — are those who have a regular turnover of staff because people do not stay with them. Generally, therefore, they do not provide the best service and are not the most popular residential or care homes. Many residential and care homes pay better and have a better consistency of staff and, consequently, have more people on the waiting list to get in. That system appears to me to work without interference from politicians.

Mr Dunne: I thank the Minister for his statement. Will he clarify how Northern Ireland funding reforms contrast to what is happening in England?

Mr Poots: The main contrast is that, if you go into a residential or nursing home, you will be means-tested and will have to make a contribution if you have assets: that is the same throughout the UK. However, if you receive domiciliary care at home in Northern Ireland, it is received free of charge, whereas in England you would have to pay a contribution to your council. That is the main difference. That costs us tens of millions of pounds each year, and, as I indicated, I think it would be very difficult for any politician to change that. It would be hugely unpopular,

and this House needs to take that into account. However, at the same time, we need to take these matters into consideration and have views expressed on this type of funding.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. It is very clear from the Tory agenda on welfare reform that many vulnerable groups will be targeted. One of those groups is carers, who play an important role, as you outlined in your statement. Can we be assured that the views of carers will be taken into account in this consultation and that they will not be impacted on as seems to be the case in relation to the Welfare Reform Bill that is coming through?

Mr Poots: As I indicated, Carers NI believes that the care provided in support voluntarily is to the value of around £4 billion. Although that may have received some embellishment, there is no doubt that we get billions of pounds' worth of support from carers. We, as a Government, cannot replicate that. In fact, we could not replicate the quality of care given by carers, which is carried out with something that outsiders could not provide, as it is carried out with a huge amount of love.

What carers do is absolutely essential and critical. There is often a basic unfairness about it all, and I have identified a number of issues where people believe there is unfairness in the system. Carers are absolutely vital to us. We cannot ignore the needs of carers. We would be failing in our duty if we did not provide some support to carers, because if the carers give up, then the full cost comes on to the system. It is absolutely critical that we support carers and hear their views, and that carers make a very significant contribution to the outcomes of this consultation.

Mr Weir: I thank the Minister for his statement on this very important topic. Will he consider placing a cap on the total sum that anyone, regardless of circumstances, should have to contribute towards care?

Mr Poots: Again, that goes back to the Dilnot review's proposals. I am aware that such an approach, in principle, is being considered by the coalition Government at Westminster, but they have been unable to identify the £1.7 billion that would be required to introduce it.

We will consider a number of options when we come to stage two of the reform process, but we will watch events closely and work closely with Westminster on the issue. Hopefully, they will go down the route of the cap, so that Barnett consequentials will kick in that will allow us to follow suit.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement on a very important consultation on the future of adult social care. I note with interest the need for partnership and cross-departmental working on this issue specifically, as the Minister mentioned, through social security benefits and housing. Has he, or have his officials, examined best practice in adult social care in other countries?

Mr Poots: My departmental officials keep a watching brief on what happens in other jurisdictions around the world as to how best we can deliver adult social care. That work is always ongoing to identify what people are doing in other places.

Given what is happening in England in the wake of the Dilnot review, the £1.7 billion would be a lot of money to

invest, but, at the same time, a lot of people have had virtually all their assets wiped out as a result of having to pay for the care that they have received. We have to give consideration to the inherent unfairness of the fact that people have worked extremely hard to build up their assets only to find that they are all wiped out. However, that is just one of the unfair things that people will look at. There are many other aspects of caring for adults, and particularly elderly people, where fairness and equity are an issue. That is something that we need to continue to work on in this report.

Mr G Robinson: Why can people in England claim back care home fees but people in Northern Ireland cannot?

Mr Poots: The reimbursement scheme in England is designed to deal with incorrect decisions on eligibility for continuing healthcare. Where assessments have proved to be wrong, families can claim back fees. We in Northern Ireland have not experienced the same difficulties as England in our integrated health and social care system in the first instance. That is why no formal reimbursement scheme has been introduced here. However, where people are unhappy about the outcome of an assessment, they can request a review of their needs from their health and social care trust.

Mr Moutray: Would the Minister be minded to increase the £23,000-odd assets threshold above which service users are currently forced to pay for residential and nursing care?

Mr Poots: It is certainly something that merits consideration. We are not at the point of developing specific proposals for reform, but I suspect that there will be contributors who will suggest that we should look at that. It is certainly something that we will look at in the next stage of the process, once we have had the opportunity to ascertain the wide views of people from Northern Ireland, because there will be a whole range of issues on which people have views to express. All those will have to be assessed and measured against one another before we start to put proposals on paper.

Mr Anderson: I thank the Minister for his statement. I note that we currently spend in excess of £810 million on adult social care. What is the current breakdown of overall spending in Northern Ireland on residential, nursing home and domiciliary care?

Mr Poots: Of the £811 million that was spent in 2010-11, £265 million was spent on nursing home care, £203 million on domiciliary care, £160 million on residential care and the remaining £183 million on services such as day care and social work.

Education: GCSEs and A Levels

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom ráiteas a dhéanamh faoin athbhreithniú ar cháilíochtaí GCSE agus A leibhéal. Mr Speaker, I want to make a statement regarding a review of GCSE and A-level qualifications.

Bhí an-chuid díospóireachta le déanaí faoi chinntí a glacadh i Sasana faoi na scrúduithe GCSE. There has been much debate recently about decisions taken in England in respect of GCSE examinations. That has generated a lot of speculation about whether we should follow suit. I am pleased to be able to update the Assembly with my decision for a review of GCSE and A-level qualifications to be undertaken.

As Members will know, education is a devolved matter. It is entirely appropriate that we should take our own decisions about the way forward for learners here. My focus will always be on putting pupils first in the education system and making sure that their needs are at the forefront of everything that we do.

The review builds on my Department's work to date. Legislation is in place to introduce the entitlement framework in 2013, which will provide greater choice to meet the needs of our children at Key Stage 4 and at post-16. We have a literacy and numeracy strategy that is central to the development of those essential skills among pupils throughout primary and post-primary learning. We are introducing new assessment arrangements at Key Stages 1 to 3 that complement and support the key aims of the revised curriculum, embracing the assessment of skills, knowledge and understanding. We are focusing on the needs, aptitudes and aspirations of all our children, including those with special educational needs. We have a school improvement policy that recognises the essential role played by our teachers in delivering high-quality educational outcomes for all pupils.

However, this is only a starting point. To underpin the existing policies, there is now a pressing need to consider what assessment or qualifications we want to provide to young people leaving school at the ages of 16 and 18 and to question whether the current suite of GCSEs and A levels is the most appropriate system.

The past 12 to 18 months has seen unprecedented levels of change and uncertainty in the qualifications system, with a series of examination errors in 2011, changes to GCSEs, proposed changes to A levels in England, concerns over grade boundaries this year, and further proposed changes to GCSEs in England. I believe that the time is right for us to take stock of our examination system and consider whether change is now desirable or necessary. Leanfaidh mé orm ag obair ar an treo-phrionsabal, rud atá ar son leas ár bpáistí.

I will continue to work on the guiding principle of doing what is in the best interests of our children. Proposed changes to GCSEs and A levels in England present an opportunity for all involved in education here, including our pupils, to consider how best the examination system meets the needs of our children as well as the needs of our economy. I also want to reassure all pupils who are studying for GCSEs or A levels that the examination process they are currently involved in is fit for purpose.

Past pupils of our examination system should be proud of their qualifications.

My vision is for our education system to be internationally recognised as world-class. I do not wish to initiate change for change's sake. If the current suite of qualifications at Key Stages 4 and 5 is deemed to be appropriate, I will be content to stick with what we have. However, I want to satisfy myself, through quantitative and qualitative research involving key stakeholders across the education and business sectors, that that is the case.

Consequently, I am commissioning a review of GCSE and A-level qualifications here to ensure that they will continue to meet our economic and societal needs now and in the future. I am asking the Council for the Curriculum, Examinations and Assessment (CCEA) to take forward the review. I have asked the CCEA to provide two interim reports, the first in January 2013 and the second in March 2013. I will receive the final report in June 2013, after which I will consider the findings and recommendations and update the Assembly on the way forward. The terms of reference for the review will be published today.

12.45 pm

This will be one of the most important pieces of work on our examination system to be undertaken in the past 25 years. A lot has happened since GCSEs were introduced in 1986, and we have come a long way, particularly in the past decade. With the Assembly now in its second term, the public here rightly expect, and deserve, a dynamic, self-assured and confident education system that is capable of providing our young people with the passport that is necessary to give them their rite of passage to further education, higher education or employment.

Qualifications are a recognition of pupils' attainment, and I am determined that whatever we produce will be comparable to other equivalent qualifications that are offered, not only across these islands but internationally, now and for the foreseeable future.

Miss M McIlveen: Does the Minister still believe, as he did earlier this year, that it is vital that the standard of our exams remains exactly the same as that in England?

Mr O'Dowd: Yes — well, maybe not exactly the same; perhaps better. I think that students and prospective employees here have to be confident that the qualification certificates that they carry are equal to, if not better than, those from any other qualification system across these islands. It is a duty on the Assembly, my Department and, indeed, me, as Minister, to provide them with that confidence. I want to ensure that, whatever qualification system we decide on at the end of the review, our students have qualifications that are portable, transferable and able to work either across these islands or internationally.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. Will he outline some of the areas where change may be desirable or necessary to create an examinations system that meets the needs of our children and our economy?

Mr O'Dowd: As I said in my statement, I am reasonably content that our GCSE and A-level systems meet the needs of our society and our economy. However, Michael Gove's announcement that he will break the three-jurisdiction ownership of GCSEs and perhaps A levels

means that we as an Assembly, and I, as a Minister, have a duty to review our qualifications system. As I said in my previous answer, I want to ensure that those qualifications are robust and transferable.

The review will look at all aspects of the qualifications system. I do not want to pre-empt the outcome of the review. The terms of reference will ensure that the body that is set up will take on board the views that are expressed by and be representative of not only the Department of Education, which I am responsible for, but further and higher education and the business sector. I would like them to closely examine each part of our examination system and to take a look at it to see whether it meets the needs of society and education and whether it is a true test of the ability of each individual student who passes those tests.

So, it is all up for grabs. It is up to the review body, under the terms of reference, to examine all aspects of the qualifications system.

Mrs Dobson: I also thank the Minister for his statement. Does he agree that the entitlement framework itself needs to be reviewed in parallel with the review that he announced today so that it does not provide a cage around any future exam structures?

Mr O'Dowd: No, I do not agree. The exams system will reflect our curriculum. It will be based on our current curriculum, and I have no plans to review the curriculum as it is currently constituted. The entitlement framework has come into statute. As I set out in my statement to the Assembly in September last year, the framework will flow out and become fully applicable by 2015. So, exams systems should be based on the curriculum that is delivered to the young people involved. That is exactly what will happen as part of this review.

Mr Rogers: I thank the Minister for his statement. I particularly welcome his reassurance to our GCSE and A-level students, past and present. What input will schools have into this review?

Mr O'Dowd: The review will speak to key stakeholders in our education system, and schools are key stakeholders in our examinations system. Therefore, there will be an avenue for our schools and our school leaders, teachers and pupils to have an input into the outcomes of the review. I will study the review and assure myself that stakeholders have been spoken too.

However, I have to say that a consultation is not a negotiation. A consultation is when you go out and listen to key stakeholders' views. The review itself will then have to come to decisions, and I, as Minister, will also have to then make decisions. Certainly, our schools' voices will be heard through the process.

Ms Lo: I thank the Minister for his statement. Is the CCEA the right body to carry out the review, given that it is the regulator and provider of examinations? Is that a conflict of interest?

Mr O'Dowd: The Member asks a very pertinent question, and I did ponder that. However, I am satisfied that the CCEA, as the statutory body responsible for qualifications in this jurisdiction, is the most appropriate body to carry out the review. The review will be carried out by people who are appointed by the CCEA. They will report back to the CCEA board, which will then report to me. It is a

valid question, and I have studied the issue. As I said, however, the CCEA is the statutory body responsible for examinations, so it is the right body to carry out the review.

Ms Boyle: I thank the Minister for his answers to date and for his statement. Will he expand on what opportunities the review may present for students? What opportunities will there be in the review to ensure that our students stay here on these islands?

Mr O'Dowd: As I said in my statement, I am reasonably content that GCSEs and A levels have proven to be robust examinations of individual students' abilities. Michael Gove, the Secretary of State for Education in England, has made a decision to break away from the three-jurisdiction ownership of GCSEs and A levels. That is regrettable, and I believe that there was a better way forward. I have had discussions with my Welsh counterpart, Leighton Andrews. I cannot speak on his behalf, but he has expressed his concerns about how the process has been handled. The Welsh are moving forward and, indeed, are involved in a review, which will report back around November. No doubt, Minister Andrews will then make his views known on the way forward for examination systems in Wales. Over the summer, I visited Scotland and was very impressed with the Scottish model for its national qualifications. That was a very interesting visit. I have regular contact with my colleague Ruairi Quinn of the Dublin Government, and I am aware of the examination system in the South.

This is an opportunity, in the sense that the actions of Michael Gove have forced the Administrations to take their own action, so we will examine the GCSE and A-level system from a research point of view. That will not be based on a political philosophy or anything else. Rather, let us review on the basis of research and of examination of the system, and if we can do it better, let us do it better.

Mr Craig: I share some of the Minister's concerns about the links being broken with England. Will he assure the House that, whatever comes out of the review, exams will remain equivalent to whatever examination system comes into being in England? That is vital to those who wish to avail themselves of any further education in England.

Mr O'Dowd: The simple answer is yes. It makes no educational, economic or any other sense not to have our examinations equivalent to the English model, the Welsh model, the Scottish model and, indeed, the Southern model. Whatever our points of view are on the relationship between England and us, there has long been a strong relationship, in that students, employers and potential employees have gone to England to find work or to study. I have no wish to put a barrier to that in place. I want to ensure that students be given the flexibility to do that. As I said in response to the previous question, it is regrettable that Michael Gove has taken the actions in the way in which he has taken them. There was a better way of doing it, but, as I have said previously in the House, he had every authority to act in the way in which he did. We are where we are. We will carry out a review, and I assure the Member that we will ensure that our examination system is comparable to England's system.

Mr Allister: Is it not clear that GCSEs as they are are too weak a tool to command educational and employer respect and, as such, that more rigorous exams are necessary? Given that most of the rest of the United Kingdom is now moving in that direction, surely it would be wholly

prejudicial to our students to seek to hold to what would then be seen as dumbed-down exams. Can the Minister assure us that that is not an option and will not be taken?

Mr O'Dowd: None of the research backs up the Member's comment that GCSEs are — and I do not think that I am quoting him directly — a discredited exams process. There are points of view and much debate on the matter, but none of the research suggests that GCSEs have failed to carry out the function of an exam, which is to test an individual's ability to learn and to carry out functions. I do not accept that premise.

I have said publicly that the actions of Michael Gove may have fatally flawed the GCSE product, and that perception may continue to build and grow. I certainly do not want any young person to leave our examinations system with a certificate that may, for all the wrong reasons, be looked down upon. I want our young people to leave our education system with qualifications that they can be proud of and that are portable and transferable across these islands and much further afield. I have no interest in dumbing down any examinations process. It does no favours to the individual, our society or our economy.

Mr Storey: As Chair of the Education Committee, I welcome the Minister's announcement and look forward to seeing the terms of reference, which the Committee will scrutinise later this week.

Speaking as a Member, I follow on from the point made by the Member for South Belfast. CCEA has a track record of lateness in providing robust information to, for example, the Education Committee. It took a decision on the future of GCSEs over the summer, and the Committee is still awaiting evidence-based papers from that organisation. What confidence has the Minister that CCEA will be able to command the respect of stakeholders during the review to ensure that we get the proper and factual position on what we need to do, which is to come up with a Northern Ireland-based answer to the problem? Secondly, what plans has he to meet Michael Gove to discuss that issue?

Mr O'Dowd: I thank the Member for his question. The terms of reference will be shared with the Education Committee later this afternoon before being published.

I am setting the terms of reference for the review, and CCEA is, therefore, answerable to the House through the Department and my good self. I have asked for interim reports, but not because I believe that CCEA is not capable of the task. If I thought that that were so, it would not be carrying out the review. Interim reports will come to my Department, and we will be able to monitor the review's progress against the terms of reference and reassure ourselves that stakeholders are being spoken to and that work is ongoing. If CCEA is of the view that it needs to extend the terms of reference or that another element needs to be taken on board, the Department will take that into consideration.

I have every confidence that CCEA will be able to carry out a robust task, but, at the end of the day, the decisions will be for my Department, and I, as Minister, will make the decisions about the future direction of travel of our examinations system based on robust evidence and interrogation of all other systems and proposals.

This may seem strange coming from me as a republican, but I have asked to meet Michael Gove and he has refused

to meet me. It is not the case that I have a phobia about meeting Michael Gove. We may not be on the same page on many things, but he has refused to meet me, and I understand that he has also refused to meet the Welsh Education Minister on the subject of exams. He has offered me a meeting with one of his junior Ministers and, setting my ego aside, I may well take him up on that offer. However, I believe that Michael Gove, as Secretary of State for Education in England, should meet his counterparts. I cannot speak on behalf of the Welsh counterpart, but I certainly believe that he should meet me.

Mr Kinahan: I thank the Minister and welcome the review that he announced today. I note that he said in his answer to Sean Rogers that it is not a negotiation. Will he put in place a proper review that, before we get to consultation, properly consults and discusses the matter with teachers? That is the message that we got from them last week on area planning. They do not feel that they are being talked to, listened to or are a part of it, and they believe that consultation tends to be a one-way process.

1.00 pm

Mr O'Dowd: Let me clarify my use of the term "negotiation". Ministers are elected to make decisions. That is the reality; that is the democratic pathway. However, I want to make decisions based on real consultation with the sectors out there. I say that it is not a negotiation because I am familiar with other programmes of work that have taken place elsewhere which have stalled because those in charge of the consultation have bogged themselves down in a negotiation, instead of going in and consulting with people, taking on board their views, agreeing or disagreeing with them, and moving on. That is where we need to be. Whether in area planning or the review of examinations, I want people's views taken on board. If CCEA disagrees with them, I want to know why. Then, I, as Minister, will make the final decision on the way forward.

Executive Committee Business

Welfare Reform Bill: First Stage

Mr McCausland (The Minister for Social Development): I beg to introduce the Welfare Reform Bill [NIA 13/11-15], which is a Bill to make provision for universal credit and personal independence payment; to make other provision about social security; to make provision about child support maintenance and the use of jobcentres; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Private Members' Business

Marriage Equality

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

I inform Members that a valid petition of concern in relation to the motion was presented on Friday 28 September. I therefore remind Members that the effect of the petition is that any vote on the motion shall be on a cross-community basis.

Mr Agnew: I beg to move

That this Assembly believes that all couples, including those of the same sex, should have the right to marry in the eyes of the state and that, while the rights of religious institutions to define, observe and practise marriage within their beliefs should be given legal protection, all married couples, including those of the same sex, should have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage; calls on the Minister of Finance and Personnel to introduce legislation to guarantee that couples of any sex or gender identity receive equal benefit; and further calls on the First Minister and deputy First Minister to ensure that all legislation adheres to the Government's commitments to protect equality for all.

Most of us in the Chamber and wider society have the opportunity to marry the person we love and are committed to. Whether in a civil or religious ceremony, we have that choice. Whether the motion is passed, and whether we legislate for equal marriage, will have little or no impact on our lives. However, there are those who happen to love and wish to commit to someone of the same sex, and they are currently denied the opportunity to marry. We as an Assembly have the opportunity to say that we see those couples as equal, and see their love as equal. We can send a message today that those in same-sex relationships should be treated equally and fairly in our society. This is very much an issue of equality.

I agree with those who say that this is also an issue of religious freedom. The law currently defines marriage in such a way that denies religious institutions the freedom to choose to define marriage within their own values. Even churches such as All Souls' Church in Belfast cannot perform either same-sex civil partnership or same-sex marriage ceremonies because the law currently denies them that religious freedom. Equally, we have an absurdity in the law: an atheist couple of different sex may, if they choose, have a religious ceremony, yet a devout Christian couple who happen to be of the same sex cannot even have hymns played or have any religious overtones to their civil partnership, if they choose to go down that line.

As well as enhancing religious freedoms, the motion seeks to enhance religious protections. I know that there is concern out there that if we legislate to allow same-sex marriage, Churches will, somehow, be forced to perform same-sex ceremonies. I want to make it clear that that will not be the case. Currently, 11 countries legislate for

same-sex marriages, and there have been no instances of the Church being required to perform same-sex ceremonies against its will. Indeed, there have been many instances where the state definition of marriage and the religious institutions' definition of marriage has been different. Some churches will not marry two people of different religions because they do not see that as being within the value of their church, and that is their right, yet the state will still perform marriages between two people of different religions. Equally, those who are divorced cannot be remarried in some churches, but the state will marry divorcees. Again, no church is forced to marry people who have been divorced if that is against the will of that institution. Importantly, the state has respected the Church's right to define practice and observe marriage within the bounds of its own belief system.

I assure those who fear other consequences and fear that their religious freedoms would be denied if same-sex marriages were allowed that I would only support legislation that ensured that that could not be imposed on a religious institution. Passing the motion will not stop people having a personal view on how they perceive and define marriage, but it will improve the life of significant numbers of people in our society who value the institution of marriage and wish to get married. So, as well as being a motion of equality, it is a motion about religious freedom and protection.

Mr Allister: Will the Member give way?

Mr Agnew: I will indeed.

Mr Allister: I was just wondering how far the Member's aspirations about equality go because, if you start with the principle that, historically, marriage has been the union between one man and one woman, and you now say that it can be a union between one man and another man or one woman and another man, and you say that on the basis of equality, what about the man who says, "I'm in love with two women; I want to marry two women"? Does it become a question of equality that we have to then authorise polygamy? Does it not take us back to the point that you have to have a moral root upon which you base legislation, and that is the historically trusted route that a marriage is a union between one man and one woman? If you start to go down the Member's road, where do you finish?

Mr Agnew: I thank the Member for his intervention, because it gives me the opportunity to clear up that point. He talked about the tradition of marriage. As I have stated already, the institution of marriage has changed a number of times over the years in terms of how it is legally defined, including legislation to allow for divorce, mixed-race marriages and marriage between two people of different religions. As regards the issue of polygamy, this is about equality saying that couples, whether they are same sex or different sex, should have equal treatment. A marriage between a man and multiple women is not equal to a relationship between two consenting adults. Indeed, there is sociological evidence that, in societies where a man is allowed to have multiple wives, society is damaged. That is a very separate issue, because there is no equal evidence to suggest that allowing same-sex relationships and same-sex marriage in any way harms society.

I have also heard concerns that, somehow, same-sex marriage would lessen the institution of marriage. I hear it, and I believe that it is a genuine concern, but I do not

share that concern. Those who campaign for same-sex marriage, particularly those in the lesbian, gay, bisexual, or transgendered (LGBT) community who seek the opportunity to marry, are committed to the institution of marriage, which is precisely why they campaign to have the opportunity to marry extended to their relationship.

It is important that we are debating this today and addressing these issues, because it is a debate that is taking place across the UK. I think it is telling that a Conservative Prime Minister, the leader of a party that has arguably done more than any other to promote the institution of marriage, is now coming out in favour of same-sex marriage. It is very rarely that I will quote David Cameron in support of one of my principles, but, in this case, I think it is important to recognise that this issue has stretched across parties, including the Labour Party, the Lib Dems, the Conservative Party and the SNP in Scotland. David Cameron said:

"Conservatives believe in the ties that bind us; that society is stronger when we make vows to each other and support each other. So I don't support gay marriage despite being a Conservative. I support gay marriage because I'm a Conservative."

I concur with the Prime Minister's view on that. Extending the right to marriage to same-sex couples will strengthen the institution of marriage. As well as being a motion about equality and one that seeks to enhance religious freedom, this is a motion that seeks to strengthen the institution of marriage.

I hope today's debate will be a responsible one, because it is important that the Northern Ireland Assembly sends out the right message on this issue. The motion will not have a direct impact on anyone outside the LGBT community. Those in the LGBT community still face discrimination in our society. A survey was conducted in which a quarter of gay people said that they face homophobia in the workplace and a quarter said that they feel that they have to hide their sexual identity in the workplace. Gay people are much more likely to suffer mental ill health, and a recent survey showed that one quarter of gay young men said that they had attempted suicide. So, today, it is important that our language is moderate and respectful and that Members remember those issues.

I call on all in the House to support the motion and, in doing so, to support a motion that seeks to create equality in our society, enhance religious freedom, support the institution of marriage and to send out a message to all those in the gay community that the Northern Ireland Assembly believes that they should be able to live in safety, freedom —

Mr Deputy Speaker: The Member's time is up.

Mr Agnew: — and freedom from discrimination and that it is committed to a shared society for all.

Miss M McIlveen: I rise on behalf of my party to oppose the motion, not because we oppose anyone or how they choose to lead their life but, rather, because of what we support, and we support the institution of marriage. I want to say at the outset that my party believes passionately in equality. Indeed, one of the founding principles of the DUP is that all people are equal under the law and equally subject to the law.

We on this side of the House take equality seriously. This debate is not about demoralising or marginalising anyone, but neither is it truly about equality. To use the word “equality” when referring to marriage is to suggest that marriage is in some way unequal or discriminatory. That is not the case. Marriage is a complementary union between a man and a woman. This is not a debate about equality; rather it is a debate about redefining the centuries-old meaning of the word “marriage”. It is simply a myth that this is an equality issue, as equality already exists. People are free by marriage or civil partnership to take on the same rights and bear the same legal burdens, no matter what type of relationship they choose to enter into. Moreover, everyone is free to choose to marry. There is no bar or prohibition on marriage. People are free to marry provided they marry someone who is of the opposite sex. It is time to tear down the smokescreen that this is about discrimination. The equality issue is settled.

1.15 pm

So, what is at stake in this debate? In our law, the word “marriage” was defined in the case of *Hyde v Hyde* in 1866. The court held that marriage was:

“the voluntary union for life of one man and one woman, to the exclusion of all others”

The reasons for defining marriage in this way are simple. Marriage is not simply about the individuals who are getting married. Marriage is about the future and the future generations who will be safeguarded by voluntary and exclusive relationships. Marriage, then, is not really about the participants; it is about the nurturing of children. To redefine marriage is to redefine society. To redefine the word “marriage” is to say that society is not about safeguarding the future but rather about the needs of the here and now. To redefine marriage is to change the point of focus from looking to the future to looking only at ourselves and our need. That is not the type of society that we want to build in the Assembly. Marriage is more than love and commitment. It is more than a publicly declared contract; it is about the future.

Graeme Archer, himself a declared gay man, said in ‘The Daily Telegraph’ on 5 May 2012:

“Deliberately to engineer children who cannot, by definition, have the advantage of a traditional family, in the hope that this brave new cohort will fashion into existence a ‘more equal’ society ... is, and I don’t use the word lightly, irrational.”

He says that this:

“ — for gay people, as well as for those who won’t, or can’t, marry — is about self-acceptance ... It does take a village to raise a child. But the process should start with a mother, and a father.”

This is not some narrow and bigoted view. Article 16 of the UN Universal Declaration of Human Rights, as upheld by the UN Human Rights Committee, defends this view of marriage. In European law, article 12 of the European Convention on Human Rights upholds the same definition, and the court has deemed this to be not a matter of equality but rather a matter for individual state law.

The motion states that safeguards should be put in place for Churches, but countless legal opinions, such as that of

Aidan O’Neill QC, a leading human rights lawyer, raise the issue of the far-reaching problems for Churches that refuse to perform non-traditional marriage ceremonies. Churches could be debarred from the use of public buildings for youth clubs or from accessing public money, not to mention the Christian parents who would be debarred from removing their children from classes in schools that teach about redefined marriage. No matter what some in the Alliance Party, the Ulster Unionist Party or the SDLP tell us, Churches, church groups and Christians — in fact, any person from a faith community — will be in a significantly diminished position as a result of any legal change.

The question we are really asking today is this: what sort of society do you want to build? Is it a society that looks forward and that truly protects the rights of all, or a society that narrowly redefines an institution for temporary gain? I know what type of society I want to be part of, and it is a society that is truly inclusive and that looks to the next generation. That is why we on this side of the House will oppose the motion.

Mr Deputy Speaker: Order. As this is the first debate in which the Assembly will hear from Ms Bronwyn McGahan, I would remind the House that it is the convention that a maiden speech is made without interruption.

Ms McGahan: Go raibh maith agat. As you quite rightly said, this is the first opportunity that I have had to participate in a debate, and I thank you for giving me time to say a few words.

Members will be aware that I was co-opted to my position in the Assembly to replace Michelle Gildernew, and I want to pay tribute to Michelle. She served as an MLA for Fermanagh and South Tyrone from 1998, and she gave 14 years’ service to our constituency. She continues in her role as MP for Fermanagh and South Tyrone. I also want to thank my Sinn Féin colleagues here in the Assembly team and in Fermanagh and South Tyrone for selecting me for this position. I give special thanks to Assembly staff and officials. I have found them to be very helpful in enabling me to settle down and find my way around.

I speak as a republican, and one of the principles of the 1916 proclamation is a guarantee of religious and civil liberty, equal rights and equal opportunities to all citizens. This was the first mention of gender equality, given that Irish women under British law were not allowed to vote. Another important principle is a promise to cherish all the children of the nation equally. It is in that context that the motion aspires to move us towards a more equal and tolerant society. I recognise that there are deeply held views on this issue, but we cannot pretend to be for equality and add the word “but” if we are genuine in wanting to create a society of equals.

There have been many homophobic attacks. Indeed, in my constituency, a young man was murdered because he was openly gay. If we fail with this motion, we are sending out the message that members of the lesbian, gay, bisexual and transgender community are not equal and we will be creating conditions in which their basic rights are eroded and attacks on their community become acceptable.

Inequality is a manifestation of differences among people across a range of quality of life indicators. This island has experienced enough division and hatred without perpetuating any other divisions.

The motion is simply about one thing: if two consenting adults want to get married, regardless of gender, they should not be hindered in doing so. I ask the House to support the motion.

Mr Beggs: I declare an interest as a committee member of Raloo Presbyterian Church. I do so because I believe that same-sex marriage legislation could have implications for many Churches throughout Northern Ireland.

Marriage is a recognised institution where a religious or civic commitment is voluntarily given between a man and a woman to share their lives and property. A stable household and positive male and female role models are recognised as important in a child's development. I and many others have very strong views on this matter. The Ulster Unionist Party has recognised this issue as one of conscience, so all members are entitled to vote according to their conscience.

The Civil Partnership Act 2004 legalised same-sex or civil partnerships in Northern Ireland. However, recently, the Home Secretary, the Rt Hon Theresa May MP, stated:

"Same-sex couples now receive access to equivalent legal rights".

She then added:

"bar the ability to be able to be married and to say that they are married."

The Assembly Research and Information Service paper states:

"Civil partners have the same rights and responsibilities as married couples in many areas including tax, social security, inheritance and workplace benefits."

However, the implications of introducing same-sex marriage are much more significant than merely changing the symbolic description of marriage. In its briefing paper, the Coalition for Marriage highlights that the word "marriage" appears some 3,000 times in UK legislation and that associated words such as "husband", "wife", "father" and "mother" also appear several thousand times. It points out that it is not possible to change the meaning of marriage without far-reaching consequences.

I believe that the motion is flawed. I also believe that it will not be possible to deliver same-sex marriage and to guarantee the protection of religious rights. Indeed, I believe that it will endanger civil and religious rights.

Some Members suggest that faith groups should not be concerned about the proposals to introduce same-sex marriage, as protections will be built in for those groups. However, I note that, in the consultation paper for England and Wales, the advice is that:

"no Church of England minister should face a successful legal challenge for refusing to conduct a same-sex religious marriage."

There is not much certainty in that statement.

Aside from one's moral viewpoint on the rights and wrongs of same-sex marriage, I believe that the key issue is the unintended consequences for religious liberty. Any decision to introduce same-sex marriage is likely to have implications for me, for my Church and, indeed, for every

religious organisation in Northern Ireland, as well as for an individual's fundamental freedom of religious expression. It is deeply disturbing that civil and religious liberties in the UK could be threatened by this proposed change.

Concerns about the proposed change to the definition of marriage have been expressed by the general board of the Presbyterian Church in Ireland, the Church of Ireland General Synod, legal advisers to the Church of England, the Roman Catholic Church, a host of other Protestant reform Churches, the Muslim Council of Britain, and Lord Singh, who is head of the Network of Sikh Organisations. So, why the concern? At present, a European Court ruling based on the current definition of marriage and of civil partnerships indicates that human rights are met by the status quo. However, should the definition of marriage be changed, the protection of religious groups to restrict marriage to between a man and a woman is likely to be challenged. I note that Adam Wagner, of UK Human Rights Blog, states:

"It may be that once a state decides to implement gay marriage, the court will be less cautious in ruling on how exactly the rules are implemented."

The Church of England has indicated that, even if a mutually acceptable legislative solution could be found, it cannot be assumed that such a solution would withstand subsequent challenge, whether in our domestic courts or in Strasbourg. Leading human rights lawyer Aidan O'Neill QC indicates that equality legislation could result in Church chaplains being dismissed from hospitals for expressing their religious views, teachers having to utilise "John lives with Dick and David"-type books, and a host of other things. You think it impossible that that would happen? Remember that Relate, the Roman Catholic adoption agency —

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr Beggs: — closed its doors rather than breach its beliefs and allow same-sex couples to adopt.

I oppose the creation of same-sex marriage and support the existing concept of marriage as being between a man and a woman.

Mr Eastwood: The motion before the House is very welcome. I recognise that there will be strongly and genuinely held views on both sides of the argument. I hope that the spirit and conduct of the debate is cognisant of that and we do not stray into disrespectful or fundamentalist language on either side. Those of us in favour of the motion need to be sensitive, aware and responsive to the arguments and sentiments of those who are opposed. In that vein, I deem that the words of the current Irish EU Commissioner, Máire Geoghegan-Quinn, are helpful. Speaking in another place, as Minister for Justice in 1993, regarding the decriminalisation of homosexuality, she eloquently identified that the:

"process of change is not easy and, understandably, many people worry that the traditional values which they hold so dear, and many of which are fundamentally sound, are under siege from emerging modern realities. But, of course, it is not a matter of laying siege to all the old certainties, nor is it a matter of jettisoning sound values simply to run with a current tide of demand".

It is important that those who hold genuine concerns about same-sex marriage are assured that it will not detract from, devalue or diminish their own moral principles or the theological tenets of religious institutions. It is not about the imposition or forcing of social mores. It is not a case of a shotgun marriage between theological tradition and ever-changing social and societal compositions. Each has a place of respect and the right of respect. It is important to note that the motion calls for the respect and legal protection of religious institutions, and allows them to define and practise marriage within their beliefs. I am not of the belief, however, that the existence of one set of societal values or compositions corrodes the strength, status or symbol of any other.

In essence, the extension of the statutory recognition of marriage to same-sex couples is an affirmation of the enduring importance of marriage. The sinews of bondage between two people, encased and sustained by the growing nature of love, is a value worthy of extension to those who would choose it. Heterosexual marriage embodies those values; so too does same-sex marriage. It is all the more important given the modern fashion of a pervasive individualism advocating and instilling an 'Atlas Shrugged' view of our world. The recognition and extension of equal marriage is ultimately about the conservation of those same values of loving inter-reliance. It is about the preservation of those values.

It is the role of the state to meet the requests of same-sex couples who want the recognition afforded to other couples. It is, I believe, worthy and right that statutory recognition be given at this time. That is not because of a trend or the tide of demand, but because it is the right thing to do and the right thing for the state to recognise.

Ms Lo: I welcome the opportunity to debate the issue in the Assembly. The Alliance Party supports the motion, which is very much in line with policy that was recently passed by our governing party council after a period of internal and external consultation.

1.30 pm

In keeping with our core commitment to equality and freedom of religion, we support the extension of civil marriage provisions to same-sex couples. However, we are very clear in stressing that robust protections are provided and encapsulated in legislation to ensure that faith groups and religious celebrants will not be forced to conduct same-sex marriage ceremonies or to have them conducted on their premises. At the same time, we further believe that faith groups that, in conscience, wish to marry same-sex couples, should not be prevented by the state from doing so. The All-Souls' Non-Subscribing Presbyterian Church in my constituency of South Belfast regularly gives blessings for gay and lesbian couples after their civil partnership. Such churches may welcome those couples in future. However, we are clear that there must be no compulsion on churches to do so. We also support the extension to accredited humanist celebrants of the authority to solemnise marriages, which, unlike the practice in Scotland, they cannot currently do.

Every person has their own particular understanding of marriage. Indeed, those views may be held in common with others. Often, those views will reflect firmly held and sincere religious beliefs. However, the state also has a duty to treat all its citizens equally and fairly. That is not

the case at present with marriage, with same-sex couples not having the ability to have their stable and loving relationship recognised by the state. I do not believe that the state recognising same-sex marriage detracts from the belief system or diminishes the Christian institution of marriage or that of other faiths. It is entirely possible to hold a set of values that govern one's personal life while recognising that, in a liberal society, it is not appropriate to impose those views and values on other people and other couples.

As elected representatives, we all have a duty to ensure that the state does not discriminate. It may be useful to draw a more direct parallel between same-sex marriage and divorce. Many people have sincere personal opinions about the rights and wrongs of divorce; indeed, many churches do not support divorce and will not facilitate second marriages. That is their right and their affair, even though I may disagree with it. However, few people today would argue against the state having a duty to provide civil divorce to any person or couple who wishes to dissolve a marriage.

Some ask whether the rights of churches in this regard can be adequately protected under law. I sincerely believe that they can. Some have also raised the prospect of the European Court of Human Rights imposing same-sex marriages on churches. That has been contradicted by other legal opinion. Article 9 of the convention, which has been upheld on many occasions, is unambiguous in protecting the right to freedom of religion. That gives churches really strong protection in respect of the ability to determine practices within their premises in line with their own teaching.

I believe that this is an issue of equality and of freedom of religion, and, if we are a progressive society, we must respect diversity and provide equality and protection for all.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. It is very much to be welcomed that we are discussing the issue. This is the first private Member's motion that has come forward on issues relating to the lesbian, gay, bisexual and transgender (LGBT) community, and it is to be welcomed.

Being gay is legal and has been since 1982, when Jeff Dudgeon took a case to the European Court of Human Rights. I read about some of his experiences at that time, which seem like a world away. For example, members of the gay community were pulled in by the police for questioning about their activities. That was ludicrous, and, in this day and age, opposition to gay marriage, which does not affect any churches, is also ludicrous. Before I go on to my next point, I want to say that our responsibility as Members of the Assembly is to legislate not just for our particular part of the community but for everybody, regardless of their sexual orientation. Of course churches will have their own definition of marriage, which they are entitled to. However, if legislation came forward to facilitate marriage equality, it would not affect how each individual church defined marriage. That goes back to what Anna Lo said about divorce, which is facilitated in society even though the churches may not agree with it. We as legislators have to recognise that we represent everybody, and everybody's needs must be facilitated.

There is a much more serious issue here as well. What we say in the House today will go out on radio and television

this evening. People sitting around their dinner table will watch this and see what the views of senior politicians are. People, particularly the young, will be informed by the opinions of politicians. As Bronwyn McGahan said, there is a lot of prejudice and discrimination on this issue in our community. We need to send out a clear message that people from the LGBT community are equal and are entitled to the same rights as everybody else. Prejudicial views lead to discrimination, and that discrimination has an ongoing devastating impact on young men and women who are gay. It leads to bullying, harassment and suicide. We have had debates about suicide in the Assembly, and all parties were agreed that we needed to do everything we can to ensure that the likelihood of that is reduced. Addressing this issue is one way we can affect the prevalence of suicide in our society. That is why we need to support the motion.

The fact that the House will not split down traditional, defined lines is to be welcomed. There is a variety of views across the Benches, and I hope that will continue to permeate our respective communities. Nobody should sit on the fence when voting on the motion. The party opposite has submitted a petition of concern, but there is an opportunity today for Members to secure a majority vote for equality and for standing up for the rights of gay people in our community. We need to grasp that opportunity and show political courage. We cannot always look over our shoulder and think, "My voters might not like this or that"; we need to do the right thing. There is a big opportunity here to send out a message that gay people in our community have a right to equality and to have their needs facilitated and defended. The majority of Members in the House need to vote for the motion and send out a clear message that this will no longer be a taboo subject in this part of Ireland. People in the rest of Ireland are clearly going to move on, as are people in Britain, and we cannot be left behind. As I said at the start of my speech —

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr McKay: — being gay has been legal since 1982. As with gender and race, when the breach is made —

Mr Deputy Speaker: Time is up.

Mr McKay: — it is just a matter of time before other rights come out of that. I urge Members to support the motion.

Mr B McCrea: I may be one of the few Members from the unionist Benches to speak in favour of the motion. I do so aware that many in my community are deeply uneasy about it, and I respect their position. However, I also know that there are Members of the House, some of whom are not present, who are unable to speak out on the motion despite their personal position and despite the situation that members of their family find themselves in. I find that really disappointing, and I am surprised that the DUP has felt the need to present a petition of concern on a matter that should really be a free vote. However, somebody needs to speak out. Somebody needs to speak for those who are carried away on urgent constituency business. All of us should be given the opportunity to speak freely.

I want to live in an open, tolerant and pluralist society that celebrates diversity, accommodates difference and protects individuals who happen to be different.

Mrs D Kelly: The Member, obviously, listened carefully to his party leader the other week when he talked about a unionist party that is progressive and for all. So, I commend the Member on speaking out. Does he not believe that a major feature in the rise in young suicides over the years has sometimes been prejudices around sexual identity?

Mr B McCrea: I thank the Member for her intervention. I will, if she does not mind, deal with that point a little later.

You do not have to be black to oppose racism or female to speak out against domestic violence, and I do not have to be gay to reject prejudice, misinformation and bullying. These are issues that we should all stand against. Nor do I limit my support to specific minorities. Churches, practising Christians and other religious faiths also have rights. The Church, whatever denomination it may be, is an important institution in society. Churches must have the right to determine what they permit within their bodies. That is the core of religious freedom. They do not have the sole right to determine what is permissible outside their bodies. The motion makes it clear that churches would have legal protection to ensure that they will not be compelled to engage in activity that they consider incompatible with their religious beliefs. Like Ms Lo, I believe that that right is fully protected under article 9 and, despite the scaremongering of some earlier speakers.

The central tenet of those opposed to the motion is that marriage is a religious institution and is, therefore, sacrosanct. It may come as a shock to some here to know that in the past Presbyterian marriages were not recognised, and the offspring of such unions were considered illegitimate. At other times, neither a minister nor a church was required; the only essentials were a declaration in front of witnesses and the absence of compulsion. Many marriages were not even registered unless property was involved. The point is that marriage can change to accommodate society.

There is something of a crisis in marriage. In the swinging 60s, only one person in 50 lived together. Marriage was the only option, and divorce was unheard of. Today, fewer than half the population are married. Almost one in five over the age of 50 is divorced, and 30% of children are born to parents who cohabit. What is, perhaps, most surprising about those figures is that the most ardent opponents of the motion are strangely silent about them. Where is the motion condemning people who live in sin, or cohabiting as we now call it? One in six of the population. If this is an issue about marriage, then there are other issues you have to tackle.

We are talking about a relatively small number. In 2010, there were 8,200 marriages in Northern Ireland and just 116 civil partnerships. Why is the focus on those small numbers?

Marriage is not an exclusively Christian concept. It is practised in many ways in many parts of the world. At different times in our history it has been looked at in different ways. The important thing to understand about the word "marriage" is that it is just a word. It is the meanings and actions behind the word and the associated values that are important. I have to say to society in general that actions speak louder than words. All the fine words here mean nothing; it is what people do.

An important thing in a way forward and a shared future is to accept that we are all different, yet we depend on each other.

Allowing one group to use a word does not diminish its use by another, and the context will be understood by all. Society accepting equal marriage does not mean that everyone has to agree with the practice. Many Christians and followers of other religions already do not agree with every single marriage that takes place. That is their choice, but our job is to provide some form of society in which we can all work together.

1.45 pm

The Assembly has an opportunity: by passing the motion, we will send out a powerful message that we can tackle hard subjects and take tough decisions, and, contrary to popular opinion, it will make a positive contribution to our society. I stand alone, if necessary, for all of the individuals in our society, and I urge people to remember that every single one of them is somebody's child.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim míle buíochas leat as ucht an deis cainte a fháil ar an ábhar tábhachtach seo. Tá an rún seo thar a bheith tábhachtach. Chan amháin sin, sílim go bhfuil sé curtha le chéile ar bhonn cothromais, agus tugann sé aitheantas do chearta gach aon duine atá i gceist anseo: do lucht creidimh agus dóibh sin atá ag iarraidh a gceart chomh maith. Thank you very much, Mr Deputy Speaker, for the opportunity to participate in this important debate. I praise those who brought this extremely well constructed, balanced and fair motion to the House. I think that it seeks to uphold the rights of all concerned.

This is a debate about equal rights. It is about freedom from discrimination and stigmatisation. It is about legal protections and responsibilities, and the rights, obligations and benefits afforded by the legal institution of marriage. It is also about real people: sons, daughters, brothers, sisters, uncles and aunts. It is about parents who want to see their children in loving, secure, stable and permanent relationships that are protected by the legal institution of marriage and who do not want to see their children marginalised, stigmatised or wondering what the future may hold for them. Their love for each other and their commitment to their relationship should be afforded the very same protections and benefits that the rest of us derive from marriage and, in this case, civil marriage.

The LGBT community is not asking for more; it is simply asking for the same. Extending rights to those who are denied them should not be seen as a threat to those who already have those rights, or to their faith, belief or right to hold a different view. The motion makes a clear distinction between the civil and religious aspects of the issue. It states:

“that all couples, including those of the same sex, should have the right to marry in the eyes of the state”.

It also states that religious institutions ought to continue to have the right to “define, observe and practise marriage” within the bounds of their institutions. There is no desire, therefore, for any religious denomination or celebrant to be compelled to perform same-sex marriage ceremonies against their beliefs or faith. I strongly believe that that should be the case, as it is in this motion. The equal

marriage campaign in Northern Ireland is also committed to protecting the rights of those religious denominations and celebrants who do not wish to conduct same-sex weddings. The motion recognises that the state does not have any role in dictating to religious groups which ceremonies they can and cannot conduct.

Articles 2, 16 and 18 of the Universal Declaration of Human Rights underpin the right of all to marry and to have freedom of thought and religion. Article 18 upholds religious freedoms. I believe that the motion reflects those views. As Mr McCrea pointed out, equal marriage is an evolution of the principles set forth in the Universal Declaration of Human Rights and the European Convention on Human Rights. Those are that all human rights are indivisible and interdependent and must be secured and protected, without discrimination on the grounds of religion, race, gender, class, ability, sexual orientation or, indeed, any other status. Therefore, I strongly believe that the motion upholds the right of all to marry, and protects —

Mr Deputy Speaker: The Member should bring his remarks to a close.

Mr D Bradley: — the autonomy and rights of religious and faith groups. For that reason, I support the motion and commend it to the House.

Mr Kennedy: I speak in the debate not as a Minister in the Executive nor on behalf of the Ulster Unionist Party. Rather, I speak as a Member of the House to express my personal views on what I regard to be an important issue of conscience. Members will know that my party believes that issues of this nature should be subject to individual conscience and not party dictates. As someone with a clear personal faith, yet tolerant of the right of others to hold and express their views, I want to set out my personal position on the subject of same-sex marriage.

I do not and cannot support the principle of same-sex marriage. I am opposed to it not just on the basis of the teachings of my church, the Presbyterian Church — I should add that, outside the House, I have responsibilities as clerk of session and Sunday school superintendent at Bessbrook Presbyterian Church — but also, most importantly, on the basis of the teaching of holy scripture. I do not see it as an issue of equality, because, in my view, civil partnerships provide equality of treatment for those in same-sex relationships.

Mr Agnew: Will the Member give way?

Mr Kennedy: Despite that fact of existing and fair and equal treatment, we find ourselves debating, I feel unnecessarily, this issue today. Many people at home who are watching the debate, following it or reading about it in tomorrow's newspapers will ask one question — Why? At a time of economic difficulty and job losses, when people are worried about bills, their job security, fuel prices as we approach winter and their shopping budgets, why are we setting aside time to debate same-sex marriage? The answer is, rather depressingly, because of Scotland. It seems that we are only debating the issue because the Scots consider it to be an issue.

We are not only discussing this issue, we are doing so with what I believe is a very confused motion. Like the other proposals in Great Britain, it is confused, because it calls for the right of same-sex couples to marry at the

same time as calling for the right of religious institutions not to marry them. The net result could be a law that provides people with a right that they cannot exercise. It is sometimes said that you do not know your rights when you cannot enforce them. This motion could provide for people to acquire rights that they know about but cannot enforce. Therefore, it is a motion that is as pointless as it is a worthless course on which to embark. When it comes to pension provision, child maintenance, inheritance, life assurance and immigration rights, civil partners are not disadvantaged. Civil partnerships offer the same legal treatment as marriage and, therefore, there is simply no need to further change the law and no need for a motion that calls for the same legal entitlements. I invite the proposer of the motion, who wants to respond to my remarks, to list the legal entitlements to which he refers that are to be denied to civil partners.

Mr Agnew: I thank the Member for giving me the opportunity to respond. Civil partnerships are not equal in law, and nor do they provide religious freedom. They are not equal in law in that a couple in a civil partnership in Northern Ireland does not have the right to adopt children as opposed to the rights of civil partners in England, Scotland and Wales. There is no evidence to suggest that it would be detrimental if they had that right. Equally, it does not provide couples, even if they are Christian, with religious equality because they are not even allowed to play religious music or have any adornment of religious overtone in a civil partnership whereas I, as someone who does not attend church, can have a religious wedding if I so choose.

Mr Kennedy: I am grateful to the extent that the Member took the opportunity offered. However, he has not convinced me with his argument. The whole point of devolution is to permit regional variations in law and in practice from other parts of the United Kingdom. Not only are we not obligated to follow blindly but we would be neglecting our role by doing so. In referring to the "eyes of the state", the motion fails to acknowledge that, under devolution, those eyes are different in Scotland to those in England and Wales, and different again to those in Northern Ireland.

We are debating an issue today that even the Scots do not plan to introduce until after 2015. This debate sends out a message to people at home that we are not a serious Assembly because, once again, we are doing nothing other than debating somebody else's idea. A serious Assembly should concentrate its efforts on finding Northern Ireland solutions to Northern Ireland problems with health, education and, most importantly, with the economy. I do not support the motion, and I urge others, irrespective of their views on same-sex marriage, to follow suit and reject it.

Mr Allister: I also reject the motion. This is not an issue of equality; it is an issue of the perversion of marriage. Historically, for a very good reason, marriage has long been defined as the union of one man and one woman. Any society should be slow to tinker with or alter a bedrock of society that has served it so well, none more so than respect for marriage. Some have said — indeed, I heard Mr McKay say so — that as legislators, we have to represent everyone. Without apology, I am here today to represent in this debate those who say that they stand by the traditional values, standards and definition of

marriage. I do not and will not represent a contrary cause in the House.

(Mr Speaker in the Chair)

Mr McDevitt: Will the Member give way?

Mr Allister: Later, perhaps.

There is a question as to whether any legislator should properly have regard to societal and moral norms. Is that outside the ambit that we should be considering? I am quite clear that it is something that we should most assuredly be considering, because the society that loses hold of its norms and its morals is a society that just keeps spiralling downwards. Reference has already been made to some of the social consequences of a society losing sight of its moral attachments.

Some say it is a human rights issue. It is not a human rights issue. It has long been established in human rights jurisprudence that there is no right to same-sex marriage under the European Convention on Human Rights in any state that has our definition of marriage. However, it would become a human rights issue if we were so foolish as to change the definition of marriage, because those who qualify outside the traditional definition of marriage would then be able to claim discrimination and say that they were being discriminated against by religious institutions. It would quickly become a human rights issue, and the bulwark that Ms Lo described article 9 of the convention as being would very soon melt away. That is because, in those circumstances, it would be only a competing interest in a balancing exercise to be conducted by the court. So, it would not be the bulwark.

2.00 pm

Just as civil partnership was the slippery slope to this proposition of marriage, let us remember that the proponents of civil partnership told us all that they were not interested in moving to full marriage. Those who were not deceived by that can see exactly where the intent was. Now, of course, the next step is into so-called gay adoption, and on and on it goes. Marriage is one of the institutions that holds society together, and I say to this House that we should be very slow indeed to loosen the grip of that binding moral.

I will give way to Mr McDevitt.

Mr McDevitt: I thank Mr Allister for giving way. I take him back to his earlier assertion that he has come here to defend "the traditional values" of marriage — not the conditions or the context of marriage, but the values. I presume that those are values such as love, interdependence and solidarity. Can Mr Allister tell this House how those values are not present in a same-sex relationship? How are those values absent, specifically, from a same-sex relationship?

Mr Speaker: The Member will have a minute added on to his time.

Mr Allister: The Member mentioned some of those values, such as love and companionship. He did not mention providing a context for the rearing of children. Marriage, of course, was instituted for that very purpose. That is where there is no equality between the man and the woman who want to get married to raise a family and the man and the man who want to get married for whatever reason. There

is no equality whatever between those two situations, and nor can there be.

The logic of the Member's position, if we are heading down the road of saying that we can tinker with or change the basic concept of —

Ms Lo: Will the Member give way?

Mr Speaker: Order. The Member has the Floor.

Mr Allister: If we change the basic concept of marriage from being the union between one man and one woman, as I put it to the Member, we are headed down the road where there is no justifiable reason, in your logic and in that of those who proposed the motion, to resist polygamy.

If a man says, "I am in love with a man", you say, therefore, that he must be entitled to marry. If a man says, "I am in love with two women", according to your equality charter, it is his right to say that he must be entitled to marry. Of course, this House would recoil from that. Why? That is because, in all this, there is quite properly, even yet, a recognition that there is a moral standard that has to be upheld —

Mr Speaker: The Member's time is almost gone.

Mr Allister: The same moral standard prohibits loosening at all the grip on the fact that marriage is between one man and one woman —

Mr Speaker: The Member's time is gone.

Mr Allister: — and there it should stay.

Mr Wilson (The Minister of Finance and Personnel): I am very happy to respond to the debate. I listened with very great care and interest to the points that were made in the debate, which, I have to say, has been fairly measured. However, I believe that, for two reasons and as the Member for Newry and Armagh indicated, it is a debate that many people outside this Building will find very odd at this particular time. He gave the first reason, which is that there are many other important issues that this Assembly could be debating in the middle of an economic recession that is affecting almost every household. Secondly, there is no widespread demand — *[Interruption.]*

Mr Speaker: Order. The Minister has the Floor.

Mr Wilson: There is no widespread demand across society for the kinds of changes that the motion asks for.

At the outset, I will make clear my position as Minister of Finance and Personnel. I am opposed to gay marriage. I have no intention of bringing forward any legislation to this House to facilitate gay marriage. I believe that, in doing that, I am reflecting the general view in society in Northern Ireland.

A number of issues have been raised here today. The first is that people think that, once they raise the issue of rights, they have the trump card. When you talk about rights, nobody can possibly deny you whatever it is that you have asked for. However, the fact of the matter is that rights are not always compatible. One set of rights may not be compatible with another person's set of rights. The proposer of the motion spoke about the right to get married, the right to private family life, and so on. Equally, of course, Mr Beggs, Mr Kennedy, Miss McIlveen and Mr Allister talked about people's rights to religious

freedom and religious beliefs. In this case, the two are not compatible.

Mr Agnew: Will the Member give way?

Mr Wilson: I will give way in a wee minute, but let me develop this point.

I have to say that there has been some shallow thinking in this debate. One of the shallowest comments was made by the Committee Chairman, Mr Daithí McKay. He said that we have to legislate for everybody and that everybody's needs must be facilitated. I have to say to the House that there are occasions when you cannot facilitate everybody's needs. There are occasions when, if you recognise and make a decision that, on balance, you want to go down one road, it means that you cannot facilitate people who want to go in a totally different direction. When it comes to the rights of religious freedom, as opposed to the kinds of things that the proposer of the motion talked about, there is a parting of the ways. It is shallow to think that you can facilitate that.

I do not want to criticise someone who was making her first speech, but to try to indicate that the sincere holding of these beliefs will somehow or other encourage people to attack those who have decided on a different lifestyle is just absolute nonsense. No one in this debate — no matter what side of the debate they have come from and regardless of how wrong they may think a certain lifestyle is or their view on that lifestyle — has indicated that that is a cause for physically attacking the people concerned. That is the first thing.

I will give way now.

Mr Agnew: The Minister made the point that there is a right to religious freedom. Equally, he said that I talked about the right of those in same-sex relationships to marry. He said that those are conflicting rights. Given that there is the right to divorce but the religious freedom of Churches does not allow divorce, can he tell me how these two rights — the potential right of same-sex couples to marry and the right to religious freedoms — would come into conflict?

Mr Wilson: I will. In fact, the Member has led me on to the next point that I want to make. When we come to look at the kinds of issues that he has raised today, a conflict will — it is not that it could or might; it will — arise that will impact on people's religious freedom.

Let me give you one example. In fact, Mr McCrea raised this point when he said that it is one thing to say that the law should not impinge on what people believe and how they conduct affairs in their Churches but it is another to say that we should not consider the effects that it has outside that. As Mr Allister pointed out, once we change the definition of marriage, we change the context in which a whole range of rights, responsibilities and obligations is made.

Let me give some examples. We will look at it first for individuals and secondly for Churches. If you change the definition of marriage in law, when it comes to teaching about marriage in school, the definition that has to be abided by, and the type of marriage that has to be taught, will be as defined in law. What happens if a teacher decides that it is against his or her moral and religious beliefs to —

Mr McDevitt: Will the Minister give way?

Mr Wilson: Let me finish the point. What if he or she decides that it is against their religious and moral beliefs to teach that definition of marriage? Immediately, that teacher will be brought into conflict with the education authorities and with those who decide to challenge him or her. The same will happen with schools.

Mr O'Dowd: Will the Minister give way?

Mr Wilson: Let me finish the point, first. Someone else has asked me to give way, which I will do in a moment or two.

The same will happen with churches that refuse to accept that definition of marriage. Will their youth groups get excluded from council facilities because they will not abide by the new legal definition of marriage and are therefore seen as being discriminatory? Once you move the goalposts, the idea that somehow or other this will not impinge on people's rights is wrong. I will give way, and then I want to develop the point a bit further.

Mr McDevitt: We are used to the Minister's eccentric views on climate change, but the past few minutes have taken us into a whole new realm. Does he not accept the basic premise that in this jurisdiction there is a separation between the churches and the state? I take it that that separation is something that the entire House feels very strongly about?

Secondly, does he not accept that the logic that he is trying to project for what might or might not happen in a classroom is basically flawed? Is he seriously suggesting to me that Catholic schools today are teaching kids about divorce? Is he really? Is he saying that Catholic teachers who do not deal with the issue of divorce in the classroom because it is against Catholic teaching should be arraigned?

Mr Speaker: Interventions from Members should not be statements.

Mr Wilson: Of course, the Member loves the sound of his own voice and has tried to get in on quite a number of occasions. He talks about the separation between church and state, but faith groups are already excluded from making applications for, for example, government funding, because of what they believe and the stance that they take. That is the point that I am making: once we change the definition, we impact upon those various groups.

I have heard all of the talk about protections being brought into the law. I can remember sitting through debates in the House of Commons about the then Racial and Religious Hatred Bill, where it was said that people would still be permitted to preach whatever they wanted to preach according to their beliefs. Yet, that law has been used against street preachers and everything else, despite the fact that in the House of Commons it was explicitly said that people would be protected. Hoteliers and bed-and-breakfast owners have been brought before the courts despite the fact that protections were promised.

I listened to what Ms Lo said on the issue. She said she sincerely believed that the rights of churches could be protected. That is not a very good guarantee. If we were to legislate for this, the sincere belief of the Member for South Belfast would not be much of a safeguard for those people who hold a different view.

The first issue is that of rights. Rights are not always compatible, and we have to take a balanced view as to which rights are going to be pursued and which rights should be given protection.

Let me come to the second issue raised: equality. It was said that, somehow or other, this is about getting equality between the people who believe in same-sex marriage and those who believe in heterosexual marriage. I do not agree with the Civil Partnership Act 2004. As Mr Allister pointed out, that was the toe in the door and the means for pushing the boundaries even further in a direction that I, and the vast majority of people in Northern Ireland, do not wish them to be pushed as far as changes in society are concerned.

Whether you accept it or believe that it was a correct piece of legislation or not, it encapsulates a range of protections for people who believe that they want to have same-sex relationships. There has been a lot of talk about this in the debate.

2.15 pm

Mr B McCrea: Will the Minister give way?

Mr Wilson: Yes, I will give way.

Mr B McCrea: I am interested in this point. Is the Minister saying that he is anti-homosexuality or pro-marriage? I really want to find out about this. This is not about legislation and scare tactics. You have said that all of these human rights, including article 9, are rubbish. What is your personal position on marriage, and what is your personal position on homosexuality?

Mr Wilson: Since I am not an expert on human rights law, maybe I am not the best person to ask. Let us look at what the experts on human rights law say. It is not often that I quote the Northern Ireland Human Rights Commission, but I will tell you what it says about the equality issue. This is not Sammy Wilson's view as an amateur; this is the view of those who steep themselves in human rights legislation. It says:

"The restriction of marriage to opposite-sex couples does not violate the international standards and this is clear from both the International treaties and the jurisprudence of the European Court of Human Rights and the United Nations Human Rights Committee."

That is the answer to the Member's question. I do not think — *[Interruption.]*

Mr Speaker: Order. The Minister has the Floor.

Mr Wilson: I do not think that, even in his arrogance, the Member would dare to contradict the Northern Ireland Human Rights Commission on an interpretation about whether or not there is equality.

Mr B McCrea: Will the Minister give way?

Mr Wilson: No. *[Interruption.]*

Mr Speaker: Order.

Mr Wilson: I will not give way, because I do not want him to make a fool of himself. *[Interruption.]*

Mr Speaker: Order. Members should not debate across the Chamber.

Mr Wilson: I do not him to make a fool of himself again. He asked for a view: I have given him the most definitive view on the issue. That should be enough for him. It is not an equality issue. Even those who have been set up in Northern Ireland to make judgements on equality have given the view that the legislation that is currently in place is sufficient and there is no need to legislate for same-sex marriages. In conclusion — *[Interruption.]*

Mr Speaker: Order.

Mr Wilson: I can think of many more priorities for changes in the law that fall under my Department than the issue that the Member has brought forward. For the reasons that I have given the House —

Mr Speaker: The Minister's time is gone.

Mr Wilson: — I hope that Members will vote against the motion.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Sinn Féin, along with the Green Party, tabled the motion calling for the provision of legislation to ensure marriage equality for the LGBT community. I welcome the tone of the debate, and I welcome the contributions from all the parties, although I have some concerns about some of the contributions, which I will outline in a few minutes.

First, every citizen should enjoy the same rights and entitlements under state law, and that includes those relating to marriage. *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: This is an equality issue. Those who pretend that it is not should read the equality laws. Sexual orientation is one of the nine grounds listed in section 75. Nobody in our society is allowed to be discriminated against. The Assembly has enormous responsibility, and it needs to show political leadership.

The LGBT community is a proud one, but it is also hurting and suffering. Although there have been enormous advances in how our society includes our LGBT communities, they are still treated as second-class citizens throughout Ireland, north, south, east and west. Some people across the way can pretend that civil partnership is the same as marriage; it is not. Steven Agnew answered those who tried to use that as a fig leaf. Our LGBT communities are still subjected to a campaign of hate and homophobic behaviour, and every one of us in the House, as political leaders, needs to show leadership. To say that our words do not hurt young and old is an absolute pretence. Taking responsibility for our words is what we have to do.

On Saturday, I, along with my colleagues Megan Fearon, Mickey Brady, Jennifer McCann, Conor Murphy and our councillors and activists, walked proudly behind the Sinn Féin banner to support Pride. It was the first Pride parade ever in Newry. It was a beautiful day, the sun was shining, the floats were very colourful and there was great music playing. Thousands of people — I note that the Minister of Finance is not listening, so I will say it again — *[Interruption.]*

Mr Speaker: Order, Members.

Ms Ruane: Thousands of people were there on the streets. The Minister is still muttering away, but thousands

of people were out supporting the rights of people — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: — their sons, their daughters — *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Ms Ruane: — their brothers, their sisters, their aunts and their uncles. So, let us not pretend that this is not a serious issue in our society.

I know that he was not speaking as Minister, but a Minister of our Executive claimed that we are not a serious Assembly because we are discussing this issue. I will tell you this: I take my role in this Assembly extremely seriously — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: This is one of the most important issues — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: — and we should be discussing it. I do not want anyone to be discriminated against, and I will not play my part in facilitating people to sit on the fence —

Mr Kennedy: Will the Member give way?

Ms Ruane: I will give way.

Mr Kennedy: I am grateful to the Member for giving way. It is interesting that the Member referred to her participation and that of her party in the Gay Pride parade in Newry on Saturday. It seemed to strike a different chord when it approached the right of others to assemble peacefully to celebrate the Ulster covenant in Belfast. *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: First of all, I will not allow the Member to hide behind other issues. Let us have a debate — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: Let us have a debate on those other issues, and I will be the first to do it, but — *[Interruption.]*

Mr Speaker: Order. Let us not have a debate across the Chamber.

Ms Ruane: — today is about the rights of our LGBT communities. You can hide and try to divert the debate, but it will not work with me.

Mr Agnew: Will the Member give way?

Ms Ruane: No, I want to develop my point. I have already given way.

That day will be remembered by many people as a day when Newry came of age. Young and old were there; that is the important issue. Some Members opposite seem to think that this issue just affects our LGBT community, but it affects our grandmothers and grandfathers, our mothers and our fathers, our brothers and our sisters and our aunts and our uncles. Do you know where the leadership is coming from? Our young people. I saw them in Newry, and they had done very profound and beautiful banners that said, "I love my gay uncle" and "Cool to have a gay auntie". Fair play to them. They are not taking the 1866 laws that were quoted at us. We could also find laws to quote on why women should not vote. Ms McIlveen told

us to look forward. I am looking forward, and I ask her to join the rest of us in looking forward. The 1866 laws are obviously wrong; get rid of them. The best way to get rid of them is by legislating so that people are not discriminated against.

There is a challenge here for our Assembly. We have an opportunity to send out an unambiguous, clear message to the LGBT community, their families and society to say, "We respect you and your rights, and we are going to work alongside all sections of civic society to ensure that you as citizens, your children and your families are entitled to live free from harassment and from hate crime". Bronwyn McGahan mentioned a young man in her community, and, if Sammy Wilson is under the illusion that words cannot create dangerous situations, he should study that case. Words can create dangerous situations for people. It is called incitement to hatred, and we all know about that. Our gay and straight communities — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: The gentlemen across the way should just listen. *[Interruption.]*

Mr Speaker: Order. The Member must be heard.

Ms Ruane: Our gay and straight communities need to stand together against the scourges of homophobic behaviour and outdated thinking.

I understand that people may have issues of conscience, but we are politicians, not church leaders. The Church legislates for the Church. It is worrying that a Minister in the Executive does not know the difference between the Church and the state. Two Ministers have said that they are opposed to equal marriage. They need to clarify their position. The question that the House asks them is this: in light of our equality duties, are they saying —

Mr Kennedy: Will the Member give way?

Ms Ruane: No. I will not. I have already given way to you. You had your chance. *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: At the end of the day, the Ministers are in the Executive, equality is part of the Executive, and people from the LGBT community deserve equality. I welcome —

Mr McKay: Will the Member give way?

Ms Ruane: I will. *[Interruption.]*

Mr Speaker: Order.

Mr McKay: I thank the Member for giving way. She referred to how the words of politicians can stir up hatred. Recently, a DUP representative in Mid Ulster said that homosexuality should be made illegal again. Does she agree that that will only stir up hatred and put a lot of unnecessary pressure on the LGB community in that area?

Ms Ruane: First, I agree with the Member. I think that we will all take that comment with a pinch of salt. What we need to do is legislate to protect rights. The comments referred to by my colleague Daithí, which were made by a member of the party on the Benches opposite, are not acceptable. Of course, homosexuality should never have been illegal in the first place.

Leadership is not sitting on the fence. It is not quoting literally or selectively from the Bible to justify actions. It is

not abstaining in votes on a council so that motions are lost. *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: Leadership is about standing up and being counted. It is about legislating for equality. We have a chance now to do something, and it is important that we do it.

I welcome the fact that councils throughout Ireland have passed motions, and, today, I ask that all parties support our joint motion. I call on those on the unionist Benches who have set their heart against it, even at this stage, to support the motion. There is no partial equality; there is no selective equality. I welcome the leadership shown by Mr Basil McCrea here today.

Mr Speaker: As Question Time begins at 2.30 pm, I suggest that the House take its ease until that time. The debate will continue after Question Time, when the Question will be put on the motion.

The debate stood suspended.

2.30 pm

Oral Answers to Questions

Environment

Mr Speaker: Questions 4 and 5 have been withdrawn and require written answers.

Road Safety

1. **Mr Boylan** asked the Minister of the Environment following the release of the latest road safety promotional video, what other new initiatives his Department is progressing to improve road safety. (AQO 2530/11-15)

Mr Attwood (The Minister of the Environment): I thank the Member for his question. The intention is that the Road Traffic (Amendment) Bill will be before the Assembly before Christmas. That will start the legislative process to put in place reduced alcohol limits for novice and other drivers and deploy proposals in respect of driver training. I am pleased to say that the proposals got very strong endorsement from a wide range of Executive Ministers during the first week of July. Beyond that, it is my ambition that, in the 2013-14 session, legislation that will recognise penalty points for five categories on the island of Ireland will also be tabled. All that legislation should be passed in good time for the end of the mandate.

Mr Boylan: I thank the Minister for his answer. I am sure that everybody shares our view and sends their condolences to the family of the young child who was killed last week. Given that that happened, what more can be done? What discussions has the Minister had with the Department for Regional Development and engineering firms to see what new engineering practices can be brought forward to enhance road safety?

Mr Attwood: I also convey my sympathy to all the families who lost a loved one. This time last week, three people died in the course of 24 hours. Nothing can recover the loss of life and the pain that arises from that. We need to recognise that, so far this year, there have been 31 deaths on our roads, compared to 41 deaths at this time last year. I would not draw any conclusions from that about what the figures will be for the end of the year, given that we are entering the winter months. However, it suggests that, through a range of measures, we are bearing down on the issue of road deaths and serious injuries, be that through the advertising campaign, the new laws that I have just outlined, better driver training or what I had this morning, which was a meeting with Assistant Chief Constable Alistair Finlay about a cross-departmental, cross-agency initiative to build a real-life learning experience here in Belfast, where people up to the age of 25 would learn safety across all of the sectors, not just roads. If that includes having conversations with the Minister with responsibility for roads with regard to road design and engineering, that is what I am doing. Every six months, I have a ministerial meeting with Minister Kennedy and Minister Ford, where we look at cross-departmental issues, including speed limits and safety measures on our roads, taking into account areas around schools, in respect of which Mr McDevitt may introduce a private Member's Bill in the near future. By working with all the

relevant Departments, including Roads Service engineers, we can make roads safer and improve driving.

Mr Campbell: The Department regularly puts promotional videos to air on commercial television, for which, obviously, there is a cost and, hopefully, a significant benefit. If he were to consider, in his own Department or an Executive colleague's Department, an advertising programme in respect of which the legal advice was that it might contravene the Communications Act 2003, would he give serious consideration to not proceeding with that video campaign?

Mr Attwood: I thank the Member for his question. In a review of campaign advertising across government last autumn, the only campaign advertising budget that was ring-fenced was that for road traffic campaigns in all the media outlets. The Executive recognised that, although the advertisements can, on occasion, be distressing — I do not want to diminish that — they are part of the narrative that is leading to fewer injuries and deaths. The Member's point that there may be a conflict with the Communications Act has not been brought to my attention previously, but I will certainly look at it. Regardless of whether it is in respect of the cost of the campaigns, which will be retendered in the near future, or their quality and character, my Department and I keep a close watch on all the issues. That is why I am a bit surprised that I have not heard previously that there may be an issue with the London legislation.

Ms Lo: I certainly welcome all the Department's initiatives on improving our road safety. Does the Minister intend to go ahead with the new proposal that he is thinking of to restrict young drivers in their first six months of being qualified so that they cannot carry other young passengers? How will he enforce that?

Mr Attwood: I thank the Member for her question. Not only do I intend to go forward with that proposal but the Executive intend to go forward with it. In the first week of July, I put proposals to the Executive, in principle, on graduated penalties and changes to the driver training regime that received virtually unanimous approval and a strong endorsement. One of the proposals, which is borrowed from international best practice, will see in this part of Ireland the most radical driver training regime certainly in these islands if not beyond. It will place restrictions on newly qualified drivers about whom they may carry for six months after their qualification. We will work that proposal through closely with, among others, driver trainers to establish how it should be shaped.

We are shaping the proposal in that way because 44% of deaths in the past four or five years have involved young drivers, as have 35% of serious injuries. Too often, that is because young drivers are under peer pressure. They are driving their peers or are being encouraged to drive more quickly. The evidence is that, if the driving experience is controlled and drivers are restricted in whom they may carry — with some exceptions, as there will be legitimate reasons why people may want to carry family, friends or others — opportunities are created to reduce the risks in the early days after someone has qualified.

Mr P Ramsey: I welcome the Minister's reference to a reduction in deaths on the roads. However, I am sure that he will agree that one death on the roads of Northern Ireland is one death too many. What are the current trends

in road safety in Northern Ireland? How do the figures or stats compare with other jurisdictions?

Mr Attwood: As I said, there have been 31 tragic road traffic deaths this year to date. There were close to 60 over the course of last year. Although that was a slight increase on the previous year, the pattern is very much downward. The proof of that is that, in 2003, the ratio for deaths in the North, compared with other parts of these islands, demonstrated that we had the worst record. Since 2011, however, because of a family of interventions to improve road safety and road performance, we are now below the average per capita in the Republic and close to the average per capita in Britain. That indicates that all the interventions, including those that I spoke about and those heretofore, are having a material impact on this critical issue.

Flooding: Emergency Payments

2. **Mr Douglas** asked the Minister of the Environment what plans he has to increase the level of emergency payments made to people affected by flooding. (AQO 2531/11-15)

Mr Attwood: I thank the Member for his question. I confirm that the Department has, over the past number of months, been preparing a business case that will go to DFP. Its core proposal is that the payment under the existing emergency scheme would be increased from £1,000 to £1,500 per household and that the scheme would extend to voluntary groups, charities and businesses. It is a good scheme, it has worked well, and it has been borrowed in other parts of these islands. However, the scheme could be broadened to help people in critical incidents.

Mr Douglas: I thank the Minister for that very welcome statement. I also personally thank him for his recent intervention in an issue affecting one of my constituents, an 80-year-old woman in East Belfast. The Minister intervened while he was on holiday.

Given the good news today, can I ask whether, until we have the legislation in place, the Minister's Department will continue to show the same sort of flexibility and common sense that he has shown over the past couple of months?

Mr Attwood: I thank the Member for his acknowledgement that the Department tried to intervene in an acute incident to assist an elderly person. That happened because I sought legal advice, which I interrogated, and, in my view, the interpretation of the policy in that particular circumstance was that the spirit and substance of the scheme captured that type of incident. In that circumstance, water damage arose from a pre-existing position that may not have been known to the occupant, or the scale of the damage may not reasonably have been known to the occupant.

I will certainly press DFP, be it on that example or others, to show proper flexibility in the interpretation of the scheme to defeat the mischief, which is that somebody who quite patently should be covered by the scheme might be disqualified from it under a strict interpretation of it. So, you have my reassurance on that. On the other hand, I encourage DFP to show that flexibility, and I have examples of when it has been flexible and examples of when it has not. Given the scale of our weather problems, I think that we should interpret the spirit and substance of the scheme flexibly to defeat the mischief of bad weather.

Mrs Dobson: Will the Minister give an assurance that rural and urban dwellers will be treated equally in the compensation proposals? He will be aware that, over the past year, his colleague in the Department for Regional Development has made numerous bids in monitoring rounds for flood prevention and alleviation projects. Does the Minister believe that, if such proposals were supported around the Executive table, not only would it be the morally right thing to do but it would make economic sense?

Mr Attwood: I reassure the Member that, certainly when it comes to the scheme's operation, no evidence has been brought to my attention by any of the councils that manage it of any difference between the treatment of rural dwellers and urban dwellers. Indeed, the vast majority of claims are accepted, and payments are made very quickly. I think that the scheme has worked very well.

I also confirm that, following the severe weather on the last Wednesday in June, the Executive are conducting a review of flood issues and the emergency response to see where policy, practice and, indeed, resources might be upgraded in an effort to mitigate the risks. Other Ministers will comment on that in due course. I acknowledge, though, that the emergency response network in the North that exists through the councils, which have a role in co-ordinating the emergency services, worked very well in many places during the acute weather that we had last June, especially in Belfast. However, we need to have certainty in law about where the lead co-ordination responsibility should reside. In my view, given the good practice that is now deployed in councils and council clusters, councils should have the legal responsibility to lead the co-ordination. They should not do all the work in the implementation of the emergency response but should take the lead in co-ordinating the response, just as Belfast City Council did in the very acute weather conditions, substantially to the benefit of the citizens of the borough.

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagraí go dtí seo. Following recent flooding at Shane's Road, Killyleagh, can the Minister indicate whether emergency payments will be extended to include those whose property was affected?

Mr Attwood: I will certainly look at the situation in Killyleagh. The council has not yet raised it with me. The scheme has been extended, even in recent days and weeks, to capture further flooding events, wherever they might be. So, the scheme has been activated for the most recent events in the past week. No issue has been raised with me about the victims in Killyleagh. However, rest assured that, if, as with so many instances around the North — so far, £1.5 million has been deployed to deal with the June flood incident alone — the evidence is that, subject to the experience of the East Belfast resident, the scheme captures virtually all that it should, the issue will be whether we can capture more.

2.45 pm

Waste Management: Arc21

3. **Mr Hilditch** asked the Minister of the Environment for his assessment of Arc21. (AQO 2532/11-15)

Mr Attwood: I thank the Member for his question. As Members know, there is an ongoing waste procurement

strategy for Northern Ireland. The outworking of that sees three groups of councils, through procurement groups — the Southern Waste Management Partnership (SWaMP), the North West Region Waste Management Group (NWRWVG) and Arc21 — taking forward the procurement of waste need in future. I have to be careful about what I say in this regard because we are at a critical phase of the management of those procurement strategies. I have made it clear, in the Department, to the three groups of councils and to the procurement managers, that I want to create certainty and to do so quickly over how the procurement strategy will be deployed over the next period. Consequently, I said clearly to all three that now is the time and soon is the time for certainty around the deliverability and affordability of each of or all the schemes, given the scale of commitments that councils may be asked to enter into and the financial consequences that flow from that. That is as true for Arc21 as it is for the others.

Mr Hilditch: I thank the Minister for his answer. Given the number of organisations now involved in waste management, does he consider that the time is now approaching for the challenges to be faced collectively through the delivery of a new waste infrastructure facility by one group?

Mr Attwood: I confirm that I said to the waste management board, the Department and the three procurement groups that we should, as the Member said, move towards having a single waste authority. However, historically, we came to the situation in which we had three waste authorities. It is my view that, on the far side of this procurement exercise, we should have a single waste authority. I cannot derail the ongoing exercise, because people would say that I had changed the rules of the game, created uncertainty and that they may make a legal challenge. Therefore, I have to exhaust the current process. However, on the far side of that process and once the matter is settled, whatever way it is settled, a single waste procurement authority is the right way to go.

We will see over the next short while whether all three, two or one of the groups get over the deliverability and affordability line. However, I am determined that that should happen, whatever the outcome might be, so that the picture of waste procurement over the next 20 or 25 years is clear for all to see.

Mr Elliott: The Minister referred on a number of occasions to a single waste authority. Does the Minister see the building of an incinerator in Northern Ireland as an answer from a single waste authority?

Mr Attwood: You are not going to draw me in. All article 31 applications will be properly considered. Hopefully, decisions will be made quickly, and, on the far side of that, the Member might have an answer.

Mr Molloy: I thank the Minister for his answers so far. I think that the only thing that a single waste authority could deliver is an incinerator. There is not plenty of scope for otherwise.

Has the Minister made up his mind whether the 25-year contracts are good value for the future? Is it not time to look at alternative sources for dealing with waste?

Mr Attwood: First, I have very much interrogated the whole issue. It is going to be one of the single biggest

long-term financial commitments made on behalf of the people of the North of Ireland, whatever way it shapes up. I have looked closely at it. Although we are making significant strides with, for example, recycling targets, I have now challenged the councils to recycle 60% of domestic waste. Although we have made significant progress, and we need to upgrade and escalate all that, especially around recycling waste for other purposes, there is going to be a strategic gap.

Over the next number of years, especially beyond 2020, the volume that might go to landfill will increase even as we increase the volume that is recycled. There will be a strategic gap, and we need to deal with that gap by looking at what can be used in another, more environmentally friendly, way and that which has to be diverted from landfill. I am satisfied that we will need a mechanism — and the more environmentally friendly and green the mechanism, the better we will be — because it will advertise the green and clean credentials of the North of Ireland and, as I think we will have more and more opportunity to do so, show that renewables are Ireland's single biggest economic opportunity.

Mr Dallat: Does the Minister agree that the huge drop in the amount of waste going to landfill means that there has to be a significant change? Will he assure me that the awful word “superdump” can now be removed from our vocabulary and that much of the process will be done locally?

Mr Attwood: A lot of it can be done locally, but a lot of it is not done locally. As I have said to the House before, on the island of Ireland, 30% of plastics are recycled. Of that percentage, only 30% are recycled on the island of Ireland. Therefore, the vast majority of plastics go to landfill, and much of what is recycled is taken out of the country for other purposes. We have a strategic, economic and environmental opportunity if we manage the recycling business in a much more efficient and effective manner. Again, that will advertise the renewables opportunities on the island of Ireland. I want to see that we move to a landfill ban — I will be talking about that over the next period of time — to demonstrate that we push ourselves when it comes to the green and clean agenda.

Marine Conservation Zones

6. **Mr Hamilton** asked the Minister of the Environment how displacement caused by the designation of a marine conservation zone will be handled. (AQO 2535/11-15)

Mr Attwood: I thank the Member for his question, which I know has detained the Committee and will, no doubt, detain the House when the Marine Bill returns to the Floor.

I make three points in reply to the question. First, in some marine conservation zones (MCZs) there will not be displacement. For example, on the far side of designation, fishing will continue in MCZs. In that instance, displacement will not arise.

Secondly, some MCZs will confirm and deepen the environmental status of certain special areas of conservation (SACs). Therefore, what has been restricted in those areas to date will be restricted on the far side of MCZ designation.

Thirdly, if there are, and there will be, further areas designated as MCZs, there will be an exhaustive process

involving all stakeholders, including the fishing community, to work through the ecology in the proposed MCZ and what the economic consequences of designation would be. It is only on the far side of that process that a judgement will be made about MCZs, and only on the far side of that will we know the potential displacement that might arise.

Mr Hamilton: I thank the Minister for his reply and some assurances that he has given in it. The Minister will be aware that the fishing industry is supportive of the Marine Bill but concerned about some aspects of its implementation, including displacement. Given that both the fishing industry and environmentalists agree that displacement is an important issue, will the Minister resolve to ensure that the process he spoke about thoroughly examines the issue to ensure that there are no unforeseen or negative consequences as a result of designating an MCZ?

Mr Attwood: I am pleased to give that reassurance. The process will be that, if there is an area that might be designated an MCZ, there will be in-depth discussion in that regard. Part of that will be to get a good understanding of the geology, wildlife, habitats and ecology of the area. After that, there will be an intense conversation with all the stakeholders, which will include making an assessment of the economic impact and ensuring that there is coherence with other MCZs, given that they are being designated by other jurisdictions in Britain. On the far side of that, I would like to think that we would get to a point of agreement. However, we have to recognise that, because we have not had the fullest agreement possible around the management of marine assets, we got on the wrong side of Europe when it came to Strangford lough. We came very close to an £8 million infraction, with more beyond that on a daily basis. Therefore, in taking this forward, let us learn from the experience of the Modiolus modiolus issue in Strangford lough. Let us have the processes that will get everybody in the room to reach the right outcome. When it comes to MCZ designation, we cannot afford to reach the wrong outcome, with all the risks that would carry.

Mr McMullan: Go raibh maith agat, a Cheann Comhairle. Minister, you mentioned MCZ designation but, so far, we have not heard the full number of MCZs that you intend to create. When will you be able to tell us how many you will create, and how much that will cost?

Mr Attwood: I believe in jumping hurdles quickly, but we have not yet got the Bill to the Floor of the Chamber. I will try to prevail upon my Executive colleagues to support further amendments to the Bill that come out of Committee Stage. That will include, among other things, an MMO — a marine management organisation. At the same time, in order to try to jump our fences in good time to move the legislation and the process on, the Department has begun to scope out what marine planning will look like in real-time, real-life operational circumstances. That work will be defined in terms of potential areas, cost and all the management, but it will be done in consultation with all relevant stakeholders. However, it is likely that the first area that might become an MCZ is Strangford lough.

Mr Rogers: The Minister partly touched on this, but will he meet representatives of the relevant fishing interests so that the adverse impact of meeting our EU obligations can be minimised?

Mr Attwood: I believe not only in consultation but in participation. We have an extravagance of consultation in the North, and rightly so, in order to garner ownership of issues in the wider community. However, we need to have participation, which is a qualitative leap from consultation. We do not have an extravagance of participation. That will apply to this issue, as it does to other issues. I recognise that good ambitions and good policy and law that might be passed by the Assembly can create the worst fears, and there have been examples of that in recent times. Mr Rogers might have been one of the people who was whispering in my ear, if not shouting in my ear, in that regard. Therefore, when it comes to management of marine areas, just as with management of the land, we need to have participation at its core.

Taxis

7. **Mr Kinahan** asked the Minister of the Environment how he will ensure that individual taxi owners and small taxi companies are not disproportionately affected by changes to taxi legislation. (AQO 2536/11-15)

Mr Attwood: I thank the Member for his question, which is important and timely because the processing of the issuing of licences is ongoing. The purpose of this is, first, to ensure that we have a regulated taxi industry that sees illegal operators closed down. If illegal operators close down, legal operators, including the small operators, will have more chance to prosper.

Secondly, on the far side of 2012, we will have single-tier taxi licensing, save for taxis for disabled people and other specialist carriers. That will allow small and big licence holders to pre-book or be hailed on the street. In my view, that will create a much more sustainable environment for the taxi industry, including the small operators, to prosper. We will have maximum fares, although it will be up to taxi drivers to decide whether they want to charge the maximum or less. We will also have taximeters. All of that will improve the taxi experience for drivers and customers, and will ensure better enforcement.

To enable all that to happen, now that the licensing regime is about to be put in place, we have reduced the price for a first-year taxi licence from £195 to £95 to recognise, in these times of economic stress, that helping small businesses is important. That is one way to help them.

3.00 pm

Enterprise, Trade and Investment

Mr Speaker: Question 2 has been withdrawn.

Tourism: Gaeltacht Quarter, Belfast

1. **Ms McCorley** asked the Minister of Enterprise, Trade and Investment for an update on the work of the Tourist Board to promote the potential of an Cheathru Gaeltachta/ the Gaeltacht Quarter in Belfast as a destination for tourists. (AQO 2544/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): The Northern Ireland Tourist Board (NITB) supports the development and promotion of Belfast as a tourism destination. Belfast City Council's 'An Integrated Strategic Framework for Belfast Tourism 2010-2014' was

developed in partnership with the Northern Ireland Tourist Board. Through the framework, NITB has been supporting Belfast City Council in the development of the city centre and 10 local tourism destinations identified within the framework, including the Gaeltacht Quarter.

Our tourism bodies support and promote the full range of our cultural tourism offering in Northern Ireland. We have a rich culture and heritage, which we should celebrate, and I look forward to the UK City of Culture in 2013, when we can showcase the many aspects of our culture.

Ms McCorley: Go raibh maith agat. Gabhaim buíochas leis an Aire as a freagra. I thank the Minister for her answer. Does she believe that the siting of a hotel in west Belfast would be a positive move for local employment and in attracting more tourists?

Mrs Foster: Of course we always welcome more accommodation, particularly given that the World Police and Fire Games are coming to the city and to wider Northern Ireland next year. As the Member will probably be aware, there is, if you like, a 10-mile moratorium in relation to Invest Northern Ireland assisting hotels in Belfast. However, if private individuals want to come forward with any applications, we can certainly look at those. We would welcome more accommodation in the city given that we have big events coming up, not just next year but in the years to come.

Mr Dunne: Following on from the success of the covenant celebrations at the weekend, when thousands of tourists came to Northern Ireland, can the Minister advise what she is doing to promote orange and unionist culture as a tourism product in Northern Ireland?

Mr Speaker: Order. I am warning Members that the question must, as far as possible, relate to the original question. I will leave it to the Minister to decide.
[*Interruption.*]

Mr Speaker: Order.

Mrs Foster: I will take it because it is on cultural tourism.
[*Interruption.*]

Mr Speaker: Order.

Mrs Foster: The Ulster covenant celebrations at the weekend were, of course, a huge success, and I commend the Unionist Centenary Committee and the Grand Orange Lodge of Ireland for bringing together all elements of unionism to commemorate what was a hugely significant anniversary in our history.

As the years go on, there will be many events that will mean more to some people than to others, but we — all of us — must respect the right of everyone to remember the significant events of the past. In one way or another, we must recognise that all those events have contributed to making us the people we are today and, indeed, Northern Ireland the place it is today. This is the start of the decade of centenaries. As Members are aware, the Minister of Culture, Arts and Leisure and I are doing work on the decade of centenaries, and it is my hope that we will have as good a day for the rest of the celebrations over the next 10 years as we had on Saturday.

Mr D Bradley: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. Ba mhaith liom a fhiafraí den Aire an aontaíonn sí liom gur chóir do Bhord Turasóireachta an Tuaiscirt úsáid a bhaint as an

teanga Ghaeilge leis an turasóireacht a chur chun tosaigh, go háirithe ó thaobh na Ceathrú Gaeltachta de.

Thank you, Mr Speaker. Does the Minister agree with me that the Northern Ireland Tourist Board should use the Irish language while promoting tourism here, especially from the point of view of the An Cheathrú Gaeltachta, the Gaeltacht Quarter, in west Belfast?

Mrs Foster: The Northern Ireland Tourist Board is working very closely with the Gaeltacht Quarter, as I indicated in my first answer. Indeed, the Gaeltacht Quarter has received funding from the events fund and, indeed, from the tourism development scheme. If the question is, “Should the Northern Ireland Tourist Board continue to work with the Gaeltacht Quarter?”, the answer is yes, of course, and that is the case.

Mr Speaker: Question 2 has been withdrawn.

Unemployment: Engineering and Manufacturing

3. **Mr Dickson** asked the Minister of Enterprise, Trade and Investment, given the recent job losses in the manufacturing and engineering sector, to outline the steps taken by her Department to ensure that this has as little impact as possible on other companies involved in the wider supply chain. (AQO 2546/11-15)

Mrs Foster: Recent announcements of job losses were a major blow to the Northern Ireland economy, in particular to those who will be directly affected by the decision.

I assure the Member that Invest NI is working with local management in Caterpillar to determine the potential impact of FG Wilson’s recent announcement on local suppliers. Invest NI is ready to work with each company affected to assess the impact on their business of the decision and to identify how to help them to replace any work likely to be lost.

As I said in my statement to the Assembly on 17 September, recent manufacturing job losses help only to confirm that the Executive’s strategy to rebalance, rebuild and grow our economy is the right one. Helping our manufacturers to move to higher value-added activities by supporting them to invest in research and development, enhance the skills of their workforce, apply new processes and technologies and break into new markets is fundamental to that. We have seen clear evidence of the benefits of that approach, with manufacturers such as Bombardier, Moyola Precision Engineering, Wrightbus, Andor Technology, Schrader and many other companies increasingly being recognised as best in class on the global stage. It is by embedding innovation, growing our local companies to scale and helping them to increase their export base that we can best support our manufacturers and help them to survive and thrive.

Mr Dickson: I thank the Minister for her answer. Will you give us a little more detail about your meeting with senior executives of FG Wilson? Did you touch on the cascading effect that the loss of those jobs will have on the local economy?

Mrs Foster: I thank the Member for his supplementary. Last week, Alastair Hamilton, Alastair Ross and I met Bill Rohner, vice-president of Caterpillar’s electric power division, in Chicago to discuss the implications and

ramifications of the announcement by Caterpillar some weeks ago. We explored potential opportunities to try to mitigate the job losses. Those are being pursued by Invest NI. Alastair and I outlined the support that may be available, including support for research and development and training. The possibility of securing additional functions in Northern Ireland from Caterpillar was also discussed. So I am looking not just at manufacturing jobs but at whether there are additional functions that we can deliver in Northern Ireland. We are pursuing a number of such opportunities.

Invest NI has already met the company to follow up on the opportunities discussed at the meeting in Chicago. Discussions have also taken place to identify local companies that may be impacted on by the announcement, and we are following up with those businesses. That is a hugely important point because the announcement impacts across the Province.

Mr Hilditch: I understand that the Minister may already have answered my question, but what are Caterpillar's products?

Mrs Foster: Caterpillar still sees Northern Ireland as an integral part of its business. We remain an important part of its electric power division. As we know, the company said that the redundancies were made to make it more competitive in the world market. However, the company retains an excellent pool of skilled workers in Larne, Belfast and Monkstown, and it very much wants to build on that. I was encouraged by Mr Rohner's attitude to look for other opportunities, and we will pursue that vigorously.

Mr McElduff: What work is the Department undertaking in partnership with the Department for Employment and Learning as part of the advanced manufacturing and engineering services working group? Secondly, there was another huge cultural tourism event at the weekend — it was called the all-Ireland hurling final.

Mrs Foster: I am sure that the Member enjoyed it greatly.

We have been working with the Department for Employment and Learning on the advanced manufacturing and engineering services working group. I very much welcome the setting up of that body because it allows us to talk to employers in the field. They can identify the particular skills that they need college leavers to have and those who need to be retrained. We had been talking about that for some time. The Member may be aware that we set up a similar group for software technology, and it worked very well with the software testers' academy that was set up. I very much welcome the setting up of the group. It will help us to identify whether there are skills gaps and what we need to do about them.

Mr Beggs: I thank the Minister for her efforts and those of Alastair Hamilton in encouraging Caterpillar to move additional jobs to Larne, in particular, and the Monkstown plant. Will she accept that, if additional industrial development sites were developed, there would be an increased likelihood of some of the new jobs that are expected to come into Northern Ireland within the next number of months locating in Larne and that fresh opportunities would be developed for the subcontractors and the existing service sector that have suffered?

Mrs Foster: First, I very much welcome the work that Larne Borough Council is heading up to deal with the

impact of the FG Wilson redundancies. As I said, I think, in relation to questions to the statement on 17 September, I very much believe that people will invest in the east Antrim area because of the pool of skills that is now available. That will be the beacon to draw in companies. East Antrim is quite well catered for in industrial land when you look at the figures for it in comparison with other parts of Northern Ireland. The key issue is skills, and we have an abundance of those in east Antrim. We will work there to make sure that we have the appropriate skills under the assured skills scheme when the employers come.

Mr A Maginness: The Minister has had contact with Caterpillar, and, clearly, there is a reasonably good relationship between the Minister and Caterpillar. Will she assure the House that the Executive will do everything in their power to entice further investment by Caterpillar into areas that will see growth here in Northern Ireland?

Mrs Foster: The message that we wanted to give to Bill Rohner and his team in Caterpillar — as I said, this has already been followed up by Invest NI officials — was that we wanted him to be as open with us as he could, so that we could try to search out other areas of Caterpillar that we could bring to Northern Ireland. The electric power division is based here in Northern Ireland. As the Member will know, Caterpillar is very much a global brand, so there may be other parts of Caterpillar that we can access as well and make competitive for the company. That is the key element of sustainable jobs.

We have certainly delivered the message. Now it is a question of working with Caterpillar to try to deliver some jobs to mitigate the job losses that have been announced.

Economy: Tourism

4. **Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment to outline the work her Department is doing to bring the overall contribution of tourism to the economy in line with the 3.2% rate elsewhere in the UK. (AQO 2547/11-15)

Mrs Foster: Tourism will make an important contribution to a number of the rebalancing themes in the Northern Ireland economic strategy through increased visitor numbers and revenue, the development of tourism product and the delivery of key tourism events. Challenging tourism targets to 2014 have already been set in the Programme for Government, and they take account of the tremendous opportunities that the next few years will bring for local tourism. Key targets are to increase visitor numbers to 4.2 million and tourist revenue to £676 million by December 2014.

To achieve those targets, £300 million has been invested in tourism capital infrastructure in the past few years, including the Giant's Causeway visitor centre that opened in July. Our tourism bodies at home and abroad continue to promote to key audiences the great tourism product that we have to offer, and we are looking at options to increase access for visitors to come to Northern Ireland. Following the success of 2012, 2013 will provide a further platform to promote Northern Ireland, with Belfast hosting the World Police and Fire Games and Londonderry being UK City of Culture.

Mr D McIlveen: I thank the Minister for her answer. Does she agree that it is disappointing that the figures for

tourists coming from mainland UK have been consistently in decline over recent years? Given that it is the remit of Tourism Ireland to deliver on that, does she agree that perhaps we need to have a conversation very soon about whether Tourism Ireland is capable of delivering in that market? Perhaps that remit should be devolved to a local body such as the Northern Ireland Tourist Board.

3.15 pm

Mrs Foster: I thank the Member for his question. I recently wrote to the chair of Tourism Ireland about its recent performance. I have asked him to show how Tourism Ireland will change the situation in relation to the Great Britain figures. I have to say that I am disappointed. I want stand-out for Northern Ireland in respect of the rest of the UK. We are a different region from Cork, Kerry or Dublin, and, to be fair, I think that there are regions in the Republic of Ireland that have expressed the same indications. There is a need to sell those areas separately, maybe, rather than as one whole-Ireland experience, given that Great Britain is very much aware of the differences between Northern Ireland and some of the regions in the Republic of Ireland. It is an ongoing issue, and I assure the Member that I have my eye on it.

Mrs Overend: As we look forward to the next announcement of tourism figures, some time this month, I believe, I expect them to be more positive than those for the first quarter of this year. As we come closer to the end of ni2012: Our Time Our Place, will the Minister provide additional information about her tourism campaign for 2013? Does she feel that 2013 will be an improvement on 2012? Furthermore, does the Minister have any plans to publish the much-needed tourism strategy?

Mrs Foster: There were a number of questions in there, and I will try to answer as many as I can recall. I do not think that there is any doubt that 2012 has been a huge success. Obviously, we will not have the final official year-end tourism statistics until, probably, the second quarter of 2013. However, I was encouraged that, between January and June this year, Northern Ireland residents took 813,000 overnight trips within Northern Ireland, with an associated spend of £76 million. That is an increase of 6% on visits and 31% on expenditure against the comparable period in 2011. So, even in the domestic market, we have seen a significant increase. Also between January and June, an estimated one million hotel, guesthouse and bed-and-breakfast rooms were sold, which is an increase of 10% on the same period in 2011.

Of course, we have also heard that Titanic Belfast has welcomed its 500,000th visitor. That was a tremendous feat when you think about what some organisations had to say about Titanic Belfast before it opened its doors. We all remember what the Audit Office had to say about Titanic Belfast. It queried whether we would reach 400,000 visitors in a year, yet Titanic Belfast has already welcomed 500,000 visitors despite being open only since 30 March. The Giant's Causeway has achieved 250,000 visitors since the new centre opened in July, and those visitors came from over 90 countries. That is significant when you consider that we are trying to attract out-of-state visitors, as well as trying to accommodate our own visitors.

The tourism strategy has informed the new action plan that we are taking forward. I know that the Member will be happy about that because her party leader said at his

conference that he is opposed to strategies and wants to see delivery.

Mr Speaker: The Minister's time is almost gone.

Mrs Foster: We are pleased that the Ulster Unionist Party is with us on action plans.

Mr Speaker: I remind Members to ask only one supplementary question.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. Will the Minister update us directly on discussions with the tourism Minister in the South on greater working together as part of "The Gathering" 2013 and specifically on Fleadh Cheoil na hÉireann and the City of Culture, both of which will take place in Derry this year. *[Interruption.]*

Mr Speaker: Order.

Mrs Foster: The Fleadh Cheoil is, of course, next year and is part of the UK City of Culture. We are looking forward to hosting that and all the cultural expressions that we will see in that great city during that time.

The last time I had a discussion with Mr Varadkar was during the 12 July celebrations in Enniskillen, when he came as my guest to watch the festivities there. We had a good discussion about tourism on that occasion.

Invest NI: Working Capital

5. **Mr Weir** asked the Minister of Enterprise, Trade and Investment for an update on how Invest NI can provide working capital for companies which wish to expand. *(AQO 2548/11-15)*

Mrs Foster: Invest NI is developing a range of SME funding initiatives, both equity and debt, that will offer over £100 million of working capital to SMEs that are or have the potential to be scalable, innovative, entrepreneurial and export-focused. Funding will be from £1,000 up to £2 million in any 12-month period. The NISPO funds, Co-Fund NI and the NI growth loan fund are operational, and the small business loan fund will follow as soon as all regulatory matters, including FSA approvals, are in place. A procurement process will shortly commence to acquire two fund managers to operate two separate £30 million development funds. All funds will be commercially managed by fund managers who will make all investment decisions. Selective financial assistance, which may take the form of capital grant, employment grant or milestone-based revenue grant, can also indirectly contribute to working capital requirements.

Mr Weir: Will the Minister provide an update on some of the Invest schemes that have been put in place?

Mrs Foster: As I indicated, we have £100 million in Invest schemes. Some of those funds have been in place for a while now. The NISPO fund has been operational since 2009, and the co-investment fund has been operational since July 2011. The development funds are not yet operational, but we are hopeful that they will be. Those are two equity funds of £30 million each, and we anticipate going to tender for a fund manager during October 2012. The growth loan fund has been operational only since, I think, August, and already we have approved a loan. Companies that want to grow but cannot get the finance from their local banks have shown a great interest in

the growth loan fund. Regrettably, I foresee that this is something that we, as government, will have to continue to do, because the banks do not seem to be making the finance available to firms that want to grow.

Lastly, but importantly, the small business loan fund is a very important fund. It allows small businesses to draw down sums from £1,000 to £50,000. I know that £1,000 is a small amount, but sometimes it is about a small amount of money. That fund has been awarded to UCIT, and ENI will be the subcontractors. It will be opened to applications as soon as the FSA approval is in place.

Mr Mitchel McLaughlin: I thank the Minister for her answers. I know that she shares the concerns about the performance of the banks in responding to applications for financial support. She referred to that in some of her answers. Will she indicate whether she believes that that approach is about to change as a result of the additional support for enterprise growth that the British Government have provided to the banks?

Mrs Foster: I noticed over the weekend that one of our larger agrifood firms, United Dairy Farmers, had been successful in drawing down finance through the funding for lending scheme. I am pleased to see that, because it is the first of that type that I have seen. I know that the Finance Minister has been concerned that previous national initiatives that were taken to improve liquidity have not been effective in Northern Ireland. That scheme goes through the Ulster Bank, and we may want to follow that up to see whether we can identify any other opportunities there. Frankly, we are stepping into the banks' shoes with our growth loan and small loan funds. The banks should be doing that, but I am pleased that at least one company has been able to avail itself of the scheme.

Mr Cree: Given that the construction industry is a very important part of our economy, are you satisfied that the small and medium-sized enterprises in that industry receive an adequate proportion of Invest Northern Ireland funding?

Mrs Foster: I am. The Member will know that one way that we try to assist in that regard is through the Boosting Business scheme. We look at such enterprises' capability to see whether there is anything we can do, perhaps through consultancy or identifying whether the jobs fund can assist if they want to bring jobs on stream. However, for a lot of construction companies, it will again be about access to working capital, and I am hopeful that some of the capital and equity and debt funds that we have made available will be accessed by those companies.

Mr Speaker: I call Colum Eastwood. Once again, I remind Members that they need to continue to rise in their place. It is very hard from here to guess whether a Member wishes to ask a supplementary question.

Mr Eastwood: Thank you, Mr Speaker. Perhaps I need to grow a couple of inches so that you can see me next time.

I thank the Minister for her answers thus far. I welcome the fact that there has been quite a lot of interest in the growth loan fund. Will she quantify how many applications there have been?

Mrs Foster: I know that in excess of 100 applications have been received. My most recent update last week indicated that 28 business plans have been submitted, so that number may have increased. I was very pleased to see

the first loan go out the door last week. I am happy to bring a report to the House next month, by which time the fund will have certainly bedded in. I foresee us perhaps even having to look for an increased amount of money in that fund, because we are providing the service that the bank really should provide.

Tourism: Brown Signs

6. **Mr Storey** asked the Minister of Enterprise, Trade and Investment what steps are being taken to review the criteria for the erection of brown signs. (AQO 2549/11-15)

Mrs Foster: The Department for Regional Development's Roads Service operates the Northern Ireland tourism signage policy with support from local councils and the Northern Ireland Tourist Board. Although I recognise that road safety issues must remain at the core of that policy, research and consultation undertaken with the tourism industry has indicated that it needs to be updated to reflect developments in tourism and to be more flexible in its implementation, given the evolving nature of tourism product and experiences. I met the roads Minister earlier this year to raise my concerns and have since presented recommendations for the amendment of the current policy following the review undertaken by my Department.

Mr Storey: I thank the Minister for her answer, in particular for confirming that she has met the roads Minister and that there will be some changes to the legislation that governs brown signs. Will she encourage the roads Minister, along with her Department, to ensure that the Dark Hedges, in my constituency, will benefit from having a brown sign from the A26? As the Minister knows, the Dark Hedges is one of Northern Ireland's other idyllic tourist attractions.

Mrs Foster: I am glad that the Member said "other idyllic" attractions. He was clearly thinking of Fermanagh.

I am very much aware of the appeal of the Dark Hedges to local residents and visitors. That is recognised, because the area has been actively promoted since spring 2009 in Northern Ireland Tourist Board campaigns across various formats, including outdoor, print and digital. I understand that the preservation group has secured some funding and is in the process of making improvements to the site, which I welcome. I am also advised by officials that, once the interpretation is in place and issues of ownership and signage maintenance responsibility have been formalised, the group will put in a new application for a tourist sign. I welcome that, because I recognise that tourism signage is not there to act as advertising or as a promotional tool. When one is travelling on the Continent, for example, the proliferation of signs can be very confusing and raises road safety issues. However, there is a need to be more flexible on brown signage, and I hope that Roads Service will reflect on that when we review the policy.

Mr B McCrea: Can the Minister give us some indication of the timeline involved and of when she and the Minister for Regional Development will get a resolution of the matter?

Mrs Foster: I am not able to comment on how long it will take, because I am obviously not responsible for someone else's Department. However, I very much hope that it will happen as quickly as possible and that a more enabling approach is adopted on brown signs.

Mr Dallat: I thank the Minister for her answer, which was very positive. As a representative of a rural area, she will

be aware that hotels are restricted to two brown directional signs. Does she support increasing that number?

Mrs Foster: I suppose that that depends on the hotel's location. If there is a need for more than two signs, I wonder why a hotel would be restricted to that number, especially if it is in a remote area and needs more directional signage. I would not be prescriptive about that, but it is a matter for discussion between me and the roads Minister, and I hope that that happens pretty soon.

3.30 pm

Private Members' Business

Marriage Equality

Debate resumed on motion:

That this Assembly believes that all couples, including those of the same sex, should have the right to marry in the eyes of the state and that, while the rights of religious institutions to define, observe and practise marriage within their beliefs should be given legal protection, all married couples, including those of the same sex, should have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage; calls on the Minister of Finance and Personnel to introduce legislation to guarantee that couples of any sex or gender identity receive equal benefit; and further calls on the First Minister and deputy First Minister to ensure that all legislation adheres to the Government's commitments to protect equality for all. — [Mr Agnew.]

Mr Speaker: We now move to the marriage equality motion. I remind Members that the vote will be taken on a cross-community support basis.

Question put.

The Assembly divided:

Ayes 45; Noes 50.

AYES

Nationalist:

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Unionist

Mr Copeland, Mr Kinahan, Mr B McCrea.

Other

Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo.

Tellers for the Ayes: Mr Agnew and Ms Ruane.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr McClarty, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Poots,

Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt,
Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Other

Mr Lunn.

Tellers for the Noes: Mr Givan and Mr D McIlveen.

| | | | | |
|-------------------|----|------------------|----|----------|
| Total Votes | 95 | Total Ayes | 45 | [47.4%] |
| Nationalist Votes | 37 | Nationalist Ayes | 37 | [100.0%] |
| Unionist Votes | 52 | Unionist Ayes | 3 | [5.8%] |
| Other Votes | 6 | Other Ayes | 5 | [83.3%] |

The following Member voted in both Lobbies and is therefore not counted in the result: Mr A Maginness.

Question accordingly negatived (cross-community vote).

Education: GCSEs

Mr Speaker: As two amendments have been selected and published on the Marshalled List, the Business Committee has agreed to allow up to one hour and 45 minutes for the debate. The proposer of the motion will have 10 minutes to propose and a further 10 minutes to make a winding-up speech. The proposer of each amendment will have 10 minutes to propose and five minutes to make a winding-up speech. All other Members who wish to speak will have five minutes. *[Interruption.]* Order, Members. I ask Members to leave the Chamber in an orderly fashion.

Miss M McIlveen: I beg to move

That this Assembly notes the decision by the Secretary of State for Education to replace the GCSE with the English baccalaureate certificate; is concerned about the possible implications of this for students in Northern Ireland; and calls on the Minister of Education to work with his English and Welsh counterparts to ensure that students from Northern Ireland are not disadvantaged by these changes.

3.45 pm

At the outset, I would like to take the opportunity to congratulate students from Northern Ireland on another incredible set of GCSE results: 75.6% of those who sat the exams achieved an A* to C grade. That fantastic achievement outstrips that of their counterparts in England and Wales, and nothing that I will say today is intended to detract from their achievement. The motion is about ensuring that no disadvantage is allowed to develop.

At the time of the recent GCSE results, the Education Minister quite rightly stated that we could not afford to be complacent. Despite these wonderful headline results, many thousands of our children leave school without five good GCSEs, including English and mathematics. The Assembly has, on numerous occasions, debated the issues and proposed solutions to address underachievement among school leavers. No opportunity should be missed in trying to deal with the matter, and, for that reason, I am more than happy to accept the Ulster Unionist amendment.

I welcome the Minister's announcement this afternoon of a review of GCSEs and A levels in Northern Ireland. It did not go unnoticed that his announcement was made on the afternoon of this debate. The Minister has quite rightly acknowledged that, following Education Secretary Gove's recent announcement, he has a duty to undertake the review. I am pleased that, in response to questions today, we found out that the review will encompass all aspects of the examination system. However, his comments about it being a consultation and not a negotiation might give cause for concern that it has a predetermined view. I hope that that is not the case, as all such consultations are to be viewed through the lens of the Sedley requirements.

This summer has been one of turmoil for GCSEs, particularly in England, with concerns and controversy surrounding the moving of marking thresholds and the announcement by the Secretary of State for Education that he is to replace the GCSE with the English baccalaureate certificate. The reason offered by Secretary of State Gove for the change was that GCSEs belonged to a different time and a different world. The English baccalaureate

certificate, he argues, will consist of truly rigorous exams that compete with the best in the world and make opportunity more equal for every child.

The Education Minister announced in March 2012 that schools in Northern Ireland would continue to be free to choose between unitised or linear GCSEs. He did so in response to the announcement by the Secretary of State that English schools will take the linear route. Interestingly, at that time, the Minister stated:

"The standard of GCSEs here and in England is exactly the same and it is vitally important that we ensure this continues to be the case and that learners can avail of higher education and employment opportunities across these islands."

The motion was tabled with that in mind.

Three of the four constituent parts of the United Kingdom offer GCSEs. Scotland has Scottish qualification certificates, which are not part of the national qualification framework of England, Northern Ireland and Wales. The Secretary of State for Education has announced changes that could have a major impact on children in Northern Ireland should we not keep pace with them. Secretary of State Gove's announcement came as a result of his repeatedly expressed concern about grade inflation: grades improving at a greater pace than the performance of those sitting the exams.

The final format of the new English baccalaureate certificate has not yet been revealed, and we will probably not know that for quite some time. However, the Education Secretary has outlined some aspects of what he wants in a new exam, including the removal of continuous assessment and coursework from core subjects; the removal of the current two-tier division of exams between foundation and higher tiers; and a full baccalaureate to encompass English, mathematics, a humanities subject and a language.

A fundamental change announced by the Education Secretary was the removal of competition between examination boards, which he described as a "race to the bottom" and a means by which pass rates could be increased in schools. In place of such competition, only one board will offer the new exams in each subject area, and the exam regulator, Ofqual, will assess the exams put forward by the boards and select those that best meet certain criteria.

Secretary of State Gove states that he believes that such changes are necessary for a number of reasons. First, reform of the UK education system has not been keeping pace with the rest of the world according to the Organisation for Economic Co-operation and Development (OECD); secondly, there is a growing lack of confidence in the value of GCSE passes; and, thirdly, the education landscape has changed dramatically since GCSEs were first introduced over 20 years ago, and that model is no longer the right one.

Education professionals in Northern Ireland have expressed unease at this announcement. There is a feeling that the new English baccalaureate certificate, because it has an emphasis on rigour, will devalue the Northern Ireland GCSE and that will result in an uneven playing field for our students.

Following a summer of concern and distress for many pupils and teachers and criticism of GCSEs from the Education Secretary and observers, there is a pervading belief that the GCSE brand has already lost credibility. Although those problems have been centred largely in England, the Northern Ireland GCSEs cannot have escaped collateral damage. With that in mind, it is worth repeating what our own Education Minister said:

"The standard of GCSEs here and in England is exactly the same and it is vitally important that we ensure this continues to be the case and that learners can avail of higher education and employment opportunities across these islands."

If the standard is exactly the same at present, but there comes a time when English exams are perceived to be more rigorous, will that not put our pupils at a disadvantage?

The Minister has said that it is vital that our exams remain at the same standard as those in England. Why is it vital? So that our pupils can avail themselves of higher education and employment opportunities. We need to keep pace and ensure that our exams are robust and valued. We also need to ensure that we continue to be aligned with the rest of the United Kingdom, where a huge proportion of our students ultimately end up studying.

There are deep concerns about GCSEs in Northern Ireland among education professionals. These are the people in the classroom. Their concerns are that it is a qualification made up of endless repeatable modules and questionable teacher-assessed coursework; controlled assessment tasks take up too much teaching time and can be open to tutor abuse; there are too many resit opportunities, which also eat into valuable teaching time; and the current system of modularisation, whereby the examination can be taken in manageable chunks at different times of the year and even in different years, devalues the whole qualification.

Even before the Education Secretary's announcement, there was already uncertainty in Northern Ireland, as students sitting GCSEs in England from 2014 would not be permitted to sit modules as a part of that assessment. Yet that option still remains in Northern Ireland. That creates difficulties for schools, as universities have yet to clarify whether the Council for the Curriculum, Examinations and Assessment (CCEA) GCSEs, which permit modular exams over the two years, will be viewed as equal to those set by English exam boards with no modular exams. That needs to be clarified, and I ask the Minister to obtain that clarification from universities as soon as possible. We already have year 11 pupils commencing those courses and faced with that uncertainty. It may well be that schools will ultimately be forced to consider using English examination boards to ensure that students are not disadvantaged by universities, particularly Russell Group universities, which often use GCSE grades as part of their entrance criteria.

The Minister has stated that he wants to continue with modular qualifications, but he has not addressed the issue of equivalence. That does not equate with his other comments about how vital it is that our GCSEs remain at the same standard as those in the rest of the United Kingdom.

It is ever more important that the Minister engages with his counterparts in England and Wales to ensure that pupils in Northern Ireland are not disadvantaged. I note that the Minister stated earlier that he is engaged in conversation with his Welsh counterpart and has sought discussions with Education Secretary Gove.

The Minister announced this morning that he has commissioned a review of GCSE and A-level qualifications, and I welcome the fact that he has recognised that a review should take place. I also welcome that he has confirmed that the review should take place in the context of maintaining the current tripartite system, which remains important to the prospects of our young people in terms of their opportunities for employment and further and higher education. There are areas of concern with the examination system, and it would be foolhardy to suggest that the system is perfect.

Mr Speaker: Will the Member bring her remarks to a close? The Member's time is almost up.

Miss M McIlveen: Thank you, Mr Speaker. I look forward to following the review's development and scrutinising its recommendations.

Mr Hazzard: I beg to move amendment No 1:

Leave out "English and Welsh counterparts" and insert "counterparts across these isles".

Go raibh maith agat, a Cheann Comhairle. Despite the fact that the Tory Education Minister, Michael Gove, recently announced a major overhaul of the examinations system in England, he has yet to put forward a coherent and convincing case for such change. Indeed, if it were not for the gaffe-prone media interviews and the leaks in various newspapers, we might never have known of his plan to overhaul the examinations system.

A series of unilateral statements and a continuous contempt for the devolved Administrations has come to characterise what some are referring to as his "Gove it alone" doctrine of educational reform. By introducing his English baccalaureate certificate, Minister Gove has decided to scrap the GCSE model of modular and continuous assessment in favour of a return to obsolete practices of year-end single exams. Despite Minister Gove's assertion that GCSEs belong to a different age and a different world, it is clear from the widespread criticism of his proposals that it is, in fact, his EBaccs that belong to a bygone era. Indeed, they represent everything that is wrong with rigid traditionalism and are a foolhardy reliance on what becomes little more than three-hour-long memory tests.

We need to face the challenges of the modern world, with solutions designed for the 21st century, and the archaic EBacc proposals have nothing to do with educational standards or successful reform. Instead, it is becoming rather apparent that Minister Gove is acting without quantifiable evidence or educational justification. The Gove strategy for change may tug at the heart strings of the Tory grass roots, but the plans have yet to be supported by significant research or standards of international best practice. Moreover, internationally, there is no correlation between proficient education systems and reform of this nature. Indeed, Singapore's examination system, held up by Minister Gove as some form of

educational Shangri-La, was achieved by an extensive consensus between parents and educationalists.

This summer's debacle has been copper fastened by Gove's cheap attempts to politicise the exams process, with various heads of examination boards pitching in to talk down the GCSE brand. It has been a shallow exercise in damaging the reputation of GCSEs, and the Tory political agenda has gone into overdrive in an effort to churn out sound bites in place of the absent informed debate. It is also now widely accepted that Gove refused to engage with educationalists in the lead-up to this announcement. There was no meaningful input from teachers, academics, parents or even the young people who will be presented with the upheaval. He simply does not care for informed discussions, nor is he interested in competent counsel.

Without doubt, Minister Gove has been on a solo run. It is obvious that Minister Gove cares little for those teachers and educationalists who have to deliver his change and that his indifference for pupils who will fall foul of his political agenda is obnoxious to say the least. Moreover, it is also certain that Minister Gove has demonstrated a complete lack of respect for his Scottish, Welsh and Irish counterparts and their vision for excellence in their respective education systems.

(Mr Principal Deputy Speaker [Mr Molloy] in the Chair)

Unlike the narrow agenda of Minister Gove, our own Education Minister, John O'Dowd, has consistently sought to deliver a fit-for-purpose education system with our pupils' needs first and foremost in everything that we do. As we continue to reform our education system within the parameters of international best practice, we correctly reject the 1950s do-or-die exam mentality, and we are subsequently continuing to raise attainment across the board. Indeed, despite Minister Gove's acceptance that a section of students will leave school without qualifications under his new process, Minister O'Dowd rightly argues that a fit-for-purpose education system should leave no child behind.

Recently, Pasi Sahlberg, the director of Finland's Education Department, which is lauded globally for implementing one of the top education systems in the world, called on the UK to move away from external standardised assessment and instead see the value of school-based, teacher-led continuous assessment. That is the vision that is continually espoused by Minister O'Dowd, and that is the vision that will create a modern fit-for-purpose education system here in the North.

In light of Minister Gove's unilateralism and the evolution of our own education system, I believe that the time is right to look at our examination process and consider whether change is necessary. Indeed, perhaps the coalition's attempts to modify GCSEs and A levels in England present a pertinent opportunity for us to build a consensus on how an examination system should best meet the needs of our young people as well as the needs of our economy.

4.00 pm

It is reassuring to know that Minister O'Dowd has already held discussions with his counterparts in Scotland, Wales and Dublin, and I am encouraged to learn that they are all supportive of ensuring that our qualifications are rigorous, robust and recognisable across these islands. It is vital that we sustain an examinations system that empowers our

young people and secures pathways to employment and a better life, irrespective of class or creed.

I have little doubt that this review of the examinations process will be one of the most important pieces of work undertaken in recent times, but parents and children, and, indeed, the entire education sector, rightly expect, and are entitled to, a dynamic and modern education system.

Mr Kinahan: I beg to move amendment No 2:

At end insert

“; and further calls on the Minister to consider using this as an opportunity to fundamentally review the effectiveness of GCSEs in Northern Ireland and their ability to improve literacy and numeracy and tackle educational inequality.”

I thank those who proposed the motion, and I acknowledge the good, detailed speech on GCSEs. I am glad that those Members will accept our amendment. When I read the motion, my initial feeling was that, given that so many other important issues are linked in to it, it was essential that we expanded it and tabled our amendment, which includes having numeracy and literacy in the review.

I will now move back to the motion. We need to remember that Northern Ireland's education system is heavily influenced by those in England and Wales, or, as one person put it, three out of the four. We must ensure that the exams that we are taking are well respected by everyone, especially where our young and others are to be employed. At present, we know that there are few jobs. There are limited jobs, especially skilled ones, and we should always be preparing everyone not only for Northern Ireland but for the UK, Ireland, Europe and even the world. That is what we should always be doing for those whom we are teaching.

There is proof that GCSEs are not well thought of in Europe. On a scale of how good exams are, one study has GCSEs at twenty-third or twenty-fourth in Europe out of 27. If there is no other, better reason for reviewing our exams, that is it.

We also want to prepare our children for United Kingdom universities, which, at the moment, are relatively well harmonised with the present exams system. We must keep that in mind when we review the system. That harmonisation exists despite the unholy mess that there is in the fees structures between the countries.

If Northern Ireland is to regain its role as a leader in the world, which it had at the beginning of the previous century, we must all look outwards. We must all look outwards towards the world so that we can learn, fit in and find our place, whether that is taking on the Chinese, the Indians, the Brazilians or anyone else. In a previous speech that I made, I said that we know that 65,000 people a year qualify in engineering alone in China. Given that, we really have to produce good education and a place in the world so that all our young can have jobs.

It is extremely sad that Mr Gove's announcement seems to have been made without any prior consultation. However, despite what the Minister said this morning, I wonder whether we put in enough effort for them to recognise that they need to talk to us, as there are times that it seems that we do not talk well enough among ourselves either.

Let us be positive. As the Member who moved the motion said, let us congratulate everyone in Northern Ireland

for good exam results this year. This year, we bucked the trend. The proportion of A* to C grades increased to 75.6%, while the UK trend went down to 68.4%. Equally, we must keep in mind that the top grades dropped across Wales, England and Northern Ireland.

It is healthy to be reviewing the exams systems, and it is the right thing to be doing. We should be doing it regularly so that we always fit in with the world and with the jobs and skills that are needed. When the review was announced, I gave it a cautious welcome. That does not necessarily mean that we agree with it all, but we must look at it as an opportunity to look for changes in the whole of our education system, especially in anything that affects our children. We should think of children, but instead of thinking of them from cradle to grave, let us move from cradle to GCSEs and beyond.

The whole system is a shambles. That is not the doing of the teachers, the governors or even the most important group, the children themselves. We have fantastic teachers who are slogging their heart out. They all need support, and we must listen to them. This morning, we heard the Minister say that this is not a negotiation, yet, in answer to my question on consultation, he said that it clogs up the system. That may just be because we do not do it well. We need to find a better way of consulting and of listening to teachers and parents, and we can then make our decisions after the final consultation.

I am sure that others will say the same, but this party will always put children first. We need an agreed long-term plan. Teachers need to know where everything is leading and how everything fits in, but no one has ever seen the plan. Has anyone seen it? All that we know is that some deal was done at St Andrews. We would like to know more. It was a deal that seems to establish a lowest common denominator as the benchmark of success. Instead of a deal that sets out to create a level playing field, we have one that sets all our young people on a race to the bottom. Michelangelo said that the greatest danger in life was not that we would aim too high and miss but that we would aim too low and hit the mark.

We need to look at the early years strategy, get it back out, get it turned into actions and get those actions happening. We need all children to be assessed, whether that involves special needs or exams. There is a mass of work that needs to go on, and we need to do it all while talking to and listening to the teachers.

The purpose of our amendment is to highlight where we really fail — numeracy and literacy, or should I say “illiteracy”? We have statistics that show that, between 2006 and 2011, the percentage of school leavers achieving five or more GCSEs, including maths and English, increased by 6.9 percentage points, from 52.6% to 59.5%. Great news, wonderful news, but not for the 40% who do not achieve the five GCSEs or, even worse, sadly leave with none. We know that the Minister is always saying that we must concentrate on the disadvantaged and deprived areas, and he is quite right: we must. However, we do not. We have Book Buddies, Pawsitive, the Letterbox Club and many other stunningly good initiatives. Those are the initiatives that we should help and really concentrate on. We should increase their funding.

Last week, I went to Londonderry to see the work being done on the nurture project. It is right to thank Oakgrove

Integrated Primary School for hosting it. It is an amazing project. Just £900 would help one child move away from a trauma family towards actual learning, rather than the £12,000 or more it would cost if a child were to go through the proper systems provided by the state. It works extremely well in Glasgow, and, because of its success, the number of nurture groups has increased from 10 to, I think, 38. What are we doing here? We are reducing the programme, giving it less funding and cutting it back.

We have many, many unemployed people and volunteers who could help. If you think about it, you can see that one-on-one provision is the greatest way of helping someone to learn to read or count or get their numbers right. We need to really concentrate. Look at what my party leader said the other day: we should have a target of zero illiteracy within five years. That is what we should do: set a figure and make sure that we get there.

There are many other areas that need to change. The fair employment legislation holds back many people, particularly Protestant working-class people. When you interview somebody today, you are not conducting an interview but looking at a bit of paper and seeing whether someone ticks the boxes. It is no longer about looking the candidate in the eye and seeing whether he has chutzpah or, to use a Spanish term, "más huevos", which means that he has more eggs. You want to be able to employ the person who will do the job best, and that is not necessarily the one who ticks all the boxes. We want to concentrate to give every child a chance to achieve their dream, to get a job, to shine and to find their star and follow it.

Amendment No 1 is an attempt to bring Ireland into the mix, which is not wrong. It includes Scotland, but I do not think that it helps the motion today or the call for a complete review. Today, the Ulster Unionist Party proposes that we use the GCSE change as a reason to review our whole education policy, especially on literacy and numeracy. We want to see an agreed long-term strategy for a single, shared education system.

Mr Rogers: I support the motion and acknowledge the Minister's statement this afternoon. Again, we have a Conservative Government telling us what is best for education. It is a change for change's sake, rather than what is best for our children. I believe that many of the deficits of our education system can be traced back to some of the crazy changes we had to endure in the past.

In the late 1980s, the dual system of O levels and CSEs was replaced by one exam system — GCSEs — a system that was socially inclusive. What is proposed today is, without doubt, a two-tier system. Students who do not obtain an EBacc will receive a record of achievement, which will be seen as inferior by employers. Mr Gove also suggests that less able pupils will be offered the chance to take the EBacc at 17 or 18. What a nightmare for schools. Instead of a student repeating a module, he will have to repeat a year to achieve the qualification. Will the Department fund the school for the students who are repeating? I hope so but I doubt it.

It baffles me how little government knows about our education system and, indeed, how little the Department knows about the pressures of school life. They try to reduce it to the mechanics of an assembly line that children join to begin their schooling and stay on until they get off or fall off. Education is not made up of separate and

distinct components. Key Stage 4, whether through the EBacc or GCSEs, is totally dependent on the foundation that has been built up in primary school and through Key Stage 3. GCSEs then become the basis for further study beyond 16. You cannot just unplug one component — GCSE — and plug in a new one — EBacc. Introducing EBacc would mean a complete curriculum review. I would not for one moment say that GCSEs are perfect, but there is a lack of evidence to suggest that change is necessary.

Mr D Bradley: I thank the Member for giving way. I know that, unfortunately, like me, he is old enough to have taught GCSEs and O levels. Does he agree that a return to the old O level examination-type system would, in fact, be a retrograde step, considering that the world has moved on and that the skill set required by an O level-type examination would not meet the needs of today's world of work? Would he further agree that reverting to a dual system such as that which, thankfully, we have left behind would be an injustice to many of our pupils?

Mr Rogers: I thank the Member for his intervention. I agree totally: we do not want to go back to a system that was really about rote learning.

Unlike in the 1980s, exams at 16 are really interim exams, as the majority of our young people stay in education or training until they are 18. What is wrong with different routes? Some tell us that, if we do not follow suit, it will jeopardise students' choice at 18. That is nonsense. English universities are glad to accept Scottish highs and the Republic's leaving cert. If we are to take area-based planning seriously, there must be scope for considering cross-border solutions, hence the need to consult our Dublin counterparts as they review their junior cert programme.

By following Gove's proposals, we will take our eye off the ball and fail to address the real challenge facing us: ensuring our children have a proper grounding in numeracy and literacy. The curriculum must also be flexible enough to motivate them to stay in education and allow them to develop a range of skills. The narrow focus of the EBacc will prejudice the entitlement framework, which will impact negatively on the arts and humanities. The EBacc's promotion of exam-only assessment is deeply flawed. Will students be expected to rote learn the periodic table rather than apply the information in a practical way? How could one ever understand Newton's laws without the scope for experimentation? How can you assess a student's language capability through an exam?

Devolved Administrations should have been properly consulted. It is important that we do not rush blindly into changes that mirror the questionable proposals in England without finding a solution that is fit for purpose for Northern Ireland. It is important that there is real consultation, not just consultation with the Department, the CCEA or an online consultation but consultation with those who shape our education daily: our teachers in the classroom. In March 2012, the Minister agreed not to follow the English model, in which GCSEs were to be assessed only by linear route. I urge the Minister to adopt a similar stance now as an example of local, accountable government working in practice.

4.15 pm

Mr McCarthy: Go raibh maith agat, a LeasCheann Comhairle. The Secretary of State for Education in England has made his intention known on the changes he intends to make to the GCSE system by replacing it with the English baccalaureate certificate. It is now the job of the Assembly and our Education Minister, in particular, to mitigate any potential negative implications for students here in Northern Ireland and to ensure that our examination system is highly regarded across the whole of the UK, the Republic of Ireland and, indeed, further afield. Northern Ireland's examination record is the best of the three jurisdictions in the UK. We should be proud of that and want to protect the reputation of all our students. With that in mind, I take the opportunity to welcome the review of the GCSE and A level qualifications announced by the Minister this morning, whilst retaining a note of caution over how the review will be carried out and who it will be carried out by. I am not sure that the CCEA is the most appropriate body to carry out the review — my colleague Anna Lo mentioned that this morning, and I noted the Minister's response — given the potential conflict of interest with it being both a regulator and a provider of examinations here.

Whilst it is right that we should celebrate and point out our excellent academic achievements, as I have, I urge the Minister to ensure that any changes to GCSEs are made in the best interests of our whole student population. The proposals in England may do little to change the situation for students who would achieve excellent academic results regardless of the system under which they take the exams. However, it is essential that students who do not excel through traditional academic routes are supported. The review announced by the Minister allows for a good opportunity to ensure that, and I hope that he will take it.

It is important to remember that a large percentage of those who complete GCSEs and A levels do so through further education colleges. I urge the Minister to ensure that that sector is strongly engaged in the process.

I hope the review will look at the issue of multiple examination providers operating in the same jurisdiction. The current system can give rise to a situation in which education providers can effectively choose which exam their students take on the basis of which is easier. That is having an impact on the perception of GCSEs and A levels, and it should not be allowed to happen. I hope that the review will address that.

If we do not take steps to maintain the reputation of our examination system, a number of issues may arise, including labour mobility. It may prove difficult for students from Northern Ireland to move across the UK, given the differing systems in place across the jurisdictions. It could also give rise to a system in which students from here have to reach a higher grade than in the equivalent system in England due to the lack of a fixed method of comparison, thus putting all Northern Irish students at a competitive disadvantage, for example for university places. I hope that the Minister will consider that carefully.

The changes represent a significant opportunity for the Minister to fundamentally review how efficiently our school system meets the needs of our future economy and develops our skills base. Therefore, it is vital that the business community is consulted as part of the review

to ensure that our education system has the maximum resulting impact on our economy. I encourage the Minister to ensure that that is covered in his review and to consider it carefully as he decides on the best way to move forward.

Mr Craig: I was glad to hear the speeches from fellow former grammar school students across the way. They have all done very well.

The recent announcement by Michael Gove in the House of Commons should not really come as a surprise to some of us. What worries me is that we could end up with an unregulated system if we are not careful about what we do in these islands. I raised that with the Minister this morning when I questioned him about the role of the regulators and how we would fit in with the other jurisdictions. If we are not careful about how we handle the issue and if we do not have uniformity and co-operation with regulation across the jurisdictions in England, Scotland and Wales, students from Northern Ireland could end up being discriminated against and treated as second-class citizens if they apply for university places in England and, for that matter, Wales or Scotland.

Members have previously been advised of the Minister's intention to leave it up to schools to decide whether they have a linear or continuous form of testing over the next few years. In light of the system in England, such a measure would cause problems in the co-ordination of grading and assessment across jurisdictions and might reduce the overall credibility of our exams. We need to watch that remit very closely.

At present, English students in Northern Ireland cannot sit CCEA board exams and are already directly sitting exams that fall under the English authorities. The system of comprehensive schooling in England may have been seen as an attractive form of secondary education. The failing and dumbing down that has been referred to in England cannot be fully recognised as a fault of GCSE examinations. We are fortunate that we have not gone down that same comprehensive route in Northern Ireland. Our performance in examinations is not as concerning as it is to elected representatives across the water in Westminster.

There is a wider issue associated with the rejection of a system of EBCs over the old, conventional GCSE qualifications. Many school pupils aspire to study in Oxford, Cambridge, Durham or the London School of Economics. I am surprised at that, but it is true. The use of two systems could cause confusion and reduce the recognition of examinations in Northern Ireland for those who wish to attend English institutions as part of their third-level education.

This morning, I met a principal from one of my local grammar schools, and I was shown correspondence from OCR, which is the exam board, relating to the recommendation of linear-only examinations at 16. The principal also demonstrated concerns about CCEA potentially becoming out of step. She does not want students to be disadvantaged by taking exams that are seen as less rigorous than others.

In a letter sent to schools in March, OCR expressed strong reservations that the presence of two systems could cause a lack of confidence in the system. This morning, the Minister highlighted the fact that his counterpart in England refused to meet him, but I call on him to try to liaise with

him, if he has not already done so. I know that he has already done so in Wales, but he could liaise with all of them, so that, no matter what comes out of the review that he announced this morning, at least we will have a system that is consistent across the jurisdictions in the United Kingdom, so that students can at least be recognised and attend whatever university they desire in the UK.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I support the motion and ask Members to support my party's amendment.

I would like to start by congratulating all our students who sat their GCSEs and A levels. Some achieved the results they needed; others did not. I am sure that they, now that a few months have passed and with the support of family, friends and teachers, now realise that there are many opportunities for them to pursue their chosen career. I welcome and note the increase this year, as in other years, in grades A to C.

I would like to speak on Minister Gove's proposals to replace the current GCSE exams with the English baccalaureate certificate. The proposals have come under a lot of scrutiny, rightly so. Minister Gove has single-handedly decided to scrap the current GCSEs without consulting any education practitioners. The new proposals would result in significant changes to teaching for the new qualifications in English, maths and science, which would begin in 2015, with the first exams in 2017. The timetable for other subjects still needs to be determined. Currently, students taking GCSEs here can avail themselves of foundation and higher tiers. This may not be the case under the English baccalaureate, putting students who are less academic in a disadvantaged position.

There is an onus on the House and on Members to guarantee that there are jobs to reflect the level of young people leaving education with certain grades, as that is a worry for students. The review needs to focus on providing more choices for children who have more vocational skills than academic skills. It should also include the needs of those with special educational needs. I welcome the Minister's statement today on the review, which includes those pupils in its terms of reference. The Minister was asked whether there would be recognition across these isles and internationally if changes were made to our GCSEs and A levels, and he reassured the House that any review of exams will be comparable and that there will be no barriers. I welcome that. It is incumbent on the Minister to ensure that the House is confident that any changes will be robust, compatible and recognisable.

Education is a devolved matter here. It is, therefore, important that we send out a message that we want the very best for our young people. It is important that we have a qualification system that puts our young people at the centre of education to assist them on their journey from education to employment. Very few of our young people here travel to universities in the South of Ireland. If that lack of convergence between qualifications is contributing to the brain drain, the review will provide an opportunity to remove some of those barriers. I support the Minister's call to work with other Administrations. He has already held discussions with his counterparts in Scotland, Wales and Dublin, all of whom are very supportive of ensuring that our qualifications are robust and recognisable across these islands. I, therefore, ask other Members of the House to support our amendment.

4.30 pm

Mrs Overend: I welcome the opportunity to speak on this important motion today and in support of the Ulster Unionist Party amendment.

At the outset, I, too, would like to agree with the main emphasis of the debate. There is no denying the major implications that Michael Gove's recent announcement could have for students in Northern Ireland. Although education has been devolved to Administrations throughout the United Kingdom, it is no mean feat that our overall educational policy has remained relatively harmonised. I do not doubt for one moment the authority with which the Secretary of State for Education can speak. However, the fact that he was in a position to make such a radical announcement without engaging in even minimal consultation with his devolved counterparts shows that there was a failure in effective working relationships. That is regrettable. In all honesty, I expected more from Michael Gove, who was — still is, in my opinion — a Cabinet Minister who cares strongly about all the component nations of the UK working together for our mutual benefit. Nevertheless, he made his announcement, and, whether it was a simple political stunt in the knowledge that his party may not be in power long enough to see through his changes or a genuine decision based on sound reasoning and judgement, it is the belief of my party that we should use this time as an opportunity to review aspects of the exam in Northern Ireland.

Although the success of the GCSE as an academic qualification in Northern Ireland is commonly spoken of when things go well, such as most summers when our ever-improving results are published, the problems that the exam has are significant. In a debate tomorrow on school absenteeism, we will, no doubt, hear of the significant correlation between poor GCSE results and higher-than-average school absenteeism. There are also major issues with boys from working-class Protestant areas as well as, more generally, young people on free school meals achieving well below average GCSE results.

The Ulster Unionist amendment makes particular reference to poor literacy and numeracy in Northern Ireland. The latest PISA survey results in 2009 show that, in literacy and numeracy, Northern Ireland lags well behind the highest-performing systems and still has a persistent body of underachievement. Given the often bare minimum requirements of basic numeracy and literacy skills for the majority of jobs in Northern Ireland, a shortage of those skills is no longer a solely educational matter but one that could have a significant impact on our future economic prosperity. Mr Mike Rake, chairman of BT, recently said:

"Poor numeracy is the hidden problem that blights the UK economy and ruins individuals' chances in life."

The Department, in recent years, established a literacy and numeracy task force, which produced its final report just under a year ago. I ask the Minister to provide an update on the implementation of its proposals.

The case for change is clear. GCSEs have played an important role in the education of our young people and continue to do so to this day. However, in some ways the current system has become outdated and badly in need of reform. It may not need to be scrapped and replaced with a baccalaureate certificate, as proposed by the Secretary

of State, but, if nothing else, he has at least opened up a discussion on this matter. All of us in the House, not least the Education Minister, should look on this discussion as an opportunity to put right the current failings rather than look towards it solely with opposition simply on the grounds of uncertainty of what change may or may not mean.

Mr McDevitt: I feel that I should declare an interest because I have a thing called a Spanish baccalaureate, which used to stand for something. In fact, there is a qualification called the International Baccalaureate, which is pretty highly regarded around the world. Then this fella in England comes along and introduces his own special, unique take on a baccalaureate, which, frankly, devalues everything.

What is proposed, this so-called English baccalaureate, is no baccalaureate. It is nothing of the kind. It is just a repackaging for the kids who did best in GCSE. It is an exercise in political chicanery, it really is. It is a con job. Though he maybe has the numbers today in the House of Commons to get it through in England, as Mrs Overend rightly observed, it is something that we, to quote an old colleague of Mrs Overend, should not touch with a barge pole. It makes no academic sense. It is totally unjustified from the point of view of standing up to any level of benchmarking or scrutiny against any of its namesakes, namely real baccalaureates. If you were going to introduce a real baccalaureate, you would be talking about doing a job on A levels, not on GCSEs, because that is what baccalaureates are equivalent to. So, it is really quite strange that the poor people of England should be subjected to a man who, frankly, I think is a bit out of control. I hope that our Minister will resist the urge to apply the parity principle in this area of public policy. From the tone of the debate, I am sure that the House would be happy to support him in that regard.

It might be nice to put on record some of the observations of those who are much more in the know than I am in the English education system on the question of the introduction of the English baccalaureate. As always, we are grateful to the Research and Information Service for the information pack that it prepared for the debate. Chris Keates, who is the general secretary of the NASUWT, commenting on Westminster's Education Select Committee's damning indictment of the English baccalaureate proposals and the manner of their introduction, said:

"It is a classic example of the relentlessly elitist approach of the Coalition to education. Important subjects such as music, art, RE and IT have not only been downgraded but those who teach them are facing redundancy."

Philip Parkin, the general secretary of Voice, which is one of the leading teachers' unions in GB, said:

"However, I would go further and say that the misnamed 'English Baccalaureate' is narrow and pointless. Whether as a performance measure or an actual certificate of achievement, it has no point. The Government seems unsure about what the EBac is actually for. The promotion of a broad and balanced curriculum is a good thing but the EBac does not do that."

When we come together to debate matters in post-primary education, the question for me is not whether we will reject Mr Gove's vision for education — I am quite confident that we will manage to do that — but what we can do about the alarming gaps that still exist in our region. This August, when the GCSE results came out, I was, I am sure, as depressed as every other Member to note that some 3,463 non-grammar-school students failed to achieve the benchmark of a grade C or higher in GCSE when only 237 grammar-school students failed to reach that benchmark. Standards in the grammar sector are up from 95.2% to 96.9% of pupils reaching the benchmark, but they are down in the non-grammar sector — very marginally, but still down — from 49.6% to 49.2% compared with 2011.

I hope that the House finds it in its heart to be able to focus again on the real inequalities in our regional education system, ignores the hare-brained ideas of certain Conservatives in England and coalesces around the need to build on what we have that is very good and fundamentally reduce the real inequalities that are still in our system. I am very happy to support the amendments from both parties and the motion.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Fáiltím roimh an deis labhairt ar an rún seo. I welcome the opportunity to respond to the motion. The qualifications issue has been to the fore in recent weeks following proposals from the English Education Minister, Michael Gove, to scrap GCSEs and replace them with the English baccalaureate certificate.

Having listened carefully to the debate, I will respond to as many of the issues that were raised as possible. Members will be aware that GCSEs were introduced 26 years ago in 1986. They replaced O levels and GCEs and are offered mainly here, England and Wales. Although some private institutions in Scotland also offer them, Members will be aware that Scotland provides the Scottish national exam. They provide a statement of accumulated learning and are recognised as a passport to further learning. GCSEs are a well-known and well-respected brand that carry with them assurances about quality and standards. It is worth noting that non-selective and selective schools in our society teach the same GCSEs; there is no difference. They teach the same curriculum, so they teach the same exams. We should not think that, somehow, there is a different GCSE in a grammar school and a non-grammar school; they are all the same and are taught the same.

The figures that were portrayed by Mr McDevitt are of concern. However, I would be wary of league table examples; you have to look much closer at results rather than simply looking at figures, but of course they are of concern. In 1986, approximately 5,500 pupils here left school with no O levels or GCSEs. Last year, just over 500 pupils left school with no GCSEs. However, that is 500 too many, so there is much more to do.

Members will be aware that I have voiced my concerns already at the negative way in which Michael Gove chose to present his proposals for change in England. However, it is Michael Gove's right to propose changes to GCSEs in England, even though the brand is owned by the three jurisdictions: England, Wales and here. I am disappointed at the manner in which he presented his proposals. However, he has the authority to do that, just as I, as the Minister of Education here, have the authority to bring

forward proposals for our qualifications systems. It is on record that, over the past 18 months, he has chosen not to consult with me or my counterpart in Wales before making announcements on GCSEs and A levels, which are brands that all three jurisdictions own. Mr Gove is, perhaps, proposing change on the basis of his personal principles, and, again, he is perfectly entitled to do so.

Why would we want to return to O levels or to change to a type of baccalaureate as proposed by Mr Gove? Do we really want our children to be subject to a memory test that lasts for three hours at the end of a two-year course? We heard from Mr Rogers, and practitioners of the O-level system like him will know that that was the way that that system worked. O levels were replaced because they did not work then. They will not work now. There has to be some element of testing by doing, and that can be, and is, achieved through controlled assessment or the rigorous assessment of coursework. There is no evidence to suggest that GCSEs or A levels have provided anything other than excellent opportunities for learners.

Despite some Members' criticism of the GCSE system, my in tray is not strained with letters or correspondence from Members about them. I have been in office for 18 months, and I do not believe that any Member took an interest in GCSEs before Michael Gove stood up in Westminster and said that they were not a good thing. I would like to think that Members would have interrogated the subject much more than relying on a statement by any individual on the quality of GCSEs or A levels.

Many educationalists and renowned individuals in the world of education in England have criticised Mr Gove for not basing the proposed changes to GCSEs on quantitative or qualitative research. I do not intend to make the same mistake here. I believe that his presentation of the qualification may have damaged the brand. Therefore, we have an opportunity to move forward and to allow our young people and learners to ensure that they can be proud of the qualifications that they achieve at the end of their learning. Tá níos fearr ná sin ag gabháil dóibh. We owe them more than that. I am confident that the steps that I am taking will provide the confidence that we need in qualifications and that they will be specific to our needs going forward.

I have heard much about relying on or sharing the UK qualifications system. There is no UK qualifications system. Michael Gove brought that to an end when he stood up in Westminster and announced that he was changing GCSEs. In a sense, Michael Gove produced his own education home rule Bill. He declared independence on education and qualifications and left the other jurisdictions to follow and do whatever they may.

Let us look at the exams systems that we have on the islands. Even before Michael Gove's announcement, Scotland was doing its own thing. It has an internationally recognised system in the form of the Scottish nationals, and the Scottish education body is highly regarded and well renowned. Yet and all, some Members from the opposite Benches are insistent that I follow England and England only. I think that that is a mistake. To use the analogy of the covenant, I am surprised that, after a weekend in which they celebrated the covenant, which was based on the Scottish Covenant, they do not still have an allegiance to Scotland in some way and do not

think that we could, maybe, learn something yet from its examinations system.

Let us look at the Scottish system, which I have been doing, and let us see what Michel Gove produces in England. All that we have thus far is a statement that he is going to bring forward a "rigorous" examinations system. We need more meat on the bones of that one before we follow it. My Welsh counterpart is in the middle of a review, which, I think, will report back in November. He will outline how he will move forward. He may or may not retain GCSEs, but he will decide on that, and we will continue to engage with our Welsh counterparts and learn from Wales. Let us also learn from our neighbours in the South and from their junior and senior leaving certs.

Those qualifications also travel. People have the ability to travel with junior and senior leaving certs from the South, so let us learn from that. Let us learn from our neighbours and move forward with a qualifications system that we can be proud of. Let us ensure that students from here will be able to travel to universities in England, Scotland, Wales, the South or further afield if they so wish; gain employment based on their qualifications at that stage; or move on to further or higher education. That is the system that we want to have in place.

4.45 pm

Mr Byrne: I thank the Minister for giving way. Does he agree that the biggest uncertainty now centres on the confusion felt by parents, students and teachers? What can the Minister say to reassure teachers in particular that the consultation process will be meaningful and short-timed and have a sense of direction and control?

Mr O'Dowd: Let me reassure parents and current pupils once again that the GCSE and A-level brand that they are studying is robust and recognisable and will transfer to England, whether a student sits a modular or linear exam. No universities have approached my Department to raise concerns over that matter. When I was in consultation over modular and linear exams, it was the schools that asked me to keep the modular system in place. They wanted it, and I kept it in place. None of the universities, whether those in the Russell Group or any other, has told me that it has serious concerns — indeed, any concerns — about that system. I want representatives of further and higher education to sit on the review body when I bring forward the consultation to which the Member referred. They will be consulted, as will business leaders.

I want to clarify once more that, when I say that a consultation is not a negotiation, there is a difference. When you enter a negotiation with another body, you try to form an agreed way forward based on mutual interests. A consultation is where one party listens with interest to another party to ensure that its views are taken on board. It may not agree, and those views may not be in the final document, but those views should be listened to and taken on board. As I said earlier, if bodies are bringing forward suggestions that are not agreed with the CCEA, I will ask why the CCEA does not agree, and it will have to explain why. It is an active-listening exercise.

Education is a devolved matter. Whether Members like it or not, the Minister is responsible for bringing out education policy and will have to move forward on the basis of an informed process and informed consultation, and on the

basis of quantitative and qualitative research that listens to and involves the further and higher education sectors, the business sector and the universities in moving forward with a qualification that we can recognise.

After spending several years in the education debate, I am delighted that the Ulster Unionist Party has recognised in its amendment that there is inequality in education. That in itself is a step forward. I am not criticising the party for that, because I have for many years sat through debates in which we have been told, "If it's broken, don't fix it." Well, it is broken, and it needs to be fixed, and collectively we want to do that. However, numeracy and literacy cannot be corrected simply through changing your exam system. You have to put in place policies from early years right through in order to improve numeracy and literacy.

Mrs Overend referred to the Literacy and Numeracy Task Force. Flowing from that, we introduced the Count, Read: Succeed policy, which puts numeracy and literacy at the heart of all subjects, from primary school right through. It is the responsibility of all teachers in the classroom to be involved in numeracy and literacy. Members will be aware that I recently launched an advertising campaign urging parents and community members to become involved in their children's numeracy and literacy education.

The entitlement framework is broad and inclusive enough for our education system, and Members must remember that Michael Gove has also announced a review of the English curriculum. The exams that he proposes will be based on the English curriculum, as our exams will be based on our curriculum. When you are testing young people, you have to test them against the curriculum that they have been taught in schools. There is no point in me simply buying in Michael Gove's proposals to test our young people against a different curriculum. That simply would not work as a straightforward transfer-across.

So, I can understand the nature of the debate in that, quite rightly, people want to be reassured that whatever qualifications system we end up with in this society is transferable, robust and recognisable, not only in these islands but beyond.

I agree with Members; I believe that the terms of reference published today allow for the body that has been set up to conduct a review that will bring us to that point. However, we should not simply look at England when considering our education system. We should learn from and co-operate with England.

I would like Michael Gove to co-operate with me as a fellow Minister. I am not taking that personally, as it appears that he is not co-operating with any other Minister, perhaps even in his own Cabinet, but that is a matter for another day. He is having difficulties in his relationships with Ministers in the Welsh Assembly Government over discussions about where they are going.

The plot has been laid, and GCSEs are coming to an end in England. We have to decide what we want to do and the Welsh will make their decisions, but I believe that, at the end of this process, we will have an exams system that is recognisable, robust and transferable and will satisfy the needs of individuals, society and the economy.

Mrs Dobson: The importance of this debate cannot be underestimated, as has already been highlighted by other Members. What Michael Gove has proposed, if

implemented, would be the most radical overhaul of the exams system since the abolition of O levels and CSEs in 1988.

The GCSE has had a few rough years. For too long the exams have been criticised for being too easy and lacking in direction or strategic focus. Yet in all that time, its chief opponents never once considered that the ever-improving provision of education may have been partly responsible, with more young people simply doing better.

I want to pay a particular tribute to the thousands of teachers and support staff who are educating our young people even as we speak; or, perhaps, not as we speak, but earlier. I am sure that all Members — or most of them, at least — will have fond memories of their teachers. In my case, they had a profound effect on my life and my decisions once I left formal education. I particularly remember two of my teachers from Banbridge Academy, Lorna McMullan and Valerie McKay, who left a long and lasting impact on my life.

I believe that we have a duty to make sure that the hard work of all our teachers is turned to maximum effect for pupils when they take their exams. It is for that reason that, I believe, a review of GCSEs was made inevitable following the Education Secretary's recent announcement at Westminster.

This summer saw GCSEs come in for a significant amount of criticism, not least for the debacle on the grading of the English exam. That, combined with the open knowledge that the current Secretary of State for Education has long had major concerns about the effectiveness of the exams, meant that it was not at all surprising when he announced that he wanted to see reform. As he said in the House of Commons:

"the GCSE was conceived — and designed — for a different age and a different world."

Nevertheless, the scale of his proposals are deeply concerning.

I will turn to the Ulster Unionist Party amendment and the contributions of certain Members. Michelle McIlveen said that the aim of the motion was to ensure that no disadvantage is allowed to develop. I agree. She also welcomed the Minister's statement this morning.

Chris Hazzard criticised Michael Gove's proposals and said that we need to face the challenges of the modern world. I hope that today's announced review will be run in such a way that our young people will be able to do just that, armed with a modern, and, in his words, fit for purpose qualification.

My party colleague, Danny Kinahan, urged the importance of including literacy and numeracy skills as part of the announced review, and highlighted that GCSEs are not well thought of in Europe, again, bolstering the need for a review.

Sean Rogers pointed to the "crazy changes" of the past. Although he acknowledged that GCSEs are not perfect, he said that we should not rush blindly into changes, clearly highlighting the need for the announced review to be thorough and structured. Kieran McCarthy welcomed the review but did so with a note of caution about how it will be conducted and by whom. He suggested that CCEA is not be the correct body to carry out the review and that any

resulting changes should be in the best interests of all our students.

It is clear from today's debate that everyone and every party in the Assembly has major reservations about what Michael Gove has announced. It may be too radical and too quick, and he certainly made a mistake by not consulting, but at least he has taken a decision. The GCSE system in Northern Ireland is failing too many of our young people. Inaction is no longer an option. The Ulster Unionist Party urges the Minister to use this time as an opportunity to fundamentally review the effectiveness of GCSEs in Northern Ireland.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. My colleague the Member for South Belfast was slightly unkind when he described Michael Gove as a hare-brained Conservative who engages in political chicanery. I am sure that he is a man of the highest integrity, and very intelligent at that. However, just because he made a decision about exams in England, there is no reason why we should follow it here.

As everyone here agrees, education is a devolved matter. We should not follow decisions made in England as a matter of routine. I sometimes wonder whether, in the House, it is more a matter of who says what and where it comes from than the content and importance of what is said. Michael Gove has gone on a solo run. We do not have to follow him. Scotland is not going to follow him. It has its own exam system. It does not have GCSEs or A levels but Scottish nationals, which are highly regarded. In fact, some parts of China are going to buy in the Scottish model.

Danny Kinahan said that the GCSE system is not well regarded internationally, and that may be the case. There is one positive thing about Michael Gove's statement. It has helped all of us here to focus on what is important for us and what we can do to improve the system here. We are all in agreement that no system is perfect. I welcome the Minister's announcement this morning that he will review the system. Hopefully, we can make improvements to it.

As was pointed out by Sean Rogers and Dominic Bradley, the way to improve the system is not to go back to the old system. The old system of O levels, with a three-hour exam at the end of two years of study, is not the answer. Learning by rote is not the answer, although it may have a place as an educational tool. As a measurement that will indicate a young person's intellectual and personal development, O levels or their equivalent are not the answer. As for the review and whether the system is to be modular or linear, the educationalists will tell us that modular exams are best for students. That is not to rule out linear exams completely, but the stakeholders support the modular exam system.

Surprisingly, Danny Kinahan suggested that fair employment legislation should be done away with. I am not sure how that comes into the debate at all. In fact, I was totally taken aback by that, as I was by his contribution in Spanish. I am not sure whether my colleague on my left was grunting or clearing his throat, but I am sure that he will have something to say to you afterwards.

Sandra Overend said that everyone agrees that Gove's decision should not have negative implications for our students. Everyone who contributed to the debate agreed

with that. That is why, when it comes to the review of a new system, we need to have some guiding principles.

5.00 pm

There should be no disadvantage to our students. Whatever exams they take must be transferable to other jurisdictions in Britain, in the South and internationally. They must be based on international best practice. That stands to reason. We have yet to see Michael Gove present the international best practice or the evidence that shows that his way forward is the best way.

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Sheehan: Most of all, whatever we do has to be done in the best interests of our children. Go raibh maith agat, a LeasCheann Comhairle.

Mr Storey: I thank all the Members who have taken part in the debate this evening. I want to, as best I can in the time available to me, try and give some overview of the comments that have been made.

First, I commend my colleague Michelle McIlveen, who set the context of the debate for us. Rightly, from the very start, she made reference to the success in our education system. If there is one thing that depresses me when I come to this House, it is how many times we are prepared to see the glass as being half empty as opposed to half full. Of course, that then gives the Members opposite the great excuse that things are so bad they have to change them. That is classic Marxism: you create the problem and then come in and be seen to be the ones who solve the problem. So, let us be clear from the outset: our education system in Northern Ireland is not perfect, but it is still the envy of Scotland, Wales, England, the Republic of Ireland and other jurisdictions across Europe.

Miss McIlveen, in proposing the motion, tried to set the context of how we came to the place we are at in relation to this debate. Of course, it all centres around the statement made by Michael Gove. She went on, and rightly so, to list the concerns regarding the elements of the modular assessment process. That is in complete contradiction to the comments that were just made by Pat Sheehan — that, somehow, educationalists have bought into the modular process as being the best way to educate our children and young people. The Member has recently come onto the Education Committee, and had he been on it in the last mandate he would have seen the outcome of the consultation that was carried out by the Department on that issue. The educationalists will give you a different view. I think the concerns that —

Mr Sheehan: Just to correct that last point — and I thank the Member for giving way — what I said was that there is no reason why there cannot be a combination of linear and modular education.

Mr Storey: I thank the Member for that clarification. I accept that that is the case; we do need them. That is where we need to be very clear: it is not a case of one or the other. It is about ensuring that we have the right combination, because our children are different. Our young people are not all the same, and we need to have in place something that reflects that difference and is able to make the best inroads when it comes to their educational future.

Chris Hazzard, proposing his amendment, was more interested in having a go at the Tories and making a political point. It is all well and good for us to want to make political points against Michael Gove or whoever in the House of Commons, but he failed to recognise that Michael Gove based his presentation in the House of Commons on reports that had been done, such as the Wolf report. Not one Member opposite mentioned the Wolf report, which raised concerns about the exam process and the qualifications that young people in England were getting.

That raises a query. I noted that the question of why we did not want to follow the English was asked. Remember that the Department of Education has been following the English model for years to try to create a comprehensive system in Northern Ireland. When England went down the road of creating a comprehensive system, it created private schools. Is that why Michael Gove has had to change tack and look at what is going on? Therefore, I caution that we not be just as keen always to follow the model set out by our colleagues and counterparts in the United Kingdom.

Mr Hazzard also referred to an informed discussion. I really was amazed when the Minister came to the House this afternoon. I am glad that we spooked the Minister into making a statement to the House earlier today, and we will take credit for that, whether it is justified or not. He decided to make a statement because the motion was being debated later in the day. The Minister said that the foundation on which the review would be built was the Department's success to date. What success was that? Legislation was in place to introduce the entitlement framework by 2013. He did not tell you that, by 2013, some 24 and 27 subjects were to be offered at 16 and post-16 respectively, but that the Department, in its wisdom, has said that schools cannot achieve that so, in the interim, the numbers will be brought back to 18 and 21.

The Department has also said that, in 2013, it will take the money off schools to implement the entitlement framework. The problem is that that is not a sound foundation to build anything on. You need always to ask the question: what is the entitlement framework all about? You tell me of a school in Northern Ireland that can offer 27 subjects. Are we saying that that is the best framework? Choice would be a better way to deliver the education system in Northern Ireland, and it would allow the educationalists to decide, rather than setting these arbitrary parameters.

He also referred to new assessment arrangements at Key Stage 1 and Key Stage 3 that complement the key aims of the revised curriculum. The other day, I received nine pages of concerns from teachers about the revised assessment process, and we have forwarded those to the Department. It is a shambles. InCAS has been done away with, and we now have two bodies looking after the whole assessment process. Teachers are war weary about the way that they are treated when it comes to assessment. Remember, we all say that they are the most valuable part of the school, but we are bringing so much pressure to bear on them with the bureaucratic process and systems, it is no wonder that, in some of our schools, we are having challenges and problems.

Mr O'Dowd: Will the Member give way?

Mr Storey: I will, certainly, Minister.

Mr O'Dowd: Is the Member suggesting that we not assess? How does the Member suggest that we measure how a young person is progressing through school? It is quite easy to criticise what we should not be doing, but I want to hear from the opposite Benches what they believe that we should be doing.

Mr Storey: I thank the Minister for that. If he reads the nine pages that were given to him by teachers —

Mr O'Dowd: Is that your manifesto?

Mr Storey: No, it is not my manifesto, but I am quite happy to give you a copy of our manifesto if you wish. It is a very successful manifesto given the electoral success of the DUP in the past two elections. Let us keep to the issue. The Minister should listen to what teachers, who are the professionals, are saying about assessment. There are major problems, and it plays a key role when it comes to what we can do.

Let me move on to Mr McCarthy. I am disappointed that the education spokesperson for the Alliance Party, Trevor Lunn, was not able to make a contribution, and I pay tribute to him, as he makes an invaluable contribution to the debate on education. I suspect that there are internal issues to explain why Mr McCarthy had to speak on behalf of the party in this debate on education. He raised the issue of a conflict of interest in CCEA, and I agree with him. We have to ask the questions about whether CCEA is fit for purpose, given that the minutes of its recent meeting show that it has now decided not to go into the market in England to sell GCSE exams. As I said to the Minister earlier, we have been waiting for three or four weeks to get papers from CCEA on that issue, and I concur with the Member that there is an issue with CCEA's independence. I do not believe that it is the best body to conduct the review, and we will pursue that matter in the days ahead.

I would love to have taken time to go through many other issues. However, I support our motion and the Ulster Unionist amendment. We will not accept Sinn Féin's amendment.

Mr Principal Deputy Speaker: Before I put the Question on the first amendment, Members should note that both amendments may be made.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 45; Noes 47.

AYES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorney, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Hazzard and Ms Ruane

NOES

*Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs,
Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell,
Mr Clarke, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne,
Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan,
Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch,
Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan,
Mr McCallister, Mr McCausland, Mr B McCrea,
Mr I McCrea, Mr D McIlveen, Miss M McIlveen,
Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton,
Mrs Overend, Mr Poots, Mr G Robinson, Mr P Robinson,
Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir,
Mr Wells, Mr Wilson.*

Tellers for the Noes: Mr Kinahan and Mr G Robinson

Question accordingly negatived.

Question, That amendment No 2 be made, put and agreed to.

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes the decision by the Secretary of State for Education to replace the GCSE with the English baccalaureate certificate; is concerned about the possible implications of this for students in Northern Ireland; and calls on the Minister of Education to work with his English and Welsh counterparts to ensure that students from Northern Ireland are not disadvantaged by these changes; and further calls on the Minister to consider using this as an opportunity to fundamentally review the effectiveness of GCSEs in Northern Ireland and their ability to improve literacy and numeracy and tackle educational inequality.

Adjourned at 5.24 pm.

Northern Ireland Assembly

Tuesday 2 October 2012

The Assembly met at 10.30 am (Mr Principal Deputy Speaker [Mr Molloy] in the Chair).

Members observed two minutes' silence.

Executive Committee Business

Education Bill: First Stage

Mr O'Dowd (The Minister of Education): I beg to introduce the Education Bill [NIA 14/11-15], which is a Bill to provide for the establishment and functions of the Education and Skills Authority; to make further provision about education, educational services and youth services; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Judicial Appointments Commission

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes. I advise Members that, in accordance with schedule 6 to the Northern Ireland Act 2009, the motion must be passed by parallel consent.

Mr P Robinson (The First Minister): I beg to move

That, pursuant to paragraph 2 of schedule 6 to the Northern Ireland Act 2009, sub-paragraph (1) of that paragraph is not to apply.

Nearly four years ago, in November 2008, the deputy First Minister and I announced that we had reached a joint view on a number of matters concerning the future devolution of policing and justice. That was an important milestone on the route to the successful devolution of those responsibilities in May 2010. Among the matters on which we reached agreement was the process for judicial appointments and removals. The Westminster legislation, passed in 2002 in anticipation of the future devolution of justice, would have given power to the First Minister and deputy First Minister to make appointments following recommendations from the Northern Ireland Judicial Appointments Commission (NIJAC). The deputy First Minister and I agreed in 2008 that that should not be the case and that the Judicial Appointments Commission should itself exercise the powers of appointment that would otherwise have come to us.

As with other aspects of our November 2008 agreement, the arrangements on judicial appointments were to be reviewed in the light of experience before May 2012 and would be subject to a sunset clause. Westminster legislation enacted the changes that had been agreed in the Northern Ireland Act 2009, removing the First

Minister and deputy First Minister from the process of judicial appointments and removals and placing a statutory responsibility on an Assembly Committee to review the new arrangements before May 2012. A sunset clause was to become operative automatically in May 2012, preventing us from jointly appointing new members to the Judicial Appointments Commission, but it could be disapplied by an Assembly motion or overriding legislation.

The new arrangements came into operation in April 2010 with the devolution of policing and justice. The Assembly's Justice Committee took on the task of reviewing the operation of the new arrangements for judicial appointments and removals. In April this year, the Justice Committee reported that the new arrangements, although only in place for a relatively short period, since April 2010, appeared to be working satisfactorily and recommended that there be no changes to the current process at this time. The Committee's report was debated in the Assembly on 14 May and endorsed. The Assembly should, therefore, have no difficulty supporting this motion, which will disapply the sunset clause in paragraph 2(1) of schedule 6 to the Northern Ireland Act 2009:

"From 1 May 2012, no new members may be appointed to the Northern Ireland Judicial Appointments Commission, unless the Northern Ireland Assembly resolves that this sub-paragraph is not to apply (or an Act of the Assembly overrides the sub-paragraph)."

Paragraph 2(2) requires that the motion be passed by parallel consent provisions, and paragraph 2(3) makes it clear that a resolution can be passed after 1 May 2012.

The deputy First Minister and I jointly tabled the motion because our Department, OFMDFM, has sponsorship responsibilities for NIJAC and funds the commission to the tune of £1.4 million annually. NIJAC is an effective and efficiently run arm's-length body that carries out its functions independently of government. It decides whom to appoint or recommend for appointment and is committed to appointing the best possible judicial office holders through fair, open and transparent selection and appointment processes. It appoints applicants and recommends them for appointment solely on the basis of merit.

In the past financial year, the commission made 32 recommendations for judicial appointment, comprising seven court appointments, 25 tribunal appointments and 54 recommendations for renewal of appointments. The commission is headed ex officio by the Lord Chief Justice. It has 12 other members, five of whom are

judicial members from various tiers of the judiciary who are nominated by the Lord Chief Justice. Two legal professional members are nominated by the Bar Council and the Law Society. The remaining five lay members are appointed jointly by the deputy First Minister and me. All appointments of NIJAC members are regulated by the Commissioner for Public Appointments.

The sunset clause, which came into operation on 1 May, has not affected the judiciary, nor has it prevented the commission from carrying out its functions. However, we hope soon to fill three vacancies for lay members that arose in the course of the summer. If we are to do so, the sunset clause needs to be disapplied. This is the purpose of the motion. Though couched in quite technical terms, it essentially restores to the deputy First Minister and me the authority to appoint new members of the commission. As the arrangements for judicial appointments and removals that came into operation in April 2010 have operated effectively, been reviewed by the Justice Committee and endorsed by the Assembly, it is appropriate that the sunset clause be disapplied by virtue of the motion. Accordingly, I commend the motion to the House.

Mr Givan (The Chairperson of the Committee for Justice): I am pleased to speak to the motion today as Chairman of the Committee. In accordance with the Northern Ireland Act 2009 and Assembly Standing Order 49A, the Committee for Justice undertook a review of the operation of the amendments made to the judicial appointments and removals processes by schedules 2 to 5 to the Northern Ireland Act 2009 earlier this year.

When undertaking the review, the Committee considered a range of issues, including the fact that full responsibility for judicial appointments now sits with the Northern Ireland Judicial Appointments Commission; whether the balance of power in that process had moved too far towards the judiciary and unelected bodies and away from politicians; and the perception reflected in evidence received by the Committee but refuted by the chairman of NIJAC, the Lord Chief Justice, that the commission was dominated by its judicial members. Having considered the evidence received and noting the views expressed by NIJAC and the Department of Justice, as indicated earlier by the First Minister, that, while they had been in place for only a relatively short time, the arrangements created by the 2009 Act appeared to be working satisfactorily, the Committee for Justice recommended that there be no changes to the current process for judicial appointments and removals in Northern Ireland at this time. The Committee also indicated that it intended to undertake a further review of the judicial appointments and removals process in due course.

The report that the Committee completed was fully debated in the House. I could elaborate on all the discussions that took place when we looked at the issue, but I am confined to speaking about this power, which will allow the appointment of lay members to the Judicial Appointments Commission. So, on that basis, I support the motion.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you very much, Principal Deputy Speaker. Beidh Sinn Féin ag tacú leis an rún seo. As the Chair outlined, this came before the Committee, and we had a number of evidence sessions on it. As the Chair also said, concerns were raised, particularly on the

profile and balance of the commission. In our evidence sessions, we were given the details of that balance, which the commission felt was appropriate at present and did not hinder it from doing its job.

This is a technical motion, if you like, that allows the process to go forward. The arrangements have been in place for only a very short time, and the Committee has committed itself to returning to the issue and to doing a further review. The First Minister outlined the detail of the proposal, which will move the overall process forward, and Sinn Féin will support it.

Mr Elliott: I suppose we are in an unusual position in that the First Minister and deputy First Minister have tabled the motion, but the Justice Committee appears to have carried out most of the work on the review and report. I recall that the Assembly and Executive Review Committee (AERC) was to have a role at one stage as well. However, it has all come together now. I listened to the First Minister, and I appreciate that this is a non-controversial aspect of the process.

From the report, I recall the Lord Chief Justice giving, at least, some indication that the fact that a number of judges and legal people were on NIJAC did not mean that it was just judges appointing judges. I suppose that he was trying to give some comfort to Committee members and, indeed, to the House, but I think that some members still had concerns about that. That is why the Committee was keen to have more laypeople involved to allow them to have their say so that there could be no view — perceived or otherwise — that it was just judges appointing judges. I know that the Committee is keen to have a much wider review at some stage, and I support that. There needs to be an opportunity for time to look at this. I have no difficulty agreeing to the motion at the moment, but it is important that, over the next period of time and, in fact, during this Assembly mandate, we have a more in-depth review of the appointment process. We should also look at it when the Justice Committee's time is not constrained as it was during this stage, which happened because we needed to make sure that we got this through so that appointments could be made. I support the motion, but I will put down the caveat that we need a wider review in the near future.

10.45 am

Mr A Maginness: First, we support the motion. It is a technical motion that provides a necessary power to OFMDFM, and we believe that it is right that it be made. I concur with the remarks of the First Minister and those of the Chair of the Justice Committee, who chaired the report on NIJAC. He made some interesting points, brief as they were. The important thing, as Mr Elliott said, is that the Justice Committee will reconsider NIJAC's role and look more carefully at how it functions.

We were constrained by the time limits imposed on the Committee. We were doing work subcontracted from the Assembly and Executive Review Committee, but we carried out our work well. However, there are issues that need to be examined further. Paragraph 109 of the Committee's report, which the Chair referred to, states:

"The Committee discussed the question of whether the balance of power in relation to the process for judicial appointments and removals has moved too far towards the judiciary and non-elected bodies and away from

politicians. In any further consideration of where power should reside in relation to judicial appointments and to what extent, if any, political representatives should have a role, a distinction should be made between involvement in the selection process and involvement in the appointment process."

As I said, there is further work to be done. The Justice Committee will return to it at some time, and that we fully support.

Mr Allister: It is clear that the 2009 legislation was and is a significant improvement on the arrangements pertaining to judicial appointments that existed in the 2002 Act and, indeed, the 2004 Act. The primary benefit that flows from the 2009 Act is the extent to which it depoliticised appointments.

The appointment of judges is never an easy matter. Historically, of course, it was done exclusively, I suppose that one could say, by existing judges themselves. That may have created difficulties with transparency. It may not have resulted in the wrong people being appointed, and I suppose that those who watch other practitioners in operation in their courts, from where our judges come, are almost best placed to determine who may or may not be a good judge. For many years, that effectively was the system. It operated almost on a tap-on-the-shoulder basis. That was not, I suppose, something that recommended itself to the wider public. Therefore, the introduction of the Judicial Appointments Commission brings some transparency. Whether it brings a better outcome is perhaps debatable, because then it gets beset with all sorts of political correctness with regard to gender balance and all sorts of things. Whether the appointments are as persuasively on the basis of merit may be a matter for debate, but this certainly has the appearance of a better process.

My one continuing difficulty with the 2009 Act is that it bestows the power of appointment for the lay members not on the obvious Department — the Department of Justice — but on OFMDFM. Therefore, there is the abiding concern that the opportunity remains for them-and-us appointments.

Schedule 6 to the 2009 Act states that, once this motion is passed, appointments can be made from tomorrow — the day following. In the winding-up speech, therefore, I would like to hear when the appointments will be made. In fact, have the people already been chosen, and will we have an announcement as soon as tomorrow of those appointments? Can the House have some information on that? Can we have the assurance that, unlike the appointments to the Maze regeneration board, these appointments will show none of the telltale signs of cronyism and will be persuasive, stand in their own right and be beyond dispute as regards the suitability of those who will be appointed?

Mr P Robinson: There is little doubt that the arrangements for judicial appointments and removals that were initially agreed by the deputy First Minister and me back in November 2008, were legislated for in Westminster in 2009 and became operative in 2010 have worked satisfactorily. I welcome the remarks made by the Chairman of the Justice Committee. I am a wee bit puzzled by the remarks of Mr Elliott. I do not know whether I should be offended that he did not really want me to move the

motion. He complains when we do not come to the House, and he complains when we do. We are moving the motion because we have the sponsorship of NIJAC and we fund its work.

Mr Elliott: Will the First Minister give way?

Mr P Robinson: I will indeed, if he is going to say something nice.

Mr Elliott: If that were reciprocated, I might, but the chances of that are probably limited. I am sure that the First Minister will appreciate and Hansard will record that all that I indicated was that it was unusual, in the sense that OFMDFM was the sponsor body — I recognise and understand why — but the Justice Committee brought through the report. I just said that it was an unusual situation at that time.

Mr P Robinson: The Member should not be surprised if I say something nice, now that we are on the train to unionist unity; I would have thought that he would expect it. As I said, it is because we are the sponsoring department.

I note the remarks of Mr Alban Maginness about reviewing the issue again. It is proper that we all do that and continue to monitor the operation of NIJAC. The conclusion of the review carried out by the Justice Committee, which reported in April this year and was endorsed by the Assembly in its debate on the Committee's report back on 14 May, was supportive of continuing on the basis outlined. One of the reasons why the arrangements work effectively is, of course, the central role of the Northern Ireland Judicial Appointments Commission in the selection and appointment of judicial office holders. The current system has removed from the process any involvement by Northern Ireland Ministers or politicians in the selection and appointment of judicial office holders. It is appropriate that the arrangements should continue and that the sunset clause, which has temporarily prevented the deputy First Minister and I from refreshing the membership of the commission, should be disappplied. That is the purpose of the motion. I say to the Member for North Antrim that we hope to be able to make appointments very quickly.

The Judicial Appointments Commission operates on the basis of its values of independence, merit, diversity, fairness, transparency, accountability and partnership. Its membership reflects a balance of judicial, legal and lay interests that was prescribed in the Justice (Northern Ireland) Act 2002. In appointing lay members, the deputy First Minister and I must, as far as possible, secure that they are representative of the community.

Mr McCartney reflected concerns raised during the Committee hearings about some aspects of the outcome of the judicial appointments process. In particular, I think, he is referring to the dearth of female judicial office holders at the highest ranks of the judiciary. Of course, Northern Ireland is not unique in that respect; the issue has also attracted the interest of Westminster legislators in relation to England and Wales. NIJAC has a statutory responsibility to ensure, as far as is reasonably practicable, that a range of persons reflective of the community is available for consideration in selecting judicial office holders. That, of course, is without prejudice to selection on merit. It pursues an outreach action programme that includes promoting and encouraging with the legal profession applicants for judicial office. A joint liaison committee comprising NIJAC, the Law Society and the Bar Council

will examine the reasons that hinder talented women in the legal profession from progressing to partner level, to QC and the higher judicial tiers. NIJAC also looks forward to the outcome of current research by Queen's University on the real and perceived obstacles experienced, in particular by women, in applying for and securing judicial appointment. That issue, I am sure, will continue to engage NIJAC, the Justice Committee and the Assembly.

I noted, of course, the late arrival of the Member for North Antrim and leader of the TUV, who is clearly getting mixed up between Eastern Standard Time and Central Standard Time, using his Rory McIlroy watch. It is a pleasure to hear from him. He has made previous contributions on the issues of policing and justice. He told us that, as soon as policing and justice powers were devolved, the stars would fall from the heavens and the mountains would crumble into the sea. Now, in this debate, we have just a slight whimper from him.

The Member, of course, had to refer to the Maze appointments. It is interesting that someone who has repeatedly complained about the lack of unionist appointments to various bodies is now complaining about unionist appointments being made to bodies. He seems to think that, if you have a political outlook and support a political party, you are, therefore, not experienced in anything else and should not be appointed to important bodies. I do not take that view. Of course, the Member also told us that Martin McGuinness would be appointing High Court judges and would be in control of the judiciary —

Mr Allister: Will the Member give way?

Mr P Robinson: I will give way to him before I start reading his documents.

Mr Allister: I cannot enter the same caveat as was placed on Mr Elliott about what I might say. Will the First Minister agree — I am sure he will not agree, but he knows it in his heart — that, had it not been for the issues I raised, the 2009 changes would never have been made? He was embarrassed into making those changes, because, under the 2002 and 2004 arrangements, Mr McGuinness would have had appointment and removal powers with Mr Robinson. It was because I raised my voice that those changes were forced to be made. The First Minister will not admit that, but he knows it to be true in his heart.

Mr P Robinson: The Member has an inflated view of his influence and power. The legislation that was on the statute books when we came into power was presented to us by Westminster; it was not our legislation. The matters that we have in the present arrangements had been on the table for discussion before he even knew we were discussing those matters. It had absolutely nothing to do with any views expressed by him. I recall writing to him on a number of issues and pointing out just how wrong he was in some of the conclusions he was reaching. Of course, he put out a lot of literature indicating:

“How McGuinness would get control of the Judiciary” .

I have to say that the deputy First Minister was not seeking control of the judiciary. He does not have control of the judiciary. This legislation makes it very clear that NIJAC is the group that will determine who the judges will be. The Lord Chief Justice chairs that group, and the majority of the members of that group are directly appointed by

the Lord Chief Justice and the Bar Council. The Member knows well the composition of that group.

Only five of the, I think, 13 members of NIJAC are appointed by the deputy First Minister and me on a joint basis, and there was never going to be any situation in which any one person would have control of the judiciary. That was just part of the scare tactics that the Member has been attempting to flood the community with. Once again he has failed, and, once again, he is having to humbly come before the House and withdraw all the remarks he previously made about the deputy First Minister taking control of these matters. The public outside will see that, once again, his scaremongering amounts to nothing.

I am very pleased to ask the Assembly to endorse the role outlined by the Justice Committee and endorsed previously by the Assembly. I commend the motion and urge the House to resolve accordingly.

Mr Principal Deputy Speaker: I remind the House that the motion must be passed by parallel consent. In other words, I must clearly hear Ayes from all sides of the House.

Question put and agreed to.

Resolved (with cross-community support):

That, pursuant to paragraph 2 of schedule 6 to the Northern Ireland Act 2009, sub-paragraph (1) of that paragraph is not to apply.

Mr Principal Deputy Speaker: As there are Ayes from all sides of the House and no dissenting voices, I am satisfied that parallel consent has been demonstrated.

11.00 am

Private Members' Business

Business: Exports and Finance

Mr Principal Deputy Speaker: Order. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

Mrs Cochrane: I beg to move

That this Assembly notes the recent action taken by the European Central Bank and the US Federal Reserve to help stabilise the global economy and the opportunities that this presents for Northern Ireland companies to expand and to increase exports; recognises the continuing problems of small and medium-sized enterprises accessing bank lending; further notes the availability of several significant sources of business finance; and calls on the Executive to use their influence to ensure that businesses are connected efficiently to these funding sources and that their use is maximised.

Barely a media day passes when the condition of our local economy is not lamented; the regional outlook for growth not reassessed; or provincial access to finance and lending not critiqued. I feel it is important that, as an Assembly, we give this issue our focus and discuss how our Executive can use their influence for the better.

I have no doubt that most Members will have had first-hand experience with local business people facing financial challenges and development hurdles in the current economic climate. We are aware of the diminishing availability of borrowing, particularly to small and medium-sized businesses that fulfill such a crucial role in our local economy, accounting as they do for 89% of the total number of businesses and employing 67% of the workforce.

In establishing a global context for the motion, however, I invite Members for a moment to turn their focus away from the familiarity of the local context and instead take a fresh look at recent developments in Europe and the United States. My referring to these actions does not mean that I am complacent about the current state of difficulties. I am not saying that we are in recovery yet, but these actions definitely help to stabilise things. We must, therefore, contemplate how Northern Ireland might capitalise on new signs of stability in these markets. The motion seeks to create a positive context about companies expanding and exporting and being facilitated in doing so through finance flowing to businesses.

Members will be familiar with the euro zone crisis that has been bridling for some considerable time. However, some might not be so well versed on the recent positive strides that have been made by the European Central Bank (ECB). Following its governing council meeting on 6 September, the bank announced a programme of outright monetary transactions (OMTs); a bond-buying scheme designed to build on and complement the previous securities markets programme (SMP). Much the same as the SMP initiative in

simple terms, the ECB will continue to buy up Government bonds in the secondary market — in other words, from investors — rather than directly from Governments. That will help to contain the public borrowing costs of those countries. The result of such proposals from the ECB is genuinely helping to create a growing sense of optimism within the euro zone, alleviating fears regarding not only investment interests but business interests.

In the past few weeks in the United States, the US Federal Reserve has announced new measures underpinned by its third round of quantitative easing, or QE3. Quantitative easing works through a number of channels to stimulate the economy, such as by maintaining low borrowing costs for households and business. At the same time, the Federal Reserve has made an enduring commitment to keep national interest rates at exceptionally low levels until mid-2015 at least. These actions represent a statement of intent from the US Federal Reserve that, for the first time, it is linking its actions with what happens to employment rather than to prices. Reading between the lines of the recent announcement, it would appear that America is willing to tolerate an elevated level of inflation in order to bring about a fall in unemployment and a return to strong growth. Although the US approach arguably employs different techniques and practices, its overall end goal is fairly in tune with what is evidenced in Europe. The priority for both is stability.

Geographically, culturally and politically, we may be somewhat removed from the situations unfolding in both the US and the euro zone. However, in light of those developments, we can and should be focusing on the potential opportunities. Economic stability and business opportunity go hand in hand, and regardless of our size, history or politics, we must, as a society, actively seek to take advantage of this renewed economic horizon.

In Northern Ireland, we have a range of established SMEs with boundless potential, but that potential and enthusiasm is not always matched by financial backing. Yes, we have a small population, but that should not confine our growth or our long-term objectives. Provided the European and US measures are effectively adhered to, any success in increasing employment and confidence and restoring growth will bring with it a subsequent increase in private demand and a rise in the demand for overseas exports.

The points that I am making today are consistent with the Executive's economic strategy, which sets out a vision for an economy in which a growing number of firms compete in global markets. The strategy emphasises the need for deepening our export base, focusing on areas with the greatest potential for growth, such as agrifood and ICT, and targeting developing and fast-growing economies as destinations for our products and services.

Although such a vision outlining the way forward is essential, the key to any progress will be the measurable finance available to nurture and grow our private sector from the bottom up. Therefore, I seek to highlight exactly where our Executive can use their influence to ensure that our Northern Ireland businesses are connected efficiently to finance sources and that their use is maximised.

The efforts of Invest NI in that regard, with the access to finance strategy, go some way to filling in the blanks for the next five years at least. In recognition of the growing difficulties for SMEs in obtaining bank loans and the

decreasing availability of grant funding, Invest NI plans to offer business funding of between £1,000 and £2 million. Offered through five separate funds totalling more than £100 million, the focus of each fund and the level of support will vary according to need. The Northern Ireland Spin Out funds, for example, are targeted at start-up and early-stage businesses, with awards of between £50,000 and £250,000, while Co-Fund Northern Ireland is designed to co-invest in SMEs along with business angels and private investors to the tune of between £250,000 and £450,000.

The most significant fund in relation to the motion and the desire to deliver progress in our export market, however, is the growth loan fund. It is managed by WhiteRock Capital Partners and has been established to lend up to £50 million to Northern Ireland firms over the next five years, using funds from Invest NI and the Northern Ireland Local Government Officers' Superannuation Committee (NILGOSC).

Just last week, we began to see the positive impact of that funding stream, with the first approved investment from the fund being awarded to Brookvent, the Dunmurry ventilation systems manufacturer. The fund, which lends between £50,000 and £500,000, requires companies to be based in Northern Ireland, demonstrate growth potential and generally be in the manufacturing, engineering or tradable services sectors, benchmarks that are all clearly evidenced by Brookvent.

This local firm, which employs 49 people, has recently opened offices in Poland and in Vilnius in Lithuania to look after Baltic markets. It is anticipated that the growth loan investment of £425,000 will help to accelerate Brookvent's growth strategy in overseas markets and research and development.

Further statistics for the growth loan fund reveal that, since its creation, there have been 112 loan enquiries with six additional deals due to complete in the next few weeks, ranging in value from £100,000 to £500,000 and totalling £2 million, including the Brookvent award.

In a time when so much negativity and finger pointing is focused on limited bank lending, it is prudent that we should be exploring and, indeed, promoting alternative lending options such as venture capital and debt financing to help to rebalance and rebuild our economy and to drive private sector growth.

Bank lending is certainly essential to small business sustainability, and the proposed £1 billion business bank along with the funding for lending scheme are not without their merits. However, we cannot overlook the limits of our political clout, and although we can scrutinise and make recommendations for banking practices, our capacity to enforce our will on banks is limited.

Other means of financial assistance such as the growth loan fund represent a greater opportunity for the Assembly to have an impact and must surely be given the appropriate backing if they are to meet their aims of boosting business confidence and helping local companies to realise their growth potential.

As stated previously, the growth loan fund was originally designed to lend £10 million a year over five years. However, it is now thought, based on current demand, that up to £15 million a year could be reasonably awarded

through the scheme. I am aware that Invest NI has been informed of this need. As Members, we can use our influence on the issue. I realise that, for some, however, the worry is that businesses will not be connected to this opportunity and that we could see more unused funds being returned at the end of another year.

It is evidently clear that the demand for this fund, and undoubtedly others, is significant. Yet, alarmingly, many local businesses seeking developmental funding are not aware of the schemes.

This is not a criticism of Invest NI, but there appears to be a disconnect between the fund provider and the fund recipients. Even as a Member, I often struggle to connect businesses in my constituency to the most appropriate group. Therefore, what is perhaps needed is a funding-focused intermediary organisation. Such a body could operate as a separate, independent and non-political co-ordination point that businesses could turn to. It could ask the questions and match the funding with true corporate finance expertise, perhaps even with a specialist funding arm. I do not believe that this body would need to be complex, but it would need to be well advertised.

There is also a problem with higher-level lending of between £2 million and £10 million. I would be interested to know whether there are Executive proposals to deal with that issue. Positive steps are being taken, but there is clearly more work to be done to open global markets and connect to funding sources. On those grounds, I call on the Executive to use their influence and faculty to explore suitable alternatives to ensure that businesses are connected efficiently to these funding sources and that their use is maximised.

Mr Newton: In supporting the motion, I pay tribute to the Minister for her recognition of the problem, particularly in SMEs, and for her initiatives and willingness to look beyond the current banking structures and examine ways in which small businesses might access non-bank sources to stimulate their activity and market. If I am critical of the motion in any way, it is because it fails to recognise that the problem has already been identified and some initiatives undertaken.

In the general thrust of things, we, within the structures of the Assembly and Departments, need to match the innovation being shown by many SMEs, which are exporting in new and imaginative ways. We need to look at ways in which we can support them, including through finance. As well as what are regarded as the traditional methods, there are other opportunities to be explored. I pay tribute to Invest Northern Ireland for its willingness to explore those opportunities, which include crowd funding and expanding our base of angel investors.

We live in a generally conservative business environment in Northern Ireland. In many ways, companies have traditionally been reluctant to give up some control through the purchase of, or investment in, equity. However, in today's modern economy, that is perhaps one of the most effective ways of securing finance. It also has the added benefit of bringing professional expertise to bear in businesses. I meet many businesspeople, as, I am sure, do all MLAs, and I appeal to them to take advantage of the many support and information programmes that are available through the Department and Invest Northern Ireland to assist local SMEs.

Having spoken to those regarded as expert in the field, I believe that our range of support for SMEs is amongst the most comprehensive. Of course, there are particular things that we would like to see and things that we would like to see done better or more extensively. However, as the domestic market shows no signs of any significant growth, at least not in the immediate future, our focus must continue to be on assisting and supporting local companies and helping them to get their products overseas.

I firmly believe that, although we need to ensure that businesses are aware of all the possible sources of finance, we must also ensure that they are not borrowing for the sake of it. Instead, we must ensure that their plans for growth are matched against their borrowing and development so that they utilise that finance properly. I believe that all the support mechanisms are in place to ensure that that is the case.

11.15 am

I welcome many of the recent bank interventions, although there is still a long way to go. In today's market, businesses are right to be cautious in their planning. TV coverage of the Prime Minister's visit to Brazil only last week highlighted the attempts by Brazil and the UK to build trade agreements. That is a welcome step, as is the fact that our Minister is taking similar steps. I am encouraged by the steps that the Minister is taking and by her efforts —

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Newton: — to support our SMEs on a global basis.

Mr Flanagan: Will the Member give way?

Mr Newton: My time is up.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I thank those who tabled the motion.

It is clear that, regardless of the interpretation of the banks' behaviour, there is unity of opinion across the House on how they have behaved. They are certainly stifling, if not suffocating, many business through their actions. As the Member who spoke previously said, it is important that we look at all the other sources of finance that can be made available to our local businesses, especially the small, medium and micro-sized ones.

I was looking at the Boosting Business website, which contains a sentence that sums the situation up quite aptly. It says:

"it's harder than ever to get a bank loan or funding to invest in business development or business growth."

When you look at certain trends in emigration and employment etc, you will see that there is concern that ambitious young people, as well as old people, who are the next generation of entrepreneurs are coming up against a brick wall. Whenever they have those sorts of experiences, it is little wonder that they are looking to the likes of Australia and the United States and saying, "If I can't get anywhere here, maybe I will go somewhere else." Maybe in a few years' time we will see the outworking of that in that people from Ireland will have gone to other shores and had business success there. It is a big concern

that the current situation could dovetail into a brain drain, particularly of our young talent.

The motion calls on the Executive to increase awareness of what is available and to ensure take-up of start-ups for microbusinesses and small and medium-sized enterprises. The Executive and both Ministers, the Finance Minister and the Enterprise Minister, are limited in what they can do, but I think that it is important that they do all that they can to influence the banks in particular and to put in place funding structures for businesses.

Reference was made to quantitative easing, which has been put in place in different jurisdictions in response to the economic difficulties. However, that is no guarantee that money will be injected into business communities, and, indeed, it has been shown that quantitative easing is no guarantee of that. Although banks are getting greater liquidity, the extra money is not going into businesses. Instead, the banks are improving their balances, so the benefits and purpose of those economic policies are not being realised, which is most unfortunate.

The funding for lending scheme is welcome. It has been shaped to try to ensure that there is some incentive for banks to lend. I look forward to local banks buying in to that scheme. Perhaps, if she knows, the Minister can confirm how many banks have bought in to that scheme or indicated that they are going to sign up to it.

It is quite clear that the politics of austerity are failing, whether in Britain, Ireland or Europe. When the current British Government, particularly the Tories, came into power, they had a long list of economists behind them to support their politics and the economic imprint that they were going to bring to government. We now find that they no longer have those economists behind them, because they need to invest to bring some form of growth to the economy here and in Britain. It is to be welcomed that that thinking is starting to have influence, and hopefully we will see some positive signs from the British Government in recognising that we need more money to get the local economy's wheels in motion again.

The politics of austerity that have been pursued by the British Government and the British Chancellor have failed. We need to send a clear message to them that the politics of austerity do not suit here —

Mr Principal Deputy Speaker: Bring your remarks to a close, please.

Mr McKay: — and will result only in greater hardship for our communities.

Mr Cree: Initially, I had some difficulty in interpreting the intent of the motion. It refers to the recent action by the Federal Reserve, but what was that action? The statement in 'The Economist' advised that the Federal Reserve had lowered its short-term interest rates to zero and undertaken multiple rounds of bond purchases. That had no appreciable change on the economy, so the Federal Reserve decided on more of the same. It will buy \$40 billion worth of mortgage-backed securities a month and extend the period of short-term rates near zero until at least mid-2015. It will keep buying bonds until after the recovery is firmly established. Similarly, the European Central Bank agreed to bring its unlimited capacity to print money to bear on the euro crisis to buy peripheral country

bonds. Both actions are aimed at altering expectations. I guess that that was the input from that.

However, in Northern Ireland, we need to provide jobs and create wealth and prosperity. Access to finance is a crucial part of that work, and there is no doubt that the actions of our banks have not helped the situation over time. We were told that meetings had been held with the banks and the British Bankers' Association and that targets for lending had been agreed. We now know that, over the past two years, the Government have introduced a number of initiatives that are designed to improve lending and liquidity in the United Kingdom banking system, which they hoped would improve the availability of finance and reduce the cost of credit. We now know that none of those initiatives has worked in Northern Ireland.

We are also aware that banking is a reserved matter, and it is the Government's responsibility to ensure that such initiatives and schemes are equally effective in all parts of the United Kingdom. We need more clarity and greater transparency from the banks. There is little doubt that the cost and conditions that are now attached to credit are restricting demand from business. Many companies have decided to reduce their debt levels and are delaying investment projects because of the uncertainty in the economy at this time.

The Government's funding for lending scheme has met with support from our four main banks, but we have to remember that three of those banks are based outside of the United Kingdom and so are not under obligation to operate the scheme. However, our Finance Minister has told us that the Financial Secretary to the Treasury has committed to monitoring the participation of the scheme in Northern Ireland. There is no doubt that there are long-standing gaps in finance, and the Department of Enterprise, Trade and Investment has recently created several new loan funds. That, in itself, deserves credit.

The establishment of a new government-backed business bank is good news and has the potential to change things. Part of its role will be to rationalise, improve and potentially have powers to manage the large multi-billion-pound portfolio of support that the Government provide. That would complement the private sector lending that was recently announced. The final details are due this month.

We need a satisfactory resolution to corporation tax. The devolution of that tax could create 50,000 to 60,000 jobs for Northern Ireland. We need to increase exports and assist small and medium-sized businesses to enter the export market. We need to ensure that our young people have the education and skills to compete in the current environment, and we need to encourage savers to save. In short, we need to use every tool at our disposal to develop our economy and to ensure prosperity for the people of Northern Ireland.

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Tá áthas orm páirt a ghlacadh sa díospóireacht thábhachtach seo faoi chúrsaí eacnamaíochta. I am pleased to participate in the debate on financing our business sector.

Growing local businesses is essential in Northern Ireland, but unemployment has risen by 19,000 people in the three years between July 2009 and 2012. That is a shocking statistic and one that we need to address in every possible way. A total of 23.5% of our 18- to 24-year-olds — that is

24,000 young people — are unemployed. The action taken by the ECB and the US Federal Reserve demonstrates that the crisis still exists in the global economy, and that makes it more difficult, but not impossible, for Northern Ireland companies to expand and increase trade.

Many of the smaller businesses in Northern Ireland were viable before the downturn and will be viable in years ahead. We need to ensure that they remain viable at this time, and we need to mitigate the current hardship to benefit the long-term health of the economy and ensure the survival of those companies. The SMEs need to expand, and, if they are to do that, they need strong support from the Executive and Invest Northern Ireland, and it is welcome that the Executive are making further funds available for those smaller companies.

The motion is useful, and I thank those who brought it forward today. However, it fails to acknowledge any responsibility in the Executive for job losses. Indeed, that is a wider trend in the Executive and an attempt to shift responsibility for job creation elsewhere. The Executive must acknowledge their responsibility in that respect, and perhaps the Minister will inform us on what progress has been made in reaching the targets set down in the Programme for Government.

It is very worrying that the Executive have no defined job creation or business finance strategies. We seem to add pieces on here and there as the need requires rather than plan ahead in a strategic fashion. It was also deeply worrying to hear Invest Northern Ireland display an attitude of resigned acceptance to the trend of jobs moving overseas. Invest NI should be sending a strong and confident message to Northern Ireland businesses and projecting a strong image of Northern Ireland overseas.

Mr Cree said that corporation tax has the potential to produce 50,000 to 60,000 new jobs. We need to keep pushing the British Government on that matter. Indeed, we need to go further. Other fiscal powers could be devolved to Northern Ireland, and we should establish a commission in the style of the Commission on Scottish Devolution to present to the London Government, on the basis of evidence, how such powers would provide the Executive with additional tools to encourage job creation, progressive taxation and the protection of the most vulnerable in our society.

11.30 am

The Executive refused adequately to fund the Northern Ireland Green New Deal Group. Its recommendations were estimated to have the potential to create up to 20,000 new jobs. I believe that that is regrettable. It is regrettable also that the Executive have failed to adequately progress proposals such as those outlined in the CBI, IOD, Chamber of Commerce and NIIRTA jobs plan.

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr D Bradley: The SDLP has produced a very useful document entitled 'Partnership and Economic Recovery'. I commend that document to the Minister.

Mr Frew: I welcome the opportunity to speak on this very important issue for Northern Ireland. There is absolutely no doubt that the economy must be the most important thing that we discuss in the Chamber. Of that, I have no

doubt. With the economy comes prosperity, and that brings wealth to our people. It is very important that the Executive and the Minister engage in that vein.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

We have in our midst an economic strategy, within the year here. It is something that is tangible; it is not just a document. It is something that we must strive to complete. When I say “us” I mean the whole Assembly. This is the most important thing that faces our voters and constituents, and it is vitally important that each one of us — and each party in the Chamber — is dedicated to aiding the private sector grow more steadily than it has done.

Within the economic strategy we have ambitious targets for the performance of private sector exports. Over the next three years, we seek to grow the value of exports by some 20%. That is no mean feat, but it is one that should be in that document, and one we will strive to complete. That must be the centre of our ambitions. We need more of our firms in global markets. That is the long and short of it. Export, and export-led growth, is the one instrument that could well lead our Province out of recession.

I am very happy to announce that in north Antrim — and in Ballymena in particular — we are doing very well at the moment. I say that with some nervousness, because we all know how things can develop, but at the present we have great success and growth in Ballymena. We have tried to retain what we have, what we call the “big five”: Michelin, JTI Gallagher, Wrightbus, Moy Park and Patton Group. They are major employers in the town. They bring employment not only to Ballymena, but to the whole of north Antrim and wider afield.

It is very important that the Executive and the Minister aid those firms. Some of them are global. The job losses at FG Wilson were referred to earlier. Sometimes, when firms go global, we lose control of our destiny. So it is very important that those companies are listened to and that they are aided as much as possible.

Incidentally, I congratulate Invest NI. I met with its officials yesterday in this Building. Invest NI has helped Wrightbus to develop its kits and to win a £41 million contract in Singapore. That is good news; that is strength, and it is what we have to believe in. I get down when I hear politicians talk negatively on the economy. We know where we are: no one knows that better than the business community. We can talk about it all we want, but we should be positive and we should talk about things that we can do to enhance the opportunities for business. We cannot lead business; business must lead itself. However, we must make sure that the runway for business to take off is there and that it is smooth.

If we are going to be negative, we should look at the banks and at what they have done over the past number of years. I will give just one example of that. If we look at the farming industry, we can see that the meal companies that provide the meal for producers and farmers have had the rug pulled from under their feet. That means that they cannot afford to give the producers and farmers the time and space they need when it comes to credit. It means that those in the farming community must go to their banks, where they are not getting a very sympathetic ear. I must give credit to the Minister of Finance and Personnel and the Enterprise, Trade and Investment Minister, who have gone to speak to the banks and who have, even in this very

Chamber, slammed the banks for some of their practices as regards aiding growth.

We are doing some good things. I must commend the Minister again on the growth loan fund, which has been successfully launched and is being rolled out.

Mr Deputy Speaker: The Member's time is almost up.

Mr Frew: It will bring benefits to a lot of our companies in Northern Ireland.

Mr Deputy Speaker: The Member's time is up.

Mr Frew: I certainly support the motion, but I plead with our Members to be as positive as possible when it comes to the economy.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I support the motion. It is critical that we have the time today to debate any opportunities for access to new finance or markets for our business community. It is unfortunate that we are having this debate today against the backdrop of another announcement about local job losses. I make particular reference to the 14 job losses in my constituency of Foyle today. I want to acknowledge the particular difficulties for those employees and their families at this juncture.

There is no doubt, as has been said, that there are particular underlying difficulties in our economy that need to be addressed; for example, the infrastructural deficit and corporation tax. Equally, there is no doubt that the current economic climate and associated factors have hit small and medium-sized enterprises especially hard. We must aim to ensure that we sustain the businesses that are already there and offset any potential job losses. That will include creating new investment and opportunities and training people in the skills that they will need.

The economic downturn has impacted on the levels of foreign investment. I am aware that, in 2010, there were only seven foreign direct investment visits to my constituency of Foyle. Therefore, it is even more important that, in the current conditions, small and medium-sized businesses and social economy enterprises are given the resources that they need to sustain themselves in the short term and to develop and grow in the longer term.

Banks, too, have a corporate responsibility to ensure that lending and borrowing facilities are accessible and available to keep SMEs and social economy enterprises going. Considering that it is our money that is being used to bail out the banks, it is important they and other lending institutions are continually reminded of their responsibility to assist recovery.

Mrs D Kelly: I thank the Member for giving way. She gave a list of responsibilities. Does she agree that it is imperative that a childcare strategy and affordable childcare are in place to help people and entrepreneurs to get into business? As for the infrastructural deficit, does she not also agree that investment in Magee university would transform her own constituency of Foyle?

Ms Maeve McLaughlin: I thank the Member for her intervention, and, yes, of course I agree. As the Member may be aware, I referenced skills enhancement, and part of the discussion on that is around training and childcare and providing decent and adequate childcare facilities. The Member will also be aware that the expansion at Magee

university is a central plank of the regeneration plan for the city and the entire north-west.

There are a number of business start-ups, as Members have said. A lot of them are doing very good work, but the problem is that there is a lack of assistance or self-help programmes designed to offer long-term, easy, accessible and ongoing advice. I believe that, if such services were available, we might see an increase in business success.

I particularly note, as the proposer of the motion mentioned, the disconnect that there often is between a funding body and a recipient. I believe that our SME sector needs to be assisted in accessing the money that will be available through new opportunities, particularly through new European funding streams and Horizon 2020. I urge the Minister to consider a technical assistance grant to allow our SMEs to access that much-needed funding.

Mr Dunne: I welcome the opportunity to speak on this important issue. Given the global economic conditions in which we live, it is crucial that our local businesses are given every opportunity to access new markets and to maximise their access to finance.

Northern Ireland is made up mainly of a small number of large manufacturing and support businesses and many small to medium-sized enterprises, which form the backbone of our local economy. Their value should not be underestimated. It is vital that, in these difficult times, they are given as much support as possible in order to survive and be sustainable.

Given our geographical location and economic position, we are very reliant on our European export market, with nearly half of our £16 billion worth of exports going to the EU. Therefore, the ongoing instability and uncertainty in the euro zone will obviously have a knock-on effect for our local economy. It is, therefore, imperative that our businesses are given the opportunity to export beyond Europe and actively to look for and target new emerging markets.

The opening of a new in-market support office in Kurdistan in July this year, which was supported by our Minister, is a welcome development, and I trust that we will see similar openings elsewhere in the near future.

Sustaining and growing our private sector is the only realistic way to counter the downward economic turn. It is crucial that our existing businesses are supported and that new businesses are given every opportunity to start up.

Having spoken to several local businesspeople recently, I know that one of the issues they often flag up is the difficulty they encounter in trying to access funding. Access to finance is crucial for our economic recovery, and I feel that the red tape and bureaucracy that restricts access to finance makes things very difficult for some of our local firms that so desperately need financial assistance to survive. Invest NI initiatives, including the access to finance programme, are helping to boost business and allowing firms to access much-needed funding.

Recent data from the Ulster Bank showing figures from August reinforce the very challenging situation we find ourselves in, with local private sector outputs and new business falling. The report also shows business activity in the private sector decreasing for the ninth month in succession.

Research and development has an important role to play, particularly in our local manufacturing industry. During the recent inquiry into R&D by the Committee for Enterprise, Trade and Investment, the four main barriers to company innovation that were identified were the availability of finance, the cost of finance, the perceived economic risk and the cost of innovation. We need to look at ways to improve access to this important work in order to help our SMEs to develop for the future. EU funding is vital for the development of R&D for our businesses to enable them to stay ahead of the game.

Recent evidence sessions during the inquiry showed that framework programme 7 has proved most difficult and much too demanding for small and even medium-sized businesses. The new Horizon 2020 programme in Europe must be more accessible for SMEs and larger businesses to enable them to get funding for R&D in order to develop new products and survive in the world market.

I know that a lot of hard work has been done to date by our Executive and our Minister in helping to improve our local business sector in these difficult times. I encourage them to continue with that work to ensure that our local businesses have the best possible support network in place as we seek to rebuild and rebalance our local economy. I support the motion.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. Éirím chun tacaíocht a thabhairt don rún tábhachtach seo.

First, I echo the sentiments of Robin Newton. He spoke some time ago and positively praised the ongoing work of the Minister, her Department and Invest NI. He spent a good five minutes doing that, and two of his counterparts have since joined him. Perhaps that is an indication of the DUP operating more closely with the UUP — plenty of talking but not a pile of saying anything.

11.45 am

It is, however, good to hear an acknowledgement from the opposite Benches that the free market has failed, rampant capitalism is not the way forward and that, sometimes, government interventions in the market are required. This is a forward step, and it will be welcomed.

It is interesting to see a much-reduced turnout in the Chamber compared with that for previous debates, particularly when you note the absence of those who have —

Mr Newton: Will the Member give way?

Mr Flanagan: I will, yes.

Mr Newton: If the Member feels that the free market economy has failed, perhaps he would highlight one based on a communist or strongly socialist system that would be a better example for us to follow.

Mr Flanagan: I thank the Member for his intervention. Perhaps the next time that Mr Wells comes into the Chamber, Mr Newton will turn round and ask him how he thinks that he will get on with his trip to Cuba. *[Laughter.]* It is interesting to note the much-reduced turnout in the Chamber when we debate a very important and timely matter. Many Members who have criticised the debating of pointless motions in the Chamber are not here to listen

to an important one. I take this opportunity to thank the Members of the Alliance Party for tabling it.

Many of the main points have been made, and I will not rehash any of them. However, the motion states that actions have been taken:

“to help stabilise the global economy”.

It notes the opportunities that this presents for local industries to expand and local companies to increase exports. As most of our exported goods and services remain within the European Union, we are very reliant on economic growth across the EU for such expansion. However, as the failed policies of austerity continue to be pushed forward by euro zone Finance Ministers, that surge in growth will not happen. EU Ministers have clearly made shoring up the banks their main priority while the need to create employment has played second fiddle.

I think that we all agree that it is important to ensure that businesses are connected efficiently to funding sources and that their use is maximised, and we would all say that improvements have been made in recent years —

Mrs D Kelly: I thank the Member for giving way. Does the Member agree that investment in the construction industry would affect all our constituencies? Is he not, therefore, disappointed at the continued delay in investment in our school estate?

Mr Flanagan: I thank the Member for her intervention. That was her second intervention and quite a good one, so I encourage her to put her name down if she wants to take part in a debate, because that is the way that it should work.

The SDLP came up with proposals for a green new deal, and I agree that it should have gone forward. There should be capital investment in our schools and other types of investment. The SDLP then commended its policy paper to the House, but that was maybe three years ago, and it has not been updated to reflect our current situation.

Further steps can be taken to improve the availability of finance streams to local businesses. Accessing credit is one of the four key pillars of a properly functioning enterprise sector. The others are reducing the cost base to a business; ensuring that there is not over-regulation or an abundance of red tape; and ensuring that there is adequate demand for the goods and services produced. Access to credit is vital to the success not only of individual businesses but the entire economy. It is, therefore, imperative that progress is made on the matter. I support the motion and the ongoing efforts of the Minister and her team to improve the situation.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis na Comhaltaí as ucht an seans a thabhairt dúinn an t-ábhar iontach tábhachtach seo a phlé. Thank you, Mr Deputy Speaker, and I thank my colleagues for introducing the motion.

It is very important that we always keep a sharp focus on economic matters. That becomes even more important as we think of the young people who, day and daily, leave our shores for places such as Australia. Our future should not be exported; it should be encouraged and kept in Ireland — that is the important bit. We welcome the motion and the opportunity to debate the measures required to build a sustainable economic recovery. However, despite

the comments on the actions that have been taken to help stabilise the global economy, it is not at all clear that optimism can be justified. There is still a lot to be done and a good way to go before it can be said that the worst is behind us or that we can start putting it behind us.

Members will have seen the figures detailing the fall in exports across many sectors in 2010, including, indeed, manufacturing and some of our service sectors. The construction sector was mentioned, as was the necessity for investment to ensure that that particular sector, in which many of our constituents are employed, is supported and developed.

In Europe, unemployment continues to be a worry. It is now at a high of 11.4% across the euro zone and at 10.5% in the whole of the EU, with youth unemployment in particular a serious concern. There are crises in Greece, Spain and elsewhere, and the future for the euro zone remains uncertain, as does the political future of the union itself. However, it is for member states to stabilise that and to make sure that we have stability and that any growth is based on that stability.

We have seen mixed signals so far in local businesses accessing new markets around the world. We need to see that growth, particularly in the EU. Whenever I am out and about — I am sure that this is the case for other Members — I speak to businesses. One issue that comes up, which has also come up at the Committee with the Minister, is access to clear, intelligible information about the funding that is available to support small and medium-sized enterprises. That is a key issue. I was heartened to see that someone new has been appointed in INI to deal with that issue — eventually, many might argue. We have our centre in Europe, and new staff were appointed there about six months ago. I am sure that the centre is doing a good job, and I have every confidence in the ability of some of the staff to do a good job. It is crucial that a free flow of information comes from that centre in Europe to our businesses, because it is a well-known fact that the rest of the island of Ireland was very good at snapping up EU funding to underpin many projects when this part certainly was not.

Invest NI continues to contribute to our current level of exports through its various funds, with its client companies accounting in 2010 for 82.6%, or £198.5 million, of total exports in the high-export potential group and the value of exports with that.

We heard the green new deal mentioned, and it is important that we dwell on it. Having looked at the economic analysis of the green new deal, I can see that one of its alleged weaknesses is its capacity to realise further supporting funding. That was the claimed weakness, but it remains to be seen whether that is right or wrong. At Thursday's Enterprise, Trade and Investment Committee meeting, however, members put through empowering legislation to make sure that, when the green investment bank is fully up and running — hopefully, that will not be too long — it will be there to support people, who will be able to avail themselves of it and draw down funding. We will see many people who are currently employed or unemployed in the construction sector being able to realise new potential of investment in homes, renewables and energy projects. In many ways, that can all realise a number of factors: first, they can deal with

fuel poverty; secondly, they can lead to better health circumstances in people's homes; —

Mr Deputy Speaker: Draw your remarks to a close please.

Mr McGlone: — thirdly, they can create jobs; and, finally, they can see us reducing our carbon emissions. Go raibh maith agat, a LeasCheann Comhairle. I am sure that we could debate this much longer and add many more issues, but —

Mr Deputy Speaker: No, your time is up.

Mr McGlone: I thank the Members for introducing the motion.

Mr Allister: When I look at the motion, the first point that intrigues me about it is the unquestioning lauding of the European Central Bank. As I look across Europe, my conclusion is that the actions and inactions of the ECB have been as much part of the problem as they have been part of the solution. In fact, the financial instability across Europe, and wider, I would have thought, has been exacerbated by the ECB's failure to deal with the euro zone contagion. We have seen it move from one country to another, courtesy of the ECB's policies. Therefore, for the Alliance Party to begin its motion by lauding the recent actions of the ECB is akin to lauding a company that specialises in home security yet has presided over record levels of break-ins. It is farcical to think that the ECB has made a positive contribution. The crisis has dragged on and on, and it has morphed into increasingly bizarre outcomes. It is clear to me that one of the central culprits is the ECB itself.

Mr Byrne: Will the Member accept that Northern Rock was the first bank that caused the major banking crisis, and it is in the jurisdiction of the Treasury?

Mr Allister: It is, but I am talking about something that is capable of affecting the global state of our economy. In due time, Northern Rock has returned to the private sector, but its collapse is nothing compared with the global impact of the ECB's bungling.

The ECB alone has the currency-issuing capacity to provide sufficient demand to allow economies to grow, and the crisis in Europe, if not that across the world, is about lack of growth. The bond markets would not be picking off one country after another if those were economies in growth. Therefore, we have to look at how the ECB has helped or hindered. It chose — deliberately — to inflict a negative growth strategy on the region. It forced fiscal austerity, which is very good in its own place, on the weakest economies, guaranteeing that the crisis would morph into a full-blown problem. I think that the fault there lies with the German-based and German-orientated ECB.

Now, although the ECB declared its willingness to buy unlimited volumes of government debt, it will do so only if the member states are in depression. It is not a rescue plan at all. Therefore, when you look at the global context, the last people that the motion should be lauding are those in the ECB.

That having been said, let us be a little more parochial for a moment. As Mr Frew pointed out, in my constituency of North Antrim, we have some great gems of industry. Long may they be with us, and may we be spared from the globalisation attraction of some of them to elsewhere.

However, for small and medium-sized businesses, two things concern me. A couple of months ago, I asked the Minister for figures on the amount of money from start-up funds that was going to my constituency. Out of the £7.5 million from Invest NI's access to finance strategy, a derisory, negligible £43,000 of the Northern Ireland spin-out funds had gone to North Antrim, and nothing at all at that stage had gone there from Co-Fund NI.

I heard another Member question whether there is equality of access to funds across Northern Ireland. It can be said that you have to apply, but Invest NI has a bounden duty to encourage, nurture, mentor and make sure that applications are brought along. Is that happening equitably?

12.00 noon

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr Allister: I ask that in the context of the fact that I discovered not so long ago that, in the past five years, there had been but two, if I recall correctly —

Mr Deputy Speaker: The Member's time is up.

Mr Allister: — visits to north Antrim by foreign companies brought by Invest NI, looking to invest in the area. Two in five years.

Mr Deputy Speaker: I call the Minister of Enterprise, Trade and Investment.

Mr Allister: So, we need some equity across the area.

Mrs Foster (The Minister of Enterprise, Trade and Investment): I very much welcome the debate and congratulate the Members who brought the motion to the Assembly. I agree that we must exploit every opportunity for businesses, however large or small, to access new markets and finance to help them survive and grow. That is precisely what the Executive have stated in their economic strategy and Programme for Government.

I was a little surprised to hear Mr Bradley say that we do not have a strategy for job creation. He then went on to ask me whether I was on track with my targets. If I have targets, they must be in a strategy somewhere, so that does not follow at all. For his information, Invest Northern Ireland and I are on target in relation to the targets set by the Executive.

We have placed the economy at the top of our agenda, recognising that economic conditions globally remain very challenging. We heard from many Members about the difficulties in Europe, and I commend Mr Allister for addressing the issues surrounding the European Central Bank. I think that discussion about that issue was lacking in today's debate, and it is one that we could have taken much further.

The core of the motion is this: we are very reliant on global forces because we are an exporting region. We need to export our goods, and, therefore, we need to look outwards and to what is happening in Europe, which, at present, is our largest export location, and to emerging markets where we want to see more exports going.

Recently, the head of the International Monetary Fund has warned that, although the world economy is still expected to experience a gradual recovery this year, growth will be

weaker than predicted due to continued worries about the euro zone and, indeed, the US economy that are dragging down investor confidence. In recent months, measures have been taken to try to deal with stability in the euro zone and the United States. The Federal Reserve has announced that it will keep interest rates low until at least mid-2015 and embark on a further round of spending of some \$40 billion a month until unemployment is significantly reduced. I hope that we will see some stability and, indeed, increased consumer confidence in two of our key trading markets.

At the UK level, we have not experienced a sustained recovery but have re-entered recession earlier this year. I very much welcome the fact that, from figures announced today, it is clear that the third quarter has been more positive for the United Kingdom economy.

Our Executive strategy, published alongside our Programme for Government in March and unanimously endorsed by the Assembly, set out what we are going to do to try to increase the competitiveness of our economy. Members will recall that the economic strategy very clearly put export-led economic growth at the centre of our ambitions. It also recognised that, in order to grow our economy and deliver prosperity and employment, we must rebalance our local economy so that it is characterised by a sustainable and growing private sector where more firms compete successfully in global markets.

Mr Byrne: I thank the Minister for giving way. Does she accept that the local enterprise agency network across Northern Ireland has made a very significant contribution to the development of many SMEs? Will she give serious consideration to using that network in the future in order to provide some sort of risk-capital finance for would-be local businesses?

Mrs Foster: I do indeed recognise that contribution. Actually, we announced Enterprise Northern Ireland as the subcontractor under the small loan fund. It has subcontracted from the Ulster Community Investment Trust (UCIT), which was awarded the tender to run the programme. So, the Member will see Enterprise NI acting as an agent for small businesses across Northern Ireland, particularly in relation to that fund.

Half of our manufacturing exports in 2010-11 came from non-UK-owned firms. In the Republic of Ireland in 2010, over two thirds of Irish exports came from foreign direct investors as well as clients of the IDA. We have set ambitious targets for the export performance of our private sector over the next three years. As we all know, we want to grow it by 20%. To do that, however, we recognise that we must increase the number of our enterprises that export and seek to widen our export focus by supporting our existing exporters as they seek to enter those all-important new markets.

To help to deliver on looking at new markets, we have been strategically assessing the markets and sectors that offer local companies the greatest opportunities to grow and diversify into new markets. In doing so, we also have to reflect — I was glad that this was mentioned — on the outcome of the Treasury work to help to rebalance our economy. As recognised in our strategy, the rebalancing of the economy will be achieved only over the longer term. Although the measures we have put in place will make our economy more competitive, I remain firmly of the view

that securing the power to vary the rate of corporation tax has the ability to transform the local economy and help to boost exports and wealth creation.

I found it a little strange to hear Mr Flanagan talk about socialism and extol its benefits when his party is supporting us in supporting the reduction in corporation tax. Is that not in support of a free market as well?

It is not through just direct export support or increased FDI that we will deliver on our export targets. All aspects of the economic strategy have the ultimate goal of supporting and growing our export base. Investments in research and development and the skills base are not ends in their own right. We undertake such investments because we firmly believe that firms and economies that invest in research and development and skills and their economic infrastructure are much more successful in export markets. Mr Frew and Mr Allister mentioned Wrightbus. That is a perfect example of investing in research and development and how that benefits that company. We saw that with its £41 million export deal to Singapore, which came directly from work that the company carried out with Invest Northern Ireland in research and development.

We recognise that success in the exports market is crucial to the growth of our economy. We need to strengthen those trade links and tap into new markets. I have just returned from a visit last week to San Francisco that sought to boost trade and investment links with the Silicon Valley region. I was in Erbil, in Kurdistan, in July to open a new office and sign a memorandum of understanding with the Kurdistan regional government that will strengthen trade links and define areas of co-operation between our two regions. In April, the First Minister and deputy First Minister and I were in the Middle East and India. We met companies and political leaders, again trying to push out into those new areas where, we believe, there are opportunities. So, to grow our economy and create jobs, it is important that we continue to develop relationships with countries such as India and in the Middle East. Building on that work, I will participate in a forthcoming trade mission to China. A couple of months ago, I spoke at a "Doing business in the Gulf States" seminar at which over 70 companies heard about the opportunities in that region. This morning, I spoke at a "Doing business in Hong Kong" event. We are trying very much to bring Northern Ireland companies together and alert them to the range of support available to help them to exploit those opportunities.

I heard Mrs Cochrane and, I think, Ms McLaughlin, say that we need to do more to let people know what is available to them. We are doing more than we have ever done to do that. In relation to Horizon 2020, we have a new website. We have just appointed somebody in DETI to take forward that work, Dr Stratton. We have somebody from Invest Northern Ireland in our Brussels office. MLAs need to play their part to let companies in their regions know what is available to them. I am happy to work with MLAs and to give them all the information that they need to do just that. We are also encouraging more companies to export through advice and consultancy support for new exporters to help them to develop the necessary exporting skills.

Of course, the key element of the motion is access to finance. Having a local banking sector that meets the needs of consumers, obviously, and businesses by providing bank lending on a competitive basis to local

SMEs is absolutely vital to economic recovery. I have often said in this place that the banks have not stepped up to the mark in that regard. We have repeatedly spoken to the banks about what they need to do for businesses here. I fully appreciate that the wider context is difficult and that the global financial crisis has resulted in less money being available for lending. However, a situation in which lending is so severely constrained that it prevents viable local firms accessing the working capital and growth finance that they need is simply unacceptable.

Access to finance and bank lending to SMEs is obviously a national issue; it is not just a Northern Ireland problem. However, Mr Cree made the point that we have a more complex situation here than in other parts of the United Kingdom. The structure of our banking sector is fundamentally different from that in the rest of the UK given the degree of foreign ownership. In addition, our property exposure in Northern Ireland has left our banking sector very severely constrained.

We will continue to push the banks to see what more they can do. Indeed, the Finance Minister continues to meet the banks very frequently. He has expressed serious concerns about the effectiveness of past initiatives in Northern Ireland and national initiatives that have come to Northern Ireland. Mr McKay mentioned the funding for lending scheme that was launched in August this year, which is a government-backed bank that was announced by the Business Secretary, Vince Cable. I am pleased that one of our firms has received funding under that scheme through the Ulster Bank. Mr McKay asked which banks are taking up the scheme. To my knowledge, only the Ulster Bank has taken up the scheme at this point. It remains, of course, to be seen how the scheme is implemented. The Finance Minister will press for it to be constructed in such a way that it will be open to smaller regional banks such as ours. We will keep very close to Treasury and give it feedback on how the scheme is working.

As was mentioned many times throughout the debate, through Invest Northern Ireland we have an access to finance initiative. That is a suite of support that totals more than £100 million to help firms of all sizes and at all stages. On Mr Allister's point about NISPO fund and Co-Fund NI, I suggest to him that businesses in north Antrim will certainly be able to apply to the growth loan fund and the small business loan fund. They may be more applicable than the NISPO fund and Co-Fund, which are more specialised in what they have to offer.

I was pleased that the growth loan fund recently announced that it had made its first loan and that it has a strong pipeline of businesses seeking support. It is also pleasing, as I have already indicated, that the small business loan fund will be operational as soon as all the FSA approvals are in place. The NISPO fund has been operational since 2009, and the Co-Fund has been operational since 2011. In addition to those, Invest NI plans to bring forward two £30 million development funds so that it plugs the gap that it sees in Northern Ireland.

I recognise that it is not always easy to pinpoint the specific difficulties in access to funding and the practical steps that can be taken to overcome them. That is why I have asked the economic advisory group to carry out a review that will detail the funds, the programme and the support available to businesses. It will identify any gaps in current provision and make recommendations on how the

situation might be improved. Given the funds that we have put in place, the economic advisory group's work is very timely. I look forward to receiving the report.

We have a strategy in place to help us to deal with the difficulties in front of us. Where we can accelerate implementation, we will, of course, do that. Where we can identify new initiatives to support business and grow the economy, we will also do that. The important point is that the economic strategy is not set in stone; it is a living document, which I think was Mr Frew's point. It will continue to evolve, and through close co-operation with the Committee for Enterprise, Trade and Investment and the Chair of the Committee —

Mr Deputy Speaker: The Minister's time is up.

Mrs Foster: — we can make the economic strategy work for everybody in Northern Ireland.

12.15 pm

Mr Dickson: I thank my colleague Judith Cochrane for tabling the motion. It is clear that, by doing so, she is trying to set out ideas on how the Assembly can work to ensure that our targets in the economic strategy are met. I welcome the opportunity to make the winding-up speech. I will make some comments after I have gone through Members' contributions.

I think that, overwhelmingly, Members positively support the Minister's work on these matters, and there was general support across the broad political spectrum in the Chamber for her work. That support came, clearly, from Mr Newton and even from Mr McKay. I was somewhat uncertain about what Mr Cree was trying to tell us when he said that he had some difficulty understanding the motion. No one else in the Chamber seemed to have any difficulty, and all Members who contributed to the debate did so in a very important way.

Mr Cree: Will the Member give way?

Mr Dickson: Yes.

Mr Cree: Perhaps the Member will tell us exactly what the point about the benefits of the Federal Reserve and the European Central Bank is.

Mr Dickson: Perhaps the Member will tell us what his plan B is. Indeed, it is sad that his leader is not here to explain that plan B to us. I would have thought that the two major planks of the global economy were fairly self-evident to anyone who is trying to understand how we got into the recession. We all know how we got into it, and we are now trying to work to get out of it. Even Mr Allister was very helpful with his comments and insight into the ECB and the political difficulties. Having been a Member of the European Parliament, he has a better insight into that than, perhaps, many in the Chamber.

Members commented on a range of issues that affected their constituencies and the economy. However, one clear message came through from all the comments: quite simply, there is a need to ensure that there are appropriate finances to allow small and medium-sized enterprises and others to place their business aggressively onto a solid financial footing to allow them to move forward. Clear reference was also made to global companies operating in Northern Ireland and how they should be sustained.

Interestingly, although Members criticised the banks, no one referred to the improvements that have taken place. I am certainly not an apologist for the banks, but improvements have taken place, even in the banking sector. A piece of research concluded that 61% of businesses in Northern Ireland are accessing appropriate bank financing; Members were obviously asleep when that report was referred to on Radio Ulster this morning. There is some satisfaction, which is improving.

Other Members referred to their constituency. I have a particular interest in East Antrim, where the Minister and others have worked very hard with FG Wilson to deal with the issues there. We have a skilled workforce, and we have to see those skills diverted into other jobs and businesses that are looking for those skills.

We are all clearly in agreement that we need to grow the private sector in Northern Ireland. That is how we will generate wealth and increase employment opportunities for everyone in this society. The need for a strong export focus has been referred to throughout the debate, and we need companies that can compete on an international stage. However, companies can compete on that international stage only if they have access to appropriate finance and, in the first instance, if they have access to information about how they can get that finance. The Minister made it clear this morning that, through INI and other agencies, she is working to ensure that the information stream is available, whether on websites or through direct advisers.

This is a challenging task given the ongoing international economic difficulties, but the people of Northern Ireland, our business leaders, our workforce and our entrepreneurs are able to rise to the challenge. The Assembly and Executive have a clear duty to support them. It is clearly part of the Programme for Government that we should stand firmly behind businesses in Northern Ireland and create the appropriate incentives and conditions to encourage a dynamic, high-growth, sustainable economy.

Our economy has to be responsive and resilient to changes in technology, the global economy and population changes. It is important that we acknowledge any shortcomings, but we also need to make sure that, where practical, we send out a relentlessly positive message. There have been recent positive developments in the economy in Northern Ireland. We no longer have the lowest GDP per capita in the UK; the percentage of UK jobs created in Northern Ireland is more than double our percentage of the UK population; and, in software and IT and per capita foreign direct investment we are running at twice the rate of either London or Manchester. There are positives coming out of Northern Ireland, and every Member in the Chamber has a duty to support that.

Mr McDevitt: I appreciate the Member's giving way. Although I share the idea of being relentlessly positive, there is also a need to be positively honest. The facts are that our economic performance is not good, youth unemployment is rocketing and we are failing as an Executive and Assembly to respond strategically. We will continue to fail if we have debates that deny the inaction at the heart of our Executive on the basic issue of job creation.

Mrs Foster: It is a good job you are in for the debate.

Mr Dickson: I thank the Member for his intervention. The Minister has, I think, commented from a sedentary position that the Member should bring that debate. I encourage him to do so, because I can be positive on those aspects as well. Of course, I am not denying that there is unemployment and that it is a serious issue. I am not denying that the banks have not been co-operating, but I am saying that we have an economic strategy that takes into account all those issues. One reason for the good supply of graduates — I compliment Dr Farry on his work — is the contribution of our universities and education system to providing people with an appropriate education. However, even there, all is not perfect.

Mr Eastwood: Will the Member give way?

Mr Dickson: Yes, I will.

Mr Eastwood: Does the Member agree that it is difficult for a city such as Derry to develop its economy without a properly sized university? We have around 3,000 full-time students when we need 10,000. Does the Member agree that his Minister should do much more to develop the university at Magee?

Mr Dickson: I suggest to the Member that the Minister has been doing an excellent job in providing places for universities. That allows students to take the appropriate courses in the appropriate places on multiple sites across Northern Ireland, including Magee. We cannot all have everything.

We are extremely proud of our globally competitive companies such as Bombardier, Almac and Wrightbus, but the weaknesses in the local economy are how little we export; the fact that research and development activity relies heavily on a handful of firms; and the fact that many small and medium-sized enterprises are plagued by low productivity and a lack of competitiveness. However, these issues are being addressed. My colleague Judith Cochrane —

Mr Frew: I thank the Member for giving way, I appreciate it. I also appreciate how all that the Member has said in the House today has had a positive slant. It is vital that MLAs have that positive slant. We all know the issues and problems, and those in business know them better than anyone. We do not need to keep on echoing the problems; we need to sell Northern Ireland and be positive when speaking here. I ask Mr McDevitt whether he thinks it in order for someone who has not heard the debate to come into the Chamber and comment on it. Some of the positives are the fact that, after London, Belfast is the most attractive UK city for FDI, particularly in technology and financial services. In the past three years, Northern Ireland, with 2.8% of the population, has won 7% of the FDI that has been attracted to the UK. Belfast is now among the top 10 cities globally for financial technology investments and is ahead of Dublin, Glasgow, Toronto and even Bangalore. *[Interruption.]*

Mr Deputy Speaker: Order. The Member's time is running out. That was a lengthy intervention.

Mr Dickson: I will return to the debate in hand, Mr Deputy Speaker. I am sure that the two Members concerned can have their debate elsewhere.

There is an important message to be sent out from the Assembly today. Too often, the criticism has been made of the Assembly that we have not been concentrating on

the issues that affect people in their homes and lives and in developing their children or on providing for a stable economy in Northern Ireland in the future. Today is one of those days when we have been able to see and hear the positive side of developing in Northern Ireland.

Mr Deputy Speaker: The Member must bring his remarks to a close.

Mr Dickson: We must take advantage of the opportunities that arise. We need to think about the strategies that have gone before, and we need to learn the lessons of the past.

Mr Deputy Speaker: The Member's time is up.

Question put and agreed to.

Resolved:

That this Assembly notes the recent action taken by the European Central Bank and the US Federal Reserve to help stabilise the global economy and the opportunities that this presents for Northern Ireland companies to expand and to increase exports; recognises the continuing problems of small and medium-sized enterprises accessing bank lending; further notes the availability of several significant sources of business finance; and calls on the Executive to use their influence to ensure that businesses are connected efficiently to these funding sources and that their use is maximised.

Mr Deputy Speaker: The Business Committee has arranged to meet immediately after the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business when we return will be Question Time.

The sitting was suspended at 12.26 pm.

On resuming (Mr Deputy Speaker [Mr Beggs] in the Chair) —

2.00 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Mr Deputy Speaker: I advise Members that questions 1 and 3 have been withdrawn.

Child Poverty

2. **Mrs McKeivitt** asked the First Minister and deputy First Minister for an update on the development of a child poverty action plan. (AQO 2558/11-15)

Mr M McGuinness (The deputy First Minister): In developing a child poverty action plan, Departments have been asked to bring forward a small number of high-level strategic actions that will contribute to the objectives of the child poverty strategy. Those actions are in addition to the work that Departments are already undertaking to address child poverty. Through our strategy framework, Delivering Social Change, we are focused on developing a child poverty outcomes model that will reflect the separate inputs of all Departments. The junior Ministers recently had a series of bilateral meetings with our ministerial colleagues to promote the development of the outcomes model.

As part of the ongoing work, we recently commissioned the Children's Bureau NI and the Centre for Excellence and Outcomes in Children and Young People's Services (C4EO) to support Departments in developing the most effective model possible. As part of the first phase of that work, the Children's Bureau and the Centre for Excellence and Outcomes in Children and Young People's Services, in conjunction with Mark Friedman, director of the Fiscal Policy Studies Institute (FPSI) in New Mexico, delivered a workshop last Monday to the Delivering Social Change programme board. The junior Ministers met Mr Friedman after the workshop to discuss further his work regarding an outcomes-based model and to hear the benefits of using such an approach.

For all of us, the objective is to see a sustained reduction in poverty and the associated issues across all ages and an improvement in children and young people's health, well-being and life opportunities, thereby breaking the long-term cycle of multigenerational problems.

Mrs McKeivitt: I thank the Minister for his reply. Given that 28% of children in the North now live in poverty and we are the only devolved area in which child poverty is rising, will he now recognise the need to set our own independent targets to measure the challenge and meet it effectively?

Mr M McGuinness: The targets are there, and they are very clear. The Child Poverty Act 2010 sets out targets against which the success of the strategy will be measured. The targets are to reduce relative low income, which means that fewer than 10% of children should live in a household in which income is less than 60% of the median, and to reduce combined low income and material

deprivation, which means that fewer than 5% of children should live in a household in which income is less than 70% of the median and there is material deprivation. There is a range of targets. Revising targets or setting new ones will not necessarily make it easier for us to meet the challenges that are clearly there to bring about a reduction in child poverty. What is clear from the approach that we have taken is that Delivering Social Change offers us the opportunity to take a range of focused measures.

As I said in my initial answer, the junior Ministers met all the Departments to ensure that we moving forward in a joined-up way. The Programme for Government includes a range of focused, OFMDFM-led cross-cutting initiatives that seek to place a particular focus on deprivation and on children and young people. That includes the delivery of £40 million of social investment fund capital expenditure to address dereliction and promote investment in the physical regeneration of deprived areas; £40 million of social investment fund resource expenditure to improve pathways to employment, tackle systemic issues linked to deprivation and increase community services; and a range of measures to tackle poverty and social inclusion, including a child poverty action plan and compliance with —

Mr Deputy Speaker: The Minister's time is almost up.

Mr M McGuinness: — the UN Convention on the Rights of Persons with Disabilities and the UN Convention on the Rights of the Child.

Mr Maskey: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Does the Minister believes that the introduction of the Welfare Reform Act in England and the introduction of the Bill here will have an impact on the Executive's ability to address child poverty?

Mr M McGuinness: It is too early to assess the full impact of any welfare reform legislation on families and children here. There are concerns, given the forecasts in a number of recent reports by the Institute for Fiscal Studies and the Joseph Rowntree Foundation. We also have to take it into consideration that the coalition Government at Westminster have frozen child benefit, reduced housing benefit, cut maternity grants, reduced childcare subsidies and frozen or cut working families' tax credit. All of that will have an impact on our ability to address child poverty, and it is in that vein that we are seeking to ensure that we take whatever steps are available to us to ameliorate the worst aspects of welfare reform.

Mr Cree: I thank the deputy First Minister for his responses. He mentioned the social investment fund (SIF), which could play a big part in tackling child poverty. Has that £80 million been allocated?

Mr M McGuinness: As people know, the aim of the fund is to address poverty, unemployment and dereliction, as I said. Our Executive agreed their final operation on 17 May 2012. As a result, SIF will operate across nine identified zones, with a cross-sectoral steering group being established in each zone to develop a strategic area plan.

It is not intended that all areas in a zone will benefit, and to ensure that funding is targeted at all areas of need the following eligibility criteria will be applied. The areas targeted will be those in the top 10% of the most deprived super output areas in the multiple deprivation measure

2010; those in the top 20% of the most deprived super output areas in the key domains of income, employment, education and health; and those that can provide independently verified and robust evidence of objective need linked to the four strategic objectives of the social investment fund. We are in the process of finalising steering group membership and expect to be in a position to publish details in the coming days.

We also recognise that it is important to spend the money in the right way. There may be some concern about the slowness this year to spend the type of money that we originally targeted. However, all of that money will still go into the social investment fund and will be spent in a way that ensures that we get the best result.

Obviously, tackling child poverty is a huge priority for the Executive, and we recognise that we can use the funds available to us. Separate from that, over the next few days, there will be significant announcements on how funds can be applied in the here and now, as opposed to waiting for next year. People should keep their ears to the news over the next few days, because there will be important announcements that Members will find positive.

Age Discrimination: Goods and Services

4. **Mr Humphrey** asked the First Minister and deputy First Minister for an update on the Programme for Government commitment to extend age discrimination legislation to the provision of goods and services. (AQO 2560/11-15)

Mr M McGuinness: Anti-discrimination legislation in relation to age is limited to the fields of employment, vocational training and further and higher education. The Programme for Government commitment to extend age discrimination legislation to the provision of goods, facilities and services will require new legislation to be taken through the Assembly. Prior to a new Bill being introduced in the Assembly, there are a considerable number of steps that have to be taken to ensure that the legislation achieves its intended outcome. That involves a period of detailed policy development, and that is the stage that we are now at. Over the next few months, we will be working with our officials, other Departments, the OFMDFM Committee and the Executive to finalise this stage of policy development in preparation for the consultation stage. It is our intention that the public consultation on legislation to combat age discrimination in goods, facilities and services will take place early in 2013. Following analysis of the consultation responses, the Bill will progress through the required Assembly stages, and we aim to have the legislation in place during the latter part of 2014-15. That is in line with the commitment in the Programme for Government.

Mr Humphrey: I thank the Minister for his answer. Will he give a commitment to the House that there will be no delay in the procession of that legislation and that it will deal simply with adults to ensure that we have the statute in place as soon as possible?

Mr M McGuinness: As far as we are concerned, there will be no delay. There will be many different opinions on how we take this forward. From the perspective of the Executive and the Programme for Government commitment that we have put before the House, we absolutely expect to keep to the timetable that we have outlined.

Ms McGahan: Go raibh maith agat. Does the deputy First Minister believe that young people under the age of 18 should be included in the scope of the proposed legislation?

Mr M McGuinness: As I said, there will be different opinions about this. Consideration is being given to whether young people under 18 years of age should be included in the scope of the legislation. I am sure that the Member, like all of us, would not want to see anyone, including young people, discriminated against. That will have to be agreed, and, as I said, we have not come to any final decision on that.

Mrs D Kelly: Will the single equality Bill be introduced in this mandate?

Mr M McGuinness: The question is outside the limits of the question that Mr Humphrey posed a number of minutes ago. The issue of a single equality Bill would have to be agreed by the Executive, and, thus far, we have not received any indication whatsoever that agreement on that is imminent.

Cohesion, Sharing and Integration Strategy

5. **Mr I McCrea** asked the First Minister and deputy First Minister for an update on the cohesion, sharing and integration strategy. (AQO 2561/11-15)

Mr M McGuinness: The First Minister and I remain committed to building a united and shared community by continuing to improve community relations across our society. Bringing forward a robust community relations strategy with a clear framework for action will be a critical part of achieving our vision of a better future for everyone. We very much recognise the importance of translating the Executive's commitment into clear, meaningful action, and we have asked the cross-party working group to conclude its work on developing the strategy as a matter of urgency. We expect to receive a report from the working group in the coming weeks, which will allow a final strategy and high-level action plan to be published shortly thereafter.

Mr I McCrea: Will the deputy First Minister not accept that his actions and, indeed, those of another Minister from his party in attending a parade in Dungiven do not do anything to help to build community relations? Will he accept that that needs to be addressed?

Mr M McGuinness: I am an Irish republican, and I am privileged and honoured to attend Irish republican commemorations. All the commemorations that I attend receive clearance from the police and the Parades Commission, and I am only interested in attending commemorations that are within the law. It is absolutely vital that all Members recognise that we have to abide by the rule of law, and, as I have said in interviews in recent weeks, people need to abide by the determinations of the Parades Commission. The last thing that we need on our streets is contention and conflict. From first-hand experience, I know how damaging that can be to our efforts to attract foreign direct investment. Priorities need to be got right, and we need to recognise that we are in the face of one of the worst economic crises that the world has seen. As an Executive, we have a job to battle against that and to provide jobs for our young people and to provide services for our people. We can only do that if we do so against the backdrop of a peaceful environment. In the

past couple of years, the First Minister and I have brought in more foreign direct investment jobs than at any other time in the history of the state. We can only do that if we can portray to the world that the peace process is moving forward and continuing. The last things that we need are setbacks, such as those that we have seen in the past couple of weeks.

2.15 pm

Ms Fearon: Go raibh maith agat. Has the decade of centenaries been raised during the CSI process?

Mr M McGuinness: The decade of centenaries was raised during the public consultation on the cohesion, sharing and integration strategy. The potential impact of the decade of centenaries is one of the issues that is under consideration by the cross-party working group in the context of finalising the cohesion, sharing and integration strategy.

Commemorative anniversaries undoubtedly can influence wider relations in the community and are closely linked with issues of cultural expression and shared heritage. We clearly recognise that the decade of centenaries that we have now entered presents a challenge to all of us and highlights the need for a mature and balanced approach. We are committed to providing the necessary leadership through the Executive to ensure that anniversaries are marked in a reflective, inclusive and responsible way.

There is a big challenge, and, as we have seen from the events of the past couple of weeks, there have been some initial difficulties. I hope that we can overcome those. We can only do it through being mature, not using intemperate language and recognising that, as we move forward, we have a duty and responsibility to the people we represent to ensure that the anniversaries are dealt with in a respectful way. For me, it comes down to people showing good manners and respect for each other and recognising that the last thing that we need, as an Executive, is any circumstance that brings people onto the streets to engage in acts of violence. That is totally detrimental to our economic strategies as we move forward.

Mr Deputy Speaker: I ask Members not to engage in loud conversations. It is distracting to me and other Members. If you wish to have conversations, please leave the Chamber.

Mr Lyttle: Will any new framework for dealing with parades and protests be included in the forthcoming CSI strategy?

Mr M McGuinness: It was unfortunate that the Alliance Party, which in its contributions to the workings of this Assembly has mostly shown itself to be very reflective and mature, stepped out of those important discussions. With the benefit of hindsight, it might admit that it made a mistake. I pay tribute to the representatives from my party, the Democratic Unionist Party and the SDLP who have stayed with it. Until the Alliance Party stepped out — incomprehensibly, the Ulster Unionists stepped out also — important and significant progress had been made. Even since the departure of the Ulster Unionists and the Alliance Party, more progress has been made, and, during the discussions, all the issues that proved difficult in the past were shown to be capable of resolution. I said that it was incomprehensible that the Ulster Unionist Party stepped out, but, given what we have heard over the past couple

of days, that party needs to be involved in a process of cohesion, sharing and integration itself.

The serious point is that we are now rapidly coming to a conclusion that I believe the majority of representatives in the House can sign up for. I hope that the Ulster Unionist Party and the Alliance Party will reflect on the folly of their position and, at the end of the process, finally come on board.

Mr Eastwood: Given the events of recent weeks and the tone of some debates in the House, does the deputy First Minister agree that it is now even more important that we get this right and do so as quickly as possible?

Mr M McGuinness: I 100% agree. It is hugely important that we get it right, given that there is a responsibility right across the community on everybody to contribute to peace on the streets. We, as the political leaders, have to lead by example, and it is our duty and responsibility to behave in such a way that we do not use intemperate language. We have seen some venom on the streets, and we had three nights of rioting, during which large numbers of police were injured and the community was disrupted. The bad news stories about that travelled all around the world. I was in Washington just over two weeks ago and was told that the three nights of rioting in north Belfast was a news item on Brazilian news. That is the last thing that we need. If that nonsense travels all around the world — *[Interruption.]*

Mr Deputy Speaker: Order.

Mr M McGuinness: — how will that not work against our attempts to create jobs and opportunities for our young people? It is time for people to get real and recognise that, in dealing with these important occasions, civility and good manners need to be shown.

Maze/Long Kesh Development Corporation

6. **Mr B McCrea** asked the First Minister and deputy First Minister to outline the forward work programme of the Maze/Long Kesh Development Corporation board. (AQO 2562/11-15)

Mr M McGuinness: The Maze/Long Kesh Development Corporation is now in place and will take forward the regeneration of the Maze/Long Kesh site. One of the corporation's initial responsibilities will be to prepare a three-year corporate plan that will set out its forward work programme and identify the resources required for its delivery. The work programme will be within the context of the objectives set by Ministers to maximise the economic, historical and reconciliation potential of the site and seek to deliver the targets set out in the Programme for Government, which are to launch the development plan for Maze/Long Kesh in 2012-13, to host the 2013 Balmoral show at the site and to complete the peace-building and conflict resolution centre by 2015.

Mr B McCrea: Does the Minister accept that public confidence in the public appointment process for the board has been damaged somewhat and that that has the potential to undermine the work envisaged? What steps has he in mind to try to address that issue?

Mr M McGuinness: I wonder how people assess where public confidence lies. People are hugely heartened by the fact that the First Minister and I had the ability to put in place a development corporation that is truly reflective of

our entire community. The board has people with particular expertise who can take forward what is probably the prime development site on this island.

We have already seen hugely important developments, with the announcement from Europe of £20 million for the iconic peace-building and conflict resolution centre. The Royal Ulster Agricultural Society (RUAS) is now on site constructing its building so that it can be up and running for 2013. All of that represents tremendous progress.

There has been some recent debate about the people who were appointed to the board. The people appointed have the First Minister's confidence and mine. They were appointed because they have a particular expertise, and we believe that they will take forward our objectives of ensuring that the economic, historical and reconciliation potential of that site can be utilised for the benefit of all our people.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom buíochas a thabhairt don LeasChéad-Aire as an fhreagra a thug sé dúinn inniu. Just to let you know, Mr Campbell, that that was as Gaeilge — maith thú.

I welcome the fact that the corporation is in place, and I wish it well in its work on that important site. Will the deputy First Minister take the opportunity to inform us whether all the appointments, including that of the chair, fell within the code of practice?

Mr M McGuinness: The requirements for candidates for public appointment are outlined in the code of practice for ministerial public appointments. They do not include a requirement to declare membership of a political party. Four other appointees declared political activity.

The first interview process, in October and November 2011, identified neither a suitable appointee for the post of chair nor a sufficient pool of applicants appointable as board members. We decided — rightly, I think — to rerun the competition.

Obviously, a big discussion point has been the participation of Terence Brannigan in all this. Mr Brannigan was a member of the selection panel for the initial competition. He declined to be involved in the second selection panel and subsequently decided to apply for the position of chair of the Maze/Long Kesh Development Corporation. Our officials consulted the Commissioner for Public Appointments to take his view on the matter, and the commissioner advised that Mr Brannigan was entitled to apply and should be treated in the same manner as any other candidate throughout the process.

Ministers have no involvement in the interview process for any public appointment. As I said, the First Minister and I are absolutely committed to maximising the economic, historical and reconciliation potential of the site for the benefit of our entire community. In recent months, the development with the RUAS and the award of funding has pushed the whole process forward. So, as plans progress, the regeneration of the site will send a powerful physical signal that highlights how our society has been transformed and regenerated and is moving beyond conflict.

Mr Dallat: I agree with the Minister that full confidence needs to be restored in this place, and I am sure that, over the past few days, with the statue of Lord Carson getting a

facelift, it is being restored. On a serious note, when can we get the business plan for the Long Kesh site?

Mr M McGuinness: That will obviously be a matter for the board. It is over to them; it is their duty and responsibility.

When I saw the scaffolding going up around Lord Castle — Lord Carson; sorry about that — I thought that it was for the purpose of putting a hurl in his hand. I know that many unionist representatives are very proud of the fact that, when Lord Carson was in Dublin, he participated in one of our most powerful national games, as we saw recently in the great victory of Kilkenny over Galway.

On the issue of the responsibility to develop the site, it is now over to the board. It is a board that the First Minister and I and, I believe, the vast majority of Members have confidence in, with the possible exception of the man who is about to get up: Mr Allister.

Mr Allister: I take that as a compliment. *[Laughter.]* In terms of what will be rolled out at the Maze, will the Minister tell us whether his colleague Raymond McCartney was correct when he said that the listed and retained buildings will be open to the public and that there will be the opportunity for the many stories of the jail to be told there? Will the listed and retained buildings be open and open for that purpose?

Mr M McGuinness: I am glad that I managed to bring a smile to the Member's face.

People need to be aware that the public have had access to the listed buildings over the past couple of years without any controversy whatsoever. As for how those buildings will be used in the future, that will be a matter of agreement. We are mature enough to ensure, between ourselves and the development corporation, that the peace-building and conflict resolution centre that we construct at what is an incredible site will be a shrine to peace and not a shrine to conflict.

Social Investment Fund

7. **Mr Copeland** asked the First Minister and deputy First Minister for an update on the social investment fund. (AQO 2563/11-15)

Mr M McGuinness: Following Executive agreement on the final operation of the social investment fund, we are in the process of establishing cross-sectoral steering groups to co-ordinate the development of a strategic area plan in each social investment zone over the coming months. We will confirm membership of each steering group in the next few days. Following that, we will move to the area planning stage, in recognition of the need to expedite the area planning process and the work involved. We have recently completed a tendering exercise to establish a framework of organisations to support the steering groups in developing the area plan. They will be contracted to help to identify evidence and proposed relevant interventions for inclusion in the area plans in consultation with the wider community. That will include consultation with all relevant stakeholder and community organisations. It is our aim to have area plans submitted early next year, with a view to commencing the delivery of approved projects soon thereafter.

Mr Copeland: I thank the deputy First Minister for his answer. Will he outline where, in his view, the blockages

are that prevent the SIF being administered? What communication has there been with the communities being denied the use of the fund? Will he also update the House on any outstanding appointments that need to be made to allow the process to move forward?

Mr M McGuinness: Obviously, a lot of work is happening with local communities, because we passionately believe that, for the SIF project to work, their very active participation is required.

So, at the moment, we are involved and are very close to agreement about the release of information on the steering groups' composition. There is a timescale for all this. I think, essentially, we are talking about the full benefit of the fund being seen by, I suppose, next year, given the amount of work that has to be done. We are now very close to the end of this year, and, as we move forward, we think that we are better taking our time, getting it right, ensuring that we have the right people in the different zones and different areas for the steering groups, and ensuring that they have every opportunity to consider what projects they would like to propose for funding from the social investment fund.

2.30 pm

Finance and Personnel

Rates

1. **Mr Mitchel McLaughlin** asked the Minister of Finance and Personnel what was the total amount of unpaid rates over the last four years. (AQO 2571/11-15)

Mr Wilson (The Minister of Finance and Personnel): At the end of the 2011-12 financial year, the rating debt was £160.8 million. That is a provisional figure that includes the rating of empty homes, which is subject to audit. The figure excluding the rating of empty homes, which allows comparison with the previous three years, was £153.6 million. The audited year-end amount for 2008 was £138.1 million; for 2009-2010 it was £157 million; and for 2010-11 it was £155.6 million.

Mr Mitchel McLaughlin: I thank the Minister for his comprehensive answer. Is he satisfied that Land and Property Services has sufficient capacity to ensure the maximum collection of annual rates?

Mr Wilson: One should consider that the amount of rates that was collected this year is the highest that it has ever been — it is up, I think, by £50 million. That ignores the fact that properties have, of course, been added to the list because of the rating of empty homes. So, that is the highest rate of collection that we have had.

However, the situation can always be improved. As I said to the Assembly previously, that has to be balanced against the economic circumstances in which we find ourselves and against the difficulties that people have in paying their rates. I am sure that all Members — they write to me quite frequently about people who are in difficulties — would wish us to be as flexible as possible whenever people get into difficulties. However, that then means, of course, that the uncollected debt goes up.

Lord Morrow: Just have a listen to the Minister's reply: the figures that he supplied are quite startling. Does he have any new initiative to ensure that rates are paid, bearing in

mind that many ratepayers, particularly in the retail sector, are struggling at this time and feel very discouraged when they discover that others are not paying?

Mr Wilson: I do not know that there is any new initiative. Maybe I should outline the things that we do. First, we try to get bills out as quickly as possible so that there is not a big delay that results in people being hit with a rates bill that is two or three years behind. That is not always possible, but we try to do it. We also work with the building control departments of councils, and, once a completion certificate comes through, we get the property on to the valuation list.

Secondly, when people get into difficulties, we try to get them into arrangements as quickly as possible.

Thirdly, when people do not pay, refuse to pay or have shown over time that they are not going to abide by the arrangements, we will go for court action.

Lastly, of course, if we have to, we will take people to the point of bankruptcy. We do not wish to do that, but, as the Member pointed out, many people struggle to pay their rates but believe that it is their obligation to do so and will make sacrifices to do it. We cannot allow them to be penalised because others simply decide that they will not bother to pay.

Mr Gardiner: Is the Minister satisfied that Land and Property Services and the Rates Collection Agency have adequate resources and training to improve their performances?

Mr Wilson: We have devoted extra resources. Indeed, Land and Property Services has been given extra resources to facilitate the work that it has to do. Of course, all agencies would argue that they could use more resources. There is not a Department that will not argue that it wants more staff, and so on. However, that has to be balanced against the budgetary considerations and pressures under which we work. If we push up administrative costs in Land and Property Services or in any Department, it means that there will be less money for front line services.

Rates: Unoccupied Buildings

2. **Mr Easton** asked the Minister of Finance and Personnel how much was collected in rates for unoccupied buildings in the 2011-12 financial year. (AQO 2572/11-15)

Mr Wilson: During the 2011-12 financial year, a total of £24,770,406 was collected in relation to properties that were unoccupied as at 31 March 2012. It should be noted that some of those properties may have been occupied at some point during the financial year.

Mr Easton: I thank the Minister for his answer. What steps is Land and Property Services (LPS) taking to collect the debt for those properties?

Mr Wilson: We have focused our attention on debt, and we have formulated a debt action plan, which has now become a very important line in the business activity. The plan focuses on cases moving through various recovery stages, including court action and eventual referral to the Enforcement of Judgments Office. That is for persistent non-payers, who will be pursued to the point of bankruptcy. In the past year, the court processes issued by LPS rose to almost 3,000 cases. Approximately 46,000 decrees

were issued and 19,000 awarded in 2011-12, which is an increase of 1,500.

Mr McKay: The Minister will be aware that there is an increasingly high level of vacant properties in our town centres. Will he outline what he will be doing to address the problems faced by those owners?

Mr Wilson: The Assembly can take some pleasure from knowing that we are leading the way in initiatives to try to deal with unoccupied and empty properties in town centres.

Around this time last year, the Assembly agreed to the 50% discount on rates for properties that were unoccupied for more than a year before a business took them over. That is now being copied in Scotland. Only last week, the Finance Minister in Scotland announced an initiative along the same lines; I think that the Scottish Government have called it Fresh Start. They have copied our scheme almost word for word.

I have to say that I have seen some very good examples of businesses that have started up as a result of the 50% rates holiday that they get. Indeed, Mr Deputy Speaker, in Larne in our constituency, I visited premises called Eco-Kidz. One of the factors that influenced the person who started up the business to do so was the fact that, in the first year, she would get a rate reduction of almost £1,000. That economic factor influenced her decision to set up in the premises.

Ms D Kelly: Has there been any discussion between the Minister and the Minister for Social Development on empty residential properties, particularly in the newbuild sector, that could be used to alleviate the waiting lists for housing.

Mr Wilson: That really would be a matter for the Department for Social Development and the housing associations. Many housing associations are purchasing properties off the shelf where they have been built and are empty.

One of the problems has been that the standards laid down for public sector housing or housing association houses are different from those for the private sector, but I think the Social Development Minister is addressing that. I have had horror stories from builders who have told me that they have been told to take out en suite bathrooms, for example, because they are not part of the standard for social housing, even though they probably enhance the standard of the property. They have also been told to cut a kitchen in half and to take off a conservatory from the back of the kitchen because, again, the space standards are different from those laid down. That is the kind of nonsense, which, I think, has to be addressed, so that some properties that have been built for the private sector, but which have not been sold, can be brought into use in the social sector.

Mr Deputy Speaker: Again, I remind Members to refrain from talking in the Chamber. I do not wish to have to name a Member.

Ulster Bank: Compensation

3. **Mr Kinahan** asked the Minister of Finance and Personnel for his assessment of the Ulster Bank's redress package, particularly the onus being placed on customers to initiate claims. (AQO 2573/11-15)

Mr Wilson: Assessing the Ulster Bank redress scheme and ensuring that it satisfies the bank's statutory duties is a matter for the regulator, the Financial Services Authority. I recognise that some customers have been disappointed by the scale of compensation on offer, but it is a decision that the bank has taken, and I have no formal responsibility in that regard.

Mr Kinahan: I thank the Minister for his brief response. Has he met the Financial Services Authority in its role as the bank regulator, to satisfy himself with all that it is doing for Ulster Bank customers?

Mr Wilson: I have not met the Financial Services Authority, but I did speak to the Ulster Bank before the scheme was brought out. First, I indicated to the bank that I was disappointed that it took so long, and, secondly, I indicated to it that it needed to sell the scheme to its customers. Ultimately, it will be the customers who will make the decision as to whether they are satisfied with the scheme and on whether they feel that it has given them fair compensation for the difficulties they experienced. The role of the Financial Services Authority is beyond the competency of the Assembly, but I look forward to its independent report on why it took so long to sort out the Ulster Bank problems here in Northern Ireland.

Mr D Bradley: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. The Minister will probably have heard that the Ulster Bank has recently joined in the funding for lending scheme. Will he update us on progress regarding the other banks' participation in that scheme?

Mr Wilson: I met the Finance Secretary in London — I think it was at the beginning of July — and indicated to him that I believed that any schemes being brought out by the Treasury to help bank lending need to be tailored to Northern Ireland. Indeed, I had a similar conversation with the Secretary of State just last week, and she is going to make representations along with me to ensure that this happens in future.

When the finance for lending scheme was introduced by the Government, one thing I was pleased about was that the Finance Secretary called in all of the banks in Northern Ireland as a result of the representations that we made. All of them gave a positive response to the initiative. To date, only the Ulster Bank has signed up to it. I understand that Barclays Bank is to announce its participation in the scheme and the details of that participation. I think it is to do that before the end of October. I suppose we have to keep pressure on the other banks to do that. The important thing about it is that it is one scheme where, I believe, rewards can be linked to performance, because the banks must show that they are lending to businesses before they can have the facility of getting cheaper money from the Bank of England, which helps them to reduce interest rates or give discounts on interest rates to customers.

Mr Flanagan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answers. The Minister engaged with Ulster Bank and RBS at the start of July, as did the Enterprise Committee and the Finance Committee. At that time, we were assured that the redress system would be put in place within a few days. Will the Minister outline to the House why it took so long for the Ulster Bank compensation scheme to be put in

place? Does he agree that the measly £20 compensation payment was too little too late for consumers?

2.45 pm

Mr Wilson: First of all, I am not on the board of Ulster Bank, so I do not have control of it. Secondly, the details had to be worked out with the Financial Services Authority. I do not know whether the Financial Services Authority raised queries about the compensation scheme or whether Ulster Bank was slow in bringing the proposals forward. I know that some customers are disappointed.

Ultimately, of course — and I made this point to Ulster Bank in July — the longer the bank delayed, the more the sore was going to agitate; the more the sore agitated, the angrier its customers were going to get. Ultimately, Ulster Bank will pay the price in the market for that, and I understand that it is already losing customers. I have met people who were more than satisfied with the compensation package; I have met other people who are very angry about the compensation package. However, the compensation package was not something that the Assembly or the Department of Finance had any control over; neither did we have any control over the timing of it.

Rates: Rented Accommodation

4. **Mr McCarthy** asked the Minister of Finance and Personnel why the owner or landlord of a house in multiple occupation is responsible for the collection and payment of rates regardless of capital value or frequency of rent payment, while responsibility for other rented accommodation is based on capital valuation and frequency of rent payment. (AQO 2574/11-15)

Mr Wilson: The landlord liability provisions in rating legislation, which make, in most circumstances, the owner or landlord liable for rates rather than tenants, is a long-established feature of the rating system here. Its origins are in earlier legislation dating back 90 years. It applies to lower value single family residences and all houses in multiple occupation (HMOs), because that is where the problems are likely to occur: in collecting rates directly from tenants who tend to move about more than most. The reason we make it a landlord liability is that, for Land and Property Services to pursue tenants, some of whom stay only for very short periods, would be very costly administratively and more likely to result in debt increasing. For that reason, for HMOs, the responsibility lies with the landlord.

Mr McCarthy: I thank the Minister for his answer. What is his assessment of the increase of HMOs in some areas, particularly adjacent to Queen's University in Belfast, and the impact that has on the rateable value of non-HMO properties in those same areas?

Mr Wilson: That issue would be better addressed by the Department for Social Development (DSD). As for the impact on established families living in those areas, I do not think that HMOs do anything to the rateable value of homes in those areas, in so far as property prices tend to go up because of demand from landlords who wish to expand. Therefore, the capital value of the houses will tend to increase. However, it does cause inconvenience. We all know, and it has been well documented, the problems it causes for residents living in those areas. However, since rates are really determined by the capital value of

properties, anything that causes capital values to increase will, of course, enhance the rateable value of the houses.

Ms Fearon: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister agree that advice should be provided to tenants in the situation where a tenant pays the landlord rates, the rates are then due but the landlord does not pay LPS, and the tenants are then made liable for a second payment? Do you agree that more awareness needs to be created around tenants' rights on this issue?

Mr Wilson: It does. Again, that is an issue DSD needs to address, and would be more properly directed at the Social Development Minister. However, I will say that there are properties for which landlords have the obligation to collect the rent. They are given discounts for doing that service, and the landlord is ultimately responsible. Where there is a degree of ambiguity, it is important that tenants are made aware. I know that there is a review of some of the legislation. Maybe one thing we ought to place on landlords is an obligation to make it clear to tenants who is responsible for paying rates and who is not responsible.

Mr D McIlveen: Will the Minister tell us how he and his Department define HMOs?

Mr Wilson: It is not defined by my Department. It is defined under the Housing (Northern Ireland) Order 2003, and it is where three or more qualifying people live in a house and are not of the same family. For them not to be of the same family, they must not be spouses, persons living together, husband, wife, parents, grandparents, children, grandchildren, brothers or sisters. Therefore, where that relationship does not exist between three or more people living in a house, it is regarded as an HMO.

Mr Dallat: Will the Minister tell the House the extent of the rates arrears in houses of multiple occupation?

Mr Wilson: I am afraid that I do not have that answer. I do not know if we even have the data broken down by sector like that, or whether the information is just held generally as the total arrears on domestic and non-domestic premises. I will seek to find out whether we have the figures broken down into sectors like that, and, if so, I will write to the Member.

Corporation Tax

5. **Mr Storey** asked the Minister of Finance and Personnel for an update on his negotiations with HM Treasury on the devolution of corporation tax. (AQO 2575/11-15)

10. **Mr McMullan** asked the Minister of Finance and Personnel for an update on the devolution of corporation tax. (AQO 2580/11-15)

11. **Mr McGlone** asked the Minister of Finance and Personnel for an update on his discussions with the Secretary of State and HM Treasury in relation to devolving corporation tax. (AQO 2581/11-15)

Mr Wilson: With your permission, Mr Deputy Speaker, I will answer questions 5, 10 and 11 together.

The joint ministerial working group considering the devolution of responsibility for corporation tax to the Northern Ireland Executive is now, in my opinion, entering a critical stage in its deliberations. While some progress has been made in respect of how a devolved rate would operate in practice and in respect of the implementation

timetable, I remain concerned about the cost currently proposed by Treasury officials, which I believe is prohibitively expensive. At the same time, I would like to reassure Members that I and my Executive colleagues on the working group remain fully committed to taking responsibility for corporation tax, while my strong belief is that the issues around cost can be addressed. However, that will depend to a large extent on the position adopted by the Secretary of State and the Exchequer Secretary to the Treasury, and, in particular, whether they are serious about supporting the Executive in rebalancing the Northern Ireland economy.

The working group is due to meet again on 18 October, with a view to resolving the outstanding issues. After that, I suspect that it really will be down to a political decision involving the Prime Minister, the Deputy Prime Minister and the Chancellor of the Exchequer.

Mr Storey: I thank the Minister for the answer and for giving us an indication as to where this issue sits at the minute. Can he give us more detail on what he still sees as the areas of dispute that we have with the Treasury in regard to securing a settlement in this issue?

Mr Wilson: The areas of dispute are twofold. The first one is on the basic cost and what allowance can be made against the secondary impacts of corporation tax. For example, if there are additional VAT, income tax, national insurance receipts, what proportion of those can stay in Northern Ireland?

The second thing is how the amount of tax that we pay to the Exchequer escalates year on year, and the escalator that is being proposed by the Treasury at present would make an assumption that corporation tax take in Northern Ireland will grow at twice the rate of corporation tax take in the rest of the United Kingdom. That is why the bill would escalate within 15 years to over £700 million. Again, I do not believe that that is an acceptable formula, and it is something that we still have to determine with the Treasury.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Will the Minister agree that the urgency of dealing with the devolution of corporation tax powers must be an absolute priority for the Executive in light of the current economic climate and the business sector's crying need for something to incentivise and grow the local economy and to stimulate confidence in our local economy and help that small-business sector to grow and give a future to our young people.

Mr Wilson: I have said that I believe that we should force a decision either way on this issue in the autumn. It is critical for two reasons.

First, as the Member pointed out, we have grave economic difficulties. So if corporation tax devolution and a reduction in the rate can act as an incentive for inward investment and stimulate investment in firms operating in Northern Ireland, that is, of course, all to the good.

Secondly, Arlene Foster needs to have greater certainty when she talks to investors. Having dangled this fiscal worm in front of investors for so long, I think that it is time that she was able to give them a greater degree of certainty.

Ms Maeve McLaughlin: Go raibh maith agat, a LeasCheann Comhairle. I listened to the Minister's

response. Minister, given the clear problems you outlined with the calculations of the British Treasury regarding the transfer costs of corporation tax, do you agree that steps should be taken to establish a more accurate picture of the taxes generated in the North to ensure that we do not see a repeat of that situation in the future?

Mr Wilson: The generation of tax in Northern Ireland from various sources is a bit more complicated than simply saying, "Look, this is the amount paid on that tax, and that is the amount paid on another tax", or whatever. In the case of corporation tax, there is tax that is generated by companies based and registered in Northern Ireland, as well as tax that is generated by companies operating in Northern Ireland but registered outside it, and tax that is generated by companies based in Northern Ireland but which have their earnings in other parts of the United Kingdom.

There are lots of different ways in which the matter can be complicated depending on which tax office the firms are registered with. Again, the origin of the tax might be more difficult to identify. That is why there have been considerable negotiations about the amount of tax generated. Of course, as well as that, we have argued that the devolution of corporation tax will generate additional tax revenues, some of which, we believe, should be retained in Northern Ireland.

Mr Cree: The Minister will be aware of the recession and the fact that the profits of major companies have declined. How satisfied is he that the figure that the Treasury is using has been updated and is not a historical figure?

Mr Wilson: We have said to the Treasury that we will not accept a figure that is based on one particular year because, depending on what happened that year, tax revenues could be higher or lower than average. The Treasury has accepted that. Therefore, we have sought to get an average figure over a number of years. On that basis, there can be a huge variation depending on which years are chosen.

We also said that it is not sufficient simply to look at the issue historically but that we have to look at it into the future. This is where there is even further complication. In the past, for example, about 40% of tax revenues in corporation tax were generated by banks. It is estimated that, because of bank losses and the way in which they can write off their losses against tax in the future, banks based in Northern Ireland will probably not pay tax for the next 10 years. That is where the calculations become complex.

People might get frustrated about the slowness of the process. However, one reason why it is so slow is that I do not think that anybody expects us simply to settle for the first figure that comes up. We have to look at all those issues and make sure that we get the best deal for Northern Ireland, because there will be consequences if we do not do so.

Land and Property Services: Rate Assessments

6. **Mr Clarke** asked the Minister of Finance and Personnel what is the average length of time it takes Land and Property Services to carry out rate assessments on new houses and businesses. (AQO 2576/11-15)

Mr Wilson: Land and Property Services (LPS) is responsible for the assessment of rateable values and the subsequent determination of rate bills for new domestic and non-domestic properties. New properties can be valued only following the issue of a rating completion notice or if the property is already complete and occupied.

At the commencement of the current rating year, analysis of the workload in LPS showed that the average age of new domestic cases awaiting valuation was 53 calendar days, and the average age of new non-domestic cases awaiting valuation was 47 calendar days.

3.00 pm

Questions for Urgent Oral Answer

Ms Ruane: On a point of order, Mr Deputy Speaker. Tá mé ar lorg comhairle. I seek some advice. Will the Deputy Speaker confirm that the question for urgent oral answer that we are about to have now was submitted earlier, was not accepted initially and was subsequently accepted? I wonder whether we could be advised why a question that was not accepted initially was suddenly accepted. I look forward to the information on that. Go raibh maith agat.

Mr Deputy Speaker: That is a question for the Speaker, who has made a determination. As Deputy Speaker, I offer the opportunity for that question for urgent oral answer to be put, as determined by the Speaker. The Member may wish to have a discussion with the Speaker in his office to resolve the issue.

Ms Ruane: On a further point of order, Mr Deputy Speaker. Will you ask the Speaker to formally come back to the House with an explanation? I am not questioning in any way the Speaker's advice, but I am — *[Interruption.]* Sorry, but I would like an answer. Thank you.

Mr Deputy Speaker: I will ask the Speaker to come back to the Member.

Education

DE: Advertising

Mr Campbell asked the Minister of Education what is the total cost to the public purse of advertisements under the title "Get Involved" which are about to be aired, in Irish only, on commercial television during the first week of October regarding access to education, and has advice been sought from the Departmental Solicitor's Office on whether the advert breaches the Communications Act 2003.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as ucht a cheiste. Níl gné ar bith den fheachtas Is fearr i bhfad a éiríonn leis an oideachas nuair a bhíonn páirt agat féin ann a chuirfear ar aghaidh i nGaeilge amháin, toisc go bhfuil gach eilimint den fheachtas curtha ar aghaidh as Béarla chomh maith. No aspect of the Education Works campaign has been taken forward in Irish only, as all parts of the campaign are also being taken forward in English. My Department's language policy states that any advertising undertaken by the Department is done "bilingually in Irish and English". The policy was written prior to the Department engaging in the campaign, and the decision to run the advertising in Irish is in keeping with departmental policy.

The campaign is part of my focus on addressing educational underachievement among young people, whether they are educated through the medium of Irish or the medium of English. A proportion of the campaign is conveyed in the medium of Irish, in keeping with the Department's statutory duty to encourage and facilitate

Irish-medium education. The Irish language advert comprises approximately 10% of the TV airtime and is a replica of the English version. Members may want to hold on to their seat as I give the cost. We have stopped the business of the day and brought this important matter to the Assembly. It was so urgent that it could not be dealt with through a question for written answer or any other way. So Members may want to sit back in their seat and absorb the cost: the cost of the television slots for the adverts to be aired in Irish during the first week of October is £4,360. *[Interruption.]*

Mr Deputy Speaker: Order.

Mr O'Dowd: That is what we have stopped Assembly business for.

The additional TV production cost for the Irish version of the advert was £4,293. So, for approximately £8,600, the Assembly has had to be stalled, all business set aside and government put on hold. Stop the presses: the Government are spending £8,000 on an equality measure.

The Irish version of the advertisement was submitted to Clearcast, which provides broadcasters with advice on compliance with the industry code of practice. No legal issues were raised — no legal issues — by either the broadcasters or Clearcast. Therefore, legal advice was not required or sought from the Departmental Solicitor's Office.

Mr Campbell: The ads are exclusively in Irish. Can the Minister outline the fact — *[Interruption.]*

Mr Deputy Speaker: Order, please.

Mr Campbell: Can he outline the fact that he is bound by the ministerial code? It states:

"Any matter which ... is significant or controversial ... should be considered by the Executive".

It also states:

"no expenditure can be properly incurred without the approval of the Department of Finance and Personnel."

Are both those positions an accurate depiction of the facts of the matter as they have occurred over the past few weeks?

Mr O'Dowd: I have acted in full compliance with the ministerial code. All Ministers have to comply with the ministerial code. The Member has not pointed out to me where I am in breach of the ministerial code. Perhaps I missed it. I have followed all the necessary processes and procedures in procuring the advertisement, which is now being broadcast in Irish and English. Although Mr Campbell may have nothing to do other than worrying about the expenditure of £8,000, I am sure that the public are saying, "I am sure that the Assembly has more important things to debate than the expenditure of £8,000". If the Member wishes to be more specific about the area of the ministerial code that I have breached — in Irish or English — I am more than happy to answer the question. To date, he has not done so.

I am, however, concerned about one matter that I will bring to the attention of the head of the Civil Service. There appears to have been a leak from the Department of Finance and Personnel to the Member with regard to confidential — *[Interruption.]*

Mr Deputy Speaker: Order, please.

Mr O'Dowd: — confidential material from one Minister to another. Perhaps Mr Campbell would like to take the opportunity to tell the House where he came upon the confidential information that he referred to in his statement and on the airwaves this morning. *[Interruption.]*

Mr Deputy Speaker: Members, can I ask for good temper and moderation in all that you do, please?

Mr Storey (The Chairperson of the Committee for Education): Before I comment on the issues for the Committee, I should say that I find it strange that Members on the opposite Benches really get annoyed when a matter such as this is brought to light.

Mr Deputy Speaker: Can we have a question, please?

Mr Storey: It ill becomes Members on the opposite Benches to be worried about spies, given their track record, and sources and leaks — *[Interruption.]*

Mr Deputy Speaker: Order.

Mr Storey: Honestly. Kettle — *[Interruption.]*

Mr Deputy Speaker: Order, Members. Mr Storey, can we have a question, please? If not, we will move on.

Mr Storey: Yes. We will start again, Mr Deputy Speaker.

On 19 September, the Education Committee received correspondence from the Department that referred to the Get Involved programme. I was surprised to discover that nowhere did the Department's letter of 14 September refer to the fact that some of the broadcasts of some of the advertisements would be exclusively in Irish. Given that relevant information was not brought out into the light, was the Minister also trying to mislead the Education Committee?

Mr O'Dowd: Why would I have to inform the Education Committee that an advert is being broadcast in English and Irish? Members on the opposite Benches will have to understand that the Irish language is part of everyday life for thousands of people in the North of Ireland. Thousands of pupils attend Irish-medium schools every day, and thousands of pupils have graduated from those schools and are now productive members of our society. As I stated previously on the airwaves, Irish language speakers pay tax; therefore, they have rights. I do not see any reason why I would have to define whether a campaign will be broadcast in Irish or English. I write to the Committee about numerous matters, so does the Member suggest that I should state whether I used Irish or maybe English somewhere in those letters? The advertising campaign is an advertising campaign. Sin é. That is it. It is an advertising campaign, regardless of what language it is broadcast in.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagraí go dtí seo. An dtig leis an Aire insint dúinn an ndeachaigh sé i gcomhairle leis an Ard-Aighne maidir leis an cheist seo?

Mr Deputy Speaker: I remind the Member that we would like an English translation. *[Interruption.]* Order. Order. Please, Members.

Mr Sheehan: Gabh mo leithscéal, a LeasCheann Comhairle. I beg your pardon, Mr Deputy Speaker. I will

try to use both languages. I thank the Minister for his answers up until now. Will he tell us whether he has been in consultation with the Attorney General on the matter?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as ucht a cheiste. Yes, I have been in communication with the Attorney General with regard to this matter. I am concerned at the content of the communication from the Minister of Finance and Personnel, and I intend to share the advice that I have received from the Attorney General with the Minister of Finance and Personnel. I do not know whether I should give that to Mr Campbell to pass to DFP or give it directly to the Department. I will pass it directly to DFP, and Mr Campbell might get a copy of it. I may not be quoting the old saying correctly, but I am always of the view that, if you act in haste, you regret at your leisure. I intend not to act in haste but to respond to the Finance Minister in due course with the Attorney General's point of view.

Mr Deputy Speaker: I remind Members about the need for good temper and moderation on all sides of the Chamber.

Mr Kinahan: I thank the Minister for his response. With his argument that he needs to cater for minority languages only standing up, can he demonstrate that he is treating equally all minority languages, such as Mandarin, Cantonese and Polish? Will he spend £8,000 on advertisements in those languages?

Mr O'Dowd: The Member should familiarise himself with the Good Friday Agreement and the provisions in it that relate to the Irish language. He should also look at the 1998 Act that flowed from the Good Friday Agreement and familiarise himself with the European Charter for Regional or Minority Languages. When he does that, he will be aware that Irish has a specific and legislative place in our society and that I am exercising all my duties responsibly. I have no Mandarin, Polish or Ulster-Scots schools under my jurisdiction. Thousands of our people speak Irish, and I doubt seriously whether the unionist community is represented on this issue by its political leadership. I feel that it is perhaps more broad-minded and more receptive to the use of the Irish language than the elected representatives in the Chamber.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Sílim féin gur maith ann do na fógraí seo, agus cuirim fáilte ó chroí rompu. Chan fhaca mé go fóill iad, ach tá mé ag dúil go mór anois lena bhfeiceáil.

I welcome the advertisements. I have not seen them as yet, and I am grateful to Mr Campbell for drawing our attention to them. I will certainly watch them now, as will even more people.

Mr Deputy Speaker: Can we have a question, please?

Mr D Bradley: You can, agus fáilte. An mbeadh an tAire sásta macasamhail a fhógra a chur amach le buanna na Gaelscolaíochta go háirithe a chur faoi bhráid an phobail? Will the Minister consider commissioning a series of advertisements to extol the virtues of Irish-medium education in accordance with the spirit of the Good Friday Agreement?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as ucht a cheiste.

The advertising campaign that I am involved in is about encouraging our entire society to value education. As I

said, thousands of young people go through Irish-medium schools. We have a duty to promote and facilitate Irish-medium education as we have in relation to integrated education. I thought that, in this specific instance, it was right and proper that the adverts were broadcast in Irish as well.

I would have to take on board the suggestion of a campaign on Irish-medium education and investigate it further to see whether there are any merits in going to television or broadcast ads on that matter. I have no plans to do so at this time, but I plan to continue with the Valuing Education campaign. Over this year and further years, that will develop the message that we want to send out to the community that it is important to be involved in your young people's education, whether you are the parent, grandparent, aunt, uncle or older sibling. Those ads will continue to be broadcast in both English and Irish.

Mr Allister: Despite the "Get Involved" misnomer, it is clear that the Minister's pluralist mask has slipped today and what we see again is the same old "Ourselves Alone" mantra.

Mr Deputy Speaker: Can we have a question, please?

Mr Allister: Why is the Minister using children and misusing public money to peddle a political agenda, which this clearly is? From his answers already, it is clear that he has no interest in reaching Polish parents or Chinese parents, he simply wants to make a political point.

Mr Deputy Speaker: The Member has asked his question.

Mr Allister: Why is he abusing his office for that purpose?

3.15 pm

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist a chur.

The Member is quite familiar with the Good Friday Agreement. He has studied it at length. If the Members opposite are to be believed, you actually advised that party to go into power sharing with Sinn Féin on the basis of the Good Friday Agreement, so you should know the detail of it. I am sure that you have studied the paragraph about having respect for the Irish language.

Nothing has slipped here today. I am not using or abusing anyone in this matter. The Irish language is a part of our society. It is not going to go away, and, as I said earlier, I believe — *[Interruption.]*

Mr Deputy Speaker: Order. Members, can we have order, please?

Mr O'Dowd: As I said earlier, if my colleague Carál Ní Chuilín's campaign on Líofa is a measure of this matter, many more unionists are more open to the Irish language than their political representatives in this Chamber. I welcome that very much.

Employment and Learning

JJB Sports: Job Losses

Mr Flanagan: asked the Minister for Employment and Learning what measures are in place to protect and advise those people affected by the job losses announced yesterday at JJB Sports.

Dr Farry (The Minister for Employment and Learning): Following yesterday's announcement regarding the closure of 10 JJB Sports stores in Northern Ireland, my officials have made contact with the administrator, KPMG, primarily to offer support to the employees who have been made redundant. KPMG has advised that the three stores, in Antrim, Lisburn and Londonderry, have been sold to Sports Direct, retaining 65 jobs. Of the 164 employees of the 10 stores, in Ballymena, Bangor, Coleraine, Craigavon, Derry, Newry, Newtownards and the three in Belfast, 154 have been made redundant immediately. Ten employees are currently assisting the administrator with the closure of the stores.

(Mr Principal Deputy Speaker [Mr Molloy] in the Chair)

KPMG is writing to each of the redundant employees tomorrow and has agreed to incorporate details of the redundancy advice service offered through my Department's employment service. My officials will subsequently gauge the interest from the employees and will organise redundancy clinics on a regional basis if necessary.

The redundancy advice service is delivered by my Department in partnership with other Departments and agencies such as the Social Security Agency, Invest Northern Ireland, the Educational Guidance Service for Adults and HM Revenue and Customs. Employees are provided with a tailored package of information and professional advice about the options and support available. This includes employment, training and education opportunities, careers advice and advice on a range of other issues such as benefits, taxation and money management.

The Department's network of 35 jobs and benefits offices and jobcentres has been alerted to the situation.

Mr Flanagan: Gabhaim buíochas leis an Aire as an fhreagra a thug sé dúinn. Thank you, Mr Principal Deputy Speaker. I thank the Minister for the answers he has given us. The Assembly will note that this is an urgent question of an important nature and not a divisive issue such as we saw tabled previously.

I thank the Minister for his proactive work on this issue. Is he satisfied that the redundancy advice service that he mentioned is fit for purpose, or does it need to be tailored to suit the needs of those who happen to find themselves recently out of work?

Dr Farry: I thank Mr Flanagan for both the original question and his supplementary question. Without passing judgement on the previous debate, I concur with him that this is a very important issue and that the livelihoods of a number of people are severely affected by it.

My service is certainly fit for purpose, although, of course, it is coming under considerable pressure at the moment, because there have been a number of redundancies.

There is pressure on the staff, but they are rising to that challenge, and they recognise the importance of what they are doing.

In moving forward, the important thing is to work with employees who find themselves in this situation and ensure that we can invest in having their existing skills properly recognised, invest in new skills and reskilling and put them in contact with other job opportunities that may be available in the retail sector. Although the sector is under considerable pressure at present and the Executive are doing a lot to support the sector, particularly on the issue of rates, there are nevertheless vacancies in retail and associated activities, and other companies have contacted my Department to make it known that they have vacancies and are potentially interested in taking on some of the affected employees.

Mr Principal Deputy Speaker: I call Mr Basil McCrea, the Chairperson of the Committee for Employment and Learning. *[Interruption.]*

Mr B McCrea (The Chairperson of the Committee for Employment and Learning): Every so often you get surprised, Mr Principal Deputy Speaker. I must do this again. *[Interruption.]*

Mr Principal Deputy Speaker: Order.

Mr B McCrea: Regrettably, it has been forecast that unemployment will rise, and we may subsequently see more people in the unfortunate position of those whom we are talking about today. There is, however, a question about the efficacy of the support that we give them. How will the Minister reassure the House that we are doing more than just paying lip service to the people who are going through these processes and that we are able to deliver real advice and advantage in the hope of getting them back into work at this difficult time?

Dr Farry: I thank the Chair of the Committee for his questions and comments. Obviously, the unemployment situation in Northern Ireland is very serious, and we have had ongoing problems over the past five or six years. I certainly hope that the situation will stabilise very soon and that, through a range of initiatives operated by my Department or by colleagues, we will see the situation changing.

We are now in a situation where the number of people who are in work is increasing. There are three factors to bear in mind: those who are in work in the labour market; those who are unemployed; and those who are at the level of economic inactivity, which is coming down — that is something, of course, that we welcome.

On the theme of whether the redundancy advice service is doing enough, rather than just paying lip service, let me stress that we are being very proactive in engaging in these redundancy situations. We are offering clinics where we will actually go out and work with the employees affected.

Members will recall that we offered a similar service in relation to FG Wilson, and we offer that type of in relation to the JJB Sports redundancies, albeit on a regional basis.

Rather than waiting for the employees affected to come into a jobs and benefits office, we are prepared to go out and meet them to provide them with the information. It is a

joined-up service that encompasses other agencies. That is only one aspect of what we can do as a Department.

I stress to the Committee Chair what I said to Mr Flanagan about the importance of considering what existing skills those workers may have and seeing what we can do to place them in other job vacancies and opportunities.

Mr Storey: I thank the Minister for coming to the House. Any announcement of redundancies is to be regretted. We trust that we will not have to do it too often. As regards this specific announcement, Ballymena in my own constituency has been affected, along with towns such as Bangor and other places.

In relation to Ballymena, can the Minister give us an assurance that the redundancy advice service has not only the clinic but the right connections with, for example, the Northern Regional College, where there may be other avenues open to those who had been employed to get further training? That, in its own right, would open up opportunities for other employment.

Dr Farry: I thank the Member for his question and for taking me down that avenue. It is important to stress that we invest in both the accreditation of people's skills and retraining, where appropriate. The Northern Regional College, for example, is very willing in that regard. It has been in discussions with FG Wilson about what it can do to assist with the reskilling of those workers. While it is early days and we have not yet had those conversations, I am sure that the FE sector will be very willing to rise to the challenge. Members appreciate that FE is a very broad sector and has a lot of flexibility in the type of provision that it can make.

I also stress the point that there are a lot of people who work in retail who do not have formal qualifications but may have skills and experience. They have learnt on the job how to interact with customers and are able to perform those jobs to very high standards. It is important that we translate that knowledge, experience and training into some type of accredited qualification. Other employees will measure people's standard of attainment in that way rather than simply relying on word of mouth, which can be very subjective. I see a particular role for the FE sector to make those interventions where appropriate.

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I join other Members in expressing concern at the closure of JJB Sports and sympathy for those who have lost their jobs. Fifteen of those people are in Derry, and many of them are young. Given the horrific youth unemployment statistic for the Foyle constituency, which was recently revealed as being at around 17%, does the Minister have any specific plans for that region?

Dr Farry: The Member will be very much aware that we had a major event last Wednesday to showcase our youth employment scheme, which has been approved and, indeed, resourced by the Executive. I welcome the fact that a number of Members joined us for that event, including the Committee Chair and the Member's colleague Mr Ramsey. That programme has now been rolled out across all of Northern Ireland.

We have different opportunities available for young people, ranging from short taster work experience through to longer work experiences of six to nine months. There is also the prospect of the availability of wage subsidies

to employers who are prepared to offer young people employment. Retail will be covered by the scheme. It falls into the skill sets that we have set aside for the longer periods of work experience.

It is important that we make particular interventions in respect of youth unemployment, because a particular concentration of our overall unemployment figures falls in the 18- to 24-year-old age bracket. While youth unemployment is an issue right across the Western World, Northern Ireland has its own unique situation, and we must find our own particular solutions. I am certainly committed to pursuing those, and I know that the rest of the Executive and Assembly joins me in that commitment.

Mr Lyttle: I, too, extend my thoughts to everyone affected by the job losses announced at JJB Sports. Would it be possible for Department for Employment and Learning officials to meet affected employees in the constituency offices of elected representatives in the affected areas? What particular reskilling opportunities might be available for those people?

3.30 pm

Dr Farry: I thank the Member for that question. We are keen to offer a flexible approach, and I would not rule out one-to-one engagement in constituency offices, but my strong preference would be to work through the clinics, the majority of which should be available on a regional basis across Northern Ireland.

We are committed to working with people regarding skilling and reskilling. One of the first things that we will have to do over the coming days is to get a clear picture from the administrator as to who precisely is being made redundant and what their particular skill sets may be. On the back of that information, we will be able to draw conclusions as to the most appropriate types of intervention to assist those individuals in reskilling and having their existing experience and training properly accredited. I will ensure that those conversations take place over the next couple of days.

Mr Givan: On a point of order, Mr Principal Deputy Speaker. In his preamble, the Member who tabled the question for urgent oral answer indicated the seriousness of the issue. However, he left the Chamber as soon as his question had been answered and was not here to listen to questions from other Members and the answers to them. Is it in order for a Member to table a question for urgent oral answer and then treat the House with such contempt?

Mr Principal Deputy Speaker: The Member asked a question and waited for the answer before leaving. Obviously, we encourage Members to stay for all the debates on all the issues. Across the Floor, there is varying adherence to that. We have had the questions and answers, and that is the important issue.

Assembly Business

Mr Campbell: On a point of order, Mr Principal Deputy Speaker. Will you ascertain the Speaker's guidance on a situation in which a Member tables a question for urgent oral answer, and, during an exchange with an Executive Minister, asks for specific and accurate replies to questions about whether significant or controversial matters were discussed at the Executive table but a response is not forthcoming? What should a Member do if he does not get replies to questions?

Mr Principal Deputy Speaker: Order. The Member knows that that is not a point of order to start off with. *[Interruption.]*

Mr Campbell: There was no answer.

Mr Principal Deputy Speaker: Order, order. Let us not have a conversation across the Floor. I am giving you the answer.

Mr Campbell: So, no answer.

Mr Principal Deputy Speaker: Mr Campbell. The Minister replies in the way the Minister decides.

Mr Campbell: No answer.

Mr Principal Deputy Speaker: Order, Mr Campbell.

Private Members' Business

Schools: Absenteeism

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

Mr Beggs: I beg to move

That this Assembly recognises that the Office of the First Minister and deputy First Minister is responsible for co-ordinating the work of the Executive and for children and young people's issues; notes the high levels of pupil absenteeism in primary and post-primary schools in many communities, and in particular, the high levels in areas identified by the Northern Ireland Statistics and Research Agency as being predominantly Protestant; and calls on the First Minister and deputy First Minister to ensure that an integrated approach to identifying the causes of absenteeism is adopted by all relevant Departments and appropriate action is taken, in conjunction with parents or guardians, to enable more young people to reach their full potential.

I am pleased that this important issue is being discussed in the Assembly today. Given my family history, I recognise the importance of education in enabling everyone to reach for the opportunities that are available to them.

My dad was one of 12 children who were reared in a two-up, two-down terraced house on the Rashee Road in Ballyclare. Needless to say, their upbringing was far from affluent. Dad was fortunate to have a supportive family, which had a strong Christian belief and valued education and hard work. That had enabled all the members of the family to contribute to society and be gainfully employed throughout their lifetime.

For a number of years, I have been posing Assembly questions to highlight the significant number of children and young people with less than 85% attendance at school, the point at which they are referred to an education welfare officer. Many children are missing more than one day in seven and falling significantly behind in the classroom because of that. This, in turn, can lead to low self-esteem, and it increases the likelihood that students will drop out of school and end up not in education, employment or training (NEET).

Charles Taylor, Her Majesty's Government's Westminster expert adviser on behaviour, states in his recent report on improving attendance at school:

"There is a clear link between poor attendance at school and lower academic achievement. Of pupils who miss more than 50 per cent of school only three per cent manage to achieve five or more GCSEs at grades A to C including Maths and English. 73 per cent of pupils who have over 95 per cent attendance achieve five or more GCSEs at grades A* to C."*

Clearly, addressing high levels of absenteeism should be a priority as we strive to improve educational attainment for all our young children.

There is a problem in a particular part of our community. The lower educational attainment of Protestant working-class boys has been highlighted for some time as being a problem, but it is now evident that there is a major contributing factor: corresponding high absenteeism.

In March 2012, RSM McClure Watters published a paper on behalf of the Department of Education, entitled 'Research into Improving Attendance in Schools Serving Deprived Areas'. This report failed to acknowledge the issue of absenteeism, so, unsurprisingly, none of the recommendations specifically addressed it. From my analysis of answers to Assembly questions and through linking up with the Northern Ireland Research and Statistics Agency (NISRA), I have identified that, in post-primary education, 26 of the 30 wards with the highest rates of absenteeism are, according to NISRA, predominantly Protestant. Of the other four, two are mixed and two are predominantly Roman Catholic. In fact, I have been advised that I may have underestimated that.

Such a significant trend must be of concern to us all. Absenteeism will reduce the likelihood of employment and increase the risk of becoming involved in antisocial activity. Just like the inner city deprived areas in Great Britain, we are at risk from a gang culture. We may well have experienced a recent manifestation of it.

The Minister of Education frequently blames grammar schools for poor outcomes, but how can that be the case when schools such as Ashfield Boys' High School have been so successful? What are the causes and the solution? Are the schools managing absenteeism sufficiently well?

This year, I visited a number of post-primary schools in my constituency. Carrickfergus College is adjacent to three of the wards that show the highest absenteeism. I was impressed by the use of modern technology to monitor attendance. It also enabled automatic text messaging to parents when unaccounted absences occurred. A report was also available for the education welfare officer to help her in her work and to track down young people who were not attending.

Under new principal, Hedley Webb, the school is also extending its links with the local community and increasing parental engagement. Anyone who attended last year's prize-giving will have been impressed by the achievements of the young people in a school that is succeeding and by the healthy relationship between staff, pupils and appreciative parents. It appears to me that this school was addressing any absenteeism issues that were under its control. This has strengthened my view that other Departments must also play a role.

I recall visiting a primary school where the children behaved exemplarily. When I asked the principal whether there were problems with absenteeism, I was told that the children loved coming to school but that some of the parents had personal problems that could impact on their children. It is clear to me that social services and the health service can play a role in improving school attendance through addressing such issues.

I wish now to focus on the Action for Children report on the northern area early intervention project 2010-11. The project supported children aged between 8 and 13 who were vulnerable to offending and antisocial behaviour, and it worked with their families. It involved collaborative

working alongside the PSNI youth diversion officer and the Child and Adolescent Mental Health Service (CAMHS) specialist nurse. Rather than spending hundreds of thousands of pounds imprisoning young offenders, the project involved supporting parents through a Strengthening Families course. Quotations in that report said things such as, "If it were not for you, he would not have gone back to school." There is a lesson for the future. We must invest more in that. However, I have been advised that the method of funding for that project has resulted in uncertainty for the funding and the job and has created recruitment problems.

Funding has also proven to be a problem with the west Belfast and greater Shankill's Integrated Services for Children and Young People programme. The funding for that has stumbled from crisis to crisis. Last week, employees were closing down their clients to emotional scenes from appreciative parents. Some staff have already moved on. Just before the door was to be finally closed on Friday, a call was received to indicate that a reprieve had been given. However, there have been no precise details and no communication in writing, and there is great uncertainty. We should not be surprised that, in such situations, staff move on because they do not know how they will pay the mortgage in coming weeks and months. There needs to be certainty and a much greater level of job security whenever people are tackling those difficult issues in deprived communities.

The problem of absenteeism first manifests itself as early as the primary school. The figures for absenteeism in primary education show that, in some wards, up to 20% of young people are referred to their educational welfare officer. If my kids were not going to school, I know what would happen: they would be there, I would know and it would be sorted. We need that to happen in all cases, and, if there are difficulties at home, they should be resolved so that everyone can value education. I have become involved in Sure Start, because I recognise that improving parenting support and giving educational advice in the very early years is so important.

I want to learn more about when a family nurse practitioner service will be available in my constituency. There has been a successful pilot in the Western Board area, and we now have two more pilots. Why are those not being widened to address the problem? We need multiagency working from the Office of the First Minister and deputy First Minister (OFMDFM), and we need the Department of Education, the Department of Health, Social Services and Public Safety, the Department for Social Development, the Department for Employment and Learning and the Department of Justice to all work together to address the issue.

I have also learned that the Better Reading Partnership and book bodies have suffered with funding. Through those schemes, volunteers can be brought in to assist children who are having difficulty with reading, and, with that one-to-one support, there can be improvement.

Recently, paramilitary loan sharks have been creating an ongoing issue in my community. It has been reported to me that mothers can be left with no money to put food on the table and children can be put out to school with, perhaps, no breakfast. That is a modern day form of slavery. How can parents and children concentrate on their education? We need a cohesive community with

the removal of loan sharks and drug dealers, who are corrupting our youth. The community needs to work with the police to bring those parasites to court.

There have been some positive recent developments in the Castlemara estate. Just last night, I attended a community association that has re-emerged with the help of the Housing Executive's BRIC programme. That project is being driven by women in the community, which is to be greatly welcomed.

In summary, we need all public bodies to work closely with the voluntary and community sector to address the poor attendance at our schools —

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Beggs: — and the corresponding educational underachievement. We need everyone to value education and to recognise that, although education cannot guarantee a job, it will improve the likelihood of finding one.

Mr Storey (The Chairperson of the Committee for Education): I will make comments first as the Chair of the Education Committee and then as a Member.

The Committee received a departmental briefing on 15 December 2011 in response to the Committee's report from the previous mandate on what constitutes successful post-primary schools in disadvantaged areas. There was also a response to the report that resulted from Dawn Purvis's work on educational disadvantage among Protestant working-class boys. The Committee considered many different aspects of the Department's response and sought further information on a number of the issues, including attendance.

3.45 pm

The Committee is well aware of the higher levels of school absence in disadvantaged areas and the importance of regular attendance if pupils, particularly those from disadvantaged areas, are to engage fully with the educational experiences that are on offer. The Committee will continue to follow up with the Department of Education to look into the role of schools in promoting better attendance and the importance of interface — among schools, support services, homes and the community in deprived areas — in promoting regular attendance at school.

I will now comment as a private Member and the DUP's spokesperson on education. I welcome the fact that the Member has brought the matter to the House and commend him for his persistence in repeatedly asking questions. Despite all the shortcomings in the answers that you get many a time, that proves that if you ask and keep asking, you will be able to get relevant information.

Mr Beggs: I thank the Member for giving way. I have to admit that I received a very detailed answer, but I had to go to the Library to get it. It was not provided electronically without request, and it would be much better if the figures were easily available in the public domain so that everyone was aware of them.

Mr Principal Deputy Speaker: The Member has another minute.

Mr Storey: I thank the Member for his comment and agree with him. The question for urgent oral answer on advertising in the Irish language proves that when you keep asking questions and keep pressing people on particular issues, you can bring all sorts of things out into the light.

Here is the sad reality, however: here we go again. We have all the data, reports, information and history. We can all stand up in the House and cite the reports that have been published, by the Northern Ireland Statistics and Research Agency and the Department of Education. This is not a new problem but one that has been around for many years. The question that we have to ask in the House today is: what has been done to address the problem? We are not seeing a decline in the issue, or its being taken so seriously that there has been real and meaningful change. That is what begs the question.

We are repeatedly told that a number of policies are in place. "We have a suite of policies" is the phrase used, and it will probably be used again today. All those policies are said to be interwoven and about bringing about change. One of the biggest difficulties is that the education welfare office system in every one of the education and library boards in Northern Ireland has been almost decimated because of a departmental policy.

Since 2006, the Department has operated a vacancy control policy, which has left the Curriculum Advisory and Support Service (CASS), the education welfare service and many other services in our education system that are under the authority of the boards in a very dire place. That has contributed to the pressure of work that is placed on those members of staff and the absence of members of staff to deal with absent pupils. Therefore, the problem is not just one of pupils not going to school but of members of staff who are no longer there to be able to deal effectively with the issue.

However, there are examples of where good work is being done. That is the point that I want to get to. There are examples of full-service delivery models, such as the Boys' Model School in north Belfast. There, good work is being done, an inter-agency approach is being taken and there is a very clear focus. Particularly in working-class Protestant areas, a difference is being made because of the model put in place.

I agree with the Member about using pilots, but here is the other issue. The current Minister of Education received a good pilot, Achieving Belfast, which brought about good success. The Education Committee has received a number of reports to indicate clearly that the gap is closing between pupils in those schools and schools in other sectors across the education system. What does the Minister tell us in correspondence? He tells us that he has no intention of rolling this programme out across Northern Ireland, but, then, mysteriously, we discover that £0.5 million is going to be provided for another project in Belfast that will deal with the absenteeism issue.

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Storey: So, the question that has to be asked of the Minister in the debate is this: what policy will be put in place to deal with this issue effectively and to stop playing around the edges?

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I agree with the sentiment behind the motion, and I share the view outlined previously that we require an integrated approach if we are to continue to lower levels of absenteeism in our schools.

I think that the vast majority of us would accept that the reasons for pupil absenteeism are multi-causal. Most of the Members who will speak today will allude to the array of factors involved in the debates surrounding the causal factors of absenteeism. However, there can be little doubt that at the centre of the debate is a recognition that we must examine and develop how families and, indeed, communities perceive and value education.

Recently, Minister O'Dowd introduced the family education strategy, which is aimed at engaging families in their children's education at home and subsequently enhancing their participation in the learning process. That is exactly the type of integrated, imaginative approach that is required to deal with pupil absenteeism.

The strategy encourages parents to participate fully in a child's education and sets out simple steps that will make a huge difference to a child's educational development, both at home and in the classroom. Perhaps at the heart of such an issue is the idea that young people's learning does not start or stop at the school gates. As a society, we have a responsibility to ensure that we help to encourage and nurture our children's appetite for learning, be it in the classroom, the living room or, indeed, the garden.

Mr Storey: I thank the Member for giving way. I am glad that he used the word "nurture", because that is clearly a very important word. There are examples of nurture classes in Northern Ireland. The Northern Ireland nurture association was launched in Londonderry last week, and I had the privilege of attending that launch. However, that is an issue that the current Minister and his Department have decided to just pay lip service to because they do not see it as being of real importance. On the one hand, you say that nurturing is valuable, but, on the other hand, as far as the Minister is concerned, it is not valuable in our education system.

Mr Hazzard: I thank the Member for his intervention. As far as I am aware, no decision has been made on that, so it is wrong to presuppose what someone will do.

I go back to my original point; it is the partnership approach involving teachers, pupils and families that can help to play a huge role in continuing to increase not just school attendance levels but the benefits that stem from regular and sustained participation. There is little doubt that regular school attendance and educational attainment are intimately linked. Regular attendance not only ensures that pupils get the best possible outcomes from their compulsory education but it undoubtedly improves their chances of employment and life opportunities in the longer term.

Overall, school attendance has remained fairly consistent over the past five years, with the figure for primary schools at around 95% and the figure for post-primary schools at around 93%. However, those overall figures perhaps mask a more inherent problem in specific communities and areas. There can be little doubt that there remains a clear link between deprivation and absenteeism, and, consequently, there is an obligation on various Departments and agencies to examine effective solutions

to the issue. To that end, the Education Minister recently commissioned research into improving pupil attendance in schools that service areas of social deprivation. Where strategies that have proved successful in tackling absenteeism are identified, they will subsequently be taken forward and developed as best practice guidance to be rolled out across all schools.

It is important, too, to acknowledge the ongoing work of the education welfare service (EWS), which continues to support schools through proactive advice and policy and the outworking of attendance strategies. The service is also empowered to take a parent to court when a child —

Mr Swann: Will the Member give way?

Mr Hazzard: Yes.

Mr Swann: The Member mentioned the EWS. Has he any guidance for, or can the Minister give any advice to, the education and library boards that are having problems filling the education welfare officer (EWO) positions?

Mr Hazzard: Thank you very much for that point. I will let the Minister come back to you later with that information.

The continued work of the service is vital to the lowering of pupil absenteeism levels, and, indeed, it is good news that last year's figures for pupils referred to the education welfare service were indeed down by 7%. So, good work is being done by various bodies, but we undoubtedly have to do more and improve further.

There is a responsibility on all of us as political leaders, community members and family members to ensure that the significance of participation and engagement resonates with our young people and that they are aware not only of the value of the learning process in itself but of the lifetime opportunities that stem from it.

Before I finish, I want to pick up on one point that was raised. Indeed, it is a very important point about educational underachievement by Protestant boys from socially deprived working-class areas. For some years, Sinn Féin has been highlighting the fact that working-class Protestant boys are the demographic most failed by the education arrangements — indeed, the same education arrangements that the unionist representatives have fought vehemently to retain.

I hope that the issue surrounding the motion can maybe help move forward those who seem so entrenched in idealising the past. The old education regime failed our young people in so many different ways, with high levels of absenteeism at its very core. Indeed, it is no wonder so many stayed away when you consider a recent Queen's University study that found that the old system made children feel "stupid and physically sick".

We have consistently argued the case for real and positive change in our education system and for the need to cherish all our children equally. That is why we have put an end to the 11-plus. That is why we have brought forward strategies aimed at making every school a good school.

It is incumbent upon all of us to ensure that we foster educational values in our homes and in our communities. Children should never have any cause — or should never again have any cause — to want to stay at home because they feel stupid or physically sick.

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Hazzard: I support the motion.

Mr Rogers: I support the motion. When a parent or carer supports a child in ensuring that they attend school regularly, the child takes an important step towards reaching their full potential and is given the best opportunity to learn new things and develop skills. When problems occur, the key to a successful resolution is re-engaging the child through collaborative working between the parent, the school and the local authority.

Absenteeism is not a problem just in the Protestant community or in urban areas but right across our community and the North. It is particularly a problem in areas where the community do not see a big value in education. This perception can come from many places. It may be due to parents having a bad school experience themselves. Or, in the past when work was plentiful, people just went straight from school into the shipyard or the factory, or, in the rural areas, went straight into construction, farming or fishing. If bad habits are allowed to develop, the longer you delay the intervention, the more difficult it is to resolve.

In early years, there is no nationally collected attendance data for children attending nursery, playschool or reception. So, in many cases, if bad attendance habits have been allowed to develop in that setting, it may be too late by the time they reach compulsory school age. Children with poor attendance in a preschool setting are more likely to come from poorer backgrounds. They are likely to be behind their peers, especially in language acquisition and social development. If they fail to succeed early in their school career, they get disillusioned, behavioural problems are likely to develop, and they are likely to get excluded or just not to go to school.

A recent newspaper report stated that the number of persistent absentees in P1 to P4 has risen by 45% in three years. Parents of children in this group would admit to keeping their children off school for quite trivial reasons while others believe our children are too young when they start school — Northern Ireland having the earliest compulsory school age in Europe.

By the time children reach secondary school, it becomes more difficult for parents and schools to get the non-attenders to school. The majority of children whose parents are taken to court for bad attendance are in year 10 and year 11. By that time, it is usually too late. Indeed, like all aspects of education, early intervention is the key. There is a strong correlation between poor attendance and a high percentage on the free school meals index. There is a need for nurture programmes in areas with high levels of deprivation so the school can work with the children, their parents and the community to address the problem. Very often, the parents' own experience of school is likely to influence examples of school behaviour and the learning that they model in their child.

Based on extensive research into improving attendance in deprived areas, it is apparent that there is no single solution to the problem of poor attendance in schools. There are a number of themes that point to a range of strategies and interventions that can be applied to help promote good attendance and address poor attendance.

I pay credit to all the hard-working school staff who go that extra mile to encourage children to attend school: our inspirational teachers. They introduce rewards and incentives; maybe a nurture room in the school; they have a breakfast club, an after-school club, a lunch club; maybe some counselling; or maybe even flexible timetabling to help reintegrate children.

4.00 pm

I had cause to visit a school refuser recently — a six-year-old boy with severe ADHD, and his poor mother could not get him assessed. After constant pressure from the mother and the school, the board decided to begin the process. Advice is being requested from the mother, the school principal, the designated medical officer and the board's psychology service. That is to be completed by the end of October.

At that time, the board will decide the degree of the child's difficulties and the nature of the provision necessary to meet the child's needs. If it is decided to statement the child, he will receive a formal statement of special educational needs by the end of January, at which time a programme will be put in place — five months into the school year. Meanwhile, the mother will have a constant battle to get the child to school, and the school principal will be similarly stressed as she tries to meet the needs of the child and not forget about the rest of the class. Here we have a board working very slowly with a severely understaffed educational psychology service. The child is not attending school and everyone is getting totally frustrated. One can only guess what that situation will be like at the end of January.

Looked-after children and school refusers who enter the EOTAS programme — Education Other than at School — are well cared for.

Mr Principal Deputy Speaker: Bring your remarks to a close.

Mr Rogers: Yesterday, we spoke about the review of GCSEs and A levels. In every education debate in the Chamber, it comes back to the one big problem: numeracy and literacy.

Finally, I thank the Members who tabled the motion. As the proposer said, we need a joined-up approach here in the Assembly —

Mr Principal Deputy Speaker: Time.

Mr Rogers: — we need active partnerships developed between the school, the board and home, and early intervention is the key. As Members said, we need more nurture programmes and more good programmes such as EOTAS.

Mr Lyttle: I support the motion and thank the Members who tabled it for securing this debate. From the Alliance Party's point of view, we believe that children would benefit not just from an integrated approach to identifying the cause of absenteeism but an integrated approach to the delivery of the entire education system, an improved method of pupil transfer, and industry-relevant curriculum and careers guidance. Indeed, I hope that the Department for Employment and Learning's guided NEETs strategy will help to deliver improvements in some of those areas.

Absenteeism is a serious problem, and it is of serious concern that we have seen a 45% increase in the number of children aged between four and seven who are missing more than 30 days of school each year. It has also been of serious ongoing concern that statistics highlight a particular problem for young people from a Protestant background in working-class areas who have a particularly high level of absenteeism and that attendance rates are generally lower in schools that have high numbers of pupils in receipt of free school meals. Undoubtedly, therefore, there is a relationship between disadvantage, absenteeism and attainment, and we have known for some time that more must be done to address the issue.

The failure to attend school is a serious issue for any young person, and it can, as Members have said, have a lasting impact on a pupil's confidence and his or her employability prospects long into adult life. Educational achievement can also have a fundamental impact on the wider community and limit our task to build a knowledge-based economy here in Northern Ireland.

The reasons for failing to attend school can be varied and can include complex reasons such as illness, disengagement or, indeed, such responsibilities as caring for a family member. As the causes are complex, the response must be comprehensive. As has been mentioned, that requires a full-service co-ordinated response across government and across agencies. OFMDFM is responsible for children and young people, and I agree with the proposer of the motion that it is well placed to co-ordinate a joined-up approach and the co-ordination of departmental budgets to maximise the efficiency and effectiveness of funding for interventions on the issue.

It is clear from research that early identification of those at risk is essential to enable early intervention. Schools, obviously, have a key role to play in that challenge, and it is vital that the Department of Education provides guidelines of best practice to help schools that are working hard to effectively monitor attendance. Many schools and teachers in Northern Ireland are delivering innovative solutions to increasing attendance. I join my colleague in expressing our regard for the hard work of teachers across Northern Ireland, particularly in the Belfast Model School for Girls, for example, which has an attendance co-ordinator to offer one-to-one pupil support on attendance and an intergenerational project to encourage pupils to attend school.

Mr Storey: I thank the Member for giving way. Will he join me in expressing concern that the integrated service to which he refers, which operates in the Girls' Model and the Boys' Model, is under threat because of a funding issue and that that needs to be addressed so that the service can continue in that area of Belfast?

Mr Principal Deputy Speaker: The Member has an extra minute.

Mr Lyttle: I thank the Member for his intervention; he raises a strong point. We have to find ways to secure funding for those full service models if we are to tackle those issues.

It is vital that we do more to increase parental engagement and family involvement in children's education from an early age. Parental involvement is an explicit goal for the government policy, Every School a Good School, and

the Department of Education and OFMDFM must work together to deliver long-term projects across Northern Ireland that facilitate and support parental engagement in a child's education.

I recently had the privilege of visiting that type of work at the excellent Barnardo's Ready to Learn programme at Avoniel Primary School in east Belfast. The way in which dedicated tutors on that programme are engaging children in after-school work and equipping parents to become more confident and involved in their children's reading and writing at home is fantastic. I hope that that type of project can be supported on a more long-term basis. Extended schools programmes improve children's and parents' engagement, confidence and skills, and they raise aspirations to attend and do well at school. I have seen that at first hand in that project.

On an issue as important as the education of our children and young people, it is imperative that Departments work together to deliver better outcomes for all our children and young people. I am happy to support the motion.

I will close with one point. The educational underachievement of working-class Protestant boys in areas of high social deprivation was raised. It is of particular concern that the OFMDFM social investment fund appears to be underspent to the tune of £27 million when, in fact, it is meant to create and facilitate partnership approaches to tackling deprivation.

Mr Principal Deputy Speaker: Please bring your remarks to a close.

Mr Lyttle: Perhaps the Minister can speak to that today.

Mr Craig: We in the Assembly must never underestimate the role that education plays in the way in which our future generations will continue to follow full-time education. We have listened to the doom and gloom here, but there are those who go through our primary and secondary education systems in all the deprived areas who have exemplary attendance records.

Like many other Members, I am sure, I attend prize-givings, and it never ceases to amaze me how someone can be in education for seven years and never miss one single day. I have to be honest and say that I was not one of those pupils. When I was a youngster, I was plagued with health problems, and I would probably fit under the absentee figures that are being discussed today.

I have participated, along with Barnardo's and the Resurgent group, in looking at underachievement in the Lagan valley area. A startling figure in Barnardo's research is that if pupils are absent for more than 10% of their educational time, the likelihood of their achieving five GCSEs, including maths and English, at grades A to C falls by over 70%. The proposer mentioned that correlation, and it clearly exists. There is a 70% probability that those children will not achieve those grades, which clearly links absenteeism with achievement. There is no question about it: the two are linked. I am interested in hearing what the Minister has to say about what new methods his Department can bring forward to help. The one thing —

Mr Storey: Will the Member give way?

Mr Craig: Yes.

Mr Storey: On the issue of new methods, it is very strange that the Minister recently rejected the rolling out of the

Achieving Belfast pilot. Yet, lo and behold, we discover that he has introduced a 'Draft Traveller Child in Education Action Framework' for consultation, and, surprise, surprise, one of the issues to be addressed is improving school attendance. I am not saying that it should not be addressed; I am saying that the Minister has established the principle, identified the problem and produced a policy — I see no such policy for working-class Protestant boys.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mr Craig: I agree with the Chair of the Committee. If the Minister can find new methods of looking at one specific group, surely he can find a method of looking specifically at underachievement among Protestant boys attending schools in deprived areas.

The other thing that clearly emerged from our report was that, unfortunately, in some schools, the absentee rate is not 10% but 18%. All that feeds back into the deprivation that is found, and in many cases hidden, within those communities: single-parent families; health problems in families; and educational underachievement among parents. All lead to difficulties with children attending school. What we then find is that, unfortunately for those families and children, underachievement is repeated time and time again. If we can at least tackle the issue of absenteeism, get the kids into school and educate them well, we can, hopefully, break the cycle of underachievement in those areas.

A number of reports have now highlighted the fact that absenteeism is a major issue in loyalist/Protestant communities, and I appeal to the Minister to tackle that. Why are all the schemes still sitting in Belfast as pilot schemes? They have proved their worth, Minister, as underachievement in areas where they have been applied lessens every year. So let us forget the word "pilot" and start rolling them out across Northern Ireland. I appeal to the Minister that they be rolled out first in loyalist areas of deprivation. The need is there, as is the requirement that we try to tackle the issue. If we can break the cycle of absenteeism, we can break the cycle of underachievement. I appeal to the Minister to apply some new methods.

Minister; I am the first to recognise that not all the responsibility lies with your Department. The Department for Social Development, OFMDFM and the Health Department all have a part to play in breaking the cycle. However, the first thing is to try to get kids back to school. Minister, I make this appeal: spread the other projects more widely. Let us stop tinkering about at the edges and make a real effort to tackle the issue.

Mr Principal Deputy Speaker: As this is the first debate in which the Assembly will hear from Megan Fearon, I remind the House of the convention that a maiden speech is made without interruption.

Ms Fearon: Go raibh maith agat, a Príomh-LeasCheann Comhairle. I support the motion, but I feel that it has been directed at the wrong Department. Absenteeism in schools is quite clearly the direct responsibility of the Department of Education.

As Minister of Education, John O'Dowd has driven forward a range of policies that will have a very beneficial effect on the education system in the North and on all its children.

Obviously, one of the primary initiatives taken was ending academic selection. It has been argued by experts that this policy will, undoubtedly, improve the prospects of all children, but particularly those from working-class Protestant communities. The proposers of the motion have rejected that policy time and time again, despite the inherent benefits that it will bring to those communities whose welfare they seem to be so concerned about now.

Sinn Féin fully supports the need for an integrated approach to tackling absenteeism. Attendance at school is linked to educational fulfilment, which, in the long run, improves employment opportunities and prospects for later life.

4.15 pm

There are a whole range of reasons why absenteeism is a growing concern. Unfortunately, the causes can be found embedded in the importance that families and communities place on education. There is an obvious link between school attendance and deprivation. Therefore, all Departments need to make a concerted effort to tackle deprivation to ensure that no child is left behind.

I am aware that the Department of Education has been working with other Departments, such as the Department of Health, to roll out a number of programmes that target vulnerable groups for whom absenteeism is a problem. Those programmes have been running alongside the recently launched Valuing Education campaign. That campaign is aimed at parents and emphasises the importance of their role in ensuring that children and young people get the best education possible. There is a responsibility on every one of us to ensure that children and young people get the most from their education and that it is valued as one of the most important factors in their development.

There is no simple solution to any of this. On the whole, attendance rates across the North sit at around 95% for primary schools and 93% for post-primary schools. Although that shows that a lot of good work has been going on, there is still room for improvement. The effort to do that must involve government, parents, families, schools, community organisations and statutory bodies. We must be willing to adapt to changing times so that our education system is the best that it can be in ensuring that young people reach their full potential. I support the motion.

Mrs Overend: I commend my colleague Roy Beggs for securing the debate. He has worked hard to compile the statistics, and, in moving the motion, he outlined why it is so important that this problem has been identified. He is obviously passionate about the topic, and he deserves credit for the work that he has put in.

Absenteeism is a very real issue in our society, and it is clear from the statistics that it is of particular concern in some specific areas. As the Northern Ireland Statistics and Research Agency shows, those areas are mainly Protestant. We are all well aware of the educational underachievement that is evident among working-class Protestant boys, not least through the research that Dawn Purvis and others conducted. Hopefully, this debate will complement and add to that research and, most importantly, aid the process of addressing those failings.

First, I want to look at absenteeism from a local perspective, as one of the worst wards is in my constituency of Mid Ulster. Of the worst 30 cases of poor post-primary attendance, one is in the Oldtown ward in Cookstown. It is evident that the situation in that area has been getting progressively worse since 2007. I call on OFMDFM to look specifically at each of the worst 30 cases, to ask why mainly Protestant areas are affected and to bring forward targeted interventions that will improve outcomes.

I also have serious concerns about the school attendance statistics in various other wards in Mid Ulster. Those wards include Lissan, Pomeroy and The Loup in Cookstown, as well as Ballymaguigan and Bellaghy in Magherafelt. All those wards also show a steady decline in attendance. That shows that this is a concern not solely in predominantly Protestant areas but that it is an issue for everyone. However, I reiterate that the areas that are most affected across the board are predominantly Protestant.

These high rates of absenteeism cannot be allowed to continue. As my party's spokesperson for children and young people, I would, of course, highlight the importance of education for our young people. Inequality of educational attainment is widening, and basic standards of numeracy and literacy are still a major problem. Something as simple as increasing attendance rates in the most affected areas would have such a positive effect. Allied to that, with youth unemployment rising to over 22% and an increasingly competitive job market, it is more important than ever that our young people have the skills to gain employment.

I see this as an issue of promoting the value of education. Mr Hazzard and his Sinn Féin colleague referred to children feeling stupid and to the need to do away with the transfer test. This issue is about raising the lowest levels of achievement; it is not about reducing the standards of achievement of those at the top of our schools.

Mr Beggs: Does the Member accept that, if children do not attend school, it does not matter what school they are at? The key issue is ensuring that children, even at primary level, attend school. The problem starts at primary school in many areas, but it does not matter whether their school is a grammar school, a secondary school or a primary school.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mrs Overend: I thank the Member for his intervention. I agree that the problem starts at primary school. We need to value numeracy and literacy and ensure that teaching of both begins in primary school so that children have the confidence to go on to post-primary school with the ability to learn and achieve and the desire to go to school. That begins at primary school.

The motion is clear, in that it calls on the First Minister and the deputy First Minister to ensure an integrated approach to identifying the causes of absenteeism, and I fully support that rationale. The underlying and associated issues for absenteeism and educational underachievement are varied and include crime, alcohol and drug abuse, as well as a lack of social and family ties. It is therefore only through Departments, such as the Department of Education, the Department for Employment and Learning and the Department of Justice, working with agencies

such as Sure Start that we will begin to see improvements. That obviously needs to be co-ordinated, and the Office of the First Minister and deputy First Minister, which has responsibility for children and young people, is the most appropriate mechanism for doing so.

I would welcome an update from the Minister, when responding, on the work being undertaken to combat absenteeism, as well as a commitment to improve the cross-departmental and cross-agency working that is necessary for success. We cannot allow a situation in which there continues to be inequality in educational attainment. I hope that the debate will bring home to the Education Minister and his Executive colleagues the issue's huge importance and the need for immediate change.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I, too, support the motion. Absenteeism is the responsibility of the Department of Education, but I accept and support the sentiment that there is a need for an integrated approach to the issue.

There are many and varied barriers to education. Research informs us that problems with absenteeism are often rooted in families and communities from low socio-economic backgrounds and that there is a clear link in communities between deprivation and education. I agree that we need an integrated approach that involves families, education practitioners, communities and statutory agencies. That is needed to make any real progress.

Mr Storey: I thank the Member for giving way. I accept that we all use the phrase "disadvantaged areas". I was not born in a household that had a huge amount of money; I come from what would be termed a working-class Protestant area. I went to a secondary school not a grammar school, but I do not concur with the earlier comments, because I never at any stage felt excluded, or whatever. I had a support system, which was family encouragement, even though the circumstances in my family were not in any way affluent. Surely it is about parents and families, not the area that a person comes from. I think that we can sometimes talk down areas and communities in a way that does us all a disservice.

Mr Principal Deputy Speaker: The Member has an extra minute.

Ms Boyle: Thank you. I concur with the Member's sentiments, but there is an issue around multiple deprivation and education, and if the Member allows me, I will continue and mention that later in my speech.

Absenteeism is often a sign of a much more serious problem, such as a family in crisis, in which a number of different problems are present; low self-esteem; lack of academic skills; addiction problems of one or more parent; or abuse or neglect. It is well-documented that those most likely to drop out of school will enter adulthood presenting other social issues and will engage in antisocial behaviour, petty crime and vandalism. An increase in crime means more victims and an added cost to the whole community.

A child's home environment is key to good school attendance. As soon as problems are identified in families, there should be robust systems in place that are workable and managed to support the family unit. In homes where problems persist with school attendance, children often become isolated, and parents do not know where to turn

to for help. If there are no early interventions in place, the problems are left to manifest themselves, as is often the case. Early intervention is key.

Many parents have had some bad personal experience of the education system. So, it is important that those families are targeted, so that absenteeism trends within families can be identified and the proper support given.

The Education Welfare Service supports and advises schools on non-attendance and is empowered to take a parent to court for non-attendance. Parents are responsible for ensuring that their child attends school but if, for whatever reasons, parents do not comply with that, they may find themselves before the courts. Is that really the answer to the problem — pressure on families, causing more hardships, court costs and court backlogs?

Absenteeism affects many children from different walks of life. Although there is a focus on those from deprived backgrounds, studies have shown that that has expanded. I refer to the Drum Opinion, for anybody who has not read it yet. The Departments of Education and Health have established varied programmes to provide support to target specific groups known to be vulnerable and where school attendance is a problem. The Valuing Education campaign aims to raise awareness of a good education, and the Department of Education has recently commissioned research into improving school attendance in deprived areas in order to identify strategies that have proved successful in addressing non-attendance. I hope to hear from the Minister later on the recommendations emerging from that research.

There is no one-size-fits-all solution to the problem. There is continuing good work going on in the Department of Education, but more work can and should be done. We have to ask ourselves this: what have we done recently as political representatives? What efforts have we made in engaging with schools, teachers and communities to help address the problem? We need to work closely alongside them and our children, for they are the future, to help them to reach their potential in life, be it academic or vocational.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a Príomh-LeasCheann Comhairle. Fáilte roimh an deis labhairt ar an rún seo. I welcome the opportunity to respond to the debate.

The causes of pupil absenteeism are many and varied, as was outlined in the debate. They are often rooted in how families and communities perceive and value education. It is only through a partnership involving parents, schools, communities and statutory agencies that real changes can be made. I am determined to see progress.

Many statistics and figures were quoted in the Chamber. I wish to quote a number of them, just to put the debate in context. I am not suggesting that any of the figures I will portray means that the issue of absenteeism among the Protestant community is not important. However, we have to put the figures out there.

The overall attendance rate at primary schools is around 95%, and in post-primary schools it is 93%. As Members pointed out, those overall rates mask a deeper problem in particular areas and communities. There is a clear link between deprivation and school attendance. The data show that attendance rates tend to be lower in schools with high levels of free school meals entitlement. For

example, post-primary schools with fewer than 10% of pupils entitled to free school meals had an overall absence rate of 4.6%, with 11.7% for schools with more than 50% of pupils entitled to free school meals.

(Mr Deputy Speaker [Mr Dallat] in the Chair)

I want to put the overall statistics in the public domain. Overall absence levels in primary schools are slightly lower for Protestant pupils, at 4.6%, than for Catholic pupils, at 5.3%. The level is at 5.7% for pupils of other religions. Post-primary absence levels are very similar for Protestant and Catholic pupils at 7.2% and 7.3% respectively. I also want to put GCSE examination results on the record. Of those not achieving five good GCSEs, there are 3,916 Protestant school leavers — 42% of that population — and 4,529 Catholic school leavers, which is 38.8% of that population. The number of Protestant school leavers who achieve no GCSEs whatsoever is 200, which is 2.2%. For Catholic school leavers, it is 263, which is 2.3%. I put those figures on the public record because each one of them is a failing by our society. No one in any sector or community can be complacent about educational underattainment. I put that on the record for that reason only; I do not wish to say that one is worse off than the other. We have to get it right for all of them.

4.30 pm

Mar sin de, tá cuid mhór le déanamh le dul i ngleic leis an fhadhb seo. There is much to be done to address the problem. Every one of us, including parents, carers, teachers, public figures and the wider community, has a role to play in ensuring the best outcomes for our children and young people. The exchange between the Chair of the Education Committee and my colleague Michaela raises an issue around the perception that, if you come from a socially deprived area, you will fail in education. I am not suggesting for one second that Michaela was presenting that, but the point raised by the Chair is important: where you are born should not be your destiny. Of course, there are obstacles to achieving educationally. As has been shown in many fine examples across this city, Derry and throughout rural communities, there are schools in socially deprived areas that buck the trend. They ensure that the young people who leave them, regardless of their socio-economic background, have received an excellent education. That is achieved through strong leadership in the principal's office, the classroom, the family home and the community. That is how that is achieved; there is no magic formula. Leadership is the key. We should send out the message that we, as an Assembly, have a responsibility to tackle social deprivation, but no one in a socially deprived area should allow that to be their destiny. There is a chance to change these things. Of course, we, as an Executive and Assembly, have a responsibility to intervene, but there are schools that show that, despite all the pressures bearing down on them, they will have high-attaining young people leaving their school.

The majority of our schools, thankfully, provide a high-quality education, set high standards, ensure equality of access and offer a wide range of opportunities for all children and young people to engage in learning. Schools should also provide a support system for those who are most vulnerable and should encourage a culture of regular attendance. When that is not happening, as has been

pointed out, we must ask why and look at what we can do to support schools and their pupils.

Let me set out briefly actions that my Department and others are taking to improve school attendance. The Every School a Good School policy has already been referred to. It has found that pupils achieve more where their parents take an active interest in their education by supporting and encouraging them and setting high but achievable expectations and aspirations. Parental engagement is essential. An action of the Every School a Good School policy is to promote high aspirations and increased engagement between the schools and the communities that they serve. There is also a role for politicians and community leaders in raising high expectations. We, as community leaders, have a responsibility there. We must encourage our young people to do well in education. We must equip them to do well in education, and I am not sure that we always do that. That is one of the reasons why I have launched — you may have heard of this — an advertising campaign aimed at raising awareness of the value of good education and emphasising the importance of education to families and communities, particularly those from the most disadvantaged backgrounds. The campaign was launched on 17 September, and it will continue to be rolled out over the months ahead. It will focus on early interventions and will support critical transition phases on the education journey. Parents, grandparents, aunts, uncles and older siblings all have a crucial role to play.

Parental engagement with the school, parental capacity to support the child's education and instilling the value of education in the parent and the child are all critical elements in tackling poor attendance and non-attendance. If a young person is not attending school and their parents are not intervening, the parents do not understand the value of education. Unfortunately, we do not all come from nuclear families or caring backgrounds. All parents do not carry out their duties as they should and as we would expect. There are young people who are vulnerable and require state intervention. I will return to that.

There is no magic solution or one-size-fits-all initiative that will solve the problem. Flexible and practical responses that are based on the particular needs and circumstances of the school and the school community are required to facilitate actions that will work.

In March 2012, my Department published research on improving attendance in schools that serve deprived areas and sought to identify strategies that have proved successful in promoting attendance and addressing non-attendance. Mr Beggs noted the report and criticised it for not dealing with the issue of Protestant absenteeism. If Mr Beggs or any other Member wishes to bring anything to my attention that they believe can deal with that specific issue, I am happy — I think the Member wishes to say something.

Mr Beggs: Some of your colleagues indicated that responsibility for this lies entirely with the Department of Education. In my mind, the purpose of the debate was to clearly indicate that a range of Departments and agencies have responsibilities. Through engagement with the local community, raising expectations and promoting the value of education, standards can be driven up and more and more people can be encouraged to attend school.

Mr O'Dowd: I welcome the debate; it has sparked a number of interesting media debates today. You were on the radio this morning, and I listened to a quite interesting debate on the radio this afternoon. Therefore, the debate is welcome, as it has sparked a debate about education outside the House.

My Department is involved in creating a positive school ethos and culture in the area of attendance. You would, perhaps, think that that would be a regular mantra of schools, yet today I heard a school principal say that he has only recently introduced that. Fair play to him for doing that. It is making positive changes in his school.

Among the recommendations in the report were the implementation of an attendance policy and targets; having designated staff with roles and responsibilities; having reward schemes for good attendance and additional support for poor attendees; building strong relationships between schools, parents and carers and links between schools and the wider community; and collaboration between schools and external support services, such as the Education Welfare Service and multiagency networks. The research indicated that programmes such as breakfast clubs, which are provided through my Department's extended schools programmes, have a positive impact on school attendance and behaviour.

The message is that schools should take a positive approach to attendance and make it a priority focus. They need to recognise their role and develop appropriate attendance policies even, as mentioned by Mr Rogers, at preschool, where patterns can develop that can continue into primary and post-primary schools. Many schools use innovative approaches, such as mentoring and age-appropriate reward systems, with the focus on making school a fun place to be. My officials are taking forward the findings of that research and are working with the Education Welfare Service and schools to develop best practice guidance based on the recommendations. However, for a child to do well at school, every parent or carer has a duty to provide their child with a full-time education by ensuring regular attendance. We must proactively enforce that.

The Education Welfare Service supports schools through proactive work and attendance strategies and advises on attendance policies. Schools refer pupils when there are concerns about attendance and when the threshold of less than 85% attendance has been reached. The service is empowered to take parents to court. I accept the comments from my colleague that court should be the last option. A parent ending up in court is a recognition of a failing in the system, but it is the last port of call.

The service works closely with schools and provides initiatives such as Primary Attendance Matters programmes and transition programmes to support the move from primary to post-primary level. This year, my Department spent £1.6 million to support the Education Welfare Service to address non-attendance in schools. Mr Swann referred to the difficulties in recruiting staff in this field, and it is on record that the education and library boards have difficulties recruiting professional staff. I think that part of that is the uncertainty about the future of the education and library boards. I hope that the moving forward of the ESA legislation will give surety to professionals in the field that education is progressing on a steady footing, that there will be a managed transition from

the education and library boards to ESA in the near future and that we will be able to fill a number of those posts.

Mr Storey: Will the Minister give way?

Mr O'Dowd: Yes.

Mr Storey: Is it not more to do with the fact that, since 2006, the Department has had in place a vacancy control policy that has prohibited the boards from employing staff? The first thing that will have to be done when ESA is brought into being is that staff will have to be employed. Perhaps this is the place to put that on the record.

Mr O'Dowd: The Member is absolutely correct that it is a chicken-and-egg situation, but we have been attempting to establish ESA since 2006. I hope that that progresses and that the Assembly will make its own decisions on the issue. I also hope that the controlled vacancies will be removed under ESA. There have been a significant number of redundancies from the boards, and I believe that we can start to draw a line under those. We can move forward with a steady number of workers who will be able to deliver the services on the ground. That is a key reason why everyone wants to move forward.

As several Members mentioned, tackling the underlying causes of school absenteeism requires cross-sectoral approaches. I will give some examples of that. As I said, we work with the Education Welfare Service and other agencies and have established a number of work programmes to provide targeted support for specific groups that are known to be vulnerable and for which school attendance may be a problem. One example is school-age mothers. That is a major issue in relation to absenteeism, and we have put programmes in place. In addition, my Department is in collaboration with the DHSSPS, the Education Welfare Service and other agencies to develop a standardised, regional, personal education plan to provide targeted support to address attendance and educational attainment for looked-after children. Statistical data and evidence from the Education and Training Inspectorate indicates that school attendance and attainment for looked-after children, particularly those in residential care, can be poorer than that of the general school population.

There is no quick-fix solution, but we have seen an improvement in school attendance. The Chair of the Education Committee suggests that perhaps that is not so, but there has been a 7% decrease in absenteeism since 2009-2010. However, we still have 3,881 pupils who have been referred to the Education Welfare Service. That is not good enough. A lot of work has been done, and a lot more work needs to be completed to move the issue forward. As I said, if Members have alternative approaches for any community or the collective community, I am happy to listen to them.

Mr Kinahan: I thank everyone for taking part in the debate today but particularly my colleague. I commend him on his persistence in this matter, because it is phenomenally important. The education of our children is of incredible importance. We must ensure that truancy affects as few children as possible — in fact, no children — in the future.

I will start with a shocking case that many Members have heard about. It may not be applicable everywhere, but it shows how vital it is that we tackle truancy. In Room 115, we were given a presentation based on the Easterhouse

area of Glasgow that started on a nice, peaceful, quiet evening before a 15-year-old ran through the streets and stabbed a passer-by who later died. He also stabbed another person and ended up in jail. Both his parents were alcoholics with drug problems. When he came out of jail, he met a girl, and they had a baby. We have to ensure that that cycle does not start again. That is the very worst case of truancy, and I raise it to hammer home the fact that we need to act, and we need to act now.

Today, we are calling on OFMDFM. I am grateful to the Education Minister for being present, and I hope that he will take Members' points to the Minister responsible and to other Ministers, but OFMDFM is responsible for co-ordinating the work of the Executive on children and young people's issues. Let us try to put in place a joint departmental project, led by one Department and co-ordinated by all, which can reduce absenteeism to a set of targets. We know that OFMDFM should be the lead Department, but it could be any Department. A great deal falls on the Department of Education as it is clearly responsible for the schooling of our children. We know that a lot of responsibility falls on the health service. We have all its data to hand: the records and details of illnesses directly applicable to truancy. We have data from the Department of Justice, the police and the probation service. We have data from the Department for Social Development, the welfare service and housing and all the community groups that they help. We have the Minister of the Environment and his Department and the councils, which do fantastic work through communities. Then, of course, we have the community and voluntary workers themselves.

Mr Storey: I thank the Member for giving way. Will he accept that the PSNI also has a role to play? There are many occasions when we see young people in our constituencies who, we assume, should be at school but are on our streets. There is uncertainty about what power the PSNI has to deal with that issue.

4.45 pm

Mr Kinahan: I am glad that the Member mentioned the PSNI; it is on my list of important areas.

We need to find a way to co-ordinate all that data so that we can act immediately. That will raise problems with the Data Protection Act 1998, and we need to find our way through that as well.

We have heard about numerous strategies and ideas today. I am concerned that it is the same old problem that we have in the Chamber — always strategy, strategy, strategy but very little action. Yet, some of the strategies and policies are fantastic, such as Sure Start, the nurture programme that we saw last week, Book Buddies or extended school programmes. We could go on and on, but we have to turn those strategies into actions and set them against targets and timescales. I, like others, would like to congratulate all the teachers who really try their hardest to put all those strategies in place and implement them. More and more responsibility is being thrown at them with fewer and fewer resources.

Yesterday, in the GCSEs debate, we highlighted the need to tackle innumeracy and illiteracy. I say again that helping children one-on-one is the way to tackle innumeracy and illiteracy, but we must have targets. We

need to set a target of achieving zero illiteracy, say, in five years, and everything should flow from that. Truancy and absenteeism are inextricably linked to all that we know about innumeracy and illiteracy.

I congratulate the Department's researchers on providing a document from RSM McClure Watters that shows us many ways to tackle the problem. We are told that some 20,000 young people a year are away from school for more than 15 days a year. We know that the problem is worse in post-primary schools than in primary schools and that it is worse where free schools meals take-up is highest. We know that it is worse in Protestant areas, although the Minister has shown us, through his statistics, that the problem is as bad in nationalist areas. It cannot be a coincidence that unemployment in those same areas is also as bad. We must not accept this any longer.

Reading this excellent report, I was shocked to discover that the survey went to only 141 primary schools and 36 post-primary schools. It should have gone to them all. I was shocked that we did not even have the names and addresses of school governors, nor did we have a way of asking them any questions. I think that we got 10 or 16 replies. We did not have the details on how to talk to focus groups; we managed to get to only four of them, whether they were made up of parents, staff or children. From all that, we learn that the Department does not know how to contact teachers, pupils and parents. We must resolve that problem, whether for area planning, ESA or assessment. There is so much going on, and it is very evident that we do not know how to communicate with those who may well know best.

The Minister touched on some of the excellent ideas that we should put in place. You need a whole-school approach, good leadership and a designated person in every school to be in charge of attendance. You need to make attendance a priority that is valued highly by everyone in the school. You need to make sure that senior management teams and boards of governors discuss attendance. You also need to make sure that all staff take a consistent approach. You need to make sure that everybody understands the policy and that it is well communicated and fed out into the community so that you really change the whole attitude. The report was quite excellent in that area, and I congratulate the Department on getting it pulled together.

What are we missing all the way through this? We are missing the resources and the funding. There are many splendid ideas out there. We need to put just that little bit more resource into those ideas to make sure that we tackle the problem. If we add those to the targets and achievements, we can really make truancy and absenteeism a thing of the past.

There are areas in my constituency where attendance was worse than 85%. In Springfarm, absenteeism moved from 11% to 20% and stayed at 20%. In Ballycraigie, the rate went up from 20% to 25% and then down to 14%. In Carrnoney, it went down from 23% to 17% to 13%. I read out those figures because they all tell different stories about schools' achievements and about how they deal with things. That is how we should learn. We should pull from good practice and even from bad practice to make sure that this does not go on. I, too, congratulate Hedley Webb from Carrickfergus on setting a really thorough example for us all on how to pull the system together and make it

work. The Ulster Unionist Party and everyone here call on the Minister of Education and other Ministers to pull together a plan to make sure that we can use the data, set targets and tackle the problem into the future.

My colleague Roy Beggs called for an integrated approach, and he highlighted Carrickfergus College. Mervyn Storey said, "Here we go again". We never want to hear that again. We want the issue to be dealt with from today. Chris Hazzard spoke about many strategies.

Mr Deputy Speaker: Bring your remarks to a close, please.

Mr Kinahan: From what I and others said, I think that we have all learned that there may be too many strategies. It was a good debate. We need to have an integrated approach, and we must resolve this problem. Let us have targets and strategies now.

Question put and agreed to.

Resolved:

That this Assembly recognises that the Office of the First Minister and deputy First Minister is responsible for co-ordinating the work of the Executive and for children and young people's issues; notes the high levels of pupil absenteeism in primary and post-primary schools in many communities, and in particular, the high levels in areas identified by the Northern Ireland Statistics and Research Agency as being predominantly Protestant; and calls on the First Minister and deputy First Minister to ensure that an integrated approach to identifying the causes of absenteeism is adopted by all relevant Departments and appropriate action is taken, in conjunction with parents or guardians, to enable more young people to reach their full potential.

Motion made:

*That the Assembly do now adjourn. —
[Mr Deputy Speaker.]*

Adjournment

Health and Social Care: East Antrim

Mr Deputy Speaker: The proposer of the topic will have 15 minutes. The Minister will have 10 minutes to respond, and all other Members who wish to speak will have approximately seven minutes.

Mr Beggs: I am pleased to have secured this Adjournment debate on health and social care in East Antrim. The reason that I wanted to secure it can be summed up in one word: equality. Are my East Antrim constituents getting equal treatment when it comes to accessing health and social care provision? I am concerned that many are not.

I will set out the context for the debate. The last time that we debated an East Antrim-specific health topic in the Assembly was February 2008. At that time, the context was a consultation document that the Northern Health and Social Services Board had issued on replacing services in Inver House in Larne. This time, the context is more the 'Transforming Your Care' report, also known as the Compton report, which was published last December. I will speak on some of its implications later. I will also ask the Minister to clarify the status of this draft population report, its implementation plans and the consultation on those plans.

There seems to have been a plethora of reports and strategy documents on health and social care in recent years. Many have been accompanied by extensive public consultation exercises. However, a recurring theme for my East Antrim constituents is diminishing services and reducing facilities. That is a very strong perception. A number of decades ago, we had the closure of the Moyle and Carrickfergus hospitals in East Antrim. That was done to accommodate the upgrading of Antrim Area Hospital. More recently, Whiteabbey Hospital, which serves the southern tip of my constituency, lost its acute services. It now provides a minor injuries unit.

The designated acute hospital for the people of east Antrim is Antrim Area Hospital. I need hardly remind Members of the problems and difficulties at Antrim Area Hospital over recent years, particularly in the accident and emergency department. However, I recognise that there is major construction going on to improve the facility, and I look forward to its early opening in order to provide a better service to my constituents. Another issue with Antrim Area Hospital is the transportation links. It is relatively difficult to access using public transport from Larne and Carrickfergus, never mind from areas such as Carnlough or Islandmagee.

Down the years, there have been promises of new local facilities and replacement services in east Antrim made by trusts, boards and Ministers, but very little has ever materialised. For example, the Carrickfergus Day Centre closed in the past 10 years, and there was an expectation that a new facility would be built within a short time. That did not happen.

I now wish to move on to the issue of health and care centres. In January 2006, the then Northern Board

published, 'All Our Futures', which set out proposals for a major reform of health and social care services over the next 10 to 15 years, including investment in new services and facilities totalling £600 million. In Ballymena and Larne, changes were to include the opening of integrated health and care centres in 2010. They were to support an enhanced range of local community services. Obviously, that timescale has been missed, but the funding for Ballymena has been announced and plans seem to be progressing. However, what has happened to the new health and care centres for Larne and Carrickfergus?

Local health and care centres have the potential to provide many more services locally; be GP-led; be much more responsive and convenient; provide better access for patients; be more efficient; have many more services located in the community; and be easily accessible to those who need them. The services that are, I understand, being talked about include a specific diabetes unit and treatment for those with chronic obstructive pulmonary disease and asthma. Those conditions need not be treated in a hospital, and, if they can be treated in the local community, it is much easier for all concerned. That takes the pressure off the hospital and helps to shorten the growing waiting lists for many hospital services.

Mr McMullan: I thank the Member for giving way. The Member mentioned three diseases. Does he agree that the highest rates of those diseases in Northern Ireland are in east Antrim?

Mr Beggs: I agree that they are very serious conditions. Facilities need to be improved in the local area to provide a better service for our people.

Another important area is care for the elderly, which is in the Compton report, 'Transforming Your Care'. I want to concentrate on that for a period. Part of the issue in the report concerns community and nursing and residential care homes. Again, anyone who, like me, has been a public representative since 1998 will be familiar with the reports produced by the health boards, the trusts, the Department and its consultants. The language in them is sometimes too full of jargon to be understood easily by the layperson, but the direction of travel is clear and consistent. The people who run the health service in Northern Ireland want to keep older people out of institutional care settings, maintain them in their own home for as long as possible and then have the private sector cater for those who need to go into care or a nursing home. Fine, but is there capacity for domiciliary and community care? Can even the current demands of care in the community be met? It was not that long ago that I was approached by a constituent who had a disabled son who could not return home from hospital for many weeks because there were no carers available to meet his needs.

Clearly, that aspect of the service needs to be upgraded. When it bedded down, it was much preferable, and the individual concerned and his family were much more content that he continued to live and be served in his home.

5.00 pm

In 2008-09 in East Antrim, along with many other constituencies, there was enormous public reaction to the proposals which, in the Northern Trust area, were called 'Reprovision of the Trust's Residential Homes for

Older People'. The consultation document proposed that the trust's residential homes in East Antrim — Lisgarel in Larne, Greenisland House and Clonmore — were to close. That generated a level of public opposition that was unprecedented in my time as a public representative.

I am sad to say that, although, during my time as an East Antrim MLA, we had worked together on cross-party lines, it appeared to me that party politics crept in on this issue at that time. One MLA issued press releases while the consultation process was still live and resting with the trust. That MLA labelled the process the "McGimpsey cuts". The current Minister of Health, Social Services and Public Safety was also enormously critical of his predecessor, the Member for South Belfast. On 23 February 2009, Mr Poots led a debate in the Assembly, proposing the motion:

"That the Assembly expresses its opposition to the proposed closure of residential care homes by a number of Health and Social Care Trusts; and calls on the Minister of Health, Social Services and Public Safety to intervene and listen to the concerns of the community and take appropriate action to minimise the pain, stress and anxiety that this uncertainty has created among elderly care home residents, their families and health workers."

His speech was full of emotive and pejorative language. He said:

"Does the Member agree that, when a trust asks an elderly person whether he or she would prefer to live in his or her own home or in a residential care home, the question is loaded? It will almost always elicit a response in favour of living in one's own home. For many people, who are not ready for a nursing home but who cannot stay at home, residential care is the only real and practical choice. If we go down the route of doing away with statutory residential care, we could end up with a situation similar to that in England, where care in residential private nursing homes is of a much lower standard than we would expect for our elderly people." — [Official Report, Bound Volume 38, p134, col 1].

I have one simple question for the Minister. Does he stand by what he said in the House at that time, or was he merely playing politics with this most sensitive issue? Is he now presiding over a policy that he apparently emphatically opposed just three years ago? If that is the case, he needs to explain to the House why that has happened.

Ultimately, Minister McGimpsey did listen to people in East Antrim at that time. Lisgarel and Clonmore were saved from closure. Greenisland House, with its multiple levels and difficulty of mobility about it, was to be replaced with new accommodation. It is three years since the closure of Greenisland House was announced, and I learned through the press that no more patients were being accepted into other local residential homes as permanent places were being reserved for residents of Greenisland House. However, after three years, no information was available in the public domain about how funding had been earmarked for that replacement. There was no information about which housing association would be developing it or, indeed, of any having been appointed or on any planning permission. The community was very concerned that, once more, local health facilities were being closed

and that nothing was being put in their place. When I highlighted the issue, I was pleased to receive, eventually, confirmation that capital funding has been earmarked. However, when I contacted the Housing Executive at the start of this month, some three weeks ago, I was told that, at that time, no housing association had been appointed. Perhaps the Minister might be able to tell us whether there has been any development on that issue since then.

I also wish to relay my personal experience of two of my extended family members who required support from the health service over the summer months. These were two elderly patients who required hospital treatment, and they were very rapidly returned to their own homes to receive domiciliary care.

In those instances, I had a feeling that it was much too fast, and there was concern in the family at the speed at which both of them had been returned home. Sadly, within a short period, both had to be returned to hospital, to the accident and emergency unit. Interestingly, after they had recovered in hospital, they were discharged to Clonmore House residential care home, where they received at least a full week of rehabilitation and support each. I visited that home at that time, and I have to be complimentary of the staff and the home. When both patients returned home to their normal setting, they were able to adapt and adjust with the support package that was available and with family support. However, I express concern that they were perhaps discharged from hospital too rapidly and without sufficient rehabilitation.

'Transforming Your Care', which is known as the Compton report, was published in December 2011 and contains some 99 recommendations. A draft population plan has been published on the Northern Health and Social Care Trust website, but the Minister has indicated that there is a certain level of doubt over the status of that report. I understand that it was to be considered over the summer period and that adjustments may be made before the end of December before going into consultation.

One recommendation in that report was for all statutory residential care homes, of which there are 11 at present with 220 permanent residents, to close. It would be helpful to have clarity on the position of that report and the position of the care homes in my constituency and the others that will be affected. There is concern in the community, and I am sure that the Minister is aware of it. It is unfortunate that a draft plan has been put out and left hanging for so long, yet there is uncertainty about its status and whether or not that is exactly what is planned.

It is also unfortunate that, while MLAs in East Antrim used to meet together to get updates on health, it now appears that DUP MLAs meet separately with the health trusts, and others then meet separately as a group and are content to do so. I would much prefer for us all to meet together and work together for the benefit of all our people.

Mr Deputy Speaker: The Member will bring his remarks to a close.

Mr Beggs: Health is too important an issue to play politics with, and I ask you to ensure that the needs of East Antrim are catered for.

Mr Hilditch: I warmly welcome the Adjournment topic and the opportunity to contribute to this pretty wide-ranging topic. I thank the Minister for his attendance and his

ongoing interest in matters pertaining to our constituency, and I personally share and support much of the Minister's vision in transforming care, and I hope that our constituency can play an integral part in moving forward.

Historically, of course, East Antrim was stripped of much of its health and social care facilities under the former direct rule Government and, later, Administrations locally. People from the rural glens in the north, through the towns of Larne and Carrickfergus to the sprawling housing estates in the south of the constituency, have all been adversely affected and have had to travel to receive care in the major hospitals in Belfast city and, indeed, Antrim Area Hospital. At one stage, the constituency boasted three hospitals before the demise of Davidson Cottage Hospital, Moyle Hospital and Whiteabbey Hospital. However, people eventually travelled willingly, knowing that they were receiving the best standards and quality. They were happy to do so, and that commitment from constituents should be acknowledged.

As the Transforming Your Care strategy comes on line, it provides us with fresh challenges locally. We are all aware of the ageing and poorly conditioned health centres in Larne and Carrickfergus that are no longer fit for purpose. Indeed, I thank the Minister for taking time in June this year to witness at first hand the problems encountered at Carrickfergus, when he visited to meet a group of local stakeholders that included two GP practices that operate from a very outdated and run-down facility.

I was previously involved with a proposal to create a health village and well-being centre in the Carrickfergus area. Unfortunately, that was a great opportunity lost. The project would have been unique to Northern Ireland, as it would have encompassed not only health and care, but blue-light facilities, sports facilities and general recreational opportunities. I believe that the Department and the civil servants under that previous mandate were wrong in their assertions that it could not go ahead.

I believe passionately that this location is very well placed to be the hub of one of the proposed integrated care partnerships (ICPs), incorporating the previously sought-after level 2 care centre.

As I previously stated, all the stakeholders are on board, from those on the front line of healthcare delivery to administrators, other relevant agencies and landowners. Such a facility would provide and deliver the extensive services that are desired, including GP services, a community chemist and in-reaching services from secondary providers such as hospitals and other auxiliaries.

I stress very strongly that there will be a high level of co-operation between local government, the Department, the trust and other relevant agencies in working through the logistics of any temporary service provision if an ICP were afforded to the area.

I must say that the Transforming Your Care strategy has, in this case, prompted the local GPs to fully involve themselves in the vision, and I had the opportunity to attend several meetings where I witnessed a progressive and ambitious attitude and the building of collaborative working relationships with other stakeholders as we strive for a modern facility for the area.

It is also worth acknowledging the work of a health inequalities officer Mr Iain McAfee on the document that he has provided, which contains statistics for the Carrickfergus area in relation to Transforming Your Care. There are certainly some interesting figures in the document, including the above-average incidence in the area of deaths due to respiratory disease and the alarming female life-expectancy figures, which are not only below average for Northern Ireland but fall into the 20% lowest female life expectancy in the UK. It was quite shocking to discover that.

There are many other areas of health and care to cover, not least, vital nursing home services such as those at Lisgarel, Joymount House and Greenisland House in the constituency. Hopefully, those will also feature in any forthcoming discussions on the Transforming Your Care strategy. However, it is my hope that the excellent preparatory work in relation to establishing an integrated care partnership in the area comes to fruition.

Mr McMullan: Go raibh maith agat, a LeasCheann Comhairle. We are now entering into a review of health and social care in Northern Ireland, under the heading of Transforming Your Care. Contained in this programme is the biggest shake-up of health and social care that I and many of us will probably ever know about.

The report states that the number of acute hospitals here is 10 and that number will fall to five or seven. A greater number of elderly people are to be cared for at home, but the present Government have started a process of cutting benefits. The trust has still not stated where the funding will come from, and that is one of the big problems, which is only now starting to get through to the public.

We met with the trust, and one of the things discussed was that people are entitled to keep their relatives at home. That is fine, and no one argues with it. However, at present, it costs approximately £500 per week to keep an elderly person in care. Is that same package, or part of it, going to be there when the relative is kept at home? That has not yet been sorted out. By the time we sort that out, and sort out the individual cases, we will be away behind — unless we are already doing it.

We are told that too many people are being referred to hospital A&E departments by GPs and doctors on call and that is blocking up the A&E departments. That will have to change, and no one will argue with that.

At present, in the Northern Trust, there are 11 residential homes, and it is proposed that all of them should close and we should go down the road of independent living. That is fine for some. However, families are now asking where patients will go, for example, in cases of dementia? I have been surprised by the number of people who have inundated my constituency office, asking this one question: what will happen to their loved one at home, when the residential homes, as we know them today, are closed?

Hospital appointments are difficult for people who live where I come from in the glens of Antrim — places such as Carnlough and Glenarm. How will the new proposal help them? Number one: public transport is not geared towards taking people to hospital. Number two: every hospital appointment is for 9.00 am or 10.00 am, when it is virtually impossible to get public transport to Antrim Area Hospital from practically anywhere on the East Antrim coast. If you have to go to Belfast, it is even worse. That problem

has not been sorted yet. There have been no discussions between the public transport sector and the health bodies. At this stage, no discussion has taken place to see what is possible.

Ambulance response times in the glens are still outside the target time, and that situation has not changed for years. In fact, when we raised the issue before, the previous Minister actually cut the number of A&E ambulances in East Antrim and replaced them with rapid response vehicles. They are not the answer, but they tick a box as far as the response is concerned.

5.15 pm

The document does not tackle the major problem of differences in urban and rural provision. One of the main issues is community transport. Just this year, the funding for taking people in rural areas to hospital appointments was cut. That same privilege is still afforded to the urban dweller, who can get community transport to go to hospital appointments. However, no one in the rural areas gets that service. That imbalance has still not been squared up.

The majority of the public still do not know about the changes. Doctors and councils have all been very quiet. I draw my next point to the Minister's attention and thank him for attending this evening's debate. About a month ago, the Patient and Client Council embarked on a number of roadshows to explain all about Transforming Your Care. There were nine roadshows in total, and not one of them was in East Antrim. When I phoned to ask why that was, the answer I got was that next year East Antrim should be top of the pile. Next year? Next year, it will be too late. If it was a matter of funding, the council should have held one roadshow for the whole of Northern Ireland instead of picking out nine areas. Maybe there was a reason for that, and, Minister, maybe you can tell me what it is.

Recently, the local commissioning groups met, and the councils covered by the Northern Local Commissioning Group have met, but nobody knows what they are talking about. Ten councils are meeting to talk about Transforming Your Care, but nobody knows what they are saying. The only people in that whole package who have not been mentioned in the discussions or consultation are the MLAs. How are councils going to get the word out to people about the importance of Transforming Your Care and everything that it entails? We still do not know. However, from what I am told, it seems that the councils that will be reporting on it will be relying on their councillors. So, councillors have to go out and find out what is wrong. In a lot of cases, councillors have not had it explained to them exactly what is wrong. The trusts have made presentations to local authorities, but a 15- or 20-minute presentation does not explain the whole situation.

I thank the Member for East Antrim for securing this Adjournment debate today. East Antrim suffers from some of the highest rates of serious illnesses, one of which is cancer. The figures are rising, as are the figures for asthma, obesity and respiratory diseases. The figures are massively high. How are we going to sort this out in East Antrim when the loved ones of people who are supposedly coming home to stay do not know how they are going to care for them? Minister, if we can sort that problem out, we will go a long way towards sorting out a lot of the other health problems.

When you ask doctors about this issue, you find that they do not know anything. Doctors have representation on some of the subgroups that have been set up. Surely the doctors should be getting more information across to the patients. Everybody involved has been very quiet.

Mr Deputy Speaker: The Member should bring his remarks to a close.

Mr McMullan: Minister, the Northern Local Commissioning Group serves the whole Northern Trust area, yet only four elected representatives sit on it when there should be at least double that number.

Mr Deputy Speaker: The Member's time is up.

Mr Ross: In the five years that I have been in the House, health matters and health inequalities in East Antrim have always been high on the agenda. Indeed, as Mr Beggs said, although it has been several years since we had a specific debate about healthcare in East Antrim, we are regularly contacted about it locally. During that time, a number of changes and challenges have occurred in the area. In 2009, the inpatient surgery moved to the Antrim Area Hospital and the Causeway Hospital. In 2011, the A&E unit at Whiteabbey Hospital was reconfigured and is now a minor injuries unit. At that time, it is fair to say that there was a concern that, perhaps, it should not have been reconfigured until the upgrade at Antrim Area Hospital was complete. Antrim Area Hospital was not built to cater for the numbers of people currently going through it. Therefore, some of the concerns that people had were valid. It was not ready for the increased footfall, and I am quite sure that Members representing all parties in East Antrim could refer to a number of pretty bad experiences in Antrim Area Hospital.

Mr McMullan talked about public transport. I, too, have spoken to constituents who do not drive and really struggle to get to morning appointments at Antrim Area Hospital. I have spoken to people who want to visit loved ones in the hospital and really struggle to get there. Those who do get there perhaps struggle to do so during visiting times and spend hours in the canteen waiting until the next scheduled visiting time before returning home. It is not perfect.

There are other cases in which people have had to wait for many hours to be seen in A&E. Others have had to wait for several weeks to receive surgery; even urgent surgery. That adds to people's concern and frustration in East Antrim. As Mr McMullan said, that is particularly the case given that the population of East Antrim is made up of more elderly people than is the case in other areas of Northern Ireland. He mentioned the higher rates of coronary heart disease, asthma, diabetes, kidney disease and other conditions. Of course, there is the challenge of it being a large rural area. At the last trust meeting that Mr McMullan and I attended together, he specifically mentioned that issue and the difficulties that it presents.

I hope that, this time next year, when the upgrade of the Antrim Area Hospital has been completed, there will be more positive experiences for people who have to go there. However, there is also a responsibility on representatives to ensure that people who do not need to go to A&E do not go. It uses up resources, takes up time and results in longer waiting times for people who genuinely need to go. If people do attend A&E for a case that is not an emergency, they will have to wait much

longer because genuine cases will be top of the list. It is important to get that message out.

The local delivery of health provision was referred to. Mr Hilditch talked about how the health centres in Larne and Carrickfergus are in urgent need of replacement or substantial upgrading. Replacement would be much better because nobody could argue that the current situation is up to scratch. The building in which Carrickfergus health centre is based is just not suitable for delivering some of the modern healthcare services that we want to be delivered in the local community.

As Mr Beggs and others said, it is preferable for people not to have to go to hospital for procedures that could be done in their community. I think that everybody has bought into that concept. As Mr Hilditch also said, the local council has been quite helpful in trying to facilitate improvements in Carrickfergus and in identifying sites that could be available. Again, in Larne, we do not think that the replacement building is high enough up the priority list, and that is disappointing.

As Mr Beggs and others said, in the past, there have been a number of public petitions and a lot of correspondence with us on debates and issues, including Inver House, Lisgarel and Greenisland House, all of which were mentioned. There is real concern about healthcare and ambulance provision throughout East Antrim. However, as has been said, today's debate is occurring in a context of change. With the Compton review, there will be changes to how healthcare services are delivered, not only in East Antrim but across Northern Ireland. The Minister's challenge is not necessarily just to get people's support but to gain their confidence. Elderly people want to stay in their home, and we know that those who stay at home to receive care have better outcomes than those forced into hospital.

The challenge is to make sure that the confidence is there, that people believe that the support networks exist and that they will get the care that they need. I know that some of the initiatives that the Minister has been very positive on, such as the connected health issue and remote monitoring of patients, will help with that and will help people to stay in their homes for much longer. I think that we are going to move towards that.

Facilities such as Inver House, where rehabilitation has taken place, are very close to the hearts of people in East Antrim. Most people you talk to will have had a relative or friend who has been through Inver House and who received great care there. Some of the concerns about changes in independent living or rehabilitation services are in that area. That needs to be borne in mind when any changes to the provision in East Antrim are being considered.

In conclusion, people understand and support that changes to create a better health service are required. They will accept fewer sites with specialised services as long as those deliver a higher level of service and provide better care for patients. Likewise, people will support the move to deliver more services locally rather than in hospital, as long as those services are delivered in modern facilities that are capable of providing them. I think that there will be support for any changes that are happening as long as those two issues are dealt with and there is confidence in the community. However, I do not think that

that level of confidence is there yet in East Antrim, and there is a body of work to be done by all of us to explain the rationale for changes that are happening and to build confidence among the population.

Mr Dickson: Thank you, Mr Deputy Speaker. I apologise for being a few moments late. I was meeting some people who have an interest in healthcare in East Antrim. I also thank Mr Beggs for bringing the debate to the Floor and the Health Minister for being present.

East Antrim residents have many concerns about the health and social care provision in our area. However, it is safe to say that two issues are prominent in most people's minds. Those are the diminishing range and quality of services over the years, and the large shift in focus from residential care to care in the community. Regrettably, that model has inspired little community confidence and is widely viewed as dysfunctional. Although both those developments have taken place in the context of changes in medical and social care practice, the influence of budget constraints is undeniable. Where the first point is concerned, we must consider how to reverse that trend and best provide for the expansion and improvement of health and social care services in East Antrim.

As other Members said, in recent years we have seen either the closure or downgrading of services and other facilities in the Larne and Whiteabbey hospitals. Some of that happened for honest and reasonable medical purposes, while other reasons are highly disputed in the community. Nevertheless, they have placed additional burdens on hospitals in Belfast and Antrim, and residents from East Antrim have further to travel for their care.

I believe that there is enormous potential, as others said, for better services to be delivered through local health hubs, where there is extensive collaboration and integration of service provision. Such services could include GPs, community chemists and in-reaching services from hospitals. For example, there is scope for more diagnostic services locally and for care for those with diabetes, blood pressure, heart problems and other conditions. That could cut waiting times and the administration that is associated with referrals to hospitals in Antrim and Belfast.

Although it makes sense for those hubs to be located in the larger urban areas, we must not neglect those hard-to-reach areas, such as the glens in the northern part of the constituency and other places that are not close to those urban centres. That highlights what I said in previous debates about the importance of the Department for Regional Development and the Department of Health, Social Services and Public Safety working together to ensure that all parts of our constituencies are properly connected to those services.

Of course, such services cannot be provided without the appropriate capital investment. As has been said, the Minister has already visited GP practices in the area and knows the challenges that they face with the age, size and condition of those facilities. The current facilities in Carrickfergus and Larne, for example, would not be able to meet the standards that are expected for the type of health hub that we, hopefully, envisage for the future of healthcare in East Antrim. However, with the appropriate investment, there is a huge opportunity to create exemplars of locally provided healthcare.

We all understand the budgetary constraints on the Department, but that must be weighed against the savings that could be achieved by utilising health hubs to provide services locally.

5.30 pm

I turn now to this evening's second issue. We must consider how to provide the best and most appropriate care for older people in the context of an ageing population and ever-increasing complex needs. There is little disagreement that a person should be in a nursing or residential home only if that provides the most effective and appropriate service for that person.

Great emphasis is, rightly, put on rehabilitation. However, not all patients can be rehabilitated, and, regardless of the relentless drive towards that aim, which, in the view of many, is ill conceived, there will continue to be a need for residential and other imaginative care arrangements. Regrettably, the response from the Department and the trust has been to run down residential care and to replace it with systems by which carers arrive in the patient's home at all times of the day and night. The public has serious doubts about the ability to deliver services effectively by that mechanism, as care packages and money are already out of step with each other, and resources are, regrettably, meagrely provided.

The current residential care model is criticised for having little imagination with regard to care needs, beyond stimulation or rehabilitation, but I have heard stories of residents and their families who know and value the services provided in residential homes to those who simply cannot live on their own.

We need pragmatism and flexibility to implement models that are tailored to the needs of the person. Some will require the setting of a residential home, and some will require sheltered accommodation. I am sure that the Minister is well aware that there is an excellent example at Barn Halt in Carrickfergus. It has on-duty staff, activities and facilities and easy access to shops and services. Some people will require care in their home. We cannot be asked to implement a blanket policy that tries to fit everyone into the same box.

Today, I would like to acknowledge, and have the Minister acknowledge, that some people require residential care, and assurances that the Department, along with the trust, will pause for thought and consider the massive variation in care requirements and commit to flexibility in respect of the options of care that can be provided.

Mr McDevitt: I rise as party health spokesperson, as the party is regrettably unable to offer direct representation in the House to the people of East Antrim. However, I assure colleagues that we will seek to rectify that at the earliest possible opportunity and, of course, continue to represent the constituency to the best of our abilities from outside and indirectly through people such as myself.

Looking from the outside at the provision of health and social care in a constituency such as East Antrim, you are struck by the significant and, in fact, fundamental challenge faced by the Minister and anyone looking to reform or improve health services in the region. The constituency stretches from the outskirts of Belfast through the glens of Antrim and practically to the north coast. It is a constituency that represents nearly every population

type and settlement type in this region. I hope that when Transforming Your Care comes to be substantiated and we get to see the specific detail as against the ambition for reform, it can meet the needs of every person living in the East Antrim constituency.

I note that several colleagues have remarked on the importance of connected health in a rural constituency such as East Antrim; I suppose that that would be a significant opportunity for people in the glens in particular. However, you cannot get good connected health without a decent broadband service. That is how it is connected. Only last week, my good friend Andrew McAlister spoke for everyone in the constituency when he pointed out that there is no such thing as a broadband service worth talking about in very large parts of the East Antrim constituency and, certainly, in large parts of the glens. I defer to Mr McMullan's local knowledge in that regard.

Therefore, when we talk about improving healthcare and facing up to the need to reform healthcare in a constituency such as East Antrim, we are really talking about improving infrastructure and communications. We are talking about improving an awful lot more than just that for which the Health Minister has responsibility. We need to be very careful not to make commitments that we simply will not be able to meet, particularly commitments to communities that, if we are honest about it and look back through recent history, have been let down time and time again, and, more often than not, feel not just physically isolated but isolated from the decision-making process and, in fact, occasionally left out.

I think that we are all agreed that there is no question that we need to change the way in which acute secondary care is provided for at a regional level. We will all be grown up and mature about the need to do so. However, I am very taken by the stories that colleagues have offered, perhaps best illustrated by Mr Ross, who talked about the need for families to hang around hospital canteens for hours on end because it is too far a round trip to make to go home between hospital visiting slots. That is the real human impact of centralising acute services. That is where families do not see the benefit of centres of excellence, even though their family member in the care of that centre may benefit from being there. That is where families are directly impacted.

We talk about a "shift left" and the idea that we will bring care closer to individuals and provide them with more care in the home. Indeed, that is a very noble and good thing to aspire to. However, I fear, and I agree with the Member who moved the motion in this regard, that that may lead to the unintended or increased privatisation of very large parts of our care infrastructure, something that I do not think has ever been proven to have been in the patient's interest and introduces a separate motive that is not about care — a profit motive — into the provision of health and social care services.

Those of us living in and representing the city can probably cope with change a little better, because the distances are never too great and the inconveniences not so massive. However, I hope that, as we seek to improve and change the way in which we provide healthcare in the region, we meet the test of being able to deliver the highest possible standard for people who are most isolated. Some of the people who live in east Antrim, as I know the constituency, are among those living in the most isolated parts of the

region. I hope that, in six or seven years' time, they will be able to feel that the NHS in this part of Ireland still works for them.

I thank you, Mr Deputy Speaker, for calling me to speak in the debate. I thank colleagues for giving me the opportunity to participate.

Mr Poots (The Minister of Health, Social Services and Public Safety): I am grateful for the opportunity to hear the views of Members on the issue. As Health Minister, my vision is to ensure that the services provided by health and social care providers meet the needs of patients, clients and local communities. My aim is to continue to support the development of high-quality, integrated and responsive primary and community care services that will benefit all who live in Northern Ireland. It is the people who work in health and social care services — the doctors, the nurses, the therapists, the administrators, the auxiliary staff and the managers — who are the true determinants of high-quality services. It is they who deliver high quality for patients and clients.

I am strongly committed to the principle that health and social care services should be driven by and responsive to the needs of patients, clients and their carers. I believe that truly high-quality health and social care services can be achieved only when they are properly resourced and designed around the needs of the people who use them.

I recognise that some people are anxious and concerned about the future of our services, especially in the present financial climate. I understand and share that concern, but, with strong leadership, involving people and effective planning, I believe that the challenges that we face can be met.

The vision that I have for the future of health and social care is one that will drive up the quality of services and outcomes for patients, improve outcomes and enhance the patient experience. I want to ensure that service users are at the heart of everything that we do. Patients are entitled to receive the right care in the right place at the right time. They are at the centre of my policies and priorities. The design and delivery of services that meet their needs and expectations is what really matters to patients.

One of my key objectives, which I frequently refer to, is to develop an enhanced role for primary care, working hand in hand with healthcare providers and patients in designing and delivering consistently high-quality, safe and needs-based care in the community settings.

I am well aware of the concerns of the local population regarding access to acute hospital services, including accident and emergency. However, I am now making the services on the two sites work better, through the development of larger, more specialised teams, resulting in a higher standard of care for acutely ill patients. The development of a new A&E site and 24-bed unit at Antrim hospital was badly needed and should have been taken into consideration before the closure of the Mid-Ulster and Whiteabbey units by my predecessor.

Acute services are available at Antrim Area Hospital and Causeway Hospital, supported by Mid-Ulster and Whiteabbey as local hospitals. Whiteabbey Hospital offers a wide range of services to the local community, including minor injury services, day case services, outpatient services, speech and language services and inpatient

rehabilitation beds. The changes in service provision have been implemented across the Northern Trust to ensure the provision of safe, effective and high-quality services that are sustainable into the future.

I am delighted that work is progressing on the construction of the new emergency department and the 24-bed ward at Antrim Area Hospital. When the current accident and emergency department was built in 1994, it was originally meant to cater for 45,000 attendances. As we know, the shape of our health service has changed significantly over the past 18 years, and, no doubt, the delivery of services will continue to change over the coming 18 years.

I visited the accident and emergency department at Antrim hospital and met the staff and saw at first hand and recognise that there is a high level of activity in the current A&E department. I welcome the various measures that have been introduced to improve services for patients in the meantime, and my Department will continue to work with the trust and the Health and Social Care Board (HSCB) to identify any barriers to improved services and suggest changes to address those.

The new emergency department will be a purpose-built, state-of-the-art facility, which will incorporate the latest designs and innovations to meet the clinical standards required for a large emergency department, and it will cater for 90,000 attendances. I am also aware of the pressure for beds at Antrim hospital. The trust has acted to address that by introducing 14 temporary beds. The new 24-bed unit, which is due to be operational next June, will help to meet the pressures.

My aim, under Transforming Your Care, is to provide the full range of health and social care services outside the acute sector — in the community and closer to people's homes, thus supporting an increasing number of people to live independently, preferably in their own homes, for longer, promoting good health, reducing unnecessary hospitalisation, improving chronic disease management and allowing for early diagnosis and treatment.

I had the privilege of visiting a senior citizen in Islandmagee. He was approaching 90 years of age and had lost his wife quite recently, and he was very complimentary about the care that was being offered and delivered to him. By the way, that care was being delivered to him by a private company. I hear what some Members say about the private sector and its role in healthcare, and I often remind them of the big 20-bed geriatric wards in the old hospitals and the care provided there, and of the care that is often being provided in the private sector, which is considerably better.

We are making a £25 million investment in a health and care centre in Ballymena on the old Braid Valley Hospital site. It will include GP services, acute outpatient and diagnostic services and multidisciplinary teams under one roof. When that facility opens in 2014, it will allow a number of services to be delivered outside the hospital setting by integrated multidisciplinary teams involving staff from primary and community care and will ease the pressure on Antrim hospital to some extent. Primary care professionals from a range of disciplines, including GPs, will work together employing modern equipment and advanced technologies to provide enhanced services that are accessible and responsive to client and patient needs.

Services can include diagnostic and other services, which were previously only available in hospitals.

Some of the current primary and community estate is in very poor condition. That is the case with the health and care centres in Carrickfergus and Larne.

5.45 pm

I recently visited Carrick health centre and met the staff there. I recognise and appreciate the good work that GP practices and other professional staff provide to patients in the Carrick and Larne areas. Unfortunately, when the health estate was being reviewed under the previous Administration, Carrick and Larne did not appear to fit in at that time with the provision of new primary care facilities. I am actively looking at alternative funding options, because it is very difficult to stop other programmes and change those around, and I am very keen to address the issue in Carrickfergus and Larne, in the absence of it having been addressed in the last round of capital funding.

I have established a health infrastructure board, comprising officials from my Department, the Health and Social Care Board and the Strategic Investment Board, to assist me in that process. A programme of work is being developed that will explore the use of private finance, in addition to public capital, for new facilities. That is there of necessity. Again, Members can criticise the private sector, but we would not be able to deliver some of those programmes without it. Schemes progressed under a privately financed model can proceed in parallel with public capital developments, and that enables the delivery of a range of schemes to be progressed, subject to business case approval and value for money being demonstrated.

Another key issue is the provision of supported living accommodation. In the east Antrim area, the Northern Health and Social Care Trust intends to develop more supported housing, and proposals have been developed to provide supported living accommodation in, for example, the Greenisland area. The trust has been meeting a well-established stakeholder group in the Greenisland, Carrick and Newtownabbey areas to take forward a replacement capital scheme for Greenisland House, which is a trust-operated residential home. The process to bring that scheme to fruition is moving along, with positive involvement from colleagues in the supported living branch in the Northern Ireland Housing Executive. I understand that the capital scheme is listed in the Northern Ireland Housing Executive programme for delivery in 2014-15.

Inver House was mentioned. It is an 18-bed intermediate care unit with 14 rehabilitation beds and four palliative care beds. The medical cover for those beds is provided by local GPs, supported by Dalriada urgent-out-of-hours doctors. The rehabilitation beds are for patients who no longer require to be cared for in an acute bed but need a further period of rehabilitation. The four palliative care beds are for patients who require symptom control and management that cannot be facilitated in a community setting. Those beds are supported by members of the hospital's specialist palliative care team as required.

The members of the Larne primary care integrated team are currently based in three locations: Larne health centre, Moyle medical centre and Moyle community services centre. Those community teams are relocating to Inver House to occupy the upper floor. Capital funds have been

agreed to undertake the refurbishment of the upper floor, and work will be completed by the end of the financial year. No decisions have been made on the final shape of services in East Antrim.

In relation to out-of-hours services, the Health and Social Care Board launched a public consultation on the strategic framework for GP out-of-hours services in June. The purpose of that framework is to facilitate the development of future provision of GP out-of-hours services across Northern Ireland. The framework focuses on how access to GP out-of-hours services can be simplified and how more opportunities to align those services with other healthcare services can be maximised and made efficient.

At the same time, it is also worth ensuring that safe and effective GP out-of-hours services are available to all across our Province. GP out-of-hours services are a vital component of the health and social care system. As a first point of contact for the public, they provide urgent advice, care and treatment at times when GP surgeries are closed. The consultation on the strategic framework reflects the need for GP out-of-hours services to evolve and develop in order to accommodate the changing healthcare system in Northern Ireland.

The recently published 'Transforming Your Care' report proposes changes to the way in which health services are delivered in local communities. The need to provide the right care in the right place at the right time is a key principle of the changes, and the development of GP out-of-hours services across Northern Ireland will be an essential component.

The public consultation will enable health and social care staff, the public and key stakeholders to contribute their views to the future design and configuration of GP out-of-hours services. That consultation started in June and was due to close on 28 September. However, to ensure sufficient time for responses to be submitted, it has been extended and will now close on 19 October.

A key aim of Transforming Your Care is to bring health and social care services closer to people in their homes and communities, moving services out of hospitals where it is safe and appropriate to do so. The shift left that Mr McDevitt referred to is one that we are committed to, and it will include a more personalised approach to care and an emphasis on moving resources towards prevention and health promotion.

Mr McDevitt raised the issue of telehealth and telemonitoring, and he had the privilege of going to Larne and meeting a gentleman who had chronic obstructive pulmonary disease. He was a real success story in terms of non-attendance at Antrim A&E and non-admissions to that hospital, where, in the previous two years, he had had a large number of attendances at A&E and a number of admissions to the hospital.

Mr McMullan, quite foolishly, asked whether we would be spending the same money on keeping people in their own homes as we would in nursing homes.

Mr Deputy Speaker: The Minister should bring his remarks to a close.

Mr Poots: Oh, sorry, I thought I had 15 minutes. I apologise, Mr Deputy Speaker.

Mr Deputy Speaker: Ten minutes.

Mr Poots: For some it will cost £200 and for others £800, so it would be illogical to spend the same on everyone. I had other points to cover, but I apologise for running over my time, Mr Deputy Speaker.

Mr Deputy Speaker: I did my best, Minister.

Adjourned at 5.51 pm.

Committee Stages

Northern Ireland Assembly

Committee for Finance and Personnel

12 September 2012

Superannuation Bill [NIA 6/11-15]

Members present for all or part of the proceedings:

Mr Daithí McKay (Chairperson)
Mr Dominic Bradley (Deputy Chairperson)
Mr Roy Beggs
Mrs Judith Cochrane
Mr Leslie Cree
Mr Paul Girvan
Mr David Hilditch
Mr William Humphrey
Mr Mitchel McLaughlin

The Chairperson: We come to our formal clause-by-clause scrutiny of the Superannuation Bill. I will ask the Committee Clerk to go through the options for us.

Clause 1 (Consents required for civil service compensation scheme modifications)

The Committee Clerk: I will just recap for members: clause 1 removes the requirement in article 4 of the Superannuation (NI) Order 1972 to obtain the consent of the Civil Service trades unions for reductions in benefits provided under the Civil Service compensation scheme. Members will be aware that it has been referred to as the trade union veto. In their evidence to the Committee, the unions raised concerns about the proposed removal, and the Northern Ireland Human Rights Commission advised the Committee that removing the trade union veto may risk regression in the protection of a number of human rights. The Department disputed that, and maintained that the removal of the veto is necessary to maintain parity with GB; the Department gave an assurance that it will undertake effective consultation. No amendments to clause 1 have been considered by the Committee. Therefore the question is whether the Committee is content with clause 1.

Clause 1 agreed to.

Clause 2 (Consultation in relation to civil service compensation scheme modifications)

The Committee Clerk: Two of the amendments discussed in the previous session, which we titled A and C, affect clause 2 directly; amendment B, which concerns Assembly control, is also relevant to our scrutiny of clause 2. Without going back over issues that we discussed in the previous session, members need to decide formally which, if any, of the following amendments the Committee wishes to

propose. Any amendments that the Committee agrees will go into the Committee's report to the Assembly as amendments to be tabled at Consideration Stage.

Amendment No 1 is the "Duty to Negotiate". If I read the Committee right, there seemed to be consensus in opposing the amendment.

Members indicated assent.

Clause 2 agreed to.

The Committee Clerk: Amendment No 2 is "Strengthening the Reporting Duty". Amendment No 2 could be made in addition to amendment No 3 concerning Assembly control.

The Chairperson: Since the consensus seems to be that amendment No 3 has some support, perhaps we should take it first.

The Committee Clerk: The question is whether the Committee is content to propose amendment No 3, which will insert a new clause 3 into the Bill, to the Assembly. If members agree to amendment No 3, the question is whether it should be subject to negative or affirmative resolution.

The Chairperson: Do members agree that amendment No 3 — that new clause 3 be inserted into the Bill subject to negative resolution — be made?

Question put, That the amendment be made.

The Committee divided:

Ayes 7; Noes 3.

AYES

Mr Beggs, Mr Cree, Mr D Bradley, Mr McKay, Mr Mitchel McLaughlin, Mrs Cochrane, Ms Fearon.

NOES

Mr Girvan, Mr Hilditch, Mr Humphrey.

Question accordingly agreed to.

The Committee Clerk: The question is whether the Committee is content with amendment No 2, "Strengthening the Reporting Duty".

The Chairperson: I was picking up, given that amendment No 3 has been agreed, that there is no need for amendment No 2.

Members indicated assent.

Clause 3 (Interpretation)

The Committee Clerk: There were no issues raised in the evidence sessions on clause 3. Is the Committee content with the clause?

Clause 3 agreed to.

Clause 4 (Short title and commencement)

The Committee Clerk: No issues were raised in the evidence sessions, so the question is whether the Committee is content with clause 4.

Clause 4 agreed to.

The Committee Clerk: The long title of the Bill is: A Bill to make provision for and in connection with limiting the value of the benefits which may be provided under so

much of any scheme under Article 3 of the Superannuation (Northern Ireland) Order 1972 as provides by virtue of Article 4(2) of that Order for benefits to be provided by way of compensation to or in respect of persons who suffer loss of office or employment; and to make provision about the procedure for modifying such a scheme.

Long title agreed to.

The Committee Clerk: An initial draft of the Committee's report will be prepared for next week's meeting, summarising the evidence and reflecting the decisions taken today. There will be a final draft for consideration at the meeting on 26 September in time for the Committee to agree the report to the Assembly before the Committee Stage expires on 28 September. Consideration Stage is expected to take place in the week commencing 22 October, in advance of which any agreed Committee amendments will be required to be tabled. The Bill Office will be able to advise whether any consequential amendments need to be made.

The Chairperson: That concludes our clause-by-clause scrutiny of the Bill.

Mr Girvan: Before we move on, Chairman, was there not a major discussion last week on what was deemed the period for consultation? Did we agree to remove the word "minimum"?

The Committee Clerk: The member had just left the meeting when it was agreed that that amendment would no longer be considered.

Mr Girvan: OK; that is fine.

Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.

Northern Ireland Assembly

Friday 14 September 2012

Written Answers to Questions

Department of Agriculture and Rural Development

Freedom of Information Requests

Mr Flanagan asked the Minister of Agriculture and Rural Development to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by her Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13769/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be seen as validated until the publication of the 2011 FOI Annual Report.

Executive Papers

Mr Allister asked the Minister of Agriculture and Rural Development (i) how many draft Executive papers, for approval by the Minister, have not yet been approved; (ii) the date the Minister received each paper; and (iii) the subject matter of each paper.

(AQW 13791/11-15)

Mrs O'Neill: The content of Executive papers and all aspects of Executive business are confidential.

Perpetrators of Severe Animal Cruelty

Mr G Robinson asked the Minister of Agriculture and Rural Development what steps she is going to take to introduce tougher penalties on perpetrators of severe animal cruelty, such as the recent case of Codie the dog.

(AQW 13994/11-15)

Mrs O'Neill: The Welfare of Animals Act 2011 replaces the Welfare of Animals Act 1972 and is a major step forward in terms of protecting the welfare of both farmed and other animals. The 2011 Act recognises that animal cruelty and causing unnecessary suffering to any animal are very serious offences and the penalties reflect this. In the 1972 Act, the maximum penalties were 3 months imprisonment and/or a £5000 fine on summary conviction. From 2 April 2012, the 2011 Act has significantly increased the penalties for animal welfare offences to a maximum of 6 months imprisonment and/or a maximum fine of £5,000 on summary conviction (Magistrate's Court); and on conviction by indictment (High Court with jury) to a maximum of 2 years imprisonment and/or an unlimited fine. These new penalties are stiffer than those introduced in England and Wales in the Animal Welfare Act 2006, which has a maximum penalty of 51 weeks imprisonment and/or a £20,000 fine.

I can assure you that I take the welfare of animals very seriously and I am committed to fully implementing the new legislation. The Cody incident was truly abhorrent, but thankfully this type of incident is rare in our society. I believe that the Welfare of Animals Act 2011 is fit for purpose and that the tough penalties that have been introduced in this new legislation will provide a strong deterrent, thus protecting animals from unnecessary suffering and cruelty.

Single Farm Payment Section at Orchard House, Londonderry: Staff

Mr Allister asked the Minister of Agriculture and Rural Development to detail the community background of staff employed in the Single Farm Payment Section at Orchard House, Londonderry.

(AQW 14015/11-15)

Mrs O'Neill: The Department does not retain information on community background of its staff. Such information is collected by the NI Statistics and Research Agency (NISRA) and is used by the NI Civil Service for monitoring purposes as required under the Fair Employment and Treatment (NI) Order 1998. The examination of individual offices by community background is not carried out.

Animal Cruelty Offences

Mr Givan asked the Minister of Agriculture and Rural Development to detail the custodial sentences that can be given to people responsible for animal cruelty, including the burning of a dog resulting in death.

(AQW 14051/11-15)

Mrs O'Neill: The Welfare of Animals Act 2011 replaces the Welfare of Animals Act 1972 and is a major step forward in terms of protecting the welfare of both farmed and non-farmed animals. Under the 2011 Act a person commits an offence if, he/she causes any unnecessary suffering to an animal, or fails to act to prevent an animal suffering unnecessarily. From 2 April 2012, the 2011 Act has significantly increased the penalties for animal welfare offences to a maximum of 6 months imprisonment and/or a maximum fine of £5,000 on summary conviction (Magistrate's Court); and on conviction by indictment (High Court with jury) to a maximum of 2 years imprisonment and/or an unlimited fine.

These new penalties are stiffer than those introduced in England and Wales in the Animal Welfare Act 2006, which has a maximum penalty of 51 weeks imprisonment and/or a £20,000 fine.

East Belfast/Connswater Community Greenway Integrated Flood Alleviation Scheme

Mr Lyttle asked the Minister of Agriculture and Rural Development how much of the £10 million allocated by the Executive to the Rivers Agency for flood alleviation schemes has been allocated for use on the East Belfast/Connswater Community Greenway Integrated Flood Alleviation Scheme; and whether this amount can be ring-fenced to permit planning and tendering of the scheme without further delay.

(AQW 14114/11-15)

Mrs O'Neill: I was pleased that the Executive agreed to the acceleration of a number of projects to address the immediate needs highlighted by the flooding on 27 June 2012, including the Loop River project in East Belfast which is being taken forward by Rivers Agency.

Following the Executive announcement I am in discussion with my colleague, Minister Wilson, on the quantum and timing of additional funding for works in East Belfast.

Department of Education

Educational Achievements of Adopted and Foster Children

Mr Easton asked the Minister of Education whether his Department keeps statistics on the educational achievements of adopted and foster children.

(AQW 13729/11-15)

Mr O'Dowd (The Minister of Education): The Department collects details of the educational achievements of all pupils leaving school. There is however, no specific information to identify adopted and fostered children.

Pupils may be recorded as 'in care' and schools report this to the Department as part of their annual statistical return. In care children are defined in 'The Children (NI) Order 1995' and includes children in the care of an authority or provided with accommodation by the authority. This also includes children who are fostered.

The table below provides statistics on the educational achievements of those school leavers recorded as in care for the academic years 2008/09 to 2010/11.

Performance of school leavers recorded as in care 2008/09

| | Not in care | | In Care | |
|---|---------------|------|-----------|------|
| | Number | % | Number | % |
| 2 or more A Levels A*-E | 11,686 | 50.4 | 7 | 7.4 |
| At least 5 GCSEs A*-C | 16,305 | 70.3 | 24 | 25.3 |
| At least 5 GCSEs A*-C inc. GCSE English and maths | 13,582 | 58.6 | 14 | 14.7 |
| No GCSEs | 652 | 2.8 | 21 | 22.1 |
| Total Leavers | 23,181 | | 95 | |

Performance of school leavers recorded as in care 2009/10

| | Not in care | | In Care | |
|---|---------------|------|------------|------|
| | Number | % | Number | % |
| 2 or more A Levels A*-E | 12,015 | 52.9 | 13 | 11.7 |
| At least 5 GCSEs A*-C | 16,383 | 72.1 | 31 | 27.9 |
| At least 5 GCSEs A*-C inc. GCSE English and maths | 13,459 | 59.3 | 16 | 14.4 |
| No GCSEs | 454 | 2.0 | 22 | 19.8 |
| Total Leavers | 22,715 | | 111 | |

Performance of school leavers recorded as in care 2010/11

| | Not in care | | In Care | |
|---|---------------|------|------------|------|
| | Number | % | Number | % |
| 2 or more A Levels A*-E | 12,332 | 53.6 | 10 | 7.4 |
| At least 5 GCSEs A*-C | 16,921 | 73.5 | 28 | 20.6 |
| At least 5 GCSEs A*-C inc. GCSE English and maths | 13,777 | 59.8 | 14 | 10.3 |
| No GCSEs | 501 | 2.2 | 20 | 14.7 |
| Total Leavers | 23,024 | | 136 | |

Source: School Leavers Survey

Data excludes special and independent schools

Performance indicators include equivalent qualifications

North Down Teenagers: Qualifications

Mr Easton asked the Minister of Education how many teenagers living in working class areas of North Down did not obtain a qualification in the last two years.

(AQW 13730/11-15)

Mr O'Dowd: In the 2010/11 academic year, six school leavers resident in the entire North Down district council area left school without any formal qualifications and, in the 2009/10 academic year, 10 school leavers resident in the North Down district council area left school without any formal qualifications.

None of the wards that make up the North Down district council area are in the 20 per cent most deprived Wards as defined by the Multiple Deprivation Measures 2010.

Year 1 Places: Bangor

Mr Easton asked the Minister of Education how many children in the Bangor area have not yet received a Year 1 place at a primary school for the 2012/13 year.

(AQW 13731/11-15)

Mr O'Dowd: There are currently 2 children from the Bangor area who have not secured a Year 1 place for the 2012/13 school year.

There are still places available in the Bangor area at primary schools and the Education and Library Board would advise that a parent should nominate a further school preference as a matter of urgency, otherwise the non-attendance of their child at school becomes a school attendance issue.

Year 8 Places: Bangor

Mr Easton asked the Minister of Education how many children in the Bangor area have not yet received a Year 8 place at a post-primary school for the 2012/13 year.

(AQW 13732/11-15)

Mr O'Dowd: There is currently 1 child from the Bangor area who has not secured a Year 8 place for the 2012/13 school year.

There are still places available in the area at post-primary schools and the Education and Library Board would advise that a parent should nominate a further school preference as a matter of urgency, otherwise the non-attendance of their child at school becomes a school attendance issue.

St Peter's High School, Londonderry

Mr Storey asked the Minister of Education to detail the financial intervention, over and above the normal Local Management of Schools funding, that has been given to St Peter's High School, Londonderry in each of the last ten years, broken down by category of funding.

(AQW 13747/11-15)

Mr O'Dowd: The Western Education and Library Board is the Funding Authority for St Peter's High School and has provided the financial data requested. The data in the table below covers the Financial Years 2002/03 to 2011/12 which is the latest complete year for which financial data is currently available. For completeness of answer, I have also provided the Local Management of Schools Funding for each Financial Year.

| | 2002/03 £ | 2003/04 £ | 2004/05 £ | 2005/06 £ | 2006/07 £ |
|--|------------------|------------------|------------------|------------------|------------------|
| LMS Funding | 1,185,406 | 1,447,986 | 1,455,300 | 1,488,419 | 1,507,638 |
| All Other Funding | | | | | |
| Curriculum Reserve | 25,000 | | | | |
| Contingency | 30,000 | | | | |
| SEN Code of Practice | 2,984 | 3,261 | | | |
| Chancellor's Allocation/ Additional Formula Allocation | 30,924 | 31,775 | 44,530 | | 14,683 |
| Threshold Payment | 28,636 | | | | |
| Additional Resources | | 15,288 | | | |
| DE Initiatives ⁽¹⁾ | | | 34,209 | 29,233 | 32,953 |
| DE Initiatives ⁽²⁾ - Extended Schools | | | | | 26,525 |
| Board Initiatives ⁽³⁾ | | | | | -3,978 |
| C2k | | 5,500 | | | |
| Other | -4,560 | 17,532 | | | |
| Accrued Carry Over | -6,273 | -32,587 | 24,244 | 79,309 | 17,369 |
| Non Delegated Budget/Centre Funds | 521,517 | 378,069 | 491,474 | 546,583 | 583,022 |
| Total | 1,813,634 | 1,866,824 | 2,049,757 | 2,143,544 | 2,178,212 |

| | 2007/08 £ | 2008/09 £ | 2009/10 £ | 2010/11 £ | 2011/12 £ |
|--|-----------|-----------|-----------|-----------|-----------|
| LMS Funding | 1,555,984 | 1,436,245 | 1,391,414 | 1,203,605 | 1,141,360 |
| All Other Funding | | | | | |
| Curriculum Reserve | | | | | |
| Contingency | | | | | |
| SEN Code of Practice | | | | | |
| Chancellor's Allocation/ Additional Formula Allocation | 24,407 | | | | |
| Threshold Payment | | | | | |
| Additional Resources | | | | | |
| DE Initiatives ⁽¹⁾ | 16,969 | 55,095 | 44,922 | 54,414 | 43,581 |
| DE Initiatives ⁽²⁾ - Extended Schools | 26,600 | 25,150 | 24,100 | 22,050 | 20,800 |
| Board Initiatives ⁽³⁾ | -342 | -7,071 | -4,925 | -4,760 | |
| C2k | | | | | |

| | 2007/08 £ | 2008/09 £ | 2009/10 £ | 2010/11 £ | 2011/12 £ |
|-----------------------------------|------------------|------------------|------------------|------------------|------------------|
| Other | | | | | |
| Accrued Carry Over | 55,954 | 135,034 | 131,249 | 80,929 | -88,536 |
| Non Delegated Budget/Centre Funds | 505,455 | 582,602 | 515,910 | 661,124 | 912,306 |
| Total | 2,185,027 | 2,227,055 | 2,102,670 | 2,017,362 | 2,029,511 |

Notes: DE Initiatives(1) - Irish Medium, EMAs Additional Funding, Collaboration Between Schools, Literacy & Numeracy, Controlled Integration and Revised Curriculum.

DE Initiatives (2) – Extended Schools – is Extended Schools funding

Board Initiatives(3) – Total Class Size Policy and Funding Corrections – Internal Audit

St Eugene's High School, Castleberg

Mr Storey asked the Minister of Education to detail the financial intervention, over and above the normal Local Management of Schools funding, that has been given to St Eugene's High School, Castleberg in each of the last ten years, broken down by category of funding.

(AQW 13748/11-15)

Mr O'Dowd: The Western Education and Library Board is the Funding Authority for St Eugene's High School, Castleberg and has provided the financial data requested. The data in the table below covers the Financial Years 2002/03 to 2011/12 which is the latest complete year for which financial data is currently available. For completeness of answer, I have also provided the Local Management of Schools Funding for each Financial Year.

| | 2002/03 £ | 2003/04 £ | 2004/05 £ | 2005/06 £ | 2006/07 £ |
|--|----------------|----------------|----------------|----------------|----------------|
| LMS Funding | 693,584 | 662,427 | 617,343 | 685,961 | 721,175 |
| All Other Funding | | | | | |
| Curriculum Reserve | 2,000 | 15,000 | 12,000 | 10,000 | |
| Contingency | | | 250 | | |
| SEN Code of Practice | 1,892 | 1,696 | | | |
| Chancellor's Allocation/Additonal Formula Alloc./(CYP) | 28,218 | 28,150 | 39,473 | | 6,088 |
| Threshold Payment | 30,206 | | | | |
| Additional Resources | | 13,654 | | | |
| DE Initiatives (*) | | | 14,449 | 14,915 | 9,936 |
| DE Initiatives (*) - Extended Schools | | | | | 17,500 |
| Board Initiatives (*) | | | | | |
| C2k | | 2,700 | | | |
| Other | | | | | |
| Accrued Carry Over | 736 | 1,994 | -2,990 | -25,896 | -32,499 |
| Non Delegated Budget/Centre Funds | 222,949 | 170,432 | 172,274 | 148,699 | 164,904 |
| Total | 979,585 | 896,053 | 852,799 | 833,679 | 887,104 |

| | 2007/08 £ | 2008/09 £ | 2009/10 £ | 2010/11 £ | 2011/12 £ |
|--------------------------|-----------|-----------|-----------|-----------|-----------|
| LMS Funding | 677,852 | 729,066 | 750,236 | 765,123 | 684,629 |
| All Other Funding | | | | | |
| Curriculum Reserve | | | | | |

| | 2007/08 £ | 2008/09 £ | 2009/10 £ | 2010/11 £ | 2011/12 £ |
|---|----------------|------------------|------------------|------------------|------------------|
| Contingency | 2,749 | 2,000 | | | |
| SEN Code of Practice | | | | | |
| Chancellor's Allocation/Additional Formula Alloc./(CYP) | 8,913 | | | | |
| Threshold Payment | | | | | |
| Additional Resources | | | | | |
| DE Initiatives ⁽¹⁾ | 11,990 | 54,400 | 52,597 | 39,976 | 25,582 |
| DE Initiatives ⁽²⁾ - Extended Schools | 16,150 | 16,525 | 16,450 | 16,450 | 14,875 |
| Board Initiatives ⁽³⁾ | | -1,418 | | | |
| C2k | | | | | |
| Other | | | | | |
| Accrued Carry Over | 42,935 | 58,321 | 101,003 | 88,073 | 28,638 |
| Non Delegated Budget/Centre Funds | 216,670 | 151,216 | 141,790 | 178,848 | 482,797 |
| Total | 977,259 | 1,010,110 | 1,062,076 | 1,088,470 | 1,236,521 |

Notes: DE Initiatives(1) - Irish Medium, EMAs Additional Funding, Collaboration Between Schools, Literacy & Numeracy, Controlled Integration and Revised Curriculum.

DE Initiatives (2) – Extended Schools – is Extended Schools funding

Board Initiatives(3) – Total Class Size Policy and Funding Corrections – Internal Audit

Hospital Schools

Mr Storey asked the Minister of Education for an update on the provision of Hospital Schools in each Education and Library Board area.

(AQW 13750/11-15)

Mr O'Dowd: There is only one hospital school, the Belfast Hospital School, which is based at both the Royal Belfast Hospital for Sick Children and Musgrave Park Hospital.

There are currently no plans to alter this provision.

Teaching of English and/or Maths in Post-primary Schools

Mr Swann asked the Minister of Education to detail (i) the requests made to his Department for additional resources to support the teaching of English and/or Maths in post-primary schools in the North Eastern Education and Library Board area in 2011/12; (ii) the nature of the successful requests; and (iii) how the funding provided was used.

(AQW 13767/11-15)

Mr O'Dowd: In the 2011/12 financial year the North Eastern and Library Board (the NEELB) made one request to the Department for additional resources to support the teaching of English and Maths. This request was in respect of Ballee Community High School, Ballymena. The business case submitted by the NEELB sought DE approval for additional funding to cover the cost of employing one additional English teacher and one additional maths teacher on temporary contracts for the 2011/12 academic year. The estimated cost of the provision was £60,000.

The business case was subject to full consideration by DE officials. In the course of this process the business case required a number of revisions to ensure that the need for the additional expenditure could be fully assessed and that the business case was suitably robust. However, the business case did not reach the approval stage and in the interim the NEELB withdrew the request for funding. The NEELB considered that the timescale for achieving approval would not allow for a reasonable return on the use of public funds. Therefore, no additional funding was made available in this case.

Freedom of Information Requests

Mr Flanagan asked the Minister of Education to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by his Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13771/11-15)

Mr O'Dowd: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be seen as validated until the publication of the 2011 FOI Annual Report.

Special Needs Assessment Referral Times

Mr Weir asked the Minister of Education how his Department will ensure equality between each Education and Library Board in Special Needs Assessment Referral times.

(AQW 13798/11-15)

Mr O'Dowd: The Education and Library Boards have confirmed that a time allocation model for educational psychology services is used across all Boards which is based upon the need for commonality, consistency and equity of practice across the five boards.

Under this system schools are given an annual allocation of time from their Board's educational psychology service and the school considers potential referrals to the service. Boards apply the time allocation system in as flexible a manner as possible so that, in exceptional circumstances, a child in urgent need can be assessed even if the school have already received their full allocation of educational psychology time.

I would prefer not to have a situation where children have to wait a long time for assessment or intervention. It is one of the aims of the review of special educational needs and inclusion to look at ways to deploy resources so that children get the support which they need as early as possible.

Unfortunately where demand is high and finite resources are available, it is necessary to have in place a system which prioritises need.

New Bangor Grammar School

Mr Easton asked the Minister of Education when the new Bangor Grammar School will be open to pupils.

(AQW 13804/11-15)

Mr O'Dowd: It is anticipated that the new school building will be handed over to the school authorities on 3 January 2013 and that the first full teaching day in the new school will be Monday 14 January 2013.

School Transport Contracts: Western Education and Library Board

Mr Storey asked the Minister of Education what steps his Department has taken to deal with serious irregularities regarding school transport contracts issued by the Western Education and Library Board to operators from the Republic of Ireland.

(AQW 13822/11-15)

Mr O'Dowd: Following legal advice the Department of the Environment (DoE) informed the Western Education and Library Board (WELB) that from 14th June 2012, it was revising its interpretation of EU Regulation governing 'cabotage'. This covers transport services provided wholly in one Member State by operators from another. This change affected WELB contracts with 3 southern bus contractors operating home to school transport services on 16 routes affecting approximately 880 pupils.

To withdraw these services with immediate effect would have resulted in serious disruption at a time when many pupils were facing important end-of-year examinations, including GCSEs and A-levels, as the WELB was unable to provide alternative services arrangements for many pupils at such short notice. Following legal advice, and discussions with DoE, the WELB considered there was no intentional breach of contract per se by the southern operators, as the contracts had been signed in 2011 under the extant DoE interpretation of the cabotage Regulation. Non-compliance may be a breach of contract, but not necessarily so. In this instance, the situation facing the operators was a revised interpretation of the rules and therefore outside of their control. In the circumstances, WELB decided to temporarily extend the affected services for the remaining two weeks of the school year, to 30 June. To ensure the safety of pupils was not compromised, the WELB sought and received assurances from the southern operator's insurance companies that their insurance cover would be unaffected during this period.

The southern operator contracts were temporarily suspended from 30 June and they were giving until 1 September to bring their operations into line with the revised DoE interpretation of the EU Regulations, or the contracts would be cancelled and reallocated to other operators under the existing contract arrangements. The three southern operators complied fully with the necessary DoE/DVA requirements by 1 September and WELB reinstated their contracts for home to school transport services.

School Transport Contracts: Western Education and Library Board

Mr Storey asked the Minister of Education to outline how contracts issued by the Western Education and Library Board were extended, even though they were found to be non-compliant during the term of the initial contract.

(AQW 13824/11-15)

Mr O'Dowd: Following legal advice the Department of the Environment (DoE) informed the Western Education and Library Board (WELB) that from 14th June 2012, it was revising its interpretation of EU Regulation governing 'cabotage'. This covers transport services provided wholly in one Member State by operators from another. This change affected WELB contracts with 3 southern bus contractors operating home to school transport services on 16 routes affecting approximately 880 pupils.

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School Transport Contracts: Western Education and Library Board

Mr Storey asked the Minister of Education to confirm that, in relation school transport contracts, non-compliance is a breach of contract which results in the contract being void.

(AQW 13825/11-15)

Mr O'Dowd: Following legal advice the Department of the Environment (DoE) informed the Western Education and Library Board (WELB) that from 14th June 2012, it was revising its interpretation of EU Regulation governing 'cabotage'. This covers transport services provided wholly in one Member State by operators from another. This change affected WELB contracts with 3 southern bus contractors operating home to school transport services on 16 routes affecting approximately 880 pupils.

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Arvalee School and Resource Centre

Mr Hussey asked the Minister of Education what steps he has taken and plans to take to accelerate the construction of a new school to replace the Arvalee School and Resource Centre.

(AQW 13884/11-15)

Mr O'Dowd: I have instructed my officials to investigate all possible options that would allow for the provision of new school buildings for Arvalee to be constructed on the Lisanelly site as a matter of urgency.

I had already announced plans to provide new build accommodation for the Arvalee School and Resource Centre as an early development on the Lisanelly site. These plans have been developed to RIBA Design Stage C. An Outline Business Case for the Lisanelly Shared Education Campus (LSEC) project, which includes Arvalee, has been prepared and is to be submitted to my Department in the near future.

My Department, in conjunction with the School and the Western Education & Library Board (WELB), is now considering the available options, with a view to accelerating the procurement timetable to allow the construction of new accommodation for the Arvalee School and Resource Centre to begin on the Lisanelly site as soon as possible.

It should be appreciated that the planning and procurement of any major capital building project must be fully developed and tendered in line with procurement guidance prior to work beginning on site. Furthermore, a project of this size would take approximately 18 months to construct.

In the meantime, my officials are working closely with the Arvalee School and Resource Centre and the WELB to arrive at acceptable and workable short and medium term solutions to ensure the continued educational development of the pupils.

Arvalee School and Resource Centre

Mr Hussey asked the Minister of Education, in light of the damage to Arvalee School, whether he will bring forward proposals to build a similar school at the Lisanelly site.

(AQW 13885/11-15)

Mr O'Dowd: I have instructed my officials to investigate all possible options that would allow for the provision of new school buildings for Arvalee to be constructed on the Lisanelly site as a matter of urgency.

I had already announced plans to provide new build accommodation for the Arvalee School and Resource Centre as an early development on the Lisanelly site. These plans have been developed to RIBA Design Stage C. An Outline Business Case for the Lisanelly Shared Education Campus (LSEC) project, which includes Arvalee, has been prepared and is to be submitted to my Department in the near future.

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It should be appreciated that the planning and procurement of any major capital building project must be fully developed and tendered in line with procurement guidance prior to work beginning on site. Furthermore, a project of this size would take approximately 18 months to construct.

In the meantime, my officials are working closely with the Arvalee School and Resource Centre and the WELB to arrive at acceptable and workable short and medium term solutions to ensure the continued educational development of the pupils.

School Enrolments

Mr Kinahan asked the Minister of Education (i) what variation he expects in the projected numbers of enrolment being used within Area Planning to predict the number of school places needed up to 2025; (ii) whether verification of these figures from other methods has been obtained; and (iii) what allowances have been made for migration, change of religion and other outside influences.

(AQW 13891/11-15)

Mr O'Dowd:

- (i) The projected numbers of places needed at Primary and Post-primary levels are based on official population projections published by the Statistics & Research Agency (NISRA). The population projections are updated every two years and will be used to update the projected need for places. The projected needs will therefore be based on the most up to date data available. I have no means of assessing how the outturn of the need for places will differ from the projections. However, I am confident that our approach - using the best information currently available - is the right one.
- (ii) The projected needs are based on published official statistics. As with all projections they are based on assumptions about future levels of fertility, migration and mortality. It is for NISRA to ensure that appropriate professional standards are maintained in producing the statistics. However the current school projection statistics are in close agreement with the Annual School Census.
- (iii) Although these figures are provided at District Council level in three subsets comprising broadly Controlled, Maintained and Integrated schools, the key issue is that the overall total need (plus a tolerance to allow for parental preference) is not breached. If one sector in an area is to grow beyond what is shown in the calculation then there must be a consequent reduction elsewhere. We must avoid double counting the need for places. The official projections make allowance for both international migration and movement of people within the north of Ireland. The projected needs for places are not based on religion but on the proportions of pupils living in the 26 District Council areas currently attending schools in the three subsets. Changes in the proportions of pupils in the subsets will be accounted for as the calculations are updated with new published statistics.

Bain Strategic Review of Education

Mr Kinahan asked the Minister of Education for his assessment of the Bain Strategic Review of Education and its relevance for modern use.

(AQW 13892/11-15)

Mr O'Dowd: The Report of the Independent Strategic Review of Education - the Bain Report - was published in December 2006. It made a number of recommendations on a range of issues including the use of resources in education, the need for improved sharing and collaboration among schools and between schools and further education, and in particular the strategic planning of the schools estate. The recommendations in all of these areas have been progressed.

The report's recommendations on strategic planning and sustainability were incorporated in the Department's Sustainable Schools Policy, published in January 2009. This is currently the basis for the area planning process which I commissioned in September last year and which is being taken forward by the Education and Library Boards. The post-primary plans for the five Board areas have been published for consultation and response facilities are available at www.puttingpupilsfirst.info.

The primary plans are expected to be published later this year.

Education and Skills Authority

Mr Kinahan asked the Minister of Education to detail the projected savings on full implementation of the Education and Skills Authority.

(AQW 13893/11-15)

Mr O'Dowd: The savings in the Department's published Savings Delivery Plan are required in order to balance the Education budget by the end of the budget period, 2011-2015. The creation of ESA in 2013, halfway through this period, will help deliver this plan. By the end of the budget period some £40m will be realised in administration savings highlighting the need for a streamlined, regional organisation.

Asbestos Contamination in Schools

Mr Weir asked the Minister of Education which schools in North Down are contaminated with asbestos; and to what extent.

(AQW 13918/11-15)

Mr O'Dowd:

- (i) There are no schools contaminated with asbestos in North Down; however, a number of schools do contain asbestos. The names of these schools, along with the extent, are listed below:

| School name | Location | Extent * |
|-------------------------------------|---------------|---------------|
| Nursery | | |
| Hollywood Nursery School | Hollywood | Brown |
| Trinity Nursery School | Bangor | White & Brown |
| Primary | | |
| Hollywood Primary School | Hollywood | White |
| Crawfordsburn Primary School | Crawfordsburn | White & Brown |
| Ballyholme Primary School | Bangor | White & Brown |
| Clandeboyne Primary School | Bangor | White & Brown |
| Bloomfield Primary School | Bangor | White & Brown |
| Grange Park Primary School | Bangor | White & Brown |
| Kilcooley Primary School | Bangor | White & Brown |
| Rathmore Primary School | Bangor | White & Brown |
| Ballymagee Primary School | Bangor | White |
| St Patrick's Primary School | Hollywood | White & Brown |
| St Malachy's Primary School | Bangor | White & Brown |
| Bangor Central Primary School | Bangor | White |
| GlenCraig Integrated Primary School | Hollywood | White & Brown |
| Post Primary | | |
| St Columbanus' College | Bangor | White & Brown |
| Priory College | Hollywood | White & Brown |

* White (Chrysotile)

* Brown (Amosite)

It has not been possible to provide information on voluntary grammar schools as this information is held by the individual schools.

- (ii) Health and Safety Executive guidelines state that if asbestos is in good condition and unlikely to be damaged or disturbed, it does not pose a significant risk to health as long as it is properly managed. The Department and the

Boards work within the constraints of a prioritised budget to ensure that where asbestos has been identified, it is properly managed in the schools estate, along with other health and safety issues. If the Boards or the Department are made aware of any potential problems with asbestos in a school, work is carried out immediately to resolve the problem.

Asbestos Contamination in Schools

Mr Weir asked the Minister of Education what additional resources are being deployed to remove asbestos contamination from schools.

(AQW 13919/11-15)

Mr O'Dowd:

- (i) There are no schools contaminated with asbestos in North Down; however, a number of schools do contain asbestos. The names of these schools, along with the extent, are listed below:

| School name | Location | Extent * |
|------------------------------------|---------------|---------------|
| Nursery | | |
| Hollywood Nursery School | Hollywood | Brown |
| Trinity Nursery School | Bangor | White & Brown |
| Primary | | |
| Hollywood Primary School | Hollywood | White |
| Crawfordsburn Primary School | Crawfordsburn | White & Brown |
| Ballyholme Primary School | Bangor | White & Brown |
| Clandeboy Primary School | Bangor | White & Brown |
| Bloomfield Primary School | Bangor | White & Brown |
| Grange Park Primary School | Bangor | White & Brown |
| Kilcooley Primary School | Bangor | White & Brown |
| Rathmore Primary School | Bangor | White & Brown |
| Ballymagee Primary School | Bangor | White |
| St Patrick's Primary School | Hollywood | White & Brown |
| St Malachy's Primary School | Bangor | White & Brown |
| Bangor Central Primary School | Bangor | White |
| Glenraig Integrated Primary School | Hollywood | White & Brown |
| Post Primary | | |
| St Columbanus' College | Bangor | White & Brown |
| Priory College | Hollywood | White & Brown |

* White (Chrysotile)

* Brown (Amosite)

It has not been possible to provide information on voluntary grammar schools as this information is held by the individual schools.

- (ii) Health and Safety Executive guidelines state that if asbestos is in good condition and unlikely to be damaged or disturbed, it does not pose a significant risk to health as long as it is properly managed. The Department and the Boards work within the constraints of a prioritised budget to ensure that where asbestos has been identified, it is properly managed in the schools estate, along with other health and safety issues. If the Boards or the Department are made aware of any potential problems with asbestos in a school, work is carried out immediately to resolve the problem.

Pupils who Transferred to Other Post-primary Schools

Mr Kinahan asked the Minister of Education to detail the number of pupils who transferred to other post-primary schools between the 2010/11 and 2011/12 academic years, broken down by category of schools, in each Education and Library Board area.

(AQW 13926/11-15)

Mr O'Dowd: The table below provides information derived from the annual school census returns in 2010/11 and 2011/12. It details the number of pupils in Year 8 – 11 in October 2010 who went to a different post-primary school by October 2011. In total, 2,607 pupils had moved school: 1,189 had moved from one non-grammar school to another and 895 pupils had moved from a non-grammar school to a grammar school. There were fewer moves from grammar schools: 158 pupils moved from grammar schools to non-grammar schools and 365 pupils moved to other grammar schools.

Destinations of pupils in Year 8 – 11 who have moved school by the 2011/12 academic year

| School location and type in 2010/11 | | School type in 2011/12 | |
|-------------------------------------|--------------------|------------------------|------------|
| ELB | School type | Non-grammar | Grammar |
| Belfast | Non-grammar | 136 | 40 |
| | Grammar | 38 | 63 |
| Western | Non-grammar | 100 | 234 |
| | Grammar | 43 | 241 |
| North Eastern | Non-grammar | 206 | 46 |
| | Grammar | 30 | 28 |
| South Eastern | Non-grammar | 221 | 56 |
| | Grammar | 12 | 22 |
| Southern | Non-grammar | 526 | 519 |
| | Grammar | 35 | 11 |
| Total | Non-grammar | 1,189 | 895 |
| | Grammar | 158 | 365 |

Source: School enrolments census.

Notes:

- Figures relate to those pupils attending different schools on census day in 2010/11 and on census day in 2011/12. Figures were derived by tracing the movement of unique pupil identifiers between schools in the databases for each of the years concerned.
- There were a further 577 pupils in Year 8 - 11 in 2010/11 who could not be identified as at schools in 2011/12.
- Year 12 and above pupils were excluded from the calculation.

Cost of School Transportation

Mr Kinahan asked the Minister of Education to detail the total cost of school transport by (i) taxi; and (ii) bus in each Education and Library Board in the 2011/12 academic year.

(AQW 13927/11-15)

Mr O'Dowd: Figures are provided by financial year rather than academic year and are not yet available for 2011/12. I am advised by the Education and Library Boards that the total cost of school transport by (i) taxis; and (ii) buses in the most recent year for which figures are available (2010/11) is as provided in the table below.

| Financial Year 2010/11 | (i) Taxis £k | (ii) Buses* £k |
|---|-----------------|-------------------|
| Belfast Education and Library Board | 977 | 4,356 |
| North Eastern Education and Library Board | 1,663 | 15,285 |
| South Eastern Education and Library Board | 1,056 | 13,128 |
| Southern Education and Library Board | 1,887 | 16,558 |
| Western Education and Library Board | 1,630 | 14,023 |

* This represents all buses provided by Translink, Education & Library Boards and private operators.

Source: The Education and Library Boards Actual Outturn Expenditure Home to School Transport.

Pupils Previously Expelled from Another School

Mr Lunn asked the Minister of Education how many pupils currently at school have been previously expelled from another school, broken down by Education and Library Board area.

(AQW 13956/11-15)

Mr O'Dowd: The Department does not hold the requested information. Statistics on pupil expulsions are collected annually from each of the Education and Library Boards and published on the Department's website at http://www.deni.gov.uk/index/21-pupils-parents-pg/pupils_parents-suspensions_and_expulsions_pg.htm.

This data does not include information on the education placement of expelled pupils which is a matter for the pupil's parent(s) and the relevant Education and Library Board.

A-level Pass Rates

Mr Weir asked the Minister of Education how 'A' Level pass rates in 2012 compare with England and Wales.

(AQW 13960/11-15)

Mr O'Dowd: In 2011/12, 83.5% of A Level entries here achieved grades A*-C, a higher proportion than both England and Wales, where 76.4% and 75.0% of entries respectively were awarded grades A*-C. At 98.1% the overall pass rate (A*-E grades) was similar to England (98.0%) and Wales (97.6%).

| | England | Wales | North of Ireland |
|---|---------|-------|------------------|
| % of all A Level entries achieving grades A*-C, 2011/12 | 76.4 | 75.0 | 83.5 |
| % of all A Level entries achieving grades A*-E, 2011/12 | 98.0 | 97.6 | 98.1 |

Source: JCQ

Physical Education Lessons in Schools

Mr D McIlveen asked the Minister of Education whether he has any plans to introduce a recommended annual minimum time for Physical Education lessons in schools.

(AQW 14023/11-15)

Mr O'Dowd: I have no plans to make legislative changes to allow for prescription in terms of time to be allocated to specific subjects. The Department of Education has issued guidance to schools recommending a minimum of two hours PE per week, however, legislation governing the revised curriculum prevents the Department from prescribing the amount of time to be allocated to any particular subject.

Physical Education is a compulsory part of the curriculum for all pupils at every Key Stage from the ages of 4 to 16. Greater flexibility and less prescription are key features of the revised curriculum which recognises the importance of allowing teachers to plan their teaching to meet the needs of their pupils.

The Department is contributing towards participation in PE through its funding of the Curriculum Sports Programme. The programme aims to develop physical literacy skills of our youngest pupils and is being delivered in over 560 schools across the north of Ireland.

I am fully supportive of DCAL's Sport Matters Strategy for Sport and Physical Recreation (2009 – 2019). As a response to this strategy the Department of Education has committed to establish a baseline for the number of pupils participating in a minimum of two hours quality physical education per week. As part of its work to establish the baseline, the Department issued an online questionnaire to all schools and the feedback has been analysed over the summer. The resulting report will be published on the DE website in the near future.

Department for Employment and Learning

Education Maintenance Allowance

Mr Storey asked the Minister for Employment and Learning to detail the number of pupils who received Education Maintenance Allowance in each of the last five years, broken down by (i) school type; and (ii) Education and Library Board.
(AQW 13749/11-15)

Dr Farry (The Minister for Employment and Learning): The tables overleaf detail the number of students who received Education Maintenance Allowance in each of the last five academic years broken down by (i) school type; and (ii) Education and Library Board.

(i) School Type

| Academic year | 07/08 | 08/09 | 09/10 | 10/11 | 11/12 |
|---------------------------|---------------|---------------|---------------|---------------|---------------|
| Further Education College | 7,550 | 8,110 | 9,550 | 8,600 | 9,580 |
| Grammar School | 5,700 | 5,700 | 6,260 | 6,880 | 6,890 |
| Independent School | 20 | 20 | 20 | 20 | 20 |
| Secondary School | 6,390 | 6,870 | 7,930 | 9,050 | 8,350 |
| Special School | 240 | 260 | 290 | 380 | 330 |
| Total | 19,900 | 20,960 | 24,050 | 24,930 | 25,170 |

(ii) Education and Library Board

| Academic year | 07/08 | 08/09 | 09/10 | 10/11 | 11/12 |
|---------------------------------------|---------------|---------------|---------------|---------------|---------------|
| Belfast Education Library Board | 4,290 | 4,610 | 5,480 | 5,360 | 5,310 |
| North Eastern Education Library Board | 3,740 | 3,830 | 4,470 | 4,740 | 4,680 |
| South Eastern Education Library Board | 2,770 | 2,940 | 3,230 | 3,520 | 3,720 |
| Southern Education Library Board | 4,400 | 4,680 | 5,470 | 5,900 | 5,910 |
| Western Education Library Board | 4,700 | 4,900 | 5,400 | 5,410 | 5,550 |
| Total | 19,900 | 20,960 | 24,050 | 24,930 | 25,170 |

Freedom of Information Requests

Mr Flanagan asked the Minister for Employment and Learning to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by his Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13838/11-15)

Dr Farry: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be regarded as validated until the publication of the 2011 FOI Annual Report.

Department of Enterprise, Trade and Investment**Renewables Obligation Certificates**

Mr Boylan asked the Minister of Enterprise, Trade and Investment to detail (i) how secure Renewables Obligation Certificates contracts are for farmers who erect wind turbines before any planned review; and (ii) whether contracts will be honoured by the Office of Gas and Electricity Markets for the term of the contract regardless of any changes proposed by any review.

(AQW 13813/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): In August 2012, the Department published its response to the consultation on proposed changes to the Northern Ireland Renewables Obligation (NIRO) in 2013. The response confirmed that onshore wind with an installed capacity up to 250kW and accredited under the NIRO before 1 April 2014, will receive 4 ROCs per megawatt hour of electricity generated.

Under the Renewables Obligation Order (Northern Ireland) 2009 generating stations are accredited under the NIRO for a period of 20 years at the ROC level at which that they were first accredited, regardless of future banding reviews. This process is known as 'grandfathering'.

However, post 31 March 2014, ROC banding levels will be subject to further review as part of the Department's move towards introducing a Small Scale Feed-in Tariff scheme.

Social Economy

Ms S Ramsey asked the Minister of Enterprise, Trade and Investment what support mechanisms her Department has put in place for the social economy sector since the cessation of operations by the Social Economy Network in August 2011.

(AQO 2366/11-15)

Mrs Foster: The Social Economy Network took the decision to cease operations from end August 2011. Since then, my Department has been taking forward a number of measures, in the context of the Executive's Economic Strategy, to promote the social economy sector and its contribution to economic growth.

In particular, DETI is in the process of appointing a service provider to design, manage and deliver a Social Economy Work Programme (SEWP) to support and develop the social economy sector, for up to a maximum of three years. A contract will be in place by end September 2012.

Invest NI have a range of activities focused on developing the third sector, including the Social Entrepreneurship Programme, which offers capability support and start-up grant assistance. As part of a wider business base focus, Invest NI continue to work with a number of existing social enterprises to assist business development.

Target Express

Mr Lynch asked the Minister of Enterprise, Trade and Investment what discussions she has had with the Revenue Commission in the Republic of Ireland regarding the job losses at Target Express.

(AQO 2363/11-15)

Mrs Foster: I have not had any discussions with the Revenue Commission in the Republic of Ireland regarding the recent announcement by Target Express. This was a dreadful blow for all the staff who work for the company and for their families and whilst it is encouraging that Masterlink Logistics has reached a provisional agreement with the liquidators to acquire a number of parts of the freight company, I would very much encourage the new owners to re-employ as many of the Northern Ireland based staff as possible.

I want to assure those affected by job losses that my Department and colleagues in the Department for Employment and Learning will of course do all that is possible to limit the impact of any job losses.

Invest NI: European Economy

Mr Dunne asked the Minister of Enterprise, Trade and Investment what impact the on-going instability within the European Economy has had on the work of InvestNI.

(AQO 2364/11-15)

Mrs Foster: With nearly half of our approximately £16 billion exports going to the EU, ongoing uncertainty in the Eurozone and predicted contraction can certainly impact on our economy.

It is vital that our exporters, both existing and new, use Invest NI's support and services to continue to look to new markets.

For example, in July 2012, I opened a new in-market support office in Erbil, Kurdistan and major trade missions will visit the US, China, South America, Turkey and India before the end of the year.

Tourism: "The Gathering"

Mr Flanagan asked the Minister of Enterprise, Trade and Investment for an update on her discussions with her counterpart in the Dublin government, Minister Leo Varadkar, regarding the potential benefits to the local economy of The Gathering 2013 taking place on a 32 county basis.

(AQO 2367/11-15)

Mrs Foster: When I met with Minister Leo Varadkar in Enniskillen on the 12th July I discussed a range of tourism issues.

Boosting Business: North Belfast

Ms P Bradley asked the Minister of Enterprise, Trade and Investment what impact the Boosting Business programme has had in the North Belfast constituency.

(AQO 2368/11-15)

Mrs Foster: A central theme of Boosting Business is the creation of new jobs via the Jobs Fund. In North Belfast there are currently nine Jobs Fund business investment projects at various stages of development, 70 new jobs have already been created and there is potential for a further 300 in the very near future.

Since the start of the Boosting Business campaign in November 2011, Invest NI has added 89 prospective projects worth £1.9million of support in the North Belfast area. These are at various stages of development and have the potential to generate £7million of investment for the local economy and create 103 new jobs.

The Jobs Fund has also provided support to 26 individuals resident in Neighbourhood Renewal Areas (NRA) to set up their own business in North Belfast through the NRA Business Start Grant, and to four young people (aged 16-24) not in education, employment or training (NEET) to set up their own business through the NEET Business Start grant.

The Jobs Fund work is ongoing and Invest NI is continuing to build a pipeline of projects that will lead to further new job creation in North Belfast in the near future.

Payday Loans

Mr Durkan asked the Minister of Enterprise, Trade and Investment how her Department plans to monitor how Pay Day Loan companies comply with the new codes of practice.

(AQO 2369/11-15)

Mrs Foster: The Department's Trading Standards Service will continue to take enforcement action against those traders that engage in unfair commercial practices. TSS will monitor the trade's compliance through complaints received through the Consumerline and the delivery of debt advice services. In addition, there are plans to monitor the individual performance of pay day loans businesses through a mystery shopping exercise.

Tourism: South Tyrone

Ms McGahan asked the Minister of Enterprise, Trade and Investment what actions have taken place to promote and develop the South Tyrone tourism product.

(AQO 2370/11-15)

Mrs Foster: I am aware that you have written to Mr. Alan Clarke, Chief Executive of the Northern Ireland Tourist Board on this issue. A comprehensive response is being prepared and will issue to you in due course.

On 6 September 2012 I met with Dungannon & South Tyrone Borough Council and The Trader's Association to discuss issues including local tourism development. This visit included a trip to The Hill of the O'Neill and Ranfurly House Arts & Visitors Centre which is a welcome addition to the tourism offering.

The Northern Ireland Tourist Board provided £10,000 of financial support through the Tourism Events Fund towards The Clogher Valley Show in July 2012.

Also, Todd's Leap won the "Best Visitor Experience" award at the Northern Ireland Tourism Awards (NITA) in 2012.

Tourism: Overseas Visitors

Mr Cree asked the Minister of Enterprise, Trade and Investment for her assessment of the number of overseas visitors during the first quarter of this year.

(AQO 2371/11-15)

Mrs Foster: The overseas visitor numbers are disappointing for the first quarter of 2012 however I remain positive about our prospects for the year. We must bear in mind that the global economic landscape has been challenging for the travel and tourism industry with continuing economic uncertainty in many of our key tourism markets.

Despite this uncertainty there are many reasons to expect a strong tourism performance this year. I am very encouraged to see an increase in occupancy rates across the hotels and other accommodation in the first 7 months of this year. During January – July 2012 the hotel room (63%) and bed-space (45%) occupancy increased by 5 percentage points and 6 percentage points respectively when compared to the previous year.

In its first 5 months Titanic Belfast has attracted more than 450,000 visitors while the Giant's Causeway Visitor Centre has welcomed over 200,000 visitors since it opened at the beginning of July. The recent Irish Open at Royal Portrush had a record breaking 130,000 spectators.

In addition, our domestic tourism market is extremely buoyant with NI residents taking an estimated 686,000 overnight trips in January to May this year, a 16% increase on last year.

Department of the Environment

Staff Member Re-employed in the Same Position

Lord Morrow asked the Minister of the Environment, pursuant to AQW 11851/11-15, and when the member of staff completes the specific project or retires from the post, whether the post will be advertised or trawled for replacement; and whether the post will be on a full-time or part-time basis.

(AQW 13724/11-15)

Mr Attwood (The Minister of the Environment): The member of staff was re-employed on a part time basis for temporary project work which was completed within a year. This project took place several years ago and the post was not refilled.

Planning Act 2011: Part 1, Section 2

Mr Agnew asked the Minister of the Environment to explain why the commencement of Part 1, section 2 of the Planning Act 2011 is dependent on the transfer of powers to councils, given that this relates solely to the powers of the Department of the Environment.

(AQW 13737/11-15)

Mr Attwood: Section 2 of the Planning Act (Northern Ireland) 2011 places a statutory requirement on the Department to prepare a Statement of Community Involvement in relation to its functions under Part 3 of the Act. These functions include the determination of Regionally Significant Development applications submitted either directly to the Department, or called in by it. Therefore, Section 2 is dependent on the transfer of powers to councils because it applies only to the Department's powers under the new two tier planning system when commenced.

Planning Act 2011

Mr Agnew asked the Minister of the Environment to provide a schedule of the subordinate legislation and guidance required to commence all the sections of the Planning Act 2011 and a timeframe for bringing these forward.

(AQW 13738/11-15)

Mr Attwood: The subordinate legislation necessary to exercise the powers contained in the Planning Act (NI) 2011 comprises a range of statutory rules which will be commenced to a timeframe that allows the new district councils to operate effectively as local planning authorities from the date of transfer of the majority of planning powers to local government. The schedule attached as an annex sets out the pieces of subordinate legislation necessary to achieve this. This schedule may be subject to amendment in line with changes in policy or work priorities or where opportunities emerge to combine provisions within a smaller number of pieces of legislation.

Operational guidance in relation to the reforms introduced and the change in responsibility of councils operating as planning authorities will be provided in tandem with the introduction of the subordinate legislation.

The timing of any proposals for subordinate legislation becoming law is subject to the proper Assembly process but will be managed within a formal project structure as an element of the wider reorganisation of local government and the transfer of other powers to the new district councils.

Summary of subordinate legislation to exercise powers in Planning Act (NI) 2011

- The Planning (Miscellaneous Amendments) Regulations (NI)
- The Planning (Environmental Impact Assessment) Regulations (NI)
- The Planning (Fees) Regulations (NI)
- The Planning (General Development Procedures) Order (NI)
- The Planning (Development Management) Regulations (NI)
- The Planning (General Permitted Development) Order (NI)
- The Planning (General Regulations) (NI)
- The Planning (Development Plan) Regulations (NI)
- The Planning (Control of Advertisements) Regulations (NI)
- The Planning (Statement of Community Involvement) Regulations (NI)
- The Planning (Conservation Areas) (Demolition) Regulations (NI)
- Statutory Rule for Transitional arrangements
- The Planning (Use Classes) Order (NI)
- The Planning (Fixed Penalties) Regulations
- The Planning (Management of Waste by Extractive Industries) Regulations (NI)
- The Planning (Enforcement) Regulations (NI)

Proposed Asda Retail Development at Loughside Park in North Belfast

Mr Agnew asked the Minister of the Environment (i) why his Department's Landscape Architects Branch (LAB) objects to the proposed Asda retail development at Loughside park in North Belfast; (ii) whether the view of LAB will influence his decision on whether to grant planning permission; (iii) should a decision be made to proceed with the proposals, whether any development will be in full compliance with the European Landscape Convention; (iv) for the latest figure on the number of letters objecting to this development that his Department has received; and (v) in light of the issues surrounding this development and the number of local people who are opposed, whether he intends to hold a public inquiry.

(AQW 13756/11-15)

Mr Attwood: Officials in Strategic Projects Division consulted a number of agencies on this application and associated Environmental Statement including the Landscape Architects Branch within DOE Planning. They raised concern in principle to the loss of open space and to the lack of integration in the scheme as then presented. A recommendation was made as to the provision of further planting.

Such consultations responses are one of a number of material considerations in the determination of the planning application and will be taken into account in reaching a balanced decision.

The European Landscape Convention promotes landscape, protection, management and planning of European Landscapes. The Department has a suite of Planning Policy Statements which set out its position on a number of issues including the protection of the natural environment and areas of open space. These issues will be material considerations in the determination of the planning application.

The Department has received a total of 1721 individual letters of objection and one petition of objection carrying 236 signatures. Two letters of support have been received and 3 petitions carrying 1,683 signatures. These representations will be taken into account in the determination of the application.

Officials in the Strategic Projects Division received an addendum to the Environmental Statement associated with this application on the 21 March 2012 including a statement on community benefit. The Department is currently considering this addendum with consultees. I will consider the need for a hearing in relation to this major Article 31 planning application when I have received a recommendation from my officials

Councillors

Mr P Ramsey asked the Minister of the Environment how many councillors have served at least (i) three; and (ii) four consecutive terms of office.

(AQW 13757/11-15)

Mr Attwood: Research indicates that 147 councillors have served at least three consecutive full terms of office. If we count the current term in this calculation, rather than completed terms, the figure would be 237 councillors.

Research also indicates that 104 councillors have served at least four consecutive full terms of office. If we count the current term in this calculation, rather than completed terms, the figure would be 147 councillors.

Wind Turbines

Mr Irwin asked the Minister of the Environment for his assessment of current planning protocols used to determine the siting of wind turbines, particularly with regard to the proximity of dwellings and the impact of blade noise and flicker.

(AQO 2374/11-15)

Mr Attwood: The main planning policy for the assessment of a planning application for wind energy is contained within Planning Policy Statement 18.

In assessing applications for wind turbines, the impact of the proposed development on adjacent occupied properties is a material consideration that the Department will take into account in reaching a balanced judgement.

For an individual wind turbine best practice guidance of the fall over distance (i.e. the height of the turbine to the tip of the blade) plus 10% is often used as a safe separation distance between the turbine and occupied property. For wind farm development, a separation distance of 10 times the rotor diameter to occupied property with a minimum distance of not less than 500m will generally apply. I am not aware of any evidence to suggest that this distance does not provide an adequate separation distance.

In addition, as part of its consideration of a planning application, and in order to further inform the decision making process, the Department will consult with the Environmental Health Department of the District Council, who will provide expert advice in relation to planning related matters such as the potential noise impact of the proposed development on an adjacent occupied property.

The aim of Planning Policy Statement 18 is to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets, and to realise the benefits of renewable energy. I believe that this Planning Policy Statement has a balanced approach in promoting renewable energy whilst protecting the environment within which we all live.

Local Government Reform Programme

Mr Dallat asked the Minister of the Environment for his assessment of progress made in the Local Government Reform Programme.

(AQO 2377/11-15)

Mr Attwood: The reform of local government is progressing well, in line with the 2015 timetable proposed in the Executive's Programme for Government 2011-15, and a number of key milestones have already been reached.

The two main pieces of legislation required to give effect to local government reorganisation are the;

Local Government (Boundaries) Order (Northern Ireland) 2012, which was debated in the Assembly on 12th June 2012 and approved giving confirmation to the boundaries of the 11 new local government districts and their wards, and the

Local Government (Reorganisation) Bill which, subject to the Executive's agreement, I intend introducing in the autumn session to give effect to the Executive's decisions on the future shape of local government.

In addition to progressing the Bill through the Assembly, a programme of subordinate legislation and guidance will be taken forward to give effect to the Bill. This will include subordinate legislation on shadow council arrangements, the new governance arrangements and ethical standards regime and community planning.

To drive the programme, I have established a number of implementation structures to manage and integrate the work required to convey operations at a central and local government level. The structures include:-

- a politically-led Regional Transition Committee;
- supported by an operationally-focused Regional Transition Operational Board;
- a number of Task and Finish Working Groups;
- and Voluntary Transition Committees at local cluster level.

I am also establishing a political reference group, drawn from both central and local government, to seek views from all political parties in the Assembly and in councils on key elements of the local government reform programme. I have chaired three meetings of the Regional Transition Committee to date. The next meeting is scheduled for 1 November 2012.

The Regional Transition Operational Board, chaired by my Permanent Secretary, has held two meetings. The next meeting will be on the 26 September 2012. The Task and Finish Working Groups have been established, are scoping the work required and will report to the Regional Transition Committee at its next meeting.

I have also decided that to deepen political ownership and input to RPA, the Vice Presidents of NILGA will be invited to sit on the RTC and I have also written to part leaders requesting nominations to a political reference group.

RPA is a little over 30 months away. I believe in radical reform, support RPA but believe a better model was on offer. All need to apply themselves diligently to ensure its achievement.

Planning Service

Mrs Hale asked the Minister of the Environment, in light of the decline in applications since 2007, why Planning Service is unable to meet its targets for processing all major, intermediate and minor applications, set internally by the Department. (AQO 2378/11-15)

Mr Attwood: There are a number of reasons for the fall in performance including the redeployment of staff/resources, short term issues relating to the rollout of the Planning Portal, the priority reassessment of 2,500 deferred PPS21 applications plus the implementation of the agreed action plan to reduce the backlog of planning applications in the system for more than 12 months.

In clearing the backlog of older applications, the published statistics for planning process performance have become skewed – the more you deal with older cases the more the mean figure for indicating the length of time dealing with applications increases.

Whilst annual statistics for 2011/12 show a decline in the number of planning applications submitted, nine out of ten applications are approved and these high approval rates will contribute positively to the growth of the economy.

The longer processing time and high approval rates can also reflect, in many cases, an approach of engagement with applicants, agents, elected representatives and the public to negotiate an acceptable scheme. It is important to promote the submission of acceptable schemes at the outset following pre-application discussions for major projects and with full engagement with the community.

I have set challenging targets for this year and the next two years in order to speed up the planning process and assist economic recovery. I require planning staff to meet these new targets and have made this clear to senior staff in the Department. That is shown in the PFG. My staff know the importance I set on proper timelines for applications, why I will propose statutory periods for consultation responses in the forthcoming Planning Bill and why, despite some good grounds for not meeting targets, the failure to meet the targets needs to be rectified by me and the Department of the Environment.

Review of PPS 21

Mr Buchanan asked the Minister of the Environment to provide an update on the review of PPS 21. (AQO 2380/11-15)

Mr Attwood: I am currently considering the report on the outcome of the review into the operation of PPS21 and it is my intention to make a statement to the Assembly on this matter shortly. The 'review' has by design been lengthy. A reason for this is to, 'in real time' and 'in the real world', identify where there were inconsistencies of interpretation or a proper need for flexibility of interpretation. This means the review was a working review to aid better practice.

Flooding: Emergency Payments

Mr Lyttle asked the Minister of the Environment whether he will consider extending the emergency financial payments to businesses, sporting organisations and community groups affected by the flooding on 27th June 2012. (AQO 2381/11-15)

Mr Attwood: I acknowledge that businesses have also suffered difficulties with their properties and trade as a result of the inclement weather. I have already instructed my officials to explore the possibility of making payments to flooded businesses and also to sports clubs and community and voluntary organisations. I have seen at first hand the damage inflicted on such facilities, and understand the impact that this can have on the communities they serve. I will be bringing these new scheme proposals forward for consideration as soon as practicable, together with a recommendation that the amount paid out under the Scheme be increased from £1000 to £1500.

Local Government Reform: Working Groups

Ms McGahan asked the Minister of the Environment what agreements he has reached with NILGA and local government regarding representation on the Local Government Reform Programme working groups.
(AQO 2382/11-15)

Mr Attwood: The current implementation structures have a direct connection to what was intended in the original reform mandate. In establishing them, I specifically wanted each new council cluster represented at the Regional Transition Committee by one Voluntary Transition Committee Chair and at the Regional Transition Operational Board by one local government Chief Executive. The primary reason for this is to promote congruent working in the council groupings to facilitate convergence work and to give recognition to the eventual 11 Council model.

I also wanted, more pragmatically, to keep the membership of the structures to a manageable number of attendees. Hence, I limited the membership, but at the same time included NILGA and SOLACE representation to help facilitate development of the reform programme across all councils.

I acknowledge that there is a case for further deepening the political ownership of the implementation process. At the Regional Transition Committee on 30 August 2012, I confirmed that the Vice Presidents of NILGA would be invited to sit on the Committee, ensuring wider political party membership. I am also inviting the leaders of the political parties in the Assembly to nominate members to a Political Reference group and that the letter will issue this week.

I propose that membership of the reference group should include representatives from both central and local government and also be inclusive of all parties represented at the Assembly. The Reference Group will consider issues that I believe need party political input, for example ethical standards arrangements. It will not duplicate the functions of other established structures such as the Environment Committee or the Regional Transition Committee.

I accept the principle of wider political involvement but its application to Task and Finish Working Groups is problematic. Membership of these groups currently comprises officers from local government and NILGA and officials from central government. Time is short and there is much work to be done at an operational and practical level. Indeed, there are approximately 25 such groups and sub-groups at present. Some are intended to have a very brief life span indeed, taking forward short, sharp pieces of work; others will remain in existence to prepare options on a number of related issues. This is why wider involvement is problematic.

It is important to note that these groups are advisory in nature and have no decision-making powers. The workplans for each Working Group will be provided to the next meeting of the Regional Transition Committee and any decisions required as a result of that work will be made at the appropriate democratic level – whether that be by a Council, by a Minister, by the Executive or indeed, by the Assembly. That said, I will monitor the situation. There may be particular groups where a particular political input would be necessary and practical.

Rose Energy

Mr Hussey asked the Minister of the Environment to provide an update on the Rose Energy project.
(AQO 2383/11-15)

Mr Attwood: The former Minister's announcement of August 2010 to proceed by way of a Notice of Opinion to approve was the subject of judicial review proceedings. Lord Justice McCloskey adjourned the judicial review proceedings on 2 March 2011 on the basis that the application process had not been completed.

The applications are now in the final stage of consideration. The files on this case containing a report and a recommendation will be forwarded to me shortly.

The Department will make a recommendation on whether to proceed by way of a Notice of Opinion to approve or refuse the applications or by way of a Public Inquiry.

Alleyways and Pedestrian Access

Mr Agnew asked the Minister of the Environment what powers local councils have to maintain privately owned alleyways and pedestrian access to the rear of properties for which the owners cannot be identified.
(AQO 2384/11-15)

Mr Attwood: If the privately owned alleyway is in such a state, through for example neglect leading to a build-up of rubbish which is causing problems for pedestrian access, Councils can take action under new Litter Clearing Notice powers introduced by the Clean Neighbourhoods and Environment (Northern Ireland) Act 2011.

This is a strong new enforcement tool for district councils as it requires the occupier (or if the land is unoccupied the owner) of the land to clear it and take steps to keep it clear. If it is not possible "after reasonable enquiry" to establish the name or proper address of the occupier or owner, the district council can serve a Litter Clearing Notice by posting it on the land. Details of the owner or occupier may be obtained by on-site enquires or by using information from the Land Registry. In a situation where a Litter Clearing Notice is not complied with a district council, or any person authorised by it, may enter the land and clear it. The person on whom the Litter Clearing Notice was served may be required to pay a reasonable charge in respect of the costs incurred.

Councils also have other powers under the statutory nuisance provisions in the Clean Neighbourhoods and Environment Act to take action to deal with premises ("premises" includes land) in such a state as to be prejudicial to health or a nuisance and also to deal with any accumulation or deposit which is prejudicial to health or a nuisance. If the state of the privately owned alleyways to which you refer is such that it is prejudicial to health or a nuisance as would be determined by a district council environmental health officer the council can serve a notice requiring the abatement of the nuisance. Where an abatement notice has not been complied with the district council may abate the nuisance and seek to recover expenses incurred.

Another miscellaneous power available to district councils is contained in Article 65 of the Pollution Control and Local Government (Northern Ireland) Order 1978. This power concerns "Defective premises" and it applies where it appears to a district council that any premises are in such a state as to be prejudicial to health or a nuisance and unreasonable delay in remedying the defective state would be occasioned by taking action under the statutory nuisance regime. Under this power a district council can take action to remedy the defective state of the premises and seek to recover expenses incurred.

Department of Finance and Personnel

Corporation Tax

Mrs Hale asked the Minister of Finance and Personnel for an update on the devolution of Corporation Tax.
(AQO 2395/11-15)

Mr Wilson (The Minister of Finance and Personnel): The Joint Ministerial Working Group examining the issues involved in devolving responsibility for the rate of corporation tax to the Northern Ireland Executive has met on three occasions, most recently on the 25th June.

While some good progress has been made, there are a number of critical issues that remain outstanding. In particular, I am concerned that the approach currently being proposed by Treasury would result in the cost of a rate reduction being prohibitively expensive.

I share the frustration of the local business community that it has not yet been possible to come to an agreement with HM Treasury. However, a reduced rate of corporation tax cannot be at any price, and my Ministerial colleagues and I will continue to press for the best possible deal for Northern Ireland.

The Working Group is due to meet again in two weeks time with a view to resolving the outstanding issues.

The Government will then decide on whether the Executive should be offered the opportunity to take responsibility for corporation tax.

Government: Financial Assistance

Mr Hazzard asked the Minister of Finance and Personnel what assistance can be given to a Government Department in circumstances where a short-term financial shortfall in capital spend will result in definite job losses and the accelerated decline of the local economy.
(AQO 2390/11-15)

Mr Wilson: In the first instance, it is for the relevant Minister to determine Departmental priorities and reprioritise within business areas in reaction to short-term emerging pressures. If required, there is the option to refer the issue to the Executive through the In-year Monitoring process, as it is the role of the Executive, not me as Finance Minister, to decide on appropriate action in response to specific Departmental pressures.

Banks

Mr Ó hOisín asked the Minister of Finance and Personnel what meetings and engagements he has had with Ulster Bank and Royal Bank of Scotland officials over the past three months.
(AQO 2391/11-15)

Mr Wilson: I was in regular contact with senior officials from the Ulster Bank throughout the recent crisis and met with Sir Philip Hampton, Chairman of the RBS Group, on 2 July 2012 in order to emphasise directly to him the untold problems Ulster Bank's IT issues were causing customers across Northern Ireland.

I will be monitoring this situation closely to ensure this scheme is implemented and customers are compensated as quickly as possible and will continue to engage with the bank as necessary.

Rates: Vacant Premises

Mr Givan asked the Minister of Finance and Personnel for his assessment of the introduction of 50 per cent discount rates for vacant premises.

(AQO 2392/11-15)

Mr Wilson: The policy to offer a 50% rates discount, to businesses taking over retail premises that were vacant for over a year, was only introduced in April and my Department will be reviewing its effectiveness later in the year.

I do not want to prejudge that assessment but what I can say is that it has attracted 73 applications so far and this has resulted in 22 awards. I have had no complaints from other established businesses nor am I aware of anyone taking unfair advantage of the scheme, for example, by moving down the street.

My own personal experience has been entirely positive. I have visited a number of new retail businesses in various parts of Northern Ireland. All have told me that it is a great help during that vulnerable first year of trading and of course it has helped revitalise town centres. Maybe not in a big way but it is certainly a move in the right direction.

I will be reporting back to this Assembly in a few months time about its effectiveness. The scheme is time limited but I may wish to extend it beyond March next year, if it is proving to be the success I have already witnessed.

Rates: Large Retailers

Mr B McCrea asked the Minister of Finance and Personnel whether the success of the Small Business Rate Relief Scheme has encouraged him to consider expanding the scheme to benefit larger retailers who are under pressure in town centres.

(AQO 2393/11-15)

Mr Wilson: As you know the recent extension of the small business rate relief scheme was paid for by charging the largest retailers a relatively modest levy, because the Executive agreed at the outset that it should not be funded through public expenditure. The levy was considered to be the best alternative way of funding the expansion. It is fixed for 3 years and I will stand by commitments I gave that it will not be increased nor extended beyond that.

Further expanding the scheme in the way you suggest may be a worthy aim but it raises real issues of affordability; as every pound forgone is a pound less for the Assembly and our Departments to spend on hospitals, schools and roads. Furthermore to try and target the scheme in this manner creates significant difficulties defining what is in town, edge of town and out of town and the existent town planning categories are not current or accurate enough to use for the purposes of local taxation. I would not wish to create a situation where my Department is hauled through the courts at public expense for creating a targeted scheme that has imperfections, nor will I develop a scheme that favours one location over another and therefore disadvantages struggling businesses that happen to fall just outside an arbitrary boundary.

My Department, however, is undertaking an 'in year' review of the policy to see if I can fine tune the scheme and recycle savings through better targeting. This may result in a small increase in the current rateable valuation threshold of £10,000.

Rates: Car Parks

Mr Lunn asked the Minister of Finance and Personnel for an update on rating for out-of-town car parks.

(AQO 2394/11-15)

Mr Wilson: This matter was examined late last year when the issue was raised during the public consultation on the large shops levy. As you know that consultation was all about finding ways of raising extra money through the rating system to pay for a doubling of small business rate relief. That mission was accomplished and so no further work was undertaken on the separate rating of out of town car parks.

I stated in the foreword to the Consultation Outcomes Report, published in November 2011, that it was my assessment and that of my Department, that this is a difficult thing to do within the rating system because the rateable value of individual shops already reflects the advantages of free car parking and other common facilities such as the covered mall. If this was to be taken further, it would be better considered as a separate charge and therefore something best led by another Department.

Apartments

Mr McCarthy asked the Minister of Finance and Personnel whether any forthcoming legislation regarding apartment management will take into consideration those apartments which have experienced issues prior to the introduction of the legislation.

(AQO 2396/11-15)

Mr Wilson: It was agreed that the Northern Ireland Law Commission would review the law and practice relating to multi-unit developments, with a view to ensuring that the legitimate needs and interests of the various parties are fairly addressed.

The Commission has recently revised the review team and the revised team has been re-considering the handling of the review project. It would cause me real concern if the review did not assess and address the full range of difficulties which have arisen in this area, including, in particular, those experienced by existing owners. We are all well aware of those difficulties and the Commission itself has heard about some of them first hand. I have had a number of exchanges with the Commission in which I have emphasised the need for practical, effective relief for all. The Commission has now assured me

that the pressing problems of existing owners will be dealt with in the report as a matter of priority and I have welcomed that assurance.

Energy Performance Certificates

Ms S Ramsey asked the Minister of Finance and Personnel whether a building which does not have a current Energy Performance Certificate can be sold.

(AQO 2397/11-15)

Mr Wilson: The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008 (as amended) require the seller or landlord of a building to make available, free of charge, a valid energy performance certificate to any prospective buyer or tenant at the earliest opportunity and in any event no later than entering into a contract to sell or rent out the building. The EPC shall then be given to the eventual buyer or tenant.

The sale of a building without a valid EPC would be a breach of these regulations and subject to enforcement action up to the issue of a Penalty Charge Notice.

Department of Health, Social Services and Public Safety

Working Class Communities in the Rathgill Area of Bangor

Mr Easton asked the Minister of Health, Social Services and Public Safety how his Department can help improve the lives of working class communities in the Rathgill area of Bangor.

(AQW 13728/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): Improving the lives of people in Rathgill involves addressing the socio-economic circumstances that prevail in that community. Health and social care can address some aspects, but collaboration with other organisations across all sectors, including with local communities, is crucial to addressing the area's priorities.

The Public Health Agency, together with a range of other organisations and initiatives in the area, is working with the Rathgill Community Association to ensure that services are in place to help build and maintain a sustainable and healthy community.

Guidance on the Termination of Pregnancy

Ms Lo asked the Minister of Health, Social Services and Public Safety, in light of the Court of Appeal ruling in 2004 requiring his Department to produce guidance on the termination of pregnancy, for his assessment of fact that there is still no guidance in place.

(AQW 13733/11-15)

Mr Poots: My department has been working on a response to Court's judgement since 2004 and guidance was published in 2009, though this was withdrawn following a further judicial review.

This is a complex issue and one that requires careful consideration. I must ensure that any guidance produced for health professionals is robust and compatible with criminal law. I will only produce guidance when I am satisfied that this has been achieved.

Guidance on the Termination of Pregnancy

Ms Lo asked the Minister of Health, Social Services and Public Safety when his Department intends to publish guidance on the termination of pregnancy.

(AQW 13734/11-15)

Mr Poots: I am currently considering how best to comply with the Court of Appeal's 2004 ruling. I am unable to provide a date for publication of guidance.

People Diagnosed with Dementia

Mr Durkan asked the Minister of Health, Social Services and Public Safety to detail the number of people diagnosed with dementia each year.

(AQW 13742/11-15)

Mr Poots: The number of patients newly diagnosed with dementia each year is not available; however, under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP registered patients with dementia is recorded.

The number of patients on the dementia register in each of the last six years is shown in table 1 below.

Table 1: QOF dementia register counts, 2007 – 2012

| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
|--|-------|-------|-------|--------|--------|--------|
| Number of GP registered patients with dementia | 9,550 | 9,751 | 9,971 | 10,637 | 11,246 | 11,882 |

Data Source: Payment Calculation and Analysis System (PCAS) as at National Prevalence Day. National Prevalence Day was changed from 14 February to 31 March from 2009 onwards to bring it into line with National QOF Achievement Day.

Mobility Scooters

Mr P Ramsey asked the Minister of Health, Social Services and Public Safety what funding his Department provides for the provision of mobility scooters; and whether he can give an assurance that this funding will continue despite possible changes to funding structures in Britain.

(AQW 13758/11-15)

Mr Poots: My Department does not provide funding for the provision of mobility scooters and Health and Social Care Trusts do not supply them. Mobility scooters are accessed via the private sector. The Department for Social Development administers the Disability Living Allowance (DLA) scheme through which claimants may access mobility scooters.

Residential Care

Mr Hussey asked the Minister of Health, Social Services and Public Safety for his assessment of the impact which commissioning practices are having on people who use residential care across Northern Ireland.

(AQW 13760/11-15)

Mr Poots: The recent report on the review of Health and Social Care in Northern Ireland,

Transforming Your Care, recommended a major reduction in the provision of long term residential care over the next 5 years. The recommendations also include that the home should be the hub of care for older people, with more control for the service users over budgets, continued promotion of Direct Payments and a common approach to personalized budgets, with advocacy and brokerage support where required. Clearly these are all measures intended to offer greater choice, and fully consistent with my policy intentions.

I remain committed to supporting and promoting a mixed economy of care, made possible by the partnership which exists between the statutory, private and voluntary sector organisations. This is vital in ensuring that we have the services and the facilities to provide care and support for some of the most vulnerable people in society. The health and well being of those people who need social care will remain central in all future decisions regarding the commissioning of services.

Working Class Communities in the Kilcooley Area of Bangor

Mr Easton asked the Minister of Health, Social Services and Public Safety how his Department can help improve the lives of working class communities in the Kilcooley area of Bangor.

(AQW 13802/11-15)

Mr Poots: Improving the lives of people in Kilcooley involves addressing the socio- economic circumstances that prevail in that community. Health and social care can address some aspects, but collaboration with other organisations across all sectors, including with local communities, is crucial to addressing the area's priorities.

The Public Health Agency, together with a range of other organisations and initiatives in the area, is working with the community in Kilcooley to ensure that services are in place to help build and maintain a sustainable and healthy community.

Specialised Services for Young People with Eating Disorders

Mr Durkan asked the Minister of Health, Social Services and Public Safety what specialised services are available for young people with eating disorders.

(AQW 13815/11-15)

Mr Poots: Eating Disorder Services for Children and Adolescents are provided by specialist community-based teams in each Health & Social Care Trust area. The Belfast Trust provides these services for the South Eastern Trust. These teams include Consultant Psychiatrists, Eating Therapists and Dieticians.

Inpatient care for children and adolescents with eating disorders is provided at Beechcroft, the Regional Child and Adolescent Mental Health Inpatient Unit, which has a consultant who specialises in the treatment of eating disorders.

Freedom of Information Requests

Mr Flanagan asked the Minister of Health, Social Services and Public Safety to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by his Department; (ii) the number of FOI requests

responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13843/11-15)

Mr Poots: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar rather than financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

Statistics for 2011 are provided on a quarterly basis but should not be regarded as final until the publication of the 2011 FOI Annual Report.

Causeway Hospital: Locums

Mr McClarty asked the Minister of Health, Social Services and Public Safety to detail the (i) type; and (ii) number of locums that have been used in the (a) Accident and Emergency Department; and (b) surgery departments in the Causeway Hospital in each year since 2007.

(AQW 13859/11-15)

Mr Poots: The information requested is provided in the table below.

Locums used in the (a) Accident and Emergency Department; and (b) surgery departments in the Causeway Hospital in each year since 2007 (See notes below for details of length of employment)

| Year | Grade | (a) Locums used in the Accident & Emergency Department | | (b) Locums used in Surgery Departments | |
|------|-------------|--|-----|--|-----|
| | | Headcount | WTE | Headcount | WTE |
| 2007 | | 0 | 0.0 | 0 | 0.0 |
| 2008 | Consultant | 0 | 0.0 | 1 | 1.0 |
| | SHO | 1 | 1.0 | 1 | 1.0 |
| 2009 | Staff Grade | 0 | 0.0 | 1 | 1.0 |
| | SHO | 1 | 1.0 | 1 | 1.0 |
| 2010 | Staff Grade | 0 | 0.0 | 2 | 2.0 |
| | SHO | 6 | 6.0 | 2 | 2.0 |
| 2011 | Consultant | 0 | 0.0 | 1 | 1.0 |
| | Staff Grade | 0 | 0.0 | 2 | 2.0 |
| | SHO | 6 | 6.0 | 2 | 2.0 |

Source: Northern Health and Social Care Trust

Notes:

1. WTE = Whole-time equivalent.
2. No locums were used in 2007.
3. Ad hoc locums were used to fill a vacant SHO post in the Accident & Emergency Department between February 2008 and December 2009.
4. A Locum Consultant was employed in Surgical Departments between February and April 2008. A Locum SHO was employed in Surgical Departments between January and August 2008.
5. A Locum Staff Grade was employed in Surgical Departments between August and December 2009. A Locum SHO was employed in Surgical Departments in alternative months between March and December 2009.
6. A Locum Consultant was employed in Surgical Departments between October 2011 and April 2012. One Locum SHO was employed in Surgical Departments in January and July 2011, with two Locum SHOs employed between August and December 2011.
7. The above staffing information has not been validated by the DHSSPS.

Fire and Rescue Service: Staff

Mr Hussey asked the Minister of Health, Social Services and Public Safety to detail the number of staff employed by the Fire and Rescue Service, in each of the last five years, broken down by (i) whole-time firefighters; (ii) retained firefighters; (iii) control operators; and (iv) support staff.

(AQW 13887/11-15)

Mr Poots: The number of staff employed by the Northern Ireland Fire and Rescue Service in the last five years is as follows:

| Year | Whole-time | Retained | Control | Support | Total |
|------|------------|----------|---------|---------|-------|
| 2008 | 870 | 984 | 55 | 263 | 2172 |
| 2009 | 894 | 975 | 58 | 276 | 2203 |
| 2010 | 903 | 1029 | 58 | 291 | 2281 |
| 2011 | 882 | 1009 | 57 | 276 | 2224 |
| 2012 | 879 | 995 | 55 | 269 | 2198 |

Fire and Rescue Service

Mr Hussey asked the Minister of Health, Social Services and Public Safety if he can give a commitment that there will be no compulsory redundancies within the Fire and Rescue Service.

(AQW 13888/11-15)

Mr Poots: There are no plans in place for compulsory redundancies within NIFRS.

Chronic Fatigue Illness

Mr Durkan asked the Minister of Health, Social Services and Public Safety how many people have been diagnosed with chronic fatigue illness in each of the last three years, broken down by Health and Social Care Trust area.

(AQW 13895/11-15)

Mr Poots: Information relating to the number of people diagnosed with chronic fatigue syndrome is not routinely collected by the Department.

However, information is available on the number of hospital admissions where a diagnosis of chronic fatigue syndrome has been recorded in each of the last three years and is shown in the table below:-

| HSC Trust | Number of Admissions | | |
|---------------|----------------------|-----------|------------|
| | 2008/09 | 2009/10 | 2010/11 |
| Belfast | 46 | 48 | 54 |
| Northern | 3 | 5 | 4 |
| South Eastern | 8 | 11 | 30 |
| Southern | 13 | 10 | 24 |
| Western | 6 | 10 | 7 |
| Total | 76 | 84 | 119 |

Source:- Hospital Inpatient System

Figures do not include patients attending hospital as outpatients or who attended an Accident and Emergency Department. Deaths and discharges have been used to approximate admissions

Chronic Fatigue Illness

Mr Durkan asked the Minister of Health, Social Services and Public Safety what services are available to people in the North West who are diagnosed with chronic fatigue illness.

(AQW 13896/11-15)

Mr Poots: I am advised that within the Western Trust, all patients referred from GPs are seen by a Consultant Physician and treatment is planned in accordance with NICE guidance for CFS/ME.

In March 2012, the HSC Board and the Public Health Agency co-hosted a workshop to consider and agree plans for further development priorities for CFS/ME services. A key element of the future model of provision will be the establishment of a regional network of expertise to support consistent diagnosis and condition management. The HSC Board is working with Trusts to determine how best to provide this.

Retired Social Workers

Mr McCallister asked the Minister of Health, Social Services and Public Safety how many retired Social Workers are being re-employed by the South Eastern Health and Social Care Trust as Bank Staff.

(AQW 13914/11-15)

Mr Poots: I have been informed that there are currently six retired social workers employed as Bank staff within South Eastern Trust.

Breast Cancer

Mrs Hale asked the Minister of Health, Social Services and Public Safety what assistance is available to women who are at a high risk of developing breast cancer.

(AQO 2406/11-15)

Mr Poots: Surveillance of women who are at higher risk of developing breast cancer is currently provided through the symptomatic breast service. However I have recently asked that arrangements are put in place to incorporate these women into the Northern Ireland Breast Screening Programme.

This it will allow a more uniform approach, using national protocols, to be implemented for the surveillance of these women.

Adopted Children

Mr Agnew asked the Minister of Health, Social Services and Public Safety how many children have been adopted in each of the last ten years; and how many adopted children were returned to care in each year.

(AQW 13944/11-15)

Mr Poots: Table 1 details the numbers of children adopted from care in Northern Ireland in each year for which data are centrally available, from 2002/03 to 2011/12. Figures for how many adopted children were returned to care in each year are not available centrally and could only be provided at disproportionate costs.

Table 1: Numbers of children adopted from care in Northern Ireland (Year ending 31 March, 2002/03 to 2011/12)

| Year | Number of children adopted |
|---------|----------------------------|
| 2002/03 | 109 |
| 2003/04 | 79 |
| 2004/05 | 88 |
| 2005/06 | 56 |
| 2006/07 | * |
| 2007/08 | 64 |
| 2008/09 | * |
| 2009/10 | 50 |
| 2010/11 | * |
| 2011/12 | 57 |

Source: DHSSPS Community Information return AD1- Children Adopted from Care in Northern Ireland;

AD1 excludes inter-country adoptions and small numbers of children adopted through registered adoption societies such as the Family Care Society or the Church of Ireland Adoption Society for Northern Ireland;

** AD1 became a biennial return from 2005/06 onwards, data being available every other year only;

The AD1 2011/12 figure of 57 is provisional and subject to revision prior to publication in February 2013;

The statistical bulletin 'Children Adopted from Care in Northern Ireland', is available on the DHSSPS website at: http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/statistics_and_research-cib-pub/children_statistics/statistics_and_research-cib_adoption.htm

Feasibility Study into the Establishment of an Air Ambulance

Mr Flanagan asked the Minister of Health, Social Services and Public Safety when the feasibility study into the establishment of an air ambulance will be published.

(AQW 13975/11-15)

Mr Poots: I would advise the Member that I am still considering the implications of the Health and Social Care Board feasibility study report on a HEMS/air ambulance in Northern Ireland. In doing so, I will take into account the programme of

strategic changes to the provision of health services which will arise as a consequence of Transforming Your Care, and the challenging financial constraints which our health services will face in the next 3-5 years.

Transforming Your Care

Mr G Kelly asked the Minister of Health, Social Services and Public Safety to outline the next steps in 'Transforming your Care' following the completion of the population plans by Trusts.

(AQO 2403/11-15)

Mr Poots: Draft Population Plans were produced by the Local Commissioning Groups in liaison with the Health and Social Care Trusts and others. An over-arching Strategic Implementation Plan was also prepared by the Health & Social Care Board to draw together the key elements of the Population Plans, including cross-cutting, regional aspects. In my Statement to the House on 3 July I explained that the drafts would be the subject of quality assurance work over the summer period and that in the interests of openness and transparency the drafts were made available on the Departmental website on that date.

The quality assurance work on the drafts is currently being concluded. The next step is to commence a consultation exercise based on the Plans. A consultation document is being prepared to assist that process which will issue with the revised draft Strategic Implementation Plan and Population Plans. I plan to launch the consultation within the next month. Further public consultation would be undertaken on any significant service changes proposed in light of the conclusions from the consultation on the Plans.

Erne Hospital: Medical Equipment

Mr Wells asked the Minister of Health, Social Services and Public Safety how his Department plans to dispose of redundant medical equipment following the closure of the Erne Hospital.

(AQO 2408/11-15)

Mr Poots: The Western Health and Social Care Trust are identifying equipment which can be transferred to the New Acute Hospital. Equipment that is not suitable for transfer will be subject of a review to determine whether the equipment could be used elsewhere by the Trust, donated for charitable purposes or safely and appropriately decommissioned.

GP Surgeries: Rural Areas

Mr McAleer asked the Minister of Health, Social Services and Public Safety to outline what plans he has to reduce the average size of GP patient lists in rural constituencies west of the Bann to bring them into line with their urban counterparts.

(AQO 2410/11-15)

Mr Poots: There are no plans to reduce the average GP Practice patient list size in rural constituencies west of the Bann or elsewhere. Funding for GP Practices is based on patient list size and Practices can decide on the number of staff required to provide primary medical services to their patients. Generally Practices with higher list sizes will have more GPs or employ locums at particularly busy times.

Suicide: Ministerial Subgroup

Mr Ó hOisín asked the Minister of Health, Social Services and Public Safety for an update on the Ministerial Sub Group on Suicide.

(AQO 2411/11-15)

Mr Poots: The Ministerial Co-ordination Group on Suicide Prevention last met in June 2012. The purpose of the meeting was to agree how best to drive forward cross departmental action within the revised Protect Life Strategy Action Plan and to secure enhanced cross-departmental commitment and engagement in addressing the societal issue of suicide. Membership of the Group includes Ministers representing DCAL, DE, DRD and DEL, Junior Ministers representing OFMdFM, and has been expanded to include the DARD Minister. Key actions agreed included the development of a joint programme for a suicide prevention public awareness initiative by DHSSPS, DCAL, DARD, and the Public Health Agency; and more regular meetings of the group with all Departments to report on progress against relevant actions in the Protect Life Action Plan at future meetings.

It is proposed that a joint suicide prevention public awareness initiative will be launched for World Mental Health Week in October 2012, to promote positive mental health and help address suicide in rural communities and through sport and culture.

Department of Justice

Proposals to Close a Number of Magistrates' Courts

Mr Campbell asked the Minister of Justice when he intends to make a final decision regarding the proposals to close a number of Magistrates Courts.

(AQW 13774/11-15)

Mr Ford (The Minister of Justice): I plan to make a decision on the proposals to close five Hearing Centres this autumn.

Proposed Inquest into the Death of Gerard Casey

Mr McKay asked the Minister of Justice for an update on the proposed inquest into the death of Gerard Casey.
(AQW 13787/11-15)

Mr Ford: The Coroner is currently gathering the evidence in this case.

Department for Regional Development

Car Parks in Bangor

Mr Agnew asked the Minister for Regional Development how much revenue has been raised to date from the three car parks in Bangor since the charges which were introduced in June.

(AQW 13739/11-15)

Mr Kennedy (The Minister for Regional Development): Details of the income received from parking charges following their introduction at Central Avenue, Abbey Street West and Dufferin Avenue car parks in Bangor on 5 July 2012 to 24 August 2012 are provided in the table below:

| Car Park | Revenue |
|-------------------|-----------|
| Central Avenue | £416.00 |
| Abbey Street West | £1,693.20 |
| Dufferin Avenue | £4,390.75 |

Portavoe Reservoir

Mr Weir asked the Minister for Regional Development for an update on NI Water's plans for the future of Portavoe Reservoir.
(AQW 13810/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water (NIW) that Portavoe Reservoir is surplus to its requirements and will be disposed of at some time in the future. However, there are many issues which have to be resolved before the reservoir can be offered for sale; these include ownership, council interest, private interests and the other legalities. NIW is continuing to address these issues and has assured me that all interested parties will be informed when they are resolved and before the property is offered for sale or transfer.

Developments Adopted by Roads Service

Mr Storey asked the Minister for Regional Development to detail the number of developments which are under the responsibility of an administrator that have not been adopted by Roads Service.

(AQW 13826/11-15)

Mr Kennedy: My Department's Roads Service has advised that in the 2011/12 financial year, 56 housing developments were not adopted by Roads Service due to the developers being placed into liquidation or administration.

It is important to recognise that the appointment of an administrator does not automatically result in housing development roads not being adopted by Roads Service. The administrator becomes responsible for completing the new roads to the standard required for adoption. However, if this is not done, Roads Service will take enforcement action under Article 11 of the Private Streets (NI) Order 1980, to complete the necessary works and recover costs from the road bonds.

Cutting of Hedges Along Country Roads

Mr Easton asked the Minister for Regional Development how many times a year his Department allows for the cutting of hedges along country roads.

(AQW 13860/11-15)

Mr Kennedy: Firstly, I should explain that most roadside trees and hedges are on lands adjacent to public roads, and it is the responsibility of the property owners or occupiers of those lands to ensure that such trees and hedges do not endanger or obstruct road users. To emphasise the importance of this issue, Roads Service occasionally places notices in the local press and in farming journals reminding owners/occupiers of this responsibility.

My Department's Roads Service has advised that overgrown trees and hedges are usually identified during routine maintenance inspections. However, on occasions, members of the public will also report suspect trees and/or hedges to local section offices.

Roads Service does not usually cut hedges unless it is absolutely essential for road safety purposes, that is, where it is considered they are endangering or obstructing road users. Where hedges or trees are considered hazardous, Roads Service officials will initially contact owners/occupiers to request co-operation in removing or cutting the trees or hedges. If that fails, Roads Service has powers under Article 50 of the Roads (Northern Ireland) Order 1993 to serve a notice requiring the owner/occupier to remove or cut back the tree or hedge so as to remove the danger or obstruction. Where an owner/occupier does not comply with the requirements of the notice, Roads Service may carry out the necessary works and seek to recover the costs.

Translink: Train Timetable

Mr Dickson asked the Minister for Regional Development why Translink estimates that a new train timetable will not be introduced until the end of 2012.

(AQW 13861/11-15)

Mr Kennedy: Translink has advised that there are a number of elements involved in the introduction of a new timetable. Translink has indicated that all of these elements will be in place by the end of 2012.

Firstly the process requires meaningful consultation, which is on-going. Secondly relevant communications plans for both staff and customers need to be developed and implemented.

Thirdly all elements of the New Trains capital programme need to be finalised and tested and commissioned where appropriate. Apart from the delivery and testing of the new trains and the platform extension programme, construction of the new train stabling and maintenance facility at Adelaide must be completed. This latter project will also require requisite staff transfers to fully mobilise the new facility. Finally revised work patterns arising from the change in timetable will require Translink to carry out appropriate staff training, amend staff rosters and plan the full logistics of train scheduling and signaling required for operation of the new timetable.

Translink

Mr Moutray asked the Minister for Regional Development to outline his discussions with Translink concerning the provision of buses to transport Loyal Orders and Bands to the Ulster Covenant Parade in Belfast on 29 September 2012, given reports of a shortage of provision in the Upper Bann constituency.

(AQW 13897/11-15)

Mr Kennedy: Translink has advised me that it has arrangements in place to fulfill private hire bookings from the Upper Bann area for this event. It is, however, aware of some additional requests for buses which are currently being examined.

Department for Social Development

Social Security Agency

Mr Durkan asked the Minister for Social Development if the Social Security Agency plans to out-source administration work to private companies such as Xerox in the near future as a result of the changes in the benefits systems.

(AQW 13741/11-15)

Mr McCausland (The Minister for Social Development): Personal Independence Payment and Universal Credit require a strategic scanning and digital storage solution. This will be the subject of a business case evaluation which will consider the options available and recommend the most appropriate way forward to meet the Social Security Agency's business needs.

Tullyally and District Development Group

Mr Hussey asked the Minister for Social Development how much funding has been provided to Tullyally and District Development Group in Londonderry in each of the last five financial years.

(AQW 13759/11-15)

Mr McCausland: Please see details below for NRIF funding provided to T&DDG in the last five years, as detailed in the Contracts for Funding.

| Reference No: | Project: | 2007/2008 | 2008/2009 | 2009/2010 | 2010/2011 | 2011/2012 |
|-------------------|--|-------------|-----------|-------------|-----------|-----------|
| NR (P2) 40/140 | Youth Worker Salary | £ 27,239.89 | | | | |
| NR (P2) 40/141 | Core Salaries & Running Costs | £ 95,339.25 | | | | |
| NWDO NR 42/126 | Youth Worker Salary & Youth Club Running Costs | | | £ 35,815.68 | | |

| Reference No: | Project: | 2007/2008 | 2008/2009 | 2009/2010 | 2010/2011 | 2011/2012 |
|----------------|--|--------------------|--------------------|--------------------|--------------------|--------------------|
| NWDO NR 42/30 | Youth Worker Salary & Youth Club Running Costs | | | £ 35,545.44 | | |
| NWDO NR 42/30 | Salaries & Running Costs | | | £ 59,379.22 | £ 67,352.39 | £ 69,152.46 |
| NWDO NR 42/30 | Salaries & Running Costs | | | £ 53,855.67 | | |
| NWDO/ NR/74/11 | Salaries & Running Costs | | | | | £ 69,367.99 |
| NWDO/ NR/77/11 | Youth Worker Salary & Youth Club Running Costs | | | | | £ 35,948.62 |
| | Totals: | £122,579.14 | £113,234.89 | £102,897.83 | £104,968.14 | £105,316.61 |

Tullyally and District Development Group

Mr Hussey asked the Minister for Social Development whether his Department has taken responsibility for the premises formerly occupied by Tullyally and District Development Group; and whether a complete inventory has been made of all contents, including the contents purchased with public money.

(AQW 13761/11-15)

Mr McCausland: The premises formerly occupied by Tullyally and District Development Group remain in the ownership of the Trustees of the Group, some of who are residents of the area. My Department has no legal responsibility for the premises or its contents and has no authority to enter the building.

The Department seeks through rigorous procedures to ensure value for money, whilst protecting public funds and as such will advise other funders accordingly when areas of concern arise. However the Department has no control over assets which have been acquired with funding which has been provided by other organisations.

Tullyally and District Development Group

Mr Hussey asked the Minister for Social Development whether, at any time prior to the dissolution of Tullyally and District Development Group, his Department audited the accounts of the group to ensure that proper procedures were followed to maintain an assets register and an account of spend of public money.

(AQW 13762/11-15)

Mr McCausland: The Department seeks through rigorous procedures to ensure value for money whilst protecting public funds. The Planning and Governance Unit within the Department performs Financial Systems and Control Assessments (FSCAs) to determine the amount of vouching required in support of claims for payment.

Payments from the Department cannot be drawn down without the relevant vouching therefore public monies are adequately protected. An investigation is ongoing to establish the full facts of this group's situation. It would not be appropriate to comment further in advance of the outcome of the investigation.

Tullyally Community

Mr Hussey asked the Minister for Social Development whether his Department has entered into discussions with Tullyally 2012 and Derry City Council to ensure that the Tullyally Community can access these premises and return them to the use for which they were intended.

(AQW 13763/11-15)

Mr McCausland: Tullyally 2012 has made initial contact with my Department's North West Development Office. A letter has been issued advising the group that a meeting will be accommodated following the Group's planned meeting with the Waterside NR Partnership Board scheduled for 27 September 2012.

Officials from NWDO met on Wednesday 22 August 2012 with Sharon O'Connor, Chief Executive of the Council of the City of Londonderry, Helen Quigley, Inner City Trust, Alderman Hay and Alderman Thompson to discuss a way forward on this issue of Tullyally Community Centre and the requirements of the Community. All parties have agreed to work collaboratively to identify and progress this matter in an expedient manner.

Maintenance of Casement and Reversible Windows on Housing Executive Properties

Mr McKay asked the Minister for Social Development to detail the cost of maintenance of (i) casement; and (ii) reversible windows on Housing Executive properties in each of the last five years.

(AQW 13778/11-15)

Mr McCausland: The Housing Executive has advised that flush casement style windows have been installed in all ground floor properties from 2010. This window looks identical to the fully reversible window externally and uses the same quality hinge, but operates on a top swing basis only. Since 2010 there have been no recorded maintenance costs or replacements undertaken.

The Housing Executive has been installing reversible windows across all of its other stock from 2006. Of the 100,000 sets of fully reversible hinges installed since then there have been no recorded maintenance costs or replacements undertaken.

Representatives of the Glass and Glazing Federation and Fusion 21

Mr McKay asked the Minister for Social Development with which representatives of the Glass and Glazing Federation and Fusion 21 did he meet recently.

(AQW 13779/11-15)

Mr McCausland: In relation to the Glass and Glazing Federation I met with the Managing Director and the General Manager of Turkington Holdings on 16 April 2012. I also met with the Managing Director, Chief Executive and Independent Chair of Fusion 21 on 23 April 2012.

Squatting

Lord Morrow asked the Minister for Social Development for his assessment of the new law making squatting illegal in England and Wales; and whether he intends to introduce similar legislation.

(AQW 13784/11-15)

Mr McCausland: The new law making squatting illegal in England and Wales is welcomed.

Squatting is already a criminal offence in Northern Ireland under Article 10 of the Criminal Justice (Northern Ireland) Order 1986. A person guilty of an offence under this Article is liable on summary conviction to a fine not exceeding level 5 on the standard scale (£5,000) or to imprisonment for a term not exceeding 6 months or to both.

Executive Papers

Mr Allister asked the Minister for Social Development (i) how many draft Executive papers, for approval by the Minister, have not yet been approved; (ii) the date the Minister received each paper; and (iii) the subject matter of each paper.

(AQW 13785/11-15)

Mr McCausland: The content of Executive papers and all aspects of Executive business are confidential.

Child Maintenance and Enforcement Division

Mr Weir asked the Minister for Social Development for Child Maintenance and Enforcement Division's definition of a 'clerical case'.

(AQW 13796/11-15)

Mr McCausland: The definition of a clerical case is a child maintenance case that cannot be progressed on the child maintenance computer system, known as CS2, due to technical problems which prevent the management of a child maintenance application on the computer system. A clerical case is managed manually, or 'off-line', rather than via CS2.

Child Maintenance and Enforcement Division

Mr Weir asked the Minister for Social Development by what criteria does a case become a 'clerical case' within the Child Maintenance and Enforcement Division.

(AQW 13797/11-15)

Mr McCausland: The criterion for a child maintenance case to be managed clerically, rather than through the child maintenance computer system known as CS2, is where the case cannot be progressed on the computer system. These cases have had to be managed clerically "off-line", due to technical problems that prevent the Department from managing the application on the computer system. Whilst considerable work is undertaken to fix these issues, unfortunately there are times when the problems simply cannot be resolved and consequently, reluctantly those applications have to be completed clerically.

Newbuild for the Loughview Estate in Holywood

Mr Easton asked the Minister for Social Development for an update on the new build for the Loughview Estate in Holywood.

(AQW 13803/11-15)

Mr McCausland: The Social Housing Development Programme for 2012/13 currently includes a scheme for 29 units of social housing at West Green, Loughview, Holywood. The site is owned by the Housing Executive and one tenant remains to be re-housed to allow the proposed scheme to be progressed. An offer of alternative accommodation has been made and is currently being considered by this tenant.

The scheme is being delivered by Clanmil Housing Association who anticipate a construction on site date in March 2013, subject to acquisition of the site and planning approval being in place.

Fort George Site in Derry

Mr Durkan asked the Minister for Social Development whether his Department has any plans to change the management company responsible for the regeneration of the Fort George Site in Derry.

(AQW 13814/11-15)

Mr McCausland: My Department does not have any plans to change the management company responsible for the regeneration of the Fort George Site in Londonderry.

There is a lot of work ahead in Londonderry around the implementation of the One Plan and the delivery of the UK City of Culture. I am keen to ensure that the combined resources of my Department and Ilex are used in a way that will ensure that all this work is moved forward as quickly as possible. As part of this, I am considering whether my Department should take on some of the project management role for Fort George which is currently carried out by Ilex.

Commercial Premises in Town Centres

Mr Agnew asked the Minister for Social Development if any consideration has been given to offering development grants to convert commercial premises in town centres, which have been vacant for more than one year, to residential properties.

(AQW 13829/11-15)

Mr McCausland: My Department offers assistance by way of Urban Development Grants for the development of vacant, derelict or underused land or properties. To be considered for such a grant, the project should encourage job creation, inward investment and economic and physical regeneration of town and city centres or neighbourhood renewal areas. Further information on Urban Development Grants, including an application form, is available on the DSD website at http://www.dsdni.gov.uk/index/urcdg-urban_regeneration/funding_opportunities.htm

Business Improvement Districts Legislation

Mr Agnew asked the Minister for Social Development if he intends landlords to be included in the range of stakeholders included in the Business Improvement Districts legislation.

(AQW 13831/11-15)

Mr McCausland: A landlord of a business property with a tenant will not be required by legislation to contribute to the BID levy, should a BID be approved by ballot, as the tenant will be eligible to vote and liable to pay the levy. A landlord without a tenant will have to pay the levy for an approved BID if they are the person with liability for non-domestic rates. Such landlords will of course be eligible to vote in the BID ballot.

However, there will be scope for landlords with tenants to be involved in BIDs on a voluntary basis if they so wish. It will be up to the BID proposer to decide whether or not landlords with tenants are included in the range of stakeholders with whom they consult.

Appeal Tribunals

Lord Morrow asked the Minister for Social Development to outline the role, responsibilities and protocol of each person attending or participating in appeal tribunals for (i) Disability Living Allowance; and (ii) Employment and Support Allowance, including each panel member, departmental staff and appellant advocate.

(AQW 13834/11-15)

Mr McCausland: The Appeal Tribunal is an independent judicial body. Therefore neither the tribunal, nor the tribunal members, fall within the responsibility of the Minister. The responsibility for tribunals falls within the statutory function of the President of Appeal Tribunals, Mr Conall MacLynn. The President can be contacted directly at Office of the President of Appeal Tribunals, 6th Floor Cleaver House, 3 Donegall Square North, Belfast BT1 5GA.

Complaints of Antisocial Behaviour in North Down

Mr Easton asked the Minister for Social Development how many complaints of anti-social behaviour in North Down have been reported to the Housing Executive by tenants in each of the last three years.

(AQW 13853/11-15)

Mr McCausland: The information is not available in the format requested because the Housing Executive does not routinely record if the person reporting the incident is a tenant or homeowner. However, the table below gives details of the number of anti social behaviour incidents reported to the Housing Executive's Bangor District office which covers the North Down area in each of the last three years.

| Year | Total |
|---------|-------|
| 2009/10 | 225 |

| Year | Total |
|---------|-------|
| 2010/11 | 233 |
| 2011/12 | 234 |

The Information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Freedom of Information Requests

Mr Flanagan asked the Minister for Social Development to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by his Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13901/11-15)

Mr McCausland: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be seen as validated until the publication of the 2011 FOI Annual Report.

Person Appealing a Benefits Decision at a Tribunal

Lord Morrow asked the Minister for Social Development whether a person appealing a benefits decision at a tribunal is a witness or an appellant.

(AQW 13902/11-15)

Mr McCausland: The Appeal Tribunal is an independent judicial body. Therefore neither the tribunal, nor the tribunal members, fall within the responsibility of the Minister. The responsibility for tribunals falls within the statutory function of the President of Appeal Tribunals, Mr Conall MacLynn. The President can be contacted directly at Office of the President of Appeal Tribunals, 6th Floor Cleaver House, 3 Donegall Square North, Belfast BT1 5GA.

Turkington Holdings Representative

Mr McKay asked the Minister for Social Development what issues were raised by the Turkington Holding's representative at the meeting attended by the Minister on 16 April 2012.

(AQW 13906/11-15)

Mr McCausland: During the meeting I had with representatives of the Glass and Glazing Federation (GGF) on 16 April 2012, Turkington Holdings representatives advised that the company had extensive double glazing experience and were installing windows for the Housing Executive to their requirement. They further advised that as representatives of the GGF there were better ways of installing replacement double glazed windows resulting in efficiencies and a better and quicker service for customers. Current and proposed window specifications were discussed and the representatives advised that there was potential to make considerable savings on installations if the GGF guidelines were followed in relation to installing windows from the outside as opposed to from the inside which was Housing Executive required practice, as there would be no need to cut away reveals and no need for redecoration grants.

Funding for Carrickfergus Town Centre

Mr Dickson asked the Minister for Social Development for an update on plans to provide funding for Carrickfergus town centre through the ReStore Programme.

(AQW 13913/11-15)

Mr McCausland: In an earlier response to AQW 8487/11-15 I advised that funding for a Revitalisation scheme for Carrickfergus town was scheduled in the Department's capital expenditure programme for 2013/14. This funding is subject to a satisfactory business case and appraisal being completed and approvals being granted.

It is anticipated that a scheme will be developed in conjunction with Carrickfergus Borough Council and a representative local traders' body after the ongoing public realm works in the town centre have been completed.

Public Realm Scheme: Bangor and Holywood

Mr Easton asked the Minister for Social Development for an update on the public realms projects proposed for (i) Bangor and; (ii) Holywood town centres.

(AQW 13923/11-15)

Mr McCausland: Nelson McCausland: My Department is working with North Down Borough Council on a major public realm scheme for both Bangor and Holywood. Council is in the process of appointing an Integrated Consultancy Team to develop the concept design and complete an economic appraisal. When completed these documents will be sent to my Department for consideration and subject to funding being available and all necessary approvals, the schemes will commence in 2014.

Departmental Employees: Transfer

Mr Durkan asked the Minister for Social Development to detail the procedure for departmental employees to apply for a transfer (i) within the Department; and (ii) to another Department, at the same grade.

(AQW 13932/11-15)

Mr McCausland: There is no single set of procedures applied to transfers at the same grade. There is a range of options open to departments when seeking to fill a vacancy and the method selected is determined by the nature of the vacancy, for example whether it is temporary in nature or permanent; whether it requires the incumbent to have specialist knowledge, skills or experience etc. However in each case, transfer opportunities, whether within my department or open across the Northern Ireland Civil Service (NICS), operate in line with the vacancy management arrangements in place across the NICS.

The relevant policies and procedures are published on the Department of Finance and Personnel website (<http://www.dfpni.gov.uk/index/working-in-the-nics.htm>) and staff can also access the same information via my department's intranet.

Departmental Employees

Mr Durkan asked the Minister for Social Development on what grounds is a line manager permitted to refuse a departmental employee permission to apply for another position at the same grade (i) within the Department; and (ii) in another Department. (AQW 13933/11-15)

Mr McCausland: Staff transfers in my department operate in line with the vacancy management arrangements in place across the Northern Ireland Civil Service (NICS). The relevant policies are available on the Department of Finance and Personnel website (<http://www.dfpni.gov.uk/index/working-in-the-nics.htm>) and staff can access the same information via my department's intranet.

The arrangements for transfer within the same grade provide for managers to refuse to release a member of staff only where such a decision is justified on business grounds, to protect the delivery of services. In such circumstances managers must state the reason for that decision and keep a record of their decision and rationale. Where the member of staff wishes to appeal such a decision they can do so through the NICS grievance procedure.

Reconfiguration of Supported Housing by the Shankill and Lurgan Community Projects

Mrs D Kelly asked the Minister for Social Development why the revised action plan for the reconfiguration of supported housing by the Shankill and Lurgan Community projects has not been considered by the Housing Executive. (AQW 14083/11-15)

Mr McCausland: I have been advised by NIHE that they have been engaged with Shankill, Lurgan Community Projects (SLCP) for many years with regards to the service being delivered. Consideration has been given to all of the plans submitted, the most recent of which recommended a managed closure (May 1st 2012). It is on the basis of this report and a series of housing executive reports highlighting consistent failures to meet minimum quality standards that it was collectively agreed with all stakeholders to manage out this service.

I have requested a full report on the discussions taking place with all stakeholders and details of the proposals for the future of this scheme and the service users.

I will provide the member with a full response on receipt of this information.

Lurgan Foyer Project in Mount Zion House

Mr Durkan asked the Minister for Social Development, in light of the Lurgan Foyer Project in Mount Zion House closing at the end of September 2012, to detail the consultation that took place with the young people affected by the closure; and what alternative accommodation will be provided. (AQW 14102/11-15)

Mr McCausland: I have been advised by NIHE that after significant engagement between the management and board of the Lurgan Foyer project and the housing executive it was agreed that this short term supported residential project would be "brought to a managed close". This decision was agreed in May 2012 and a multidisciplinary working party/operational group established comprising the housing executive, Health Trust officials and staff from the project.

At that time it was agreed that no new referrals would be accepted and arrangements put in place for the relocation of the existing residents. The move on process is being facilitated by the operational group.

Lurgan Foyer staff are liaising with the individual residents to ensure that appropriate move on accommodation, in keeping with their individual needs, is secured and where necessary support is provided via an alternative Supporting People provider.

At the time of the decision to close there were a total of 18 residents and this has reduced to 11 over the intervening period (in keeping with the short term nature of the scheme).

I have requested a full report on the discussions taking place with all stakeholders and details of the proposals for the future of this scheme and the service users.

I will provide the member with a full response on receipt of this information.

The Information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Northern Ireland Assembly

Friday 21 September 2012

Written Answers to Questions

Office of the First Minister and deputy First Minister

Ministerial Drivers

Mr Allister asked the First Minister and deputy First Minister (i) to detail the arrangements relating to the recruitment, status and payment of their ministerial drivers; (ii) whether the arrangements differ from those that were in place prior to 1 April 2011; and (iii) if so, how the arrangements differ.

(AQW 827/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): OFMDFM does not employ drivers for the First Minister and deputy First Minister.

Ministerial Special Advisers

Mr Allister asked the First Minister and deputy First Minister, in the case of each Special Adviser within their Department, (i) how many candidates were considered for the posts of Ministerial Special Adviser; (ii) what account was taken of any potential imbalance in religious background or gender in the pool from which they selected the Special Advisers; (iii) how wide was the trawl for candidates and how did they ensure that it was 'broadly based' as required by the Code of Practice on the Appointment of Special Advisers; and (iv) to publish the job description and person specification drawn up before the Special Advisers were appointed.

(AQW 1550/11-15)

Mr P Robinson and Mr M McGuinness: All Ministerial advisers were appointed in line with the Code of Practice on the Appointment of Special Advisers.

Deputy First Minister's Driver: Traffic Accidents

Mr Allister asked the First Minister and deputy First Minister to detail (i) how many traffic accidents the deputy First Minister's driver has been involved in since May 2007; (ii) how many of these were his responsibility; (iii) how many resulted in prosecution; and (iv) how much has been paid in compensation to third parties.

(AQW 1609/11-15)

Mr P Robinson and Mr M McGuinness: The deputy First Minister's drivers are not employed by OFMDFM.

Salary Scale for Special Advisers

Mr Allister asked the First Minister and deputy First Minister (i) whether they were consulted on, and consented to, the decision taken by the Department of Finance and Personnel on 18 July 2011 to increase the upper limit of the Band B salary scale for Special Advisers to £90,000; (ii) when they became aware of the planned increase; and (iii) what input they had to the decision.

(AQW 2314/11-15)

Mr P Robinson and Mr M McGuinness: The Department was not consulted. The then Head of the Civil Service was informed via memo from DFP on 18 July 2011.

Appointment of Special Advisers

Mr Allister asked the First Minister and deputy First Minister to outline the status within their Department of the Department of Finance and Personnel's review of the appointment of Special Advisers.

(AQW 3474/11-15)

Mr P Robinson and Mr M McGuinness: The Department of Finance and Personnel's review of the appointment of Special Advisers was part of their process to consider changes to the appointment of Special Advisers.

Proposed Peace-building and Conflict Resolution Centre at the Maze/Long Kesh Site

Mr Kinahan asked the First Minister and deputy First Minister to detail the results of the market research that was carried out by Colliers International on the proposed Peace Building and Conflict Resolution Centre at the Maze/Long Kesh site.
(AQW 3781/11-15)

Mr P Robinson and Mr M McGuinness: The market research conducted by Colliers International confirmed that the overall concept of the Peace Building and Conflict Resolution Centre is clearly very strong and has significant international, political and cross-community support across a broad cross-section of residents here.

Salary Scale for Special Advisers

Mr Allister asked the First Minister and deputy First Minister whether they were consulted about, and consented to, the decision that was taken by the Department of Finance and Personnel on 18 July 2011, to increase the upper limit of the Band B salary scale for Special Advisers to £90,000, and how many of their special advisers have benefited from any resulting increase in salary.
(AQO 942/11-15)

Mr P Robinson and Mr M McGuinness: The Department was not consulted. The then Head of the Civil Service was informed via memo from DFP on 18 July 2011. All advisers are paid within the Band B salary scale. It is our policy not to comment on specific salaries within the scale.

Child Poverty

Mr A Maginness asked the First Minister and deputy First Minister (i) how many children have been living in poverty in the last three years; and (ii) for their assessment of the potential impact of the Welfare Reform Bill on the target of eradicating child poverty by 2020.
(AQW 7528/11-15)

Mr P Robinson and Mr M McGuinness: Results for the relative income poverty line can be found in the Family Resources Survey, Household Below Average Income (HBAI) datasets.

Relative income poverty is defined as the proportion of children living in a household whose income is less than 60% of UK median household income, before or after housing costs are deducted from net household income.

It is too early to accurately assess the impact of the Welfare Reform Act on the target for eliminating child poverty by 2020. However we are aware of the potential impact and will keep the issue under careful consideration.

Meetings with Elected US Representatives

Mr Rogers asked the First Minister and deputy First Minister, in relation to any meetings they had with elected US representatives on the issue of the 'undocumented' Irish during their march visit to the USA, to detail the (i) names of those who attended; (ii) dates; and (iii) venues.
(AQW 10906/11-15)

Mr P Robinson and Mr M McGuinness: The issue of 'undocumented' Irish citizens, who are currently living in the United States without having legal status, was raised in the margins of meetings with the US elected representatives during our visit to Washington, DC in March.

Misuse of Flags

Mr Dickson asked the First Minister and deputy First Minister, in light of the misuse of flags, what plans the Executive has to introduce legislation to regulate the flying of flags on public property.
(AQW 11698/11-15)

Mr P Robinson and Mr M McGuinness: The display of flags and emblems is a matter for continued consideration by the Cross-Party Working Group on Cohesion, Sharing and Integration. Discussions at the Cross-Party Working Group continue to be held on a confidential basis and any future action on flags and emblems will be dependent on the outcome of the group's consideration.

However, in parallel, the Flags Protocol Working Group continues to develop recommendations for a flags framework. The Working Group was reconvened in December 2011 at our request and that of the cross party working group on CSI. The Working Group has now met on three occasions. A draft discussion paper has been produced to inform the ongoing considerations of the Working Group before recommendations on a revised framework are brought forward.

Following agreement of a revised framework it is the intention that this document would form one aspect of the monitoring and implementation arrangements of the CSI Strategy.

Action Taken to Prosecute the Rt Hon Peter Hain MP

Mr Givan asked the First Minister and deputy First Minister for an estimate of the cost to the taxpayer of the action taken to prosecute the Rt Hon Peter Hain MP by the Northern Ireland Attorney General.
(AQW 11720/11-15)

Mr P Robinson and Mr M McGuinness: The estimated cost incurred by the Office of the Attorney General is £7,700.

Historical Institutional Child Abuse Inquiry Panel

Ms Ruane asked the First Minister and deputy First Minister when they will introduce legislation to give the power of compellability to the Historical Institutional Child Abuse Inquiry panel.

(AQO 2100/11-15)

Mr P Robinson and Mr M McGuinness: The Inquiry into Institutional Abuse Bill was introduced in the Assembly on 12 June. It includes powers by which the Chairman of the Inquiry may compel witnesses and evidence.

Atlantic Philanthropies

Mr Lyttle asked the First Minister and deputy First Minister to detail the aims, objectives and projects delivered by the Atlantic Philanthropies match funded Contested Space Programme.

(AQW 12608/11-15)

Mr P Robinson and Mr M McGuinness: The Interface/Contested Space Programme 2011-14 was launched in March 2011 and is jointly funded by OFMDFM and the Atlantic Philanthropies. The three-year programme represents a total investment of £4m comprising equal contributions from both funders.

The key aim of the programme is to promote and improve the relations between and across disadvantaged interface/contested space areas within our community that fall into the 20% most deprived wards as measured by the Noble Indices.

The programme offers these areas opportunities to shape and influence how children and youth services are provided in a way that encourages reconciliation and contributes to better outcomes for children, young people and families. The programme focuses on four areas of support: early years and parenting programmes; shared space targeted and delivered through schools; interface youth engagement programmes aimed at young adults; and shared neighbourhood programmes targeted at families.

The five projects supported thus far through the Programme are:

- 1 **Aspire:** a partnership between Currie Primary School and Holy Family Primary School (inner North Belfast)
- 2 **APP (Achieving Personal Potential):** led by Shankill Women's Centre with partner organisations which work in Shankill/Carrickhill, Ballysillan/Ligoneil, Skegoneill/Glandore; and Whitewell/Whitecity.
- 3 **Foyle Contested Space:** a partnership of 3 post primary and 5 primary schools in Derry/Londonderry to widen the scope of shared education.
- 4 **ARC (Active Respectful Community):** Led by the voluntary organisation Community Relations in Schools (CRIS), the project works with children and parents from 4 schools in Ardoyne and Shankill (Holy Cross Nursery School, Edenderry Nursery School, Glenwood Primary School and Holy Cross Boys Primary School).
- 5 **Faces and Spaces:** Early Years approach to good relations which builds community-led shared partnerships in five interface areas (Falls Road/Shankill Road; Castlederg/Newtownstewart; Waterside/Cityside; Taghnevan/Mourneview Estate; Short Strand/East Belfast).

These projects represent an overall funding commitment of £2.6m and we expect the remaining £1.4m to be allocated to projects that are successful under the second call for applications, which closed on 17th July 2012.

Contested Space Programme

Mrs D Kelly asked the First Minister and deputy First Minister (i) whether the Contested Space Programme was subject to rural proofing; (ii) to outline the criteria for applications to the Programme; and (iii) for their assessment of these criteria.

(AQW 12623/11-15)

Mr P Robinson and Mr M McGuinness: At the outset, the Contested Spaces Programme was subject to an equality screening exercise which ruled out the need for further impact assessment.

It is recognised that interfaces do not solely exist within the urban areas of our community and the title of the programme seeks to reflect the wider concept of contested space. However, it is the case that fewer applications from rural areas were received during the first round of funding than we may have expected. In response to this, potential applicants to the second round of funding have been made aware that applications covering projects from rural areas will be particularly welcome.

All applications to the programme will be asked to demonstrate that the project is tailored to the needs of a community with a physical interface or where there is a contested space. Applications will then be scored on the following criteria:

- Cost;
- Clear inter community sharing / good relations outcomes;
- Clear evidence of need for activity; and
- Demonstration of a high level of collaboration.

It is our assessment that these criteria are fair and balanced – seeking to achieve maximum impact on the key issue of promoting relationship building across divided areas of our community, whilst at the same time achieving best value for the expenditure of public money.

Internship Scheme

Mr Weir asked the First Minister and deputy First Minister how many internships are available in their Department; and if none, what plans they have to introduce an internship scheme.

(AQW 12708/11-15)

Mr P Robinson and Mr M McGuinness: The Department participates in an internship scheme with the School of Politics, International Studies and Philosophy at Queen's University Belfast (QUB) and we have been successful in attracting two internships to be filled during the 2012/2013 academic year.

Our Arms Length Bodies are also working to promote internships. The Strategic Investment Board arranges an annual internship scheme for Research Assistants. Two interns are in post from a previous recruitment exercise and six more are currently being finalised. Ilex Urban Regeneration Company has been proactively involved in creating internships for local graduates since 2009, and is committed to continuing this practice subject to internal business needs going forward.

We also intend to develop and introduce an internship scheme to provide opportunities to work directly with Ministers and their Private Offices across departments.

Historical Institutional Child Abuse Inquiry

Mr Weir asked the First Minister and deputy First Minister for an update on the Inquiry into Historical Institutional Child Abuse.

(AQW 12769/11-15)

Mr P Robinson and Mr M McGuinness: On 31 May 2012 we announced via a written Assembly Statement the Inquiry's Terms of Reference; that Sir Anthony Hart would be the Chairman of the Inquiry; and that Beverley Clarke, Norah Gibbons, Tom Marshall and Tom Shaw would be inquiry panel members.

The Inquiry into Historical Institutional Abuse Bill was introduced to the Assembly on 12 June 2012.

North/South Ministerial Council

Mr Allister asked the First Minister and deputy First Minister whether the North South Ministerial Council has, or intends to, acquire the use of further property in Armagh City; and to include detail of the purpose and cost.

(AQW 12777/11-15)

Mr P Robinson and Mr M McGuinness: The North South Ministerial Council has no plans to acquire the use of any further property in Armagh.

Sustainable Development Strategy

Mr Agnew asked the First Minister and deputy First Minister what duty is placed on local authorities to report on the progress of the promotion of the Sustainable Development Strategy,

(AQW 12822/11-15)

Mr P Robinson and Mr M McGuinness: The Statutory Duty in the Northern Ireland (Miscellaneous Provisions) Act 2006 requires public authorities, including District Councils, to exercise their functions in ways best considered to contribute to sustainable development.

The local government sector has, through active participation, helped to shape the Executive's Sustainable Development Implementation Plan, and it continues to take an active role in the delivery of our sustainability priorities. OFMDFM officials have been working with counterparts from the Northern Ireland Local Government Association (NILGA) to encourage implementation of a range of actions emanating from the Implementation Plan. Officials from OFMDFM met representatives from the Society of Local Authority Chief Executives (SOLACE) at the end of June to discuss a number of issues to further encourage progress of our sustainability objectives.

Relocation of the Balmoral Show to the Maze/Long Kesh Site

Mr Allister asked the First Minister and deputy First Minister what is the total value of the financial commitment, across all Departments, to facilitate the relocation of the Balmoral Show to the Maze/Long Kesh site.

(AQW 12885/11-15)

Mr P Robinson and Mr M McGuinness: The financial commitment for the relocation of the Balmoral Show is a matter for the RUAS.

Arms Trade Treaty

Mr Agnew asked the First Minister and deputy First Minister, in relation to the unanimous support for an Arms Trade Treaty expressed in the Assembly, whether he can offer an assurance that, during trade missions, no support will be given to companies engaged in the arms trade to sell to countries where there are significant concerns about human rights.
(AQW 13104/11-15)

Mr P Robinson and Mr M McGuinness: UK foreign policy commitments and the implementation of European Union (EU) and United Nations (UN) sanctions and embargoes prevents companies in the UK from selling arms to a number of countries where, for example, the supply of equipment could be used for human rights abuses. Northern Ireland companies active in the defence sector are therefore subject to these restrictions.

Licences are required from the Export Control Organisation for companies engaged in the Arms Trade and there are restrictions on selling goods for military use, or selling goods that could be used for both civilian and military use to countries where there are concerns over human rights. Such restrictions may be placed by a range of international or national organisations.

Lennon versus the Department for Regional Development

Mr Allister asked the First Minister and deputy First Minister, in light of the findings by the Fair Employment Tribunal in Lennon-v-the Department for Regional Development, what steps will be taken against the Head of the Civil Service, given that whilst he was Permanent Secretary of that Department there was a material bias against the appointment of applicants from a Protestant background.
(AQW 13168/11-15)

Mr P Robinson and Mr M McGuinness: The judgement of the Fair Employment Tribunal in Lennon -v- DRD made no finding that the Head of the Civil Service, who was Permanent Secretary of DRD from August 2010 to October 2011, demonstrated or acquiesced in any bias against applicants for public appointments from any community background. The implications of the Tribunal's decision will be fully considered.

Lennon versus the Department for Regional Development

Mr Allister asked the First Minister and deputy First Minister, in light of the findings by the Industrial Tribunal in Lennon-v-the Department for Regional Development, what action they intend to take to address religious discrimination and material bias against the appointment of applicants from a Protestant background.
(AQW 13172/11-15)

Mr P Robinson and Mr M McGuinness: Public appointment policy and practice, as set out in the Code of Practice published by the Commissioner for Public Appointments, is governed by the overarching principle of selection on merit. This should be the determining factor when departments are making public appointments. We are considering fully the implications of the Tribunal decision.

Independent Analysis of Public Appointments by Departments

Mr Campbell asked the First Minister and deputy First Minister whether they will ensure that an independent analysis of public appointments by Departments, since May 2007, is carried out as a matter of urgency, and that it includes a comparison of people (i) applying; (ii) deemed appointable; and (iii) appointed, broken down by community background and gender.
(AQW 13199/11-15)

Mr P Robinson and Mr M McGuinness: Our Department co-ordinates and publishes the Public Bodies and Public Appointments Annual Report. The Annual Report contains a detailed breakdown of applications received and public appointments made by each department broken down by gender, age, community background, disability and minority ethnic background. The Report also contains an analysis of political activity undertaken by appointees to public bodies broken down by political party.

The most recent Report covers the 2010/11 financial year and is available from the OFMDFM website at www.ofmdfmni.gov.uk/public-appointments-annual-report-2010-2011.pdf or from the Assembly Library (reference number R351.41609 NOR). Annual Reports for previous years going back as far as the 1996/97 financial year are also available on our Department's website.

The information presented does not include a comparison of people deemed appointable however we will give due consideration to this aspect as part of our ongoing responsibility for public appointments policy.

Corporation Tax Levels

Mr Eastwood asked the First Minister and deputy First Minister when they are abroad on trade missions, whether they convey the message that Corporation Tax levels may be reduced in the near future as a means of promoting Northern Ireland as a great place to do business.
(AQO 2297/11-15)

Mr P Robinson and Mr M McGuinness: We emphasise all the positive constituent parts of our economy when on trade and investment missions. This includes the skills and attitudes of our workforce, services from Invest NI, the role of our education system and support from government and politicians.

Securing a reduction in the corporation tax rate remains integral to our inward investment package and we will continue to press the UK Treasury and the Prime Minister on this very important matter.

Corporation Tax, along with labour costs, market size and the previous track record of inward investment, have been identified as the four variables consistently identified in explaining the location decisions of inward investment projects.

We have done very well on the other three factors identified as important for attracting investment and, undoubtedly, the ability to set out our own rate of Corporation Tax would be beneficial and we continue to convey this message.

Special Adviser to Junior Minister Anderson

Mr Allister asked the First Minister and deputy First Minister what was the total cost of employing the Special Adviser to Junior Minister Anderson.

(AQW 13638/11-15)

Mr P Robinson and Mr M McGuinness: The Special Adviser to Junior Minister Anderson was paid on Salary Band B. It is not our policy to disclose salary details beyond the band in which they fall.

Ballykelly

Mr McClarty asked the First Minister and deputy First Minister what plans they have for the use of the land at the former Ballykelly Army Base that will not be used by the Department of Agriculture and Rural Development.

(AQW 13855/11-15)

Mr P Robinson and Mr M McGuinness: Our officials are currently working with officials from the Department of Agriculture and Rural Development (DARD) to identify what parts of the site it will require for its headquarters and therefore what parts will still be available for other purposes.

In the meantime, we will continue to consider options for the future of the wider site. We will also continue to give consideration to appropriate interim and short-term uses which provide benefit to the local community, such as the recent rally event organised by the Maiden City Motor Club.

Guidance on the Implementation of the Statutory Duty on Sustainable Development

Mr Agnew asked the First Minister and deputy First Minister what guidance has been provided to departments on the implementation of the Statutory Duty on Sustainable Development, contained within section 25 of the Northern Ireland (Miscellaneous Provisions) Act 2006.

(AQW 13943/11-15)

Mr P Robinson and Mr M McGuinness: Government departments are required, in implementing their statutory duty to support the achievement of sustainable development, to have regard to the Sustainable Development Strategy, which provides strategic direction and guidance.

In addition, our Department has recently undertaken a project to develop guidance for departments and District Councils on the practical aspects of implementing the duty at an organisational level. This guidance has been developed in consultation with departments and District Councils, and we intend to bring a paper to the Executive on the subject in the near future.

Travel and Subsistence Costs

Mr Allister asked the First Minister and deputy First Minister to detail the travel and subsistence costs incurred by their Department on trips outside Northern Ireland in each year of the 2007-11 mandate, broken down by the costs incurred by (i) the First Minister; (ii) the deputy First Minister; (iii) special advisers; and (iv) support staff.

(AQW 116/11-15)

Mr P Robinson and Mr M McGuinness: Information is not held on the departmental accounting system at the level of detail requested and could only be provided at disproportionate cost.

Victims and Survivors Service

Mr Cree asked the First Minister and deputy First Minister to outline why the business case for the new Victims and Survivors Service was not released.

(AQO 2420/11-15)

Mr P Robinson and Mr M McGuinness: The business case for the Victims and Survivors Service was produced by officials as an internal document to secure required financial approvals to support policy objectives. Business cases are not routinely published and as such we cannot see any rationale for releasing this particular document.

Maze/Long Kesh Development Corporation

Mr Craig asked the First Minister and deputy First Minister for an update on the Maze/Long Kesh Development Corporation. (AQO 2422/11-15)

Mr P Robinson and Mr M McGuinness: We announced details of the Chair and 10 Board Members of the Maze/Long Kesh Development Corporation on 10 September 2012 and are pleased to confirm that the Development Corporation is now operational and will take forward the regeneration of the Maze/Long Kesh site.

The aim of the Development Corporation is to maximise the economic, historical and reconciliation potential of the site. The Corporation's initial objectives will be to ensure the Royal Ulster Agricultural Society annual agricultural show takes place on the site in 2013 and to progress plans to build the Peace Building and Conflict Resolution Centre on the site by 2015.

Disability Strategy

Mr Storey asked the First Minister and deputy First Minister for an update on the public consultation on the draft disability strategy. (AQO 2423/11-15)

Mr P Robinson and Mr M McGuinness: Public consultation on the draft strategy began on Wednesday 25 April 2012 and ended formally on Wednesday 15 August 2012.

Five public consultation events took place during April and June in Newry, Derry/Londonderry, Enniskillen, Belfast and Ballymena. Fifteen events were also held specifically with disability groups and organisations. In addition, a questionnaire was available alongside the consultation document on the OFMDFM website for either download or completion directly. So far, over 60 responses have been submitted in the questionnaire format.

Officials are currently undertaking an analysis of the responses with a view to producing a report and finalising the strategy for approval by the Executive and agreement to publish before the end of this year.

Department of Agriculture and Rural Development

Schmallenberg Virus in Livestock

Mr Swann asked the Minister of Agriculture and Rural Development for an update on the actions that her Department is taking in regard to combating the progression of the Schmallenberg virus in livestock. (AQW 13766/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Schmallenberg Virus has not been detected in livestock here. The Agri-Food and Bio-Sciences Institute (AFBI) has been testing any deformed offspring that match the clinical case definition since early this year. To date 24 animals have been tested and all have been negative.

We will continue to test deformed offspring that meet the clinical case definition. AFBI issued a press release in August similar to the one they issued in March encouraging farmers to report signs of congenital deformity in newborn animals to their PVP. We are also encouraging farmers who are importing cattle and sheep to source stock responsibly.

We will continue to monitor the situation in Britain where there is evidence that midges infected with SBV have over-wintered, potentially leading to the spread of cases of the virus outside those areas in the south and west of England that were already infected.

DARD Headquarters: Staff

Mr Campbell asked the Minister of Agriculture and Rural Development to detail the number of staff employed at her Department's Headquarters who are aged between (i) 18 - 33; (ii) 34 - 49; and (iii) 50 - 65. (AQW 13773/11-15)

Mrs O'Neill: The breakdown of staff in the 3 age categories is as follows:

| Age Group | Headcount |
|--------------|------------|
| 18-33 | 146 |
| 34-49 | 404 |
| 50-65 | 287 |
| Total | 837 |

Additionally I can confirm that there are a further 3 staff in the 66+ age group, making a total of 840 staff currently based at DARD's headquarters in Dundonald House.

DARD Headquarters: Staff

Mr Easton asked the Minister of Agriculture and Rural Development whether she consulted her departmental staff before deciding to relocate 800 posts from Belfast to Ballykelly.

(AQW 13823/11-15)

Mrs O'Neill: Staff in my Department have received regular updates in respect of the relocation project. Consultation with Trade Union Side has been on-going through the usual industrial relations mechanisms and the Ad Hoc Whitley Committee which has been established to deal specifically with HQ relocation issues.

I and my Department are committed to ensuring that staff and their representatives continue to be fully consulted and informed of progress throughout this process.

Schmallenberg Virus in Livestock

Mr Swann asked the Minister of Agriculture and Rural Development how many cases of the Schmallenberg Virus in livestock there has been to date.

(AQW 13835/11-15)

Mrs O'Neill: No cases of Schmallenberg Virus (SBV) have been detected in livestock here. The Agri-Food and Bio-Sciences Institute (AFBI) has been testing any deformed offspring that match the clinical case definition since early this year. To date 24 animals have been tested and all have been negative.

Since SBV was first reported in England in January 2012, there have been cases reported on 276 farms, mostly in the south and east of England. Enhanced surveillance of adult cattle with acute clinical signs has started in Britain and samples to date have confirmed that the disease is circulating in counties which were affected last year.

Switzerland is now reporting disease in adult cattle, sheep and goats on 77 premises in 18 cantons. Only one deformed calf has been reported, while the other cases were confirmed on testing, following reports of diarrhoea and fever. In addition, there have been unconfirmed reports of disease in cattle in Ukraine and a report in cattle in Israel.

The table below shows positive SBV tested cases across the EU according to Ministerial or Agency websites, official statistics or the recent EFSA report.

| Country | Species | Positive farms |
|--------------------------------|--------------|----------------|
| Netherlands | Cattle | 237 |
| | Sheep | 107 |
| | Goat | 6 |
| Belgium | Cattle | 407 |
| | Sheep | 167 |
| | Goat | 2 |
| Germany | Cattle | 866 |
| | Sheep | 865 |
| | Goat | 48 |
| France | Cattle | 1505 |
| | Sheep | 1128 |
| | Goat | 17 |
| Italy | Cattle | 2 |
| | Sheep | 0 |
| | Goats | 1 |
| Spain | Cattle | 0 |
| | Sheep | 5 |
| | Goat | 0 |
| Luxembourg | Cattle | 11 |
| | Sheep | 6 |
| | Sheep/Goats | 1 |
| Denmark | Cattle | 2(1*) |
| Switzerland | Cattle | 2* |
| UK (England & Channel Islands) | Cattle | 53 |
| | Sheep | 220 |
| | Cattle/Sheep | 3 |

* Positive Adults = samples were submitted based on clinical

Countryside Management Scheme

Mr Swann asked the Minister of Agriculture and Rural Development what training is required for applicants to the Countryside Management Scheme.

(AQW 13839/11-15)

Mrs O'Neill: Farmers who join the Countryside Management Scheme have an obligation to attend environmental training workshops on each of the following topics: Cross-Compliance, Field Boundary Management and Farm Nutrient and Waste Management.

Countryside Management Scheme

Mr Swann asked the Minister of Agriculture and Rural Development what agency or body is responsible for the delivery of training to farmers who have received funding under the Countryside Management Scheme.

(AQW 13842/11-15)

Mrs O'Neill: Farmers who join the Countryside Management Scheme have an obligation to attend environmental training workshops on Cross-Compliance, Field Boundary Management and Farm Nutrient and Waste Management.

CAFRE and Countryside Management Unit are responsible for developing the content of the training courses and training the trainers with CAFRE also assuming responsibility for quality assurance of training delivery.

Since 2009 AI Services have responsibility for administering the training which includes recruitment of trainers and organising the workshops. AI Services is an integral part of the Countryside Agri-Rural Partnership and funded under the Focus Farm Measure of the Northern Ireland Rural Development Programme 2007-2013 (Axis One).

Phytophthora Ramorum in North Antrim

Mr Swann asked the Minister of Agriculture and Rural Development what actions her Department has taken to halt the spread of Phytophthora Ramorum in North Antrim.

(AQW 13844/11-15)

Mrs O'Neill: Phytophthora ramorum is a fungus-like pathogen which causes a serious plant disease which has the potential to attack a wide range of woody plants including rhododendron, viburnum and certain species of tree. It was first diagnosed in larch on the Antrim Plateau in 2010.

My Department has committed significant resources to control ramorum disease in that area. Felling of over 350 hectares of larch trees at seven public forest sites and 14 private sites has been undertaken to contain the spread of the disease, along with comprehensive programmes of ongoing surveillance including aerial and on ground inspections of both public and private woodland. Bio-security measures have been implemented at affected sites and arrangements put in place that have facilitated the movement and processing of over 40,000 cubic metres of affected wood. My Department remains committed to managing ramorum disease in trees, woodland and on other plants and is funding research, carried out by the Agri-Food and Biosciences Institute (AFBI), into the host/pathogen interactions.

Single Farm Payments

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail (i) whether farmers who have received late single farm payments are entitled to interest on their payments; and (ii) the total interest paid to applicants in each of the last three years.

(AQW 13890/11-15)

Mrs O'Neill:

- (i) In my Press Release of 3 July 2012, I made a commitment to pay interest to farmers who received their 2011 Single Farm Payment (SFP) after 1 July 2012 and where the delay was caused solely by my Department.

While the EU rules governing SFP require us to make payments in full by 30 June each year, there is no obligation within these rules to pay interest. However, as payments made after the 30 June are in breach of our statutory duty, we have a principled basis to on which to pay interest.

Interest payments are calculated on a daily basis at the London Interbank Offered Rate (LIBOR) +1% and are subject to a minimum interest payment level of £50 per producer.

- (ii) The total interest paid in the last 3 financial years is as follows:

- 2009/2010 - £3,701.91 (covering SFP scheme years 2005, 2006, 2007, 2008)
- 2010/2011 - £561.15 (covering SFP scheme years 2007,2008)
- 2011/2012 - £Nil

No interest has yet been paid for the 2011 scheme year. The focus has been on processing the remaining 2011 cases to avoid any further delays in their payment.

Single Farm Payments

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail the arrangements for the payment of interest on late Single Farm Payments as provided for within EU legislation.

(AQW 13894/11-15)

Mrs O'Neill: In my Press Release of 3 July 2012, I made a commitment to pay interest to farmers who received their 2011 Single Farm Payment (SFP) after 1 July 2012 and where the delay was caused solely by my Department.

My officials are currently assessing a number of cases and payments of interest for any that exceed the £50 de minimis value will begin from late September 2012.

Beef Producers

Mrs Dobson asked Minister of Agriculture and Rural Development what steps she has taken, or will be taking, to enable beef producers to receive fair and equitable farm gate prices for their produce compared with other regions within the United Kingdom.

(AQW 13908/11-15)

Mrs O'Neill: At the outset I should point out that the price paid to producers and the establishment of a pricing structure is a commercial matter and outside the remit of DARD.

However, I do share your concerns about the differential between the price of beef here and that in Britain. We would all desire to see fair and equitable prices and a fair distribution of profits throughout the beef supply chain.

My Department is involved in a range of initiatives to help farmers produce and market high quality produce, including the Supply Chain Development Programme, benchmarking, knowledge and technology transfer, and research and innovation, through CAFRE and AFBI.

In light of recent concerns, the Livestock and Meat Commission (LMC) have commissioned an independent evaluation of the disparity between beef prices here and in Britain. The LMC also carries out a valuable role in the dissemination of market information, which helps producers to make informed decisions about when and where to market their livestock to achieve the best return.

You will appreciate that the price of beef can fluctuate throughout the year for a number of reasons. Nevertheless I understand that farmers, like everyone else, are operating in difficult times and I would hope that prices will recover in the coming months.

My Department will continue to do what it can to support producers and I am pleased that a red meat sub group, comprising processor and producer representatives has been established under the Agri-Food Strategy Board, with the task of developing a strategic plan for the sector which will produce a profitable and sustainable red meat industry.

Cases of Cruelty to Animals

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of cruelty to animals have been reported to councils over the last two years.

(AQW 13920/11-15)

Mrs O'Neill: The Welfare of Animals Act 2011 replaces the Welfare of Animals Act 1972 and is a major step forward in terms of protecting the welfare of both farmed and other animals. Under the 2011 Act, DARD continues to have responsibility for the enforcement of welfare of farmed animals; the PSNI continues to have responsibility for wild animals, animal fighting and welfare issues where other criminal activities are involved; and from 2 April 2012 Councils, for the first time, have responsibility for other animals, such as domestic pets and horses.

Based on information provided by the Councils to DARD, the total number of animal welfare complaints made to Councils between 2 April 2012 (when their new enforcement role began) and 31 August 2012 was 1,802.

Following investigation by the Councils' Animal Welfare Officers, some of these complaints proved to be unfounded and others resulted in verbal advice being given to the animals' owner. A total of 85 formal improvement notices were issued, 24 animals were seized and prosecution action will be pursued in a number of cases.

Dangerous Dogs

Mr Easton asked the Minister of Agriculture and Rural Development how many dangerous dogs have been put down by councils over the last two years.

(AQW 13921/11-15)

Mrs O'Neill: Dog control is legislated for here by the Dogs Order 1983, as amended by the Dogs (Amendment) Act 2011. Councils enforce this legislation and are required to provide statistics to my Department regarding its operation.

The term 'dangerous dog' is not defined in the dog control legislation here and could mean two things, either;

- 1) a dog of a banned type, for example a pitbull; or

2) a dog of any kind that has attacked a person.

The statistics that the Councils provide cover only the number of destruction orders issued by a Court following the prosecution of a dog owner whose dog has attacked a person. In 2010 the Courts issued 8 destruction orders following prosecutions involving dog attacks on people. In 2011 5 destruction orders were issued.

The statistics my Department receives have recently been reviewed and Councils will in future include details of the number of dogs of a banned type which have been humanely destroyed. The first version of the revised annual statistics from Councils, which will include this information will be available after the end of April 2013.

Water Levels on the River Bann

Mr McGlone asked the Minister of Agriculture and Rural Development how water levels on the River Bann are managed to ensure that the interests of the fishing and other waterway industries, landowners and farming are looked after.

(AQW 13931/11-15)

Mrs O'Neill: Water Levels in Lough Neagh are governed by Statute, Upper and Lower level limits are within a specified range, which is 12.45 meters to 12.6 meters, above ordnance datum as defined in the Lough Neagh Levels Scheme (1955). The Agency manages the water level of Lough Neagh within statutory limits as far as climatic conditions permit, whilst taking into account the needs and interest of the relevant stakeholders. Sluice gates at Toome are opened when the upper water level is likely to exceed the statutory limit. This then has an impact on water levels along the Lower Bann which are controlled by gates at Portna near Kilrea and the Cutts at Coleraine. The current operating regime for these gates has been agreed with all stakeholders on the Lower Bann. However, stakeholders are currently considering if this requires review, and may submit a revised operating regime for Rivers Agency consideration in the near future.

Executive Papers

Mr Allister asked Minister of Agriculture and Rural Development how many papers, which have been approved by the Minister, have yet to be placed on the agenda for an Executive meeting, including (i) the date on which the papers were circulated to ministerial colleagues; (ii) the subject matter of each paper; and (iii) the consequences of a delay in securing Executive approval.

(AQW 13966/11-15)

Mrs O'Neill: The content of Executive papers and all aspects of Executive business are confidential.

Animal Cruelty Offences

Mr Weir asked the Minister of Agriculture and Rural Development what plans her Department has to implement greater sanctions against people convicted of animal cruelty offences.

(AQW 14002/11-15)

Mrs O'Neill: The Welfare of Animals Act 2011 replaces the Welfare of Animals Act 1972 and is a major step forward in terms of protecting the welfare of both farmed and other animals. The 2011 Act recognises that animal cruelty and causing unnecessary suffering to any animal are very serious offences and the penalties reflect this. In the 1972 Act, the maximum penalties were 3 months imprisonment and/or a £5000 fine on summary conviction. From 2 April 2012, the 2011 Act has significantly increased the penalties for animal welfare offences to a maximum of 6 months imprisonment and/or a maximum fine of £5,000 on summary conviction; and on conviction by indictment to a maximum of 2 years imprisonment and/or an unlimited fine.

These new penalties allow for a range of sentencing options depending on the severity of the offence. Sentencing within the legislative framework is a matter for the Judiciary.

I can assure you that I take the welfare of animals very seriously and I am committed to fully implementing the new legislation.

Animal Cruelty Offences

Mr Weir asked the Minister of Agriculture and Rural Development what plans there are to increase sentencing tariffs for animal cruelty.

(AQW 14003/11-15)

Mrs O'Neill: The Welfare of Animals Act 2011 replaces the Welfare of Animals Act 1972 and is a major step forward in terms of protecting the welfare of both farmed and other animals. The 2011 Act recognises that animal cruelty and causing unnecessary suffering to any animal are very serious offences and the penalties reflect this. In the 1972 Act, the maximum penalties were 3 months imprisonment and/or a £5000 fine on summary conviction. From 2 April 2012, the 2011 Act has significantly increased the penalties for animal welfare offences to a maximum of 6 months imprisonment and/or a maximum fine of £5,000 on summary conviction and on conviction by indictment to a maximum of 2 years imprisonment and/or an unlimited fine.

I can assure you that I take the welfare of animals very seriously and I am committed to fully implementing the new legislation. I believe that the Welfare of Animals Act 2011 is fit for purpose and that the tough penalties that have been introduced in this new legislation will provide a strong deterrent, thus protecting animals from unnecessary suffering and cruelty.

Animal Cruelty Offences

Mr Weir asked the Minister of Agriculture and Rural Development what is the maximum sentence available for animal cruelty offences.

(AQW 14004/11-15)

Mrs O'Neill: From 2 April 2012, the Welfare of Animals Act 2011 has significantly increased the penalties for animal welfare offences to a maximum of 6 months imprisonment and/or a maximum fine of £5,000 on summary conviction; and on conviction by indictment to a maximum of 2 years imprisonment and/or an unlimited fine.

Beef and Pork Producers

Mr Rogers asked the Minister of Agriculture and Rural Development whether there are any proposals to address the money losing situation currently being experienced by beef and pork producers.

(AQW 14062/11-15)

Mrs O'Neill: I share your concerns about current market conditions being experienced by beef and pork producers. We all want to see a profitable local livestock sector as part of a thriving and sustainable rural economy. However, I wish to clarify that the prices paid to producers and the cost of inputs are commercial matters and outside the remit of my Department.

My Department is involved in a range of initiatives to help farmers produce and market high quality produce, including the Supply Chain Development Programme, benchmarking, knowledge and technology transfer, and research and innovation, through CAFRE and AFBI.

The Agri-Food strategy Board has been commissioned to develop a strategic plan for the future growth and development of a sustainable Agri-Food industry. This will include how best to explore new and expanding markets for all of our local produce, including beef and pigmeat.

You will appreciate that the local beef and pigmeat sectors are highly dependent upon exports to Britain and further afield and that prices fluctuate depending on market conditions. Our distance from export markets and the associated transport cost is also a significant factor. Nevertheless I understand that farmers, like everyone else, are operating in difficult times and I would hope that prices will recover in the coming months.

My Department will continue to do what it can to support producers and I am pleased that the Agri-Food Strategy Board is engaging with stakeholders, as it considers its longer-term strategy and the potential for further export-led growth.

Areas for Designation as National Parks

Mr Rogers asked the Minister of Agriculture and Rural Development what advice she has given to farmers and residents in the Mourne and other areas that are being considered as areas for designation as National Parks.

(AQW 14064/11-15)

Mrs O'Neill: My Department has consistently held the position that farmers and rural dwellers must be fully involved in any debate on establishing National Parks and that their concerns must be taken into account. Also, that no additional controls should be placed on farming activities and a National Park could only proceed with the co-operation and support of farmers and rural dwellers.

My Department has consistently put forward this view to the Department of Environment, which leads on this issue.

I recognise that farmers and rural dwellers have a wide range of concerns; including access to land, liability, governance, bureaucracy, additional restrictions, and the potential impact on rural communities.

Should any proposal come before the Executive, I will seek to ensure that these concerns are at the forefront of considerations. I believe that a national park could only proceed with the agreement of the people in that area.

Beef Producers

Mr Frew asked the Minister of Agriculture and Rural Development how her Department intends to address the issue of low prices that the rest of the UK and European beef markets are offering beef producers in Northern Ireland.

(AQW 14075/11-15)

Mrs O'Neill: At the outset I should point out that the price paid to producers and the establishment of a pricing structure is a commercial matter and outside the remit of DARD.

However, I do share your concerns about the current prices which local beef producers are receiving from Britain and European markets. We all want to see a profitable and sustainable local beef industry.

My Department is involved in a range of initiatives to help farmers produce and market high quality produce, including the Supply Chain Development Programme, benchmarking, knowledge and technology transfer, and research and innovation, through CAFRE and AFBI.

The Livestock and Meat Commission (LMC) have recently commissioned an independent evaluation of the disparity between beef prices here and in Britain. The LMC also carries out a valuable role in the dissemination of market information, which helps producers to make informed decisions about when and where to market their livestock to achieve the best return.

You will appreciate that the local beef industry is highly dependent upon exports to Britain and further afield and that prices fluctuate depending on market conditions. Our distance from Britain and mainland European markets and the associated transport cost is also a significant factor. Nevertheless I understand that farmers, like everyone else, are operating in difficult times and I would hope that prices will recover in the coming months.

My Department will continue to do what it can to support producers and I am pleased to report that a Red Meat Sub-Group, comprising processor and producer representatives, has been established under the Agri-Food Strategy Board. The aim of the sub-group is to develop a strategic plan for the red meat sector which will produce a profitable and sustainable local red meat industry.

Vaccination for Blackleg

Mr Frew asked the Minister of Agriculture and Rural Development how her Department aims to promote the use of the vaccination for blackleg by cattle and sheep farmers, given the increase in cattle deaths caused by blackleg in Scotland this year.

(AQW 14077/11-15)

Mrs O'Neill: Blackleg is a common and rapidly fatal disease in cattle and sheep, and my Department and AFBI fully support and encourage the use of vaccination. Blackleg is not a notifiable disease and my Department has no statutory responsibility for its control. To date in 2012, there have been 30 cases confirmed by AFBI and this is comparable to recent years. AFBI promote the use of vaccination through press releases, the most recent on 30 August 2012, and at farmer and veterinary association meetings. In confirmed cases, there is direct contact between the laboratory and the farmer's veterinary practitioners.

Muntjac Deer

Mr McMullan asked the Minister of Agriculture and Rural Development whether the Forest Service is aware of who introduced muntjac deer into Northern Ireland.

(AQW 14101/11-15)

Mrs O'Neill: Forest Service is unaware of who introduced Muntjac deer into the north of Ireland.

Muntjac Deer

Mr McMullan asked the Minister of Agriculture and Rural Development to detail the number of muntjac deer located in each forest.

(AQW 14103/11-15)

Mrs O'Neill: A sighting of a single Muntjac deer was confirmed at Mount Stewart forest on the Ards peninsula in 2011. This animal was subsequently shot later that year. No Muntjac deer have been observed in other Forest Service woodlands.

Muntjac Deer

Mr McMullan asked the Minister of Agriculture and Rural Development to detail the current annual cost of the introduction and forest management of muntjac deer.

(AQW 14104/11-15)

Mrs O'Neill: Forest Service employs three wildlife wardens, who as part of their duties monitor deer populations on Forest Service land. This monitoring includes an awareness of the potential for the introduction of invasive non-native species such as Muntjac deer.

The only confirmed sighting of a Muntjac deer within Forest Service managed land was in 2011. This animal was subsequently shot and the direct cost of Forest Service input to this process, including surveillance, was £1,120.

Dangerous Dogs

Lord Morrow asked the Minister of Agriculture and Rural Development how many dogs have been seized after being classed as dangerous in each of the last five years, broken down by council area.

(AQW 14123/11-15)

Mrs O'Neill: Dog control is legislated for here by the Dogs Order 1983, as amended by the Dogs (Amendment) Act 2011. Local Councils enforce this legislation and are required to provide statistics to my Department regarding its operation.

The term 'dangerous dog' is not defined in the Dogs Order and so could apply to 2 different categories of dog:

- 1) a dog of a banned type, for example a pitbull; or
- 2) a dog of any kind that has attacked a person.

The statistics that my Department receives from Councils currently do not cover the number of dogs seized in either of these categories.

However, following the changes made to the Dogs Order by the introduction of the Dogs (Amendment) Act 2011 my officials have undertaken a review of the information provided by Councils. As a result of this review, Councils will be required to provide the number of dogs of a banned type that are seized, along with other statistics which they currently provide such as the number of prosecutions following dog attacks on people. The first version of the revised annual statistics from Councils, which will include the number of seizures of dogs of banned types, will be available after the end of April 2013. I will ensure that you receive this information at that time.

Areas for Designation as National Parks

Mr Rogers asked the Minister of Agriculture and Rural Development what consultation she has had with farmers and residents that reside within the Mourne, and other areas, that are being considered as potential areas for designation as National Parks.

(AQW 14133/11-15)

Mrs O'Neill: I am aware of significant opposition to national park proposals among farmers and residents in areas that are being considered as potential areas for designation.

I recognise that farmers and rural dwellers have a wide range of concerns; including access to land, liability, governance, bureaucracy, additional restrictions, and the potential impact on rural communities.

While I have had no formal consultation on the designation issue, I regularly meet with farming and rural community representatives. I recently met with the Environment Minister and the UFU to discuss proposals for national parks.

Should any proposal come before the Executive, I will seek to ensure that the wide range of concerns of farmers and rural dwellers are at the forefront of considerations. I believe that a national park could only proceed with the agreement of the people in that area.

Dogs: Spaying/Neutering Operation

Mr Frew asked the Minister of Agriculture and Rural Development how many dogs have died while undergoing the spaying/neutering operation in each of the last three years, broken down by the age of the dogs.

(AQW 14144/11-15)

Mrs O'Neill: My Department does not hold information on the number of dogs that are neutered or that die as a result of this procedure.

There are inherent risks with any surgical procedure or anaesthesia and neutering is no different. However, I am advised that this surgery is routinely performed and very safe and the risks are relatively low. A study of small animals anaesthetised and sedated during a range of operations, published in *Veterinary Anaesthesia and Analgesia*, was carried out in one hundred and seventeen veterinary practices from across Britain between June 2002 and June 2004. There were 98,036 dogs involved in the study. The study found that the overall risks of anaesthetic and sedation-related death in healthy dogs were estimated to be 0.05% (1 in 1849). (David C Brodbelt et al, 2008).

The British Veterinary Association strongly supports the practice of neutering of dogs believing that the welfare implications are outweighed by the benefits.

Licensed Dog Breeders

Mr Frew asked the Minister of Agriculture and Rural Development to detail (i) the number of licensed dog breeders; and (ii) the average number of dogs that they hold at any one time.

(AQW 14146/11-15)

Mrs O'Neill: Dog breeding establishments are regulated here by the Dogs (Breeding Establishments and Guard Dog Kennels) Regulations 1983 which are made under the Dogs Order 1983. Under this legislation any person with 3 or more unsterilised bitches, any of which are used for breeding must, register with their local Council.

According to the figures provided by the Councils to DARD there were 240 registered breeding establishments here in 2011. Based on the information provided, the average number of bitches kept in registered breeding establishments here is approximately 10. Of the 240 establishments, 192 keep 10 or fewer breeding bitches; 43 keep between 11 and 50 bitches and 5 keep between 50 and 350 bitches.

I am currently in the process of making new subordinate legislation regulating breeding establishments here under the Welfare of Animals Act 2011. The draft Welfare of Animals (Dog Breeding Establishments) Regulations 2012 is currently being considered by the Agriculture and Rural Development Committee and, subject to their agreement, I expect the Assembly to consider the new Regulations later this year.

Department of Culture, Arts and Leisure

Boxing Investment Programme

Mr Frew asked the Minister of Culture, Arts and Leisure what assessment criteria will be used when allocating funding for boxing clubs.

(AQW 13807/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The Boxing Investment Programme is still at a developmental stage; however, I can confirm that decisions on the distribution of funding will be taken on the basis of identified needs. It is anticipated that eligibility and assessment criteria will be consistent with other Sport NI programmes.

Lough Neagh: Illegal Nets Removed

Mr Swann asked the Minister of Culture, Arts and Leisure how many illegal nets have been removed from Lough Neagh since January 2012.

(AQW 13816/11-15)

Ms Ní Chuilín:

| Time Period | Nets seized (number and length) |
|-------------------------------|---|
| January – 11th September 2012 | 42 nets = 30,700 Meters mix of nylon and monofilament |

Lough Neagh: Fish Population

Mr Swann asked the Minister of Culture, Arts and Leisure for an update on the process for developing a baseline of fish population in Lough Neagh.

(AQW 13820/11-15)

Ms Ní Chuilín: My Department has commissioned the Agri-Food and Biosciences Institute (AFBI) to produce a trout stock status report for the DCAL area, including Lough Neagh and its catchment. This is currently in draft form and will be published in due course.

AFBI has also engaged a PhD student to carry out other research on Lough Neagh that, when completed, will provide information on the location and population levels of fish species in the Lough. The results of this will be published in due course.

Honouring the Efforts of Olympic Competitors from Northern Ireland

Mr Weir asked the Minister of Culture, Arts and Leisure what plans her Department has to honour the efforts of olympic competitors from Northern Ireland.

(AQW 13870/11-15)

Ms Ní Chuilín: In recognition of the magnificent achievements of athletes from the north of Ireland at the London 2012 Olympic and Paralympic Games, I hosted a reception in Parliament Buildings on 13 September 2012.

Invited guests include all athletes, coaches, specialist performance managers, governing bodies of sport and past Olympic and Paralympic medallists.

Legacy of the Olympic Games

Mr Weir asked the Minister of Culture, Arts and Leisure how her Department intends to take forward the legacy of the Olympic Games.

(AQW 13872/11-15)

Ms Ní Chuilín: Three high level strategic legacy benefits were identified as part of the overall North of Ireland 2012 Olympic and Paralympic Games Strategy, under the headings of Community Engagement, Economy and Sport.

Under these headings the objectives were to increase participation in sporting and cultural activities particularly by young people; improve access in sports and the arts for people with disabilities; encourage healthy lifestyles; facilitate skills development; exploit economic opportunities; promote volunteering and create good relations and community cohesion.

DCAL lead and coordinated the delivery of the North's 2012 Strategy for the Games, with key partner organisations driving their respective areas of responsibility. DCAL will continue to build on these partnerships to ensure that local projects and initiatives inspired by the 2012 Games to enhance future events.

Partner organisations will take forward their element of the Games legacy as follows:-

Community Engagement

Arts Council NI's partnership with London 2012 Festival has offered Derry City of Culture 2013 an opportunity to deliver work and promotional value on a global platform and to continue working with the clients and partners involved on future local opportunities.

Volunteer Now having witnessed the impact that the 2012 volunteers had on the success of the Olympic Games in London, it is hoped that this will inspire both existing and new volunteers to help deliver the 'friendliest Games ever' in 2013 and ultimately increase the capacity and capability of volunteers in the North of Ireland.

Economy

Invest NI is building on the experience gained from London 2012 by assisting companies to bid for contracts at other Global Games such as Brazil 2014 and 2016. In August 2012 Invest NI launched a guide entitled Global Supply Opportunities to International Sporting Events – 2012-22 aimed at helping businesses identify and understand how they can access sport event related business abroad. The guide outlines opportunities arising from major events such as: Commonwealth Games in Glasgow 2013, FIFA World Cup, Brazil 2014, FIFA Qatar 2022. The CompeteFor web portal which was used to highlight London 2012 contracts is now promoting other GB based opportunities such as the major London Crossrail project and Metropolitan Police tenders.

Sport

Sport NI are the lead on the Sporting Legacy, the implementation of DCAL's strategy for sport 'Sport Matters' is central to realising a relevant, vibrant and sustainable legacy. This will result in increased rates of participation, better access to high quality sports facilities and places for people to play sport and be physically active, improved pathways for the best sporting talent, all of which are elements of a world class sporting system.

Financial Support for Rowing

Mr Weir asked the Minister of Culture, Arts and Leisure to detail the proposed level of financial support for rowing in each of the next three years.

(AQW 13874/11-15)

Ms Ní Chuilín: Sport NI, is responsible for the distribution of funding for sport in the north of Ireland. It is too early to say whether, and how much, funding will be available for rowing over the next three years. However, Sport NI and Rowing Ulster, the governing body for rowing, are in ongoing discussions over the level of investment which will help to support the future development of rowing in the north. As part of those discussions Rowing Ulster has submitted proposals under Sport NI's PerformanceFocus investment programme for the period April 2013 to March 2017.

TV Drama Produced in Northern Ireland

Mr Agnew asked the Minister of Culture, Arts and Leisure to detail (i) what work is being done to increase the amount of tv drama productions produced in Northern Ireland; (ii) what percentage of spending on public service broadcasting has been allocated to tv productions in each of the last three years; (iii) what work is being done to increase this spending; and (iv) what engagement she has had with her counterpart in Westminster in relation to bringing tax incentives for tv productions in line with those in the Republic of Ireland.

(AQW 13882/11-15)

Ms Ní Chuilín:

- (i) NI Screen continues to attract major TV drama productions in the form of 'Games of Thrones', and other productions for BBC to the north of Ireland. Games of Thrones, the largest TV drama production in Europe, is now filming its third series in locations around the north of Ireland. This continuity of production is a strong indication that the north of Ireland is recognised as a competitive location for TV drama production.
- (ii) Public Service Broadcast Network programme spend on TV Drama productions was £642m in 2011, £721m in 2010 and £806m in 2009.
- (iii) NI Screen has been successful in achieving a significant realignment in favour of TV (drama) production in the north of Ireland, and this remains NI Screen's primary priority over the period of its current strategy. This strategy aims to deliver a balanced portfolio of investments across large and small productions and across a range of activities including film, television, digital content, product development and skills development. Developing a significant crew base through skills development and training is key to developing the industry along side the financial incentives offered to companies to encourage production.
- (iv) My Department co-funded, through NI Screen, the consultation work carried out by the British Film Commission in 2011-12 and in March I wrote to Ed Vaisey MP, Minister for Culture, Communications and Creative Industries requesting he encourage and support the introduction of a proposed tax incentive. The formal development of tax breaks for animation, video games and certain 'high end' television productions has since been announced in the budget subject to a consultation and obtaining state-aid approval from the European Commission.

Executive Papers

Mr Allister asked the Minister of Culture, Arts and Leisure how many papers, which have been approved by the Minister, have yet to be placed on the agenda for an Executive meeting, including (i) the date on which the papers were circulated to ministerial colleagues; (ii) the subject matter of each paper; and (iii) the consequences of a delay in securing Executive approval.
(AQW 13965/11-15)

Ms Ní Chuilín: The content of Executive papers and all aspects of Executive business are confidential.

Participation in Sport of People with Disabilities

Mr Weir asked the Minister of Culture, Arts and Leisure what additional resources will be made available to increase the participation in sport of people with disabilities.
(AQW 14001/11-15)

Ms Ní Chuilín: My Department's strategy for sport, Sport Matters, commits Government to taking action that will increase participation in sport and physical recreation across the north of Ireland including amongst people with a disability. To assist in achieving this, Sport NI provides funding support to Disability Sports NI (DSNI), the main disability sports organisation in the north of Ireland. For the period 1 April 2012 to 31 March 2015, Sport NI has awarded £497,500 to DSNI to help the organisation increase opportunities for people with disabilities to participate in sport and physical recreation. In addition to this, my Department through Sport NI is also investing £459,000, over a 4-year period to March 2015, in Special Olympics Ulster with a focus on increasing participation rates in sport among people with a learning disability.

Boxing Investment Programme

Mr Campbell asked the Minister of Culture, Arts and Leisure what measures are being taken to ensure that the £3 million investment programme for boxing will be applied equitably to boxing clubs across all areas and sections of the community.
(AQW 14013/11-15)

Ms Ní Chuilín: The Boxing Investment Programme will be managed and administered by Sport NI and I can confirm that decisions on the distribution of this funding will be made on the basis of identified boxing needs.

Sport NI is currently carrying out an exercise to establish the needs of boxing clubs across all areas and sections of the community.

Boxing Investment Programme

Mr Campbell asked the Minister of Culture, Arts and Leisure whether boxercise fitness training clubs can avail of funding through the £3 million investment programme for boxing.
(AQW 14014/11-15)

Ms Ní Chuilín: The main aim of the Sport NI boxing investment programme is to help the sport of boxing address the strategic facility and equipment needs of boxing clubs in the north of Ireland. As such, the programme is not open to fitness training clubs. However, boxing clubs that offer boxercise training may be able to avail of the funding.

Sale of Tickets and Promotion of Events at Main Ticketing Venues

Mr D McIlveen asked the Minister of Culture, Arts and Leisure whether she has any plans to invest in the sale of tickets and promotion of events at main ticketing venues, given that last year 45 percent of seats were left empty at venues last year.
(AQW 14027/11-15)

Ms Ní Chuilín: My Department through the Arts Council is the principal funder of Audiences NI which is a dedicated audience development agency providing a package of services to its 100 member organisations. The annual funding of Audiences NI is £246,600 (2012/13) with a further £19,358 pledged this year for the Test Drive Arts Project which has brought 12,000 new attenders to the arts since it was established in February 2010.

This investment supports a year-round programme of training covering issues such as pricing, digital engagement, web analytics and social media to enable funded organisations to develop their audiences.

The Department is currently considering a proposal from Audiences NI and the Arts Council for a shared ticketing system which could be used by arts organisations to provide an improved consumer experience and enhanced marketing data.

Anglers who Use the River Bush

Mr D McIlveen asked the Minister of Culture, Arts and Leisure to detail (i) the number of anglers who used the River Bush; and (ii) the revenue generated as a result, between March and August, in each of the last five years.
(AQW 14032/11-15)

Ms Ní Chuilín: The table below details the numbers of day tickets sold for the special stretches of the River Bush between March and August in each of the last five years and the income generated:

| Year | Number of day tickets sold | Income generated |
|------|----------------------------|------------------|
| 2007 | 1249 | £24,725.00 |
| 2008 | 1106 | £27,485.00 |
| 2009 | 1026 | £23,023.50 |
| 2010 | 1177 | £25,886.00 |
| 2011 | 1410 | £29,303.50 |

It is not possible to confirm the numbers of anglers using the unrestricted stretches of the River Bush as these are covered by general angling licences and permits, which allow anglers to fish a range of waters.

Libraries Earmarked for Closure

Mr Swann asked the Minister of Culture, Arts and Leisure for an update on the action plan for each of the libraries that were previously earmarked for closure in the last round of rationalisation by LibrariesNI.

(AQW 14037/11-15)

Ms Ní Chuilín: Libraries NI developed an action plan following the second stage of the Review of the library estate (libraries outside Greater Belfast). The plan is currently being implemented.

A detailed report of progress will be made to Libraries NI's Services Committee in October 2012 and its full Board in November 2012. Libraries NI have reported the following progress:

Opening Hours

After consultation with each local community around the most appropriate pattern of opening hours, revised Opening Hours were introduced on 6 June 2012.

Level of Use

There have been regular meetings in all locations between Libraries NI and the local action groups resulting in promotional activities and support for each of their libraries. All communication issues outlined in the plan have been addressed.

Moneymore, Moy and Gilford

The Moneymore library closed on 30 November 2011, Moy Library closed on 31 March 2012 and the Gilford Library closed on 21 April 2012. Mobile provision is in place in Moneymore and Moy. In Gilford the mobile calls at the newly opened Community Centre, where services are also provided in the centre as part of an innovative partnership with Banbridge District Council

Buildings

Progress has been made in all the libraries where accommodation issues were a factor:

- Draperstown: substantial progress towards relocating the library with local community organisation.
- Carnlough: Plans for redevelopment have been drawn up with Larne Council (securing funding these is the responsibility of the Council).
- Fintona: submission from Fintona Forum regarding alternative premises is due by 22 September 2012.
- Killyleagh: substantial discussions have taken place regarding alternative premises. In the meantime an internal upgrade of the existing building, including wall painting and floor covering, was completed in September 2012.

Sectarianism in Boxing

Mr Allister asked the Minister of Culture, Arts and Leisure what action she intends to take to deal with sectarianism in boxing, in light of the report from the Sandy Row Boxing Club.

(AQW 14080/11-15)

Ms Ní Chuilín: Responsibility for taking action to deal with reports from any organisation, including Sandy Row Amateur Boxing Club (SRABC), alleging sectarianism in boxing rests with the sport's governing body, the Irish Amateur Boxing Association (IABA) and its local provincial branch, the Ulster Provincial Boxing Council (UPBC).

My officials have already met with SRABC and the IABA to discuss the club's concerns which are now reflected in its recently published report. As a result of these discussions and further dialogue between Sport NI, SRABC, the IABA and UPBC, the UPBC agreed to implement, as far as practicable, the club's 8 point strategy for reform of the sport mentioned in the report. Sport NI is also currently in discussion with the UPBC about the adoption of the new Equality Standard for Sport, which is aimed at assisting governing bodies to achieve equality in sport. Furthermore, since the SRABC report was published, my Department has written to the UPBC seeking an update on progress and details of how the Council intends to respond to the report.

Former Public Record Office Property at Balmoral Avenue, Belfast

Miss M McIlveen asked the Minister of Culture, Arts and Leisure for an update on the sale of the former Public Record Office property at Balmoral Avenue, Belfast.

(AQW 14175/11-15)

Ms Ní Chuilín: The former Public Record Office site at Balmoral Avenue remains on the market. PRONI continues to work with the Estate Agent, Land and Property Services and Central Procurement Directorate to promote the sale of the site.

Boxing Investment Programme

Mr Weir asked the Minister of Culture, Arts and Leisure what measures will be put in place to ensure that the £3 million for local amateur boxing is not just concentrated on Belfast clubs.

(AQW 14216/11-15)

Ms Ní Chuilín: Sport NI is currently carrying out an exercise to establish the needs of boxing clubs right across the north of Ireland. This information will be used by Sport NI, in conjunction with the governing body of boxing, the Irish Amateur Boxing Association, to consider how funds could best be used to maximise benefits for the sport as a whole. Decisions on the distribution of funding will be made on the basis of identified boxing needs rather than the location of clubs.

Boxing Investment Programme

Mr Weir asked the Minister of Culture, Arts and Leisure to outline the timescale for the £3 million investment in local boxing.

(AQW 14218/11-15)

Ms Ní Chuilín: The boxing investment programme will be rolled out over the period 2012-2015. The first stage of the programme is already underway with Sport NI carrying out an exercise to establish the equipment and facility needs of boxing clubs across the north of Ireland. It is currently anticipated that the first tranche of funds to help meet the equipment needs of clubs will be available for disbursement before the end of 2012. The capital development strand of the programme, which is still at a developmental stage, will involve a full and independent assessment of the capital needs of clubs. This is due to commence at the start of 2013.

Boxing Investment Programme

Mr Weir asked the Minister of Culture, Arts and Leisure how the £3 million investment in local amateur boxing will be rolled out to boxing clubs.

(AQW 14219/11-15)

Ms Ní Chuilín: Sport NI has recently issued a questionnaire, through the governing body of boxing, the Irish Amateur Boxing Association (IABA), to all affiliated boxing clubs and those that were affiliated in the last three years. This will provide each club with the opportunity to give an indication of their equipment needs and potential capital projects. These returns will be used by Sport NI, in conjunction with the IABA, to consider how funds could best be used to maximise benefits for the sport as a whole. Decisions on the distribution of the funding will be made on the basis of identified boxing needs.

Banbridge Boxing Club

Mrs Dobson asked the Minister of Culture, Arts and Leisure (i) whether she is aware of the situation at Banbridge Boxing Club, following damage to the premises caused by recent weather conditions, which has necessitated its relocation to alternative premises within the next two weeks; and (ii) what financial support her Department can provide to the club and its members to alleviate the situation.

(AQW 14297/11-15)

Ms Ní Chuilín: I am aware of the situation at Banbridge Boxing Club and the damage to their premises by recent weather conditions. Sport NI, which is responsible for the distribution of funding to sport in the north of Ireland, is currently carrying out an exercise to identify the equipment and facility needs of boxing clubs across the north. This information will assist Sport NI and the governing body for boxing, the Irish Amateur Boxing Association, to consider how funds can best be used to maximise benefits for the sport as a whole. In the meantime, I have asked Sport NI to liaise with Banbridge Boxing Club directly to ensure that the Club is aware of all the funding opportunities currently available to them.

Department of Education

Savings Delivery Plan: DE

Mr Storey asked the Minister of Education why his Department did not produce a report on its performance on the implementation of its Savings Delivery Plan for 2011/12, as part of the monitoring exercise undertaken by the Department of Finance and Personnel.

(AQW 13298/11-15)

Mr O'Dowd (The Minister of Education): In agreeing Budget 2011-15, the Executive did not define savings targets for each Department (as was the case with Budget 2008-11) but rather established current and capital allocations, leaving it up to each Departmental Minister to decide on how they will deliver their priorities from the resources allocated to them. In view of this I consider it my responsibility as Minister for Education, and not DFP's, to take appropriate action to ensure that my Department remains within budget. In view of this, I did not participate in the recent Savings Delivery Plan monitoring exercise commissioned by DFP.

Year 8 Places: Ballymena, Ballymoney and Moyle

Mr Frew asked the Minister of Education how many children in the (i) Ballymena; (ii) Ballymoney; and (iii) Moyle areas have not yet received a Year 8 place at a post-primary school for the 2012/13 year.

(AQW 13799/11-15)

Mr O'Dowd: There are currently 2 children in the Ballymena area who remain unplaced. No children in Ballymoney or Moyle are unplaced.

There are still places available in Cullybackey High School and Ballee Community High School. The NEELB have asked parents to nominate further school preferences as a matter of urgency, otherwise the non-attendance of their child at school becomes a school attendance issue. One parent has not nominated a further preference as yet and the other parent is awaiting the outcome of an appeal to the Exceptional Circumstances Body before considering whether to nominate a further preference school.

Year 1 Places: Ballymena, Ballymoney and Moyle

Mr Frew asked the Minister of Education how many children in the (i) Ballymena; (ii) Ballymoney; and (iii) Moyle areas have not yet received a Year 1 place at a primary school for the 2012/13 year.

(AQW 13800/11-15)

Mr O'Dowd: All children in these areas were placed.

Schools Sports Grounds

Mr Weir asked the Minister of Education which schools have had their sports grounds sold by their Education and Library Board in each of the last ten years.

(AQW 13866/11-15)

Mr O'Dowd: No schools had their sports grounds sold by their Education and Library Board in the last ten years.

Road Access to Kilcooley Primary School, Bangor

Mr Easton asked the Minister of Education whether he has any plans to seek improved road access to Kilcooley Primary School, Bangor.

(AQW 13951/11-15)

Mr O'Dowd: Kilcooley Primary School is a controlled school in the South Eastern Education and Library (SEELB) area. Any issues at the school are a matter for the SEELB to address in the first instance. The SEELB has advised that it currently has no plans to seek improved road access at the school.

After School Supervision of Children

Mr McElduff asked the Minister of Education whether primary schools have a statutory responsibility to provide cost-free, stimulating supervision for primary 1 and primary 2 children between 2.15pm and the arrival of the school transport provision to which they are entitled.

(AQW 14028/11-15)

Mr O'Dowd: The setting of the daily operational hours of schools is a matter for school Principals and Boards of Governors, subject to prescribed minimum levels (3 hours for pupils in a class of pupils most of whom were under the age of 8 at the start of the school year and 4.5 hours for other pupils) and the arrangements for transporting pupils to and from school. Boards of Governors are allowed flexibility in setting their school's starting and finishing times, as long as they comply with the regulations.

The Board of Governors of a grant-aided school has a statutory duty under Article 17 of the Education and Libraries (NI) Order 2003 to safeguard and promote the welfare of registered pupils of the school at all times when the pupils are on the premises of the school. It would therefore be the responsibility of Boards of Governors to determine the arrangements for meeting this requirement for pupils living more than the statutory walking distance from the school until the normal departure time for school transport services, however, this would not necessarily mean teacher supervision.

Parents/guardians of pupils residing under the two mile statutory walking distance from school would normally be expected to make arrangements to have their P1/P2 children collected at the end of the school day. Arrangements will vary from school to school, depending on the number of children involved.

Educational Psychologists: Waiting Times

Mr Agnew asked the Minister of Education what is the average waiting time between a pupil being referred to an educational psychologist and having their first appointment, broken down by Education and Library Board area.

(AQW 14045/11-15)

Mr O'Dowd: The latest figures available from the education and library boards regarding the average waiting time between a pupil being referred to an educational psychologist and having their first appointment, for the period 1 September 2011 to 30 April 2012, are as follows:-

| | |
|-------|----------|
| BELB | 30 days |
| NEELB | 108 days |
| SEELB | 309 days |
| SELB | 45 days |
| WELB | 50 days |

These figures refer to Stage 3 (non-statutory assessments) as outlined in the Code of Practice on the Identification and Assessment of Special Educational Needs (COP).

With regard to the waiting time for an assessment in terms of statutory requirements, at Stage 4 of the COP, the ELBs consider the need for a statutory assessment of special educational needs which will include an assessment by an educational psychologist. ELBs have 16 weeks from the date that the ELB notifies the parents that it is considering making an assessment or from the date that the request to carry out an assessment is received by the ELB from the parent or the school to complete the assessment.

Settling-in Period of Nursery- and Primary-school Children

Mr D McIlveen asked the Minister of Education for his assessment of the settling-in period of nursery and primary school children; and whether there is any feedback available from schools to suggest it is advantageous to pupils.

(AQW 14086/11-15)

Mr O'Dowd: Primary schools may admit pupils on a phased basis as part of their induction process in the first few weeks of the new school year. Also, nursery schools may phase entry for the pre-school year, in response to the needs of individual children and to allow time for them to settle and become accustomed to their new routines.

Evidence gathered through school inspections has found that a well planned and well delivered phased entry is helpful to children. However, the Department would not expect these arrangements to continue for a prolonged period.

Parents should be informed of the pre-school/primary school's policy on the settling in process to allow them time to make suitable arrangements. Some younger children and those with special needs may need longer to settle and allowance should be made with the agreement of parents.

Schoolchildren with Type 1 Diabetes

Mr McDevitt asked the Minister of Education what action he is taking to ensure that a four-year-old boy, who is being excluded from school because the school cannot provide the support necessary to deal with his Type 1 Diabetes during school hours, can attend school.

(AQW 14090/11-15)

Mr O'Dowd: I am not aware of any valid reason as to why a child would be excluded from school for this reason. In keeping with the joint Department of Health, Social Services and Public Safety and Department of Education policy "Supporting Pupils with Medication Needs", until appropriate training is delivered to school staff volunteering to provide support with the administration of a pupil's medication, a school would require parents to continue to deliver necessary medication. The policy recommends that such training should be arranged with the School Health Service.

I understand that discussions have recently taken place at a senior level between the relevant health trust and education and library board to ensure that appropriate training is made available as soon as possible in the case to which the member alludes.

Schoolchildren with Type 1 Diabetes

Mr Agnew asked the Minister of Education what action his Department is taking to ensure that no child is denied access to a school because they have type one diabetes.

(AQW 14093/11-15)

Mr O'Dowd: In keeping with the joint Department of Health, Social Services and Public Safety (DHSSPS) and Department of Education policy "Supporting Pupils with Medication Needs", until appropriate training is delivered to school staff volunteering to provide support with the administration of a pupil's medication, a school may require parents to continue to deliver necessary medication.

My officials have held recent discussions with officials from DHSSPS with regard to training for school staff volunteering to support pupils with medication needs. Further discussions have also recently taken place at a senior level between the Southern Health and Social Care Trust and the South Eastern Education and Library Board to ensure the prioritisation of appropriate training to schools in this area where the need is most urgent.

The joint policy details that training for the administration of medicines in schools will depend upon the identified needs of each individual pupil. School staff in discussion with the School Health Service team will be able to identify the level of training required.

Schoolchildren with Type 1 Diabetes

Mr Agnew asked the Minister of Education what engagement his Department has had with the Department of Health, Social Services and Public Safety to ensure that schools can get quick access to the necessary training to enable them to support incoming pupils who have type one diabetes.

(AQW 14094/11-15)

Mr O'Dowd: In keeping with the joint Department of Health, Social Services and Public Safety (DHSSPS) and Department of Education policy "Supporting Pupils with Medication Needs", until appropriate training is delivered to school staff volunteering to provide support with the administration of a pupil's medication, a school may require parents to continue to deliver necessary medication.

My officials have held recent discussions with officials from DHSSPS with regard to training for school staff volunteering to support pupils with medication needs. Further discussions have also recently taken place at a senior level between the Southern Health and Social Care Trust and the South Eastern Education and Library Board to ensure the prioritisation of appropriate training to schools in this area where the need is most urgent.

The joint policy details that training for the administration of medicines in schools will depend upon the identified needs of each individual pupil. School staff in discussion with the School Health Service team will be able to identify the level of training required.

Schoolchildren with Type 1 Diabetes

Mr Agnew asked the Minister of Education what is the minimum level of training that a teacher should have to enable them to support a child with type one diabetes; and how quickly can this training be accessed.

(AQW 14099/11-15)

Mr O'Dowd: In keeping with the joint Department of Health, Social Services and Public Safety (DHSSPS) and Department of Education policy "Supporting Pupils with Medication Needs", until appropriate training is delivered to school staff volunteering to provide support with the administration of a pupil's medication, a school may require parents to continue to deliver necessary medication.

My officials have held recent discussions with officials from DHSSPS with regard to training for school staff volunteering to support pupils with medication needs. Further discussions have also recently taken place at a senior level between the Southern Health and Social Care Trust and the South Eastern Education and Library Board to ensure the prioritisation of appropriate training to schools in this area where the need is most urgent.

The joint policy details that training for the administration of medicines in schools will depend upon the identified needs of each individual pupil. School staff in discussion with the School Health Service team will be able to identify the level of training required.

Post-primary Schools in the South Down Area

Mr Hazzard asked the Minister of Education, for each post-primary school in the South Down area, to detail (i) the number of pupils enrolled; (ii) the enrolment capacity of the school; (iii) the current financial standing of the school; (iv) the percentage of pupils who gained five or more GCSEs at grade A* to C in the 2011/12 academic year; and (v) the percentage of pupils (a) with special educational needs; and (b) in receipt of free school meals.

(AQW 14127/11-15)

Mr O'Dowd: (i) and (ii) Information on numbers of pupils enrolled and the enrolment capacity of the school, as listed at points (i) and (ii) of the question, is detailed in the table below. The latest validated enrolment information held by the Department relates to the 2011/12 school year.

Pupils enrolled and approved enrolment for post-primary schools in South Down Constituency 2011/12

| School name | Total enrolment | Enrolment Capacity ¹ |
|--|-----------------|---------------------------------|
| Abbey Christian Brothers' Grammar School | 894 | 850 |
| Blackwater Integrated College | 310 | 400 |
| De La Salle High School | 358 | 430 |

| School name | Total enrolment | Enrolment Capacity ¹ |
|--|-----------------|---------------------------------|
| Down High School | 950 | 934 |
| Kilkeel High School | 696 | 830 |
| Rathfriland High School | 296 | 330 |
| Sacred Heart Grammar School | 845 | 875 |
| Shimna Integrated College | 532 | 480 |
| St Colmcille's High School, Crossgar | 396 | 450 |
| St Columban's College, Kilkeel | 230 | 550 |
| St Louis Grammar School, Kilkeel | 585 | 570 |
| St Malachy's High School, Castlewellan | 1037 | 950 |
| St Mark's High School, Warrenpoint | 897 | 850 |
| St Mary's High School, Downpatrick | 425 | 600 |
| St Patrick's Grammar School, Downpatrick | 689 | 665 |

Source: School census 2011/12 and DE School Approved Enrolments 2011/12

Note: Enrolment Capacity has been interpreted to be the approved enrolment number for the 2011/12 school year and does not include any temporary variation to that number which may have been granted by the Department.

(iii) The latest Financial Year for which financial data are available is 2010/11. Information relating to this year is provided in the tables below. The reported financial position of VG/GMI schools includes an element of non-public funds, which means that these schools cannot be compared on the same basis with each other or with ELB schools.

Financial Information - Education and Library Board Post-Primary Schools in the South Down Constituency

| School name | Cumulative surplus/deficit at March 2011(1) £ | Cumulative surplus/deficit as a % of available Delegated Budget |
|--|---|---|
| De la Salle High School | 273,052 | 14.12% |
| Down High School | 178,647 | 4.50% |
| Kilkeel High School | -114,208 | -3.83% |
| Rathfriland High School | 169,308 | 11.38% |
| St Colmcille's High School, Crossgar | -63,668 | -3.26% |
| St Columban's College, Kilkeel | -36,375 | -3.14% |
| St Malachy's High School, Castlewellan | 244,598 | 5.22% |
| St Mark's High School, Warrenpoint | -157,499 | -4.40% |
| St Mary's High School, Downpatrick | 90,981 | 4.12% |

Financial data - Voluntary Grammar/Grant-Maintained Integrated Post-Primary Schools(2) & (3) in the South Down Constituency

| School name | Comment on Financial Position(1) |
|--|---|
| Abbey Christian Brothers' Grammar School | The reported financial position of these schools includes an element of non-public funds, which means that these schools cannot be compared on the same basis with each other or with ELB schools. The Department of Education can confirm that there are no VG/GMI schools with a deficit of public funds at March 2011. |
| Blackwater Integrated College | |
| Sacred Heart Grammar School | |
| Shimna Integrated College | |
| St Louis' Grammar School, Kilkeel | |
| St Patrick's Grammar School, Downpatrick | |

Note:

- 2010/11 is the latest Financial Year for which financial data are available;
- DE is Funding Authority for these sectors;

- 3 These schools are not reported on in the same way as schools for which ELBs are Funding Authority.
- (iv) The most recent validated information held by the Department on the percentage of pupils who gained five or more GCSEs at Grades A* - C relates to 2010/11. This has been provided in the table below.

Percentage of Year 12 pupils at post-primary schools in the South Down Constituency, who gained five or more GCSEs at grade A* to C in 2010/11

| School name | % of Year 12 pupils achieving 5+ GCSEs grades A*-C (including equivalents), 2010/11 |
|--|---|
| Abbey Christian Brothers' Grammar School | 100 |
| Blackwater Integrated College | 52.5 |
| De La Salle High School | 71.1 |
| Down High School | 97.1 |
| Kilkeel High School | 76.6 |
| Rathfriland High School | 76.1 |
| Sacred Heart Grammar School | 98.4 |
| Shimna Integrated College | 70.4 |
| St Colmcille's High School, Crossgar | 68.8 |
| St Columban's College, Kilkeel | 43.8 |
| St Louis Grammar School, Kilkeel | 100 |
| St Malachy's High School, Castlewellan | 59.2 |
| St Mark's High School, Warrenpoint | 74.4 |
| St Mary's High School, Downpatrick | 67.2 |
| St Patrick's Grammar School, Downpatrick | 97.9 |

Source: Summary of Annual Examination Results 2010/11.

- (v) The most recent information held by the Department in relation to the percentage of pupils (a) with special educational needs; and (b) in receipt of free school meals relates to 2011/12. This has been provided in the table below.

Percentage of pupils entitled to free school meals and Percentage of pupils with special Educational Needs in schools in the South Down constituency 2011/12

| School name | % Free School Meal Entitlement | % Pupils with Special Educational Needs |
|--|--------------------------------|---|
| Abbey Christian Brothers' Grammar School | 9.5 | 4.3 |
| Blackwater Integrated College | 19.4 | 51.3 |
| De La Salle High School | 33.5 | 20.7 |
| Down High School | 3.7 | 3.4 |
| Kilkeel High School | 10.8 | 12.9 |
| Rathfriland High School | 16.6 | 16.6 |
| Sacred Heart Grammar School | 9.3 | 0.9 |
| Shimna Integrated College | 16.0 | 23.5 |
| St Colmcille's High School, Crossgar | 19.2 | 25.0 |
| St Columban's College, Kilkeel | 29.6 | 21.3 |
| St Louis Grammar School, Kilkeel | 12.1 | 3.6 |
| St Malachy's High School, Castlewellan | 29.3 | 16.3 |
| St Mark's High School, Warrenpoint | 27.5 | 32.1 |
| St Mary's High School, Downpatrick | 29.9 | 20.5 |
| St Patrick's Grammar School, Downpatrick | 6.2 | 10.6 |

Source: School census 2011/12.

Note: Figures for pupils with Special Educational Needs relate to pupils at Stages 1 – 5 on the SEN Code of Practice.

Students Leaving School Without Qualifications

Mr D McIlveen asked the Minister of Education whether he plans to develop a strategy to combat the increase in the number of students leaving school without qualifications.

(AQW 14148/11-15)

Mr O'Dowd: The table below sets out the percentage and number of pupils leaving school with no formal qualifications and with no GCSEs over the past five years (2006/07 to 2010/11 inclusive).

| Year | Percentage (and number) of pupils leaving school with No Formal Qualifications ^{*1} | Percentage (and number) of pupils leaving school with No GCSEs ^{*2} |
|---------|--|--|
| 2006/07 | 3.0% (744 pupils) | 3.9% (973 pupils) |
| 2007/08 | 2.8% (671 pupils) | 3.6% (877 pupils) |
| 2008/09 | 2.3% (544 pupils) | 2.9% (673 pupils) |
| 2009/10 | 1.7% (383 pupils) | 2.1% (476 pupils) |
| 2010/11 | 1.9% (438 pupils) | 2.2% (521 pupils) |

Source: School Leavers Survey

*1 Includes only those without qualifications of any kind.

*2 Includes those who undertook no GCSE examinations or obtained no graded results but who obtained other qualifications.

Between 2006/07 and 2009/10 the proportion of pupils leaving school with no formal qualifications or no GCSEs decreased year on year. However, the proportion of pupils leaving school with no formal qualifications increased from 1.7% (383) in 2009/10 to 1.9% (438) in 2010/11 and the proportion of pupils leaving school with no GCSEs increased from 2.1% (476) in 2009/10 to 2.2% (521) in 2010/11.

I find it very concerning that any pupil should leave school after 12 years of education without qualifications of any kind.

As I said in my Autumn (2011) statement to the Assembly, I am satisfied that once the Special Educational Needs and Inclusion and the Early Years' strategies are finalised, we will have the right policies in place to improve educational outcomes for our young people. The key now is to step up the pace of implementation and delivery of these policies and to maintain the focus on raising standards to ensure that every pupil is able to achieve to their full potential.

Surplus Places in Primary Schools

Mr Lunn asked the Minister of Education to detail the current number of surplus places in primary schools, broken down by Education and Library Board area.

(AQW 14162/11-15)

Mr O'Dowd: The number of vacant (unfilled) places in primary schools in the 2011/12 school year – the most recent academic year for which figures are available – was 62,867. This is broken down by Education and Library Board area as follows:-

| | |
|-------------------|---------------|
| Belfast ELB | 11,066 |
| Western ELB | 14,611 |
| North-Eastern ELB | 13,196 |
| South-Eastern ELB | 11,784 |
| Southern ELB | 12,210 |
| Total | 62,867 |

The figures are derived from the difference between the totals of the approved enrolment numbers for schools and the number of pupils enrolled. They exclude the enrolment of 4,400 pupils in receipt of a statement of special educational needs and 9 pupils admitted on appeal by the Independent Appeals Tribunals as these are admitted over and above a schools' approved enrolment number.

Educational Psychologists: Waiting Times

Mr Agnew asked the Minister of Education to detail the (i) maximum waiting time between a pupil being referred to an educational psychologist and having the first appointment; (ii) maximum waiting time between the completion of an assessment by an educational psychologist and the issuing of a statement of special needs for pupils; and (iii) average waiting

time between the completion of an assessment by an educational psychologist and the issuing of a statement of special needs for pupils, broken down by Education and Library Board area.

(AQW 14183/11-15)

Mr O'Dowd: The initial referral of a child to an educational psychologist will, in almost all cases, take place at Stage 3 of the Code of Practice on the Identification and Assessment of Special Educational Needs (COP). There is no statutory timescale for the provision of support and therefore no maximum waiting time.

At Stage 4 of the COP the maximum waiting time between the completion of a statutory assessment of a child's special educational needs (SEN) and a final statement of SEN being issued is 10 weeks.

The Chief Executives of the education and library boards have advised that the average waiting time between the completion of a statutory assessment of SEN and a final statement of SEN being issued is as follows:-

| | |
|-------|---------|
| BELB | 7 weeks |
| NEELB | 6 weeks |
| SEELB | 5 weeks |
| SELB | 8 weeks |
| WELB | 6 weeks |

These figures relate to statutory assessments completed on or after 1 September 2011 which had statements issued on or before 30 April 2012 and exclude statutory exceptions.

Statement of Special Educational Needs

Mr Dunne asked the Minister of Education to detail the average length of time required to carry out a statutory assessment for a statement of special educational needs for a child, broken down by Education and Library Board area.

(AQW 14197/11-15)

Mr O'Dowd: The Chief Executives of the education and library boards have advised that the average length of time required to carry out a statutory assessment of special educational needs is as follows:-

| | |
|-------|----------|
| BELB | 10 weeks |
| NEELB | 10 weeks |
| SEELB | 10 weeks |
| SELB | 7 weeks |
| WELB | 6 weeks |

These figures relate to statutory assessments carried out during the period 1 September 2011 to 30 April 2012 and exclude statutory exceptions.

Transport to School for Pupils

Mr Frew asked the Minister of Education how his Department aims to provide reliable transport to school for pupils who live in rural areas of the North Antrim constituency.

(AQW 14239/11-15)

Mr O'Dowd: The Department is required to provide transport assistance, and not transport, within the Home to School Transport Scheme to parents of eligible pupils in line with Article 52 (in conjunction with Article 44) of the Education and Libraries (NI) Order 1986 and policy Circular 1996/41 (as amended).

Due to the distribution of schools, the majority of pupils in rural areas are eligible for transport assistance, particularly at post-primary level. Such assistance takes the form of a seat on a Translink, Board or private operator bus, a taxi (primarily children with special educational needs) or a parental allowance in lieu of transport. Boards are not obliged to provide a "door-to-door" service.

Education and Library Boards are responsible for the operational arrangements of the home to school transport scheme. Once a pupil is eligible for transport assistance, Boards then decide what assistance will be provided by considering a number of factors such as: - the number and distribution of eligible pupils in the area; the opening and closing times of schools, the length of journey etc whilst also taking account of its duty under Article 44 of the 1986 Order not to incur unreasonable public expenditure.

The initial choice of assistance is to provide a Translink sessional bus pass but, particularly in rural areas, where there is often a lack of suitable public bus services, Boards then have to consider providing more expensive modes of transport such as a Board or private operator bus or taxi. To provide an efficient and economic service, Boards may design bus routes with a

series of pick-up points. In such instances parents are responsible for the first 2 miles (primary) or 3 miles (post-primary) of the journey and may be required to take a child to a pick-up point to meet a bus.

Where no such suitable alternative exists, parents will be provided with a parental allowance in lieu of transport, and it is for them to decide how best to get their child to school.

Single Education System

Mr Kinahan asked the Minister of Education to outline the legislation that would need to be (i) introduced; or (ii) amended or repealed to allow for a single education system.

(AQW 14254/11-15)

Mr O'Dowd: The Bill to establish the Education and Skills Authority will introduce a single system of administration for all grant-aided schools. The Bill will include significant repeals of, and amendments to, 11 existing pieces of primary legislation in education, as well as changes to a range of other legislation.

Judicial Ruling on Coláiste Feirste

Mr McKay asked the Minister of Education what action his Department has taken, and will take, in response to the judicial ruling on Coláiste Feirste.

(AQW 14301/11-15)

Mr O'Dowd: As indicated in my reply to AQW 10105/11-15, published in the Official Report on 13 April 2012, this is a significant and important judgment which requires careful and detailed consideration before I can be in a position to provide an overall assessment on the outcome.

In line with the court judgment, Department officials have re-examined the transport arrangements for all pupils travelling to Coláiste Feirste, a process which has involved consultative discussions with the school. This re-examination process has been completed and I am currently considering how best to move forward on the issue.

Asbestos Contamination in Schools

Mr Weir asked the Minister of Education, pursuant to AQW 13918/11-15 and AQW 13919/11-15, what level of asbestos must be present in a school before his Department will intervene to remove it.

(AQW 14303/11-15)

Mr O'Dowd:

- (i) The 'level of asbestos' present in a school is not the key issue, but rather the 'level of risk' posed by any asbestos containing materials in a school. As a result of the introduction of the Control of Asbestos at Work Regulations (NI) 2003 (recently replaced by the Control of Asbestos at Work Regulations (NI) 2012) and the Control of Asbestos (NI) Order 2007, the Education and Library Boards arranged for surveys to be carried out of the schools' estate to ascertain the extent of asbestos containing materials. Any asbestos containing materials deemed to pose a high risk were removed following this assessment. The Health and Safety Executive advises that asbestos containing materials in good condition do not represent a significant risk unless they are damaged or abraded, and should be left undisturbed.

The education sectors are responsible for managing any remaining asbestos containing materials and each school has an asbestos register that details the existence of any asbestos present. This register is available for inspection by any personnel wishing to carry out works at the school or for information purposes. Managing the risk means making sure that as far as reasonably practicable no one can come to harm from asbestos on the premises.

If any upgrading or refurbishment works at a school are likely to disturb asbestos containing materials, these materials are removed prior to the works being carried out. The asbestos removal work is carried out by a licensed asbestos removal company.

- (ii) As stated above, it is not the level of asbestos present that is the key issue, but rather the 'level of risk' posed by the asbestos containing materials. There should be no asbestos containing materials remaining in the schools' estate that pose a high risk as these were removed following the asbestos surveys. Each school has an asbestos register that details the existence of any asbestos containing materials still present.
- (iii) Asbestos was used extensively as a building material from the 1950s through to the mid-1980s, hence there are asbestos containing materials present in many of the schools in the estate (as is the case in many other domestic and non-domestic premises constructed during this period). The Education and Library Boards have records of the types of asbestos present (chrysotile, amosite and crocidolite) in the schools that they are responsible for. In addition each school has an asbestos register detailing where any asbestos containing materials are present.

As detailed in the Health and Safety Executive (HSE) Approved Code of Practice and Guidance for The management of asbestos in non domestic premises (under Regulation 4 of the Control of Asbestos Regulations 2006), should deterioration of asbestos containing materials occur, or if they are likely to be disturbed due to works being carried out at the premises, then they should be removed, repaired or encapsulated by a licensed asbestos company. If asbestos containing materials are in good condition and are unlikely to be damaged or disturbed then it is recommended to leave them in place and to introduce

a system of management. The school sectors follow these recommendations and manage the asbestos in the estate rather than remove it unless deemed necessary.

Asbestos Contamination in Schools

Mr Weir asked the Minister of Education, pursuant to AQW 13918/11-15 and AQW 13919/11-15, what level of asbestos is present in each of the schools.

(AQW 14304/11-15)

Mr O'Dowd:

- (i) The 'level of asbestos' present in a school is not the key issue, but rather the 'level of risk' posed by any asbestos containing materials in a school. As a result of the introduction of the Control of Asbestos at Work Regulations (NI) 2003 (recently replaced by the Control of Asbestos at Work Regulations (NI) 2012) and the Control of Asbestos (NI) Order 2007, the Education and Library Boards arranged for surveys to be carried out of the schools' estate to ascertain the extent of asbestos containing materials. Any asbestos containing materials deemed to pose a high risk were removed following this assessment. The Health and Safety Executive advises that asbestos containing materials in good condition do not represent a significant risk unless they are damaged or abraded, and should be left undisturbed.

The education sectors are responsible for managing any remaining asbestos containing materials and each school has an asbestos register that details the existence of any asbestos present. This register is available for inspection by any personnel wishing to carry out works at the school or for information purposes. Managing the risk means making sure that as far as reasonably practicable no one can come to harm from asbestos on the premises.

If any upgrading or refurbishment works at a school are likely to disturb asbestos containing materials, these materials are removed prior to the works being carried out. The asbestos removal work is carried out by a licensed asbestos removal company.

- (ii) As stated above, it is not the level of asbestos present that is the key issue, but rather the 'level of risk' posed by the asbestos containing materials. There should be no asbestos containing materials remaining in the schools' estate that pose a high risk as these were removed following the asbestos surveys. Each school has an asbestos register that details the existence of any asbestos containing materials still present.
- (iii) Asbestos was used extensively as a building material from the 1950s through to the mid-1980s, hence there are asbestos containing materials present in many of the schools in the estate (as is the case in many other domestic and non-domestic premises constructed during this period). The Education and Library Boards have records of the types of asbestos present (chrysotile, amosite and crocidolite) in the schools that they are responsible for. In addition each school has an asbestos register detailing where any asbestos containing materials are present.

As detailed in the Health and Safety Executive (HSE) Approved Code of Practice and Guidance for The management of asbestos in non domestic premises (under Regulation 4 of the Control of Asbestos Regulations 2006), should deterioration of asbestos containing materials occur, or if they are likely to be disturbed due to works being carried out at the premises, then they should be removed, repaired or encapsulated by a licensed asbestos company. If asbestos containing materials are in good condition and are unlikely to be damaged or disturbed then it is recommended to leave them in place and to introduce a system of management. The school sectors follow these recommendations and manage the asbestos in the estate rather than remove it unless deemed necessary.

Asbestos Contamination in Schools

Mr Weir asked the Minister of Education, pursuant to AQW 13918/11-15 and AQW 13919/11-15, what impact the presence of (i) chrysotile; and (ii) amosite has on a school; and whether there are plans to remove them from the schools.

(AQW 14305/11-15)

Mr O'Dowd:

- (i) The 'level of asbestos' present in a school is not the key issue, but rather the 'level of risk' posed by any asbestos containing materials in a school. As a result of the introduction of the Control of Asbestos at Work Regulations (NI) 2003 (recently replaced by the Control of Asbestos at Work Regulations (NI) 2012) and the Control of Asbestos (NI) Order 2007, the Education and Library Boards arranged for surveys to be carried out of the schools' estate to ascertain the extent of asbestos containing materials. Any asbestos containing materials deemed to pose a high risk were removed following this assessment. The Health and Safety Executive advises that asbestos containing materials in good condition do not represent a significant risk unless they are damaged or abraded, and should be left undisturbed.

The education sectors are responsible for managing any remaining asbestos containing materials and each school has an asbestos register that details the existence of any asbestos present. This register is available for inspection by any personnel wishing to carry out works at the school or for information purposes. Managing the risk means making sure that as far as reasonably practicable no one can come to harm from asbestos on the premises.

If any upgrading or refurbishment works at a school are likely to disturb asbestos containing materials, these materials are removed prior to the works being carried out. The asbestos removal work is carried out by a licensed asbestos removal company.

- (ii) As stated above, it is not the level of asbestos present that is the key issue, but rather the 'level of risk' posed by the asbestos containing materials. There should be no asbestos containing materials remaining in the schools' estate that pose a high risk as these were removed following the asbestos surveys. Each school has an asbestos register that details the existence of any asbestos containing materials still present.
- (iii) Asbestos was used extensively as a building material from the 1950s through to the mid-1980s, hence there are asbestos containing materials present in many of the schools in the estate (as is the case in many other domestic and non-domestic premises constructed during this period). The Education and Library Boards have records of the types of asbestos present (chrysotile, amosite and crocidolite) in the schools that they are responsible for. In addition each school has an asbestos register detailing where any asbestos containing materials are present.

As detailed in the Health and Safety Executive (HSE) Approved Code of Practice and Guidance for The management of asbestos in non domestic premises (under Regulation 4 of the Control of Asbestos Regulations 2006), should deterioration of asbestos containing materials occur, or if they are likely to be disturbed due to works being carried out at the premises, then they should be removed, repaired or encapsulated by a licensed asbestos company. If asbestos containing materials are in good condition and are unlikely to be damaged or disturbed then it is recommended to leave them in place and to introduce a system of management. The school sectors follow these recommendations and manage the asbestos in the estate rather than remove it unless deemed necessary.

School Inspections

Mr Storey asked the Minister of Education what departmental targets must be reached before a school is inspected.
(AQW 14341/11-15)

Mr O'Dowd: A school is inspected at the discretion of the Chief Inspector, in consultation with her Assistant Chief Inspectors and Managing Inspectors. In deciding which schools should be inspected in a particular business year, a number of factors are considered. There is no requirement for a school to achieve any specific departmental target before it is inspected.

Department for Employment and Learning

Executive Papers

Mr Allister asked the Minister for Employment and Learning how many papers, which have been approved by the Minister, have yet to be placed on the agenda for an Executive meeting, including (i) the date on which the papers were circulated to ministerial colleagues; (ii) the subject matter of each paper; and (iii) the consequences of a delay in securing Executive approval.

(AQW 13720/11-15)

Dr Farry (The Minister for Employment and Learning): The information requested is confidential.

Training Skills Courses in Metal Craft and Welding

Mr Campbell asked the Minister for Employment and Learning whether he will review training skills courses for local people interested in metal craft and welding to allow them to compete with incoming trainees for employment opportunities.

(AQW 13776/11-15)

Dr Farry: I can advise you that I have identified 'Advanced Manufacturing' and 'Advanced Engineering' as two of the priority sectors on which to focus the Department's employment and skills provision. I asked the Adviser on Employment and Skills, Bill McGinnis, to carry out some research into the skills requirements of employers within these sectors. Discussion with employers on current and future skills gaps and shortages in their sectors highlighted a requirement for experienced welders in the engineering sector. I can further advise that a working group has been established to consider ways to address the various issues raised by employers in this sector, and this will meet for the first time on 19 September.

In terms of delivery, these types of courses are provided primarily through further education colleges (courses are available from Level 1 to Level 3), and through the apprenticeship programme. Provision is based on courses that lead to qualifications on the Qualifications and Credit Framework (QCF), which have been designed specifically to meet the needs of employers.

While course availability is a matter for colleges, based on identified need in their areas, I can confirm that in 2010/11 there were 509 college enrolments on Professional & Technical Courses relevant to metal craft and welding. I can also advise that there are currently 231 participants undertaking training through the ApprenticeshipsNI and Programme Led Apprenticeship programmes in welding and related trades.

Finally, it is worth noting that the Department's Employment Service has advised that there is no evidence of these types of jobs being difficult to fill, and that there is substantial interest in such vacancies.

Private Recruitment and Training Agencies

Mr Boylan asked the Minister for Employment and Learning to detail (i) how much funding private recruitment and training agencies received, per trainee, in each of the last three years; and (ii) what input his Department has into the courses offered. (AQW 13848/11-15)

Dr Farry: The Department currently has contracts with 49 training providers who deliver its ApprenticeshipsNI and Training for Success programmes. This includes a number of private training providers. The funding available per trainee is dependent on the programme of training being followed. The funding made available over the last three years is as follows:

ApprenticeshipsNI

Funding is provided over the duration of the apprenticeship and is based on the level of apprenticeship being undertaken. The range in funding is:

| | | |
|--------------------|------------|-------------|
| Level 2 Frameworks | £2,600 min | £5,050 max |
| Level 3 Frameworks | £3,500 min | £10,800 max |

For adult apprentices aged 25 and over the Department pays 50% funding in respect of frameworks being followed in economically important sectors needed to rebalance the economy.

Training for Success

The funding provided is based on the duration and level of training being undertaken. The funding offered across its three strands is:

| | |
|-------------------------------|---------------------------|
| Skills for your Life | £5,660 |
| Skills for Work | £5,660 |
| Programme-Led Apprenticeships | £8,320 min to £10,770 max |

Programme-Led Apprenticeships were introduced in September 2009 and the amount of funding offered is based on the level of apprenticeship being undertaken.

Additional funds are available to a training provider against both programmes in support of those with a disability. There is also extended training time of up to 156 weeks offered on the Skills for Work strand for those with a disability.

The Department's Operational Guidelines outline the funding models against each programme. These can be viewed at www.nidirect.gov.uk/apprenticeshipsni and www.nidirect.gov.uk/trainingforsuccess.

These Guidelines also specify the content of the courses being delivered by training providers. The apprenticeship frameworks being followed are designed by the relevant Sector Skills Councils or Industry-led representative bodies.

Private Recruitment and Training Agencies

Mr Boylan asked the Minister for Employment and Learning whether the publicly funded courses offered by private recruitment and training agencies are monitored to ensure that they are fit for purpose and tailored to individual trainee's needs. (AQW 13850/11-15)

Dr Farry: The Department carries out monitoring reviews of every organisation contracted to provide training under the Training for Success / ApprenticeshipsNI programmes. These reviews include detailed checks against the operational guidelines and interviews with a wide selection of trainees and employers to ensure that all training and support meets an individual's needs. In addition, the Department requests the Education and Training Inspectorate (ETI) to evaluate the quality of training provided by each contracted organisation under the terms of the Department's Quality Improvement Strategy, Success through Excellence.

Further Education Colleges: Staff

Mr McDevitt asked the Minister for Employment and Learning to detail the current number of staff at each Further Education College, including details of numbers employed (i) at Deputy Director/Vice Principal level; (ii) at Head of Department level; (iii) at Principal Lecturer level; (iv) as senior Lecturers with protected salaries; (v) at Lecturer level; and (vi) at Associate lecturer, broken down by gender. (AQW 14029/11-15)

Dr Farry: Each further education college, in its capacity as an employing authority, is responsible for all employment related matters. Consequently, my Department does not hold the information requested by the member. I have therefore referred the questions to the Chairs of the Governing Bodies of the six further education colleges, who will respond directly to the Member.

Further Education Colleges: Lecturers

Mr McDevitt asked the Minister for Employment and Learning to detail the number of lecturers employed at Further Education Colleges who receive (i) four; (ii) three; (iii) two; and (iv) one (a) permanent responsibility allowances; and (b) temporary responsibility allowances, broken down by gender.

(AQW 14030/11-15)

Dr Farry: Each further education college, in its capacity as an employing authority, is responsible for all employment related matters. Consequently, my Department does not hold the information requested by the member. I have therefore referred the questions to the Chairs of the Governing Bodies of the six further education colleges, who will respond directly to the Member.

Further Education Colleges: Lecturing Staff

Mr McDevitt asked the Minister for Employment and Learning to detail (i) number of lecturing staff employed at Further Education Colleges who receive a L2 allowance, broken down by gender; and (ii) the number of lecturing staff employed at Further Education Colleges who have been paid hourly, as of 1 June 2012.

(AQW 14031/11-15)

Dr Farry: Each further education college, in its capacity as an employing authority, is responsible for all employment related matters. Consequently, my Department does not hold the information requested by the member. I have therefore referred the questions to the Chairs of the Governing Bodies of the six further education colleges, who will respond directly to the Member.

Education Maintenance Allowance

Mr Dunne asked the Minister for Employment and Learning for an update on any changes to the Education Maintenance Allowance.

(AQW 14159/11-15)

Dr Farry: I can advise the member that following a review of the effectiveness of the means tested Education Maintenance Allowance scheme in Northern Ireland a public consultation on its future is currently being undertaken and this will finish on 2 November 2012. My Department and the Department of Education will then consider amending the scheme.

Young People Not in Employment, Education or Training in the Dungannon Area

Ms McGahan asked the Minister for Employment and Learning how many young people are not in Employment, Education or Training in the Dungannon area; and what initiatives his Department is undertaking to address this issue.

(AQW 14229/11-15)

Dr Farry: In estimating the number of young people not in Employment, full-time Education or Training (NEET), my Department uses the Labour Force Survey (LFS). LFS estimates are derived from a sample survey for Northern Ireland overall and it is not possible to disaggregate the figures further. The LFS data estimate published in the "Pathways to Success" Strategy document in June showed that there were an estimated 14,000 young people aged 16 to 19 and 46,000 aged 16 to 24 not in employment, full-time education or training in Northern Ireland. A further source of information is claimant count figures, that is those claiming Jobseeker's Allowance (JSA). Figures for the Dungannon District Council area for August 2012 show that there are 500 claimants aged 24 and under. The overall figure for Northern Ireland is 19,090. There are 50 claimants in the Dungannon area who are long-term unemployed aged 24 and under (those unemployed and claiming JSA for 12 months or more).

In terms of initiatives that my Department is undertaking, on 31 May 2012, I secured Executive endorsement of "Pathways to Success", the cross-departmental strategy to tackle the issue of those young people who are not in education, employment or training. I launched the strategy with an oral statement to the Assembly on 11 June.

I also secured substantial additional funding to implement the strategy and made an oral statement to the Assembly on 2 July announcing £5.8m for this financial year and proposals for future years of £15.6 million in 2013/14 and £19.6 million in 2014/15.

"Pathways to Success" contains:-

- measures to improve leadership and co-ordination;
- the introduction of a NEET advisory group;
- preventative measures being taken across Departments;
- measures to re-engage 16–18 year olds;
- measures to re-engage 18-24 year olds; and
- further supporting measures being taken across Departments.

The strategy also contains an Action Plan with 56 action points across Departments. Work is well under way on the implementation of the strategy.

In more detail, I am introducing new initiatives specifically for 16 to 18 year olds to include:

- Case management by the Careers Service of young people aged 16 and 17 who drop out of provision or do not have a positive destination when they leave school;
- A new training allowance for 16 and 17 year olds participating on existing programmes funded by the European Social Fund;
- A community based access programme to engage and mentor young people using community and voluntary sector organisations. The organisations will provide continuity of support for young people to engage or re-engage with learning and to progress through mainstream training provision into employment. Individual action plans will be introduced for 16-18 year olds participating in the community based access programme; and
- An innovation fund to test new approaches based on sound evidence aimed at piloting a range of other approaches to re-engaging those young people in the NEET category.

A new Community Family Support Programme pilot is also being introduced which will focus on the needs of the most disadvantaged families, to enable young people to re-engage with education, training or employment. Such a programme will require involvement from a range of Departments.

Additional provision for 18 -24 year olds to tackle the wider issue of youth unemployment is also being introduced through the Youth Employment Scheme which is being launched on 26 September 2012 and includes:-

- A new range of support to help young unemployed people find work.
- Short work experience opportunities of between 2 and 8 weeks which will allow young people to try out particular types of work to help them decide if they wish to pursue permanent employment in that area of work.
- Longer 6 to 9 month skills development opportunities in sectors with the potential for future jobs growth will be available. Young people will receive a training allowance of £100 a week while in training.
- Employers in sectors with potential for future jobs growth can receive a subsidy of up to £5,000 for employing an unemployed 18 to 24 year old provided they offer skills development. Financial support of up to £750 is available to help pay for that skills development.

As you can see, there is a very substantial range of support that is being put in place and you will see the introduction of the initiatives in the coming weeks and months.

FG Wilson

Mr B McCrea asked the Minister for Employment and Learning to outline the (i) training; and (ii) resource support that his Department has provided to FG Wilson over the last twelve months.
(AQW 14237/11-15)

Dr Farry: Officials from my Department's Employment Service have been providing advice to employees of FG Wilson since the company's previous announcement of redundancies and this will continue following last week's announcement. Employees will be provided with information and professional advice about the options and support available to them including employment, training and education opportunities, as well as careers, benefits and taxation advice.

There has been regular communication with the company in the past few years and the company is aware and has availed of DEL and FE sector training and advice. Currently, there are six apprentices employed by FG Wilson working towards their ApprenticeshipNI award. Funding available ranges from £3,100 to £6,500 depending on the apprenticeship framework

being followed and is paid directly to the training provider. A further 15 apprentices employed by the company have achieved their full award since 2008.

While my Department provided approximately £375,000 in financial support towards the cost of a large scale Further Education delivered customised training programme between 2008 and 2010, it has not provided any such support in the last twelve months.

Department of Enterprise, Trade and Investment

Spatial Investment Plan

Mr P Ramsey asked the Minister of Enterprise, Trade and Investment what consideration her department has given to a Spatial Investment Plan.
(AQW 13725/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): It is important to note that Invest NI does not determine the location of an inward investment project. The investor will make the decision as to where they locate based on their specific business needs and having weighed up the options available to them.

Invest NI is also not in a position to sign up to sub-regional targets. Northern Ireland competes for FDI against some much larger nation states. In order to maximise our presence in overseas markets, Invest NI focuses on selling Northern Ireland as a whole.

As noted by the Independent Review of Economic Policy, it is important to allow companies the scope to locate where they can operate most profitably. To do otherwise would be detrimental to the chances of securing Foreign Direct Investment (FDI) for Northern Ireland.

The Independent Review of Economic Policy also acknowledged Invest NI's approach to Inward Investment as being the most appropriate, recognised the importance of FDI in building a more dynamic and innovative private sector and acknowledged that, per capita, Northern Ireland has been one of the most successful UK regions at attracting FDI.

However, Invest NI is keen to build on this success and actively works with local stakeholders to maximise investment and employment opportunities in all areas.

Invest NI

Mr P Ramsey asked the Minister of Enterprise, Trade and Investment to outline the procedure used by InvestNI when consulting with potential investors about geographically suitable venues for their investments.
(AQW 13726/11-15)

Mrs Foster: When engaging with a company on a potential investment project, Invest NI first demonstrates how Northern Ireland can meet the needs of that particular project. The requirements will vary depending on the nature of the project. Invest NI encourages international investors to locate in any area in which their business will grow and thrive.

In determining the investor's needs and their specific preferences, Invest NI offers solutions to meet investor needs. Invariably these situations are not area based but rather driven by talent availability and cost competitiveness. Therefore, a company will be attracted to where they perceive most of the talent to be or where increased cost competitiveness exists.

Invest NI's overseas sales staff, investment managers and Property Solutions Unit work closely with potential investors to agree a visit programme that will highlight Northern Ireland's proposition given the time availability afforded by the potential investor.

In such cases, investors will typically look at an area in terms of existing investors in the same business sector, universities and colleges that offer courses relating to that sector; and suitable, available property. For example, Londonderry District Council Area (DCA) has been successful in attracting Business Process Outsourcing projects due to the existing cluster within the Londonderry DCA.

However, it is important to note that Invest NI does not determine the location of an inward investment project. Ultimately this is a decision taken by the investor.

The Independent Review of Economic Policy acknowledged Invest NI's approach to Inward Investment as being the most appropriate, recognised the importance of FDI in building a more dynamic and innovative private sector and acknowledged that, per capita, Northern Ireland has been one of the most successful UK regions at attracting FDI. Invest NI is keen to build on this success by working closely with local stakeholders to maximise investment and employment opportunities in all areas.

Credit Unions

Mr Swann asked the Minister of Enterprise, Trade and Investment whether she has had any negotiations with the Department of Work and Pensions (DWP) in relation to a share for Credit Unions in Northern Ireland of the £38m investment announced by the DWP.
(AQW 13765/11-15)

Mrs Foster: I have not had any discussions with the Department for Work and Pensions (DWP) about its fund to help GB credit unions extend their services to one million new customers.

The DWP funding is being made available to address the particular needs and profile of the movement in GB, where only 1% of the population has accessed the services of a credit union. In contrast, in Northern Ireland, virtually all of the population has access to a credit union, and 40% of the working age population is a member of a Credit Union.

Executive Papers

Mr Allister asked the Minister of Enterprise, Trade and Investment (i) how many draft Executive papers, for approval by the Minister, have not yet been approved; (ii) the date the Minister received each paper; and (iii) the subject matter of each paper.
(AQW 13792/11-15)

Mrs Foster: The content of Executive papers and all aspects of Executive business are confidential.

Freedom of Information Requests

Mr Flanagan asked the Minister of Enterprise, Trade and Investment to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by her Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.
(AQW 13837/11-15)

Mrs Foster: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be seen as validated until the publication of the 2011 FOI Annual Report.

Corporation Tax

Mr McClarty asked the Minister of Enterprise, Trade and Investment what plans she has to encourage the reduction in Corporation Tax following the reshuffle of the Cabinet at Westminster.
(AQW 13854/11-15)

Mrs Foster: On 10 September 2012 I put on record, within the Assembly, my thanks to the outgoing Secretary of State for Northern Ireland for his help in putting Corporation Tax devolution back on the agenda of the UK Government, and on working with us on the current proposals.

I also congratulated the incoming Secretary of State for Northern Ireland on her appointment and made it clear that I will want to engage with her on a range of issues of significance to the local economy, not only Corporation Tax, but also areas such as Regional Aid, Investment and Tourism.

I very much hope that the new Secretary of State will fully support us in our efforts to drive the local economy forward, using a lower rate of Corporation Tax to accelerate economic growth. In this regard the upcoming Joint Ministerial Working Group will be important and I hope this will be a productive meeting where we can make progress on the key outstanding issues around the devolution of this important economic lever.

Bioscience and Technology Institute

Mr Allister asked the Minister of Enterprise, Trade and Investment what is the current position on the investigation by the Chartered Accountants Regulatory Board into the actions of Teresa and Michael Townsley, arising from the affairs of the Bioscience and Technology Institute; and what is the timescale for an outcome.
(AQW 13869/11-15)

Mrs Foster: The investigation by the Chartered Accountants Regulatory Board into the actions of Teresa and Michael Townsley, arising from the affairs of the Bioscience and Technology Institute has not yet been concluded. The Chartered Accountants Regulatory Board has deferred further investigation for six months in light of the current directors' disqualification proceedings against Teresa Townsley.

Bioscience and Technology Institute

Mr Allister asked the Minister of Enterprise, Trade and Investment whether any directors of the Bioscience and Technology Institute have faced, or are to face, disqualification.
(AQW 13871/11-15)

Mrs Foster: I can confirm that disqualification proceedings were issued against Susan Teresa Townsley on 15 November 2011. As the matter is before the Court, it is not appropriate to comment further.

Extension of the Gas Network

Mr Agnew asked the Minister of Enterprise, Trade and Investment whether the business case for the extension of the gas network to the west and East Down has been completed and to provide details or to state when she expects it to be completed.
(AQW 13881/11-15)

Mrs Foster: The Outline Business Case on gas network extension which my Department commissioned from external consultants earlier this year is nearing completion.

Tourist Sites

Mrs Dobson asked the Minister of Enterprise, Trade and Investment to detail the methods used by her Department to ensure that (i) all tourist sites are fairly publicised; and (ii) funds are distributed in an equitable and regionally fair manner.
(AQW 13889/11-15)

Mrs Foster: The Northern Ireland Tourist Board's (NITB) remit is to promote the whole of Northern Ireland to both the domestic and Republic of Ireland markets, with a view to increasing visitor numbers and spend. Each year NITB undertakes a series of seasonal marketing campaigns in both markets. The huge variety of products, regions and events featured from throughout Northern Ireland are based on what motivates our key customer segments which have been identified through substantial research.

The Northern Ireland Tourist Board does not “distribute funds” on a regional basis, but rather promotes and markets Northern Ireland as a tourist destination in both Northern Ireland and the Republic of Ireland. Local Councils, Regional Tourism Partnerships and Visitor & Convention Bureaus all have a role to play in promotion & marketing of district council areas, regions and cities respectively.

In addition, NITB provides financial assistance for tourism capital projects through the Tourism Development Scheme and for tourism events through the Tourism Event Funding Programme both of which are open-call and criteria based. Funds are then offered to successful applicants following an assessment and scoring process.

Invest NI: Business Planning Sessions in County Antrim

Mr Dickson asked the Minister of Enterprise, Trade and Investment how many potential business owners have attended the InvestNI Business Planning sessions in County Antrim to date in 2012; and how many new businesses in the area have received assistance during this period.

(AQW 13911/11-15)

Mrs Foster: Since 1 January 2012, 499 people have attended business planning sessions in Co. Antrim which includes figures for Belfast Council area. Excluding Belfast, 254 attended planning sessions in the rest of County Antrim.

Since 1st January 2012, Invest NI has provided financial support to 101 new businesses in County Antrim which includes figures for Belfast Council area. Excluding Belfast, 41 businesses received assistance. This figure ranges from global start to locally focused businesses receiving jobs funds business incentives start up support.

Businesses: Financial Support

Mr Dickson asked the Minister of Enterprise, Trade and Investment how many businesses have received financial support to date in 2012; and how many jobs have been created during this period.

(AQW 13912/11-15)

Mrs Foster: Provisional results show that between 1st January and 31st August 2012, Invest NI offered support to 1,841 businesses. These included 651 employment-related projects which plan to create 3,519 jobs. Since these projects will take some time to fully implement, the jobs associated with them may take up to five years to be fully realised. It should be noted that grant payments are normally made in relation to the number of jobs created.

Although actual job creation figures for all these projects are not yet available, information available for the ‘Jobs Fund’ shows that this programme has created just over 1,000 jobs during January – August 2012. However, not all of these jobs relate to assistance offered during this period.

In addition, during this period Invest NI engaged with more than 1600 individuals who were interested in starting their own business, 852 of which completed business plans. These businesses are expected to create more than 360 new jobs.

Bed and Breakfasts

Mr McKay asked the Minister of Enterprise, Trade and Investment how her Department is promoting Bed and Breakfasts in the Ballycastle area.

(AQW 13940/11-15)

Mrs Foster: The Northern Ireland Tourist Board (NITB) does not promote & market individual businesses as this could create commercial advantage in a competitive marketplace. NITB provides platforms for the tourism industry through its marketing campaigns whereby providers are able to promote special offers via the NITB consumer website discovernorthernireland.com.

There are currently 31 Bed & Breakfasts certified in the Ballycastle area all of which are advertised on the website discovernorthernireland.com. The site receives approximately 2.5 million visitors each year, with many of these visitors (375,000 approximately) enquiring or sourcing accommodation.

Three of the Bed & Breakfasts currently participate in the voluntary NITB quality star rating scheme which is a useful source of business and marketing advice. The scheme offers a 1–5 star rating which the Bed & Breakfasts can promote to potential guests.

Bed and Breakfasts

Mr McKay asked the Minister of Enterprise, Trade and Investment how many bookings for Bed and Breakfasts were taken by tourist offices in each of the last five years, broken down by council area.

(AQW 13941/11-15)

Mrs Foster: The number of tourist accommodation bookings made by networked Tourist Information Centres (TICs), in each of the last five years, broken down by council area is detailed in Table 1.

Table 1:

| Council Area | TIC(s) | 2007 | 2008 | 2009 | 2010 | 2011 |
|--|--|-------------|-------------|-------------|-------------|-------------|
| Antrim Borough Council | Antrim & Belfast International Airport | 426 | 191 | 80 | 72 | 49 |
| Armagh City And District Council | Armagh | 119 | 130 | 43 | 42 | 17 |
| Moyle District Council | Ballycastle & Causeway | 450 | 458 | 362 | 161 | 186 |
| Ballymena Borough Council | Ballymena | 48 | 0 | 0 | 0 | 0 |
| Ballymoney Borough Council | Ballymoney | 19 | 30 | 26 | 19 | 32 |
| Banbridge District Council | Banbridge | 35 | 0 | 70 | 0 | 0 |
| North Down Borough Council | Bangor | 390 | 479 | 207 | 142 | 122 |
| Belfast City Council | Belfast Welcome Centre & George Best Airport | 2552 | 1783 | 1405 | 871 | 735 |
| Carrickfergus Borough Council | Carrickfergus | 85 | 80 | 27 | 22 | 15 |
| Coleraine Borough Council | Coleraine & Portrush | 798 | 812 | 524 | 435 | 389 |
| Cookstown District Council | Cookstown | 33 | 27 | 6 | 1 | 0 |
| Derry City Council | Londonderry | 932 | 802 | 562 | 382 | 467 |
| Down District Council | Downpatrick & Newcastle | 659 | 587 | 527 | 368 | 312 |
| Fermanagh District Council | Enniskillen | 472 | 385 | 293 | 219 | 168 |
| Lisburn City Council | Lisburn & Hillsborough | 23 | 20 | 7 | 7 | 21 |
| Newry & Mourne District Council | Kilkeel & Newry | 27 | 8 | 15 | 12 | 10 |
| Dungannon & South Tyrone Borough Council | Killymaddy | 0 | 0 | 0 | 0 | 0 |
| Larne Borough Council | Larne | 168 | 141 | 72 | 65 | 49 |
| Limavady Borough Council | Limavady | 15 | 35 | 62 | 3 | 2 |
| Magherafelt District Council | Magherafelt | 43 | 21 | 11 | 15 | 13 |
| Ards Brough Council | Newtownards & Portaferry | 59 | 47 | 20 | 14 | 4 |
| Omagh District Council | Omagh | 33 | 0 | 0 | 0 | 0 |
| Strabane District Council | Strabane | 10 | 2 | 1 | 0 | 0 |
| Total Bookings Annually | | 7396 | 6038 | 4320 | 2850 | 2591 |

Tourist Offices

Mr McKay asked the Minister of Enterprise, Trade and Investment to list all the tourist offices.

(AQW 13942/11-15)

Mrs Foster: By "tourist offices" I am taking this question to mean networked Tourist Information Centres (TICs) in Northern Ireland. There are 31 networked Tourist Information Centres in Northern Ireland a list of which is published on the Northern Ireland Tourist Board's consumer website as follows: <http://www.discovernorthernireland.com/Tourist-Information-Centres-TICs--A2216>

Wind Farms

Mr Easton asked the Minister of Enterprise, Trade and Investment what plans her Department has for the introduction of wind farms.

(AQW 13953/11-15)

Mrs Foster: The Strategic Energy Framework for Northern Ireland includes a target of 40% electricity consumption from renewable sources by 2020. There are a number of renewable technologies, both on-shore and off-shore, which will contribute to the 40% renewable electricity target. However, it is a matter for the market, not government, to bring forward the range of renewable energy technologies.

There are currently 27 onshore wind farms already in operation in Northern Ireland and supported under the Northern Ireland Renewables Obligation. Their combined installed capacity is 396 MW.

Small and Medium-sized Enterprises

Mr Eastwood asked the Minister of Enterprise, Trade and Investment for an update on the Programme for Government commitment to aid liquidity within small and medium-sized enterprises through a £50 million loan fund.

(AQW 13992/11-15)

Mrs Foster:

- 1 Invest NI has developed proposals for a £50 million Growth Loan Fund, which aims to generate £150 million sales growth per annum in small and medium sized enterprises (SMEs) safeguarding and creating over 2,000 jobs over a 10 year period. The Fund will provide loans, primarily unsecured in nature, of between £50,000 and £500,000 to viable businesses in the manufacturing or tradable services sectors only.
- 2 Whiterock Capital Partners - a consortium of partners including Braveheart Investment Group, NEL Fund Managers and Clarendon Fund Managers - have been awarded the contract to manage the Growth Loan Fund.
- 3 The Fund opened for business in early June 2012 and has completed its first phase of recruitment, with 6 full time employees now in place. The Manager has met with industry bodies (e.g. CBI, IOD) and other intermediaries and Banks to promote the Fund.
- 4 103 loan enquiries have been made from SMEs in Northern Ireland since the Fund was launched. Following these enquires 27 Business Plans have been received and are currently being analysed.
- 5 5 loans have been approved by the Fund's investment Committee.

Hydraulic Fracturing Licence

Mr Agnew asked the Minister of Enterprise, Trade and Investment to outline what constitutes a fracking licence.

(AQW 14180/11-15)

Mrs Foster: My Department does not issue fracking licences.

FG Wilson

Mrs Overend asked Minister of Enterprise, Trade and Investment to outline the (i) training; and (ii) resource support that her Department has provided to FG Wilson over the last twelve months.

(AQW 14238/11-15)

Mrs Foster: I can confirm that over the past 12 months F G Wilson has received assistance from Invest NI totalling £115,007. This included £110,036 specifically related to training with the balance payable against a variety of trade activities. Invest NI has, and continues to work very closely with Caterpillar Senior Management, both here and in the US, to identify opportunities to win jobs for Northern Ireland. In recent years we have secured Financial and IT Shared-Service centres that today employ 200 people.

Foreign Direct Investment

Mr Eastwood asked the Minister of Enterprise, Trade and Investment, in light of the IDA Ireland's commitment to locate fifty per cent of all Foreign Direct Investment outside Dublin and Cork, for her assessment of whether adopting a similar model would help address the current local regional disparities.

(AQW 14250/11-15)

Mrs Foster: My Department is aware of the challenges facing local communities in Northern Ireland and the part that Foreign Direct Investment can play in creating employment opportunities. Invest NI has a very successful track record in attracting high quality inward investment and I am firmly of the opinion that this investment provides benefits to the whole of Northern Ireland, not just to the area in which the investment is located.

It is important to understand the investment process and how this relates to what the various parts of Northern Ireland have to offer. A potential investor will make a decision about where to locate based on the specific requirements of the project. These requirements typically include the availability of a skilled workforce, cost competitiveness, the presence of existing sectoral clusters, availability of suitable property and other infrastructure related issues.

It is clear that some areas will have more of these features than others. Furthermore, the responsibility for the development of these features across Northern Ireland is shared between many Departments. This results in a perceived disparity in where investment is located.

Any attempt to assign FDI targets on a sub-regional basis will potentially result in Invest NI trying to direct investors to locations that do not meet their needs. However, as noted by the Independent Review of Economic Policy, it is crucial to allow companies the scope to locate where they can operate most profitably. To do otherwise would jeopardise the chances of securing the investment for Northern Ireland.

I welcome the opportunity to address this question as my Department, including Invest NI, is committed to working with local stakeholders to maximise investment and employment opportunities in all areas. However, I do not currently consider that setting FDI targets on a sub-regional basis is an effective way to achieve this objective.

Department of the Environment

Road Haulage Operators

Mr Allister asked the Minister of the Environment, if a road haulage operator is found with (i) illegal fuel in a vehicle; (ii) an anti-tachograph device fitted in a vehicle; or (iii) smuggled goods on board a vehicle, how this impacts on the operator's Road Haulage Operators licence and the requirement for holders of such to be 'of good repute'.

(AQW 12040/11-15)

Mr Attwood (The Minister of the Environment): Holders of a road freight operator's licence must be of 'good repute'.

An operator convicted of more than one serious offence or of road traffic offences or who has incurred a penalty for one of the most serious infringements of Community rules (which specifically includes the use of devices to produce false tachograph records) can be deemed to have failed the good repute test and have his licence revoked.

Repeated other offences (such as the use of illegal fuel) might also indicate either wilful non-compliance or an inability to manage the undertaking safely. Where such convictions occur during the lifetime of a licensed undertaking, proportionate and escalating regulatory action will be taken, determined by the number of convictions and the number of vehicles operated, culminating, where necessary, in the revocation of the operator's licence.

I have been meeting with officials on this issue of 'good repute', how that should be assessed, how to invoke it more widely as it is clearly a means to, where justified, better regulate the industry and penalise offenders.

Central Government: Job Evaluations

Mrs D Kelly asked the Minister of the Environment to detail (i) whether he has any plans to introduce legislation to regulate the ability of chief executives, directors and senior staff in local and central government to apply for job evaluations which would control or cap their salaries; and (ii) if not, how he intends to address this matter.

(AQW 13366/11-15)

Mr Attwood: The Northern Ireland Civil Service utilises the Job Evaluation Senior Posts (JESP) system to evaluate posts within the Senior Civil Service (SCS). JESP is an analytical job evaluation process which is underpinned by a common pay system.

In respect of local government, the Job Evaluation Schemes used for Chief Executives and other staff in Local Government are developed by agreement through the regional negotiation machinery - the Northern Ireland Joint Council, for most officers, and a separate Joint Council for Chief Executives. The application of such schemes, once agreed by the relevant negotiation committee, is entirely a matter for each local council and the relevant Trade Union.

Under the Local Government Act 1972, Part III, paragraph 40 (4) (f), the Local Government Staff Commission has a statutory power to promote procedures for negotiation on matters such as remuneration and to make recommendations to councils for adopting the agreements negotiated through these procedures. Under paragraph 40 (1), the Staff Commission also has a general oversight role on employment matters. There is however no statutory power for the Commission to regulate access to or the outcome of agreements reached between employers and officers, through the negotiation framework. I have no plans to further legislate in this area.

As you are aware, when I was Minister for Social Development, I took a keen interest in the salaries of senior posts in Housing Associations and raised the issue of salaries in our Universities with my colleague, the then Minister for Employment and Learning. In taking forward the Programme of Local Government Reform, I shall be considering what I can legitimately do in relation to this matter, which is one I would wish to address.

Freedom of Information Requests

Mr Flanagan asked the Minister of the Environment to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by his Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13772/11-15)

Mr Attwood: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmni.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be seen as validated until the publication of the 2011 FOI Annual Report.

Testing for Vintage Vehicles

Mr Dunne asked the Minister of the Environment why vehicle testing for vintage vehicles continues to operate in Northern Ireland, given that it was abolished in the rest of the United Kingdom in 2011.

(AQW 13794/11-15)

Mr Attwood: I have answered questions very similar to this on a number of occasions over recent months, most recently in August 2012 (AQW 12981/11-15), and the response remains the same, as detailed below.

The Department has consulted on possible exemption of certain categories of historic vehicles from MOT testing and the Environment Committee, at its meeting on 22 March 2012, considered the synopsis of responses to the Department's consultation. The responses indicated that there is broad support for exemption of pre-1960 vehicles from periodic testing.

The Committee was content with the Department's proposed way forward, which was to develop policy on the basis of the consultation responses that would make use of the exemption in Roadworthiness Directive 2009/40/EC concerning the periodic testing of pre-1960 vehicles. This would align with the British Government's current proposals which would, from November 2012, exempt pre-1960 vehicles from MOT testing (question 13794/11-15 incorrectly states that such an exemption already exists in Britain).

There have been significant European Commission (EC) policy developments since that time. On 13 July 2012, the EC published a 'Roadworthiness Package' that, amongst other things, addresses periodic roadworthiness tests for motor vehicles, therein making changes to the rules that apply to historic vehicles. The proposals are expected to be introduced no earlier than August 2014.

If implemented as currently drafted, the proposals will narrow the parameters within which the Department can provide for exemptions to historic vehicles, as the definition of an historical vehicle is more prescriptively described.

The Department's policy intentions remain the same; that is to make exempt pre-1960 vehicles from the MOT regime, but we have to be mindful of the changing legislative context, to ensure that any changes we make are not made redundant by incoming EC Regulations.

I expect to be in a position to provide further clarification on the Department's position in the coming weeks.

Testing for Vintage Vehicles

Mr Dunne asked the Minister of the Environment whether he has any plans to abolish vehicle testing for vintage vehicles.

(AQW 13795/11-15)

Mr Attwood: I have answered questions very similar to this on a number of occasions over recent months, most recently in August 2012 (AQW 12981/11-15), and the response remains the same, as detailed below.

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I expect to be in a position to provide further clarification on the Department's position in the coming weeks.

Bat Surveys

Mr Boylan asked the Minister of the Environment how many bat surveys have been carried out by, or at the request of, the Environment Agency in each of the last five years; and what was the cost of each survey.

(AQW 13805/11-15)

Mr Attwood: The Northern Ireland Environment Agency (NIEA) does not carry out bat surveys for planning applications; it is the responsibility of the applicant to provide supporting information for their application.

NIEA does not request bat surveys for all wind turbine applications. Instead it recommends two options:

Option 1: Amend the location of the turbine to achieve a sufficient distance from habitat features which will minimise the impact of the turbine on commuting and foraging bats in which case no survey is necessary.

Option 2: Provide bat survey information which will allow NIEA to assess the potential impact of the turbine on bats.

NIEA does not therefore know for certain how many applicants have been requested to carry out bat surveys. To collate this information retrospectively would require a substantial amount of work.

It is not possible to estimate the cost of bat surveys due to the variety of quotations available to applicants through many qualified bat surveyors currently offering their services as ecological consultants in Northern Ireland. Each quotation will vary according to the size of the site and complexity of survey methodology required and also the consultant's current fees. This is a private matter between the consultant and the applicant.

Bat Surveys

Mr Boylan asked the Minister of the Environment whether any bat surveys found significant activity; and whether these findings have been used to estimate the current bat population.

(AQW 13806/11-15)

Mr Attwood: The Northern Ireland Environment Agency (NIEA) does not know for certain how many applicants carry out bat surveys. Officials have however reviewed ten randomly selected cases throughout Northern Ireland where a bat survey has been carried out. This has demonstrated that bats were present at all ten sites. NIEA uses bat survey information to recommend conditions to mitigate against negative impacts on approvals in the majority of cases.

NIEA provides core funding to the Northern Ireland Bat Group who record and collate bat records which are passed on to the Centre for Environmental Data and Recording (CEDaR). The Department would require the permission of the applicant before sharing any survey information (provided at the applicant's expense) with CEDaR.

Bats: Planning Applications for Wind Turbines

Mr Boylan asked the Minister of the Environment what evidence exists to support the theory that bats follow linear features, such as hedgerows; and whether this is allowed for in planning applications for wind turbines that are within 50 metres of a hedgerow.

(AQW 13808/11-15)

Mr Attwood: Most bats use significant linear features such as hedgerows, tree lines, woodland edge and watercourses as flight lines for navigation and foraging. There is ample evidence available to support the use of hedgerows by bats for commuting purposes. This evidence is based upon readings taken from the ultrasonic sounds produced by bats when they are in flight. Many studies have taken place to determine associations between the movement of bats and the presence of landscape features such as hedgerows which have concluded there are strong relationships between the two. This has led to the production of the many guidelines, management practices and plans laid out to protect bats on a regional, national and European level.

Bats are susceptible to impacts caused by turbines. Recent research suggests that bats are particularly susceptible to collisions with turbine blades, barotraumas and damage, disturbance or destruction of foraging and roosting habitats and commuting corridors and disorientation when in flight. These impacts will depend on the size and wattage of the turbine and become less likely as the distance between the turbine and the habitat features increase.

Advice from published guidelines (adopted UK wide) regarding bats and wind turbines is to maintain a 50m buffer between the tip of the turbine blade and existing habitat features on site.

NIEA does not request bat surveys for all wind turbine applications. Instead it recommends two options:

Option 1: Amend the location of the turbine to achieve a sufficient distance from habitat features which will minimise the impact of the turbine on commuting and foraging bats in which case no survey is necessary.

Option 2: Provide bat survey information which will allow NIEA to assess the potential impact of the turbine on bats.

Planning Applications from Applicants for EU Funding

Mr Boylan asked the Minister of the Environment what measures Planning Service has put in place to process planning applications from applicants for EU funding through the Rural Development Programme in a manner that recognises the time constraints on funding faced by the Programme applicants.

(AQW 13811/11-15)

Mr Attwood: The Department normally processes planning applications in chronological order in line with agreed good practice. I accept that some applications need to be prioritised for a variety of reasons such as grant funding timescales.

As an acknowledgement of the need to prioritise certain applications, guidance was issued to staff last year setting out the circumstances under which planning applications should be prioritised. The guidance recognises that grant funded

applications may have a tight timescale within which to apply for funding and in such cases it is imperative that the planning application is dealt with expeditiously.

In order for the Department to respond to the funding timeframes the applicant should engage with planners at an early stage and advise that grant funding applies and outline the timeframe for the funding process. I would also urge applicants to submit high quality applications accompanied by all of the information and surveys necessary to allow it to be determined as quickly as possible. I believe that working together the processing of all applications can be achieved in a timely fashion.

I know from cases referred to me that timing issues arise – around smaller and larger projects. My office is available and has been available to help manage these types of situations.

Staff Member Re-employed in the Same Position

Lord Morrow asked the Minister of the Environment, pursuant to AQW11851/11-15, to detail on what date the officer's contract, after retirement, was agreed or the date of the commencement of their continued employment; and whether the job description is the same or similar to the original job description.

(AQW 13833/11-15)

Mr Attwood: The employment term of 51 part time weeks was agreed prior to the officer's date of retirement. The job description for the new post had no similarities to the previous post.

Clean Beaches

Mr Easton asked the Minister of the Environment what further action his Department can take to promote clean beaches in North Down.

(AQW 13851/11-15)

Mr Attwood: I have now hosted four Good Beach Summits and progress has been very encouraging. With good participation from government agencies, district councils, user groups, community groups, NGOs and other representative groups, there has been real progress in delivering the multi-strand Action Plan and exploring new issues.

At the next Good Beach Summit, scheduled for 3 October 2012, the agenda will include a stocktaking discussion to develop the future work of the Good Beach Summits as well as discussion on the Coastal Communities Fund, the Marine Bill and marine planning.

I wrote to all coastal councils on 15 November 2011 to promote participation in award schemes. There has been increased participation in the International Blue Flag, Seaside and Green Coast Award schemes in 2012. In part these awards reflect the excellent bathing water quality results in 2011, but award schemes are primarily recognition of the excellent management standards at our most popular bathing beaches and of generally improving standards. Crawfordsburn beach achieved its first International Blue Flag this year and Helen's Bay achieved the Green Coast Award.

To aid promotion of our beaches a new web site, www.beachni.com has been created. As well as giving a comprehensive description of each of our most popular bathing waters, this web site allows selected Local Government council staff and other partners to post information about beach and coastal events. The site also links to other Outdoor Recreation NI web sites to help promote other activity opportunities in the vicinity.

Local Councils: Expenditure

Mr McNarry asked the Minister of the Environment what caps on expenditure he is actioning with the existing local councils in preparation for the eleven council model becoming operational in 2015.

(AQW 13934/11-15)

Mr Attwood: The underpinning rationale for the existing councils continuing to incur significant expenditure, in the period before the eleven council model becomes operational in 2015, is their need to continue to deliver services to ratepayers in accordance with their approved three year financial management plans. In so doing, however, the councils need to act responsibly and prudently in considering expenditure commitments, taking into account the best interests of ratepayers both in the run up to local government reform in 2015 and beyond .

The Department has issued guidance to the councils, encouraging them to do so and to liaise closely on this matter with the other councils with which they will be amalgamating in 2015. This inter-council liaison will be managed initially through the Voluntary Transition Committees, which I have reinstated, in order to promote a pragmatic and responsible approach to the future needs of the enlarged councils. Indeed, the importance of the collaborative working is an issue which I have highlighted in my meetings with the Voluntary Transition Committees over recent months and I will continue to do so.

Provision already exists, in the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, for the Department to issue directions to existing councils, which will enable Statutory Transition Committees to exercise control over capital expenditure contracts, non-capital contracts and the disposal or acquisition of land. The directions will require the existing councils to seek the written consent of the relevant Statutory Transition Committee before entering into contracts or disposing/acquiring land which exceed sums to be specified by the Department.

The sanctions are that land disposals/acquisitions made, in contravention of a direction, would be void and contracts entered into by an existing council, in contravention of a direction, would not be enforceable against a successor council.

The Regional Transition Committee, which I chair, has tasked senior local and central government officers in the Finance Working Group, with reviewing these controls and guidance and considering the need for them to be extended to embrace the use of council reserves and loans in the period leading up to the formation of the new councils in 2015. I will consider if legislation is required and will closely monitor the situation.

Local Councils: Expenditure

Mr McNarry asked the Minister of the Environment what sanctions are in place to control spending by existing local councils preparing for the eleven council model in 2015.

(AQW 13935/11-15)

Mr Attwood: The underpinning rationale for the existing councils continuing to incur significant expenditure, in the period before the eleven council model becomes operational in 2015, is their need to continue to deliver services to ratepayers in accordance with their approved three year financial management plans. In so doing, however, the councils need to act responsibly and prudently in considering expenditure commitments, taking into account the best interests of ratepayers both in the run up to local government reform in 2015 and beyond .

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The sanctions are that land disposals/acquisitions made, in contravention of a direction, would be void and contracts entered into by an existing council, in contravention of a direction, would not be enforceable against a successor council.

The Regional Transition Committee, which I chair, has tasked senior local and central government officers in the Finance Working Group, with reviewing these controls and guidance and considering the need for them to be extended to embrace the use of council reserves and loans in the period leading up to the formation of the new councils in 2015. I will consider if legislation is required and will closely monitor the situation.

Local Councils: Expenditure

Mr McNarry asked the Minister of the Environment what departmental scrutiny measures are in place to oversee expenditure by local councils prior to the move to the eleven council model which is due to become operational in 2015.

(AQW 13936/11-15)

Mr Attwood: The underpinning rationale for the existing councils continuing to incur significant expenditure, in the period before the eleven council model becomes operational in 2015, is their need to continue to deliver services to ratepayers in accordance with their approved three year financial management plans. In so doing, however, the councils need to act responsibly and prudently in considering expenditure commitments, taking into account the best interests of ratepayers both in the run up to local government reform in 2015 and beyond .

The Department has issued guidance to the councils, encouraging them to do so and to liaise closely on this matter with the other councils with which they will be amalgamating in 2015. This inter-council liaison will be managed initially through the Voluntary Transition Committees, which I have reinstated, in order to promote a pragmatic and responsible approach to the future needs of the enlarged councils. Indeed, the importance of the collaborative working is an issue which I have highlighted in my meetings with the Voluntary Transition Committees over recent months and I will continue to do so.

Provision already exists, in the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010, for the Department to issue directions to existing councils, which will enable Statutory Transition Committees to exercise control over capital expenditure contracts, non-capital contracts and the disposal or acquisition of land. The directions will require the existing councils to seek the written consent of the relevant Statutory Transition Committee before entering into contracts or disposing/acquiring land which exceed sums to be specified by the Department.

The sanctions are that land disposals/acquisitions made, in contravention of a direction, would be void and contracts entered into by an existing council, in contravention of a direction, would not be enforceable against a successor council.

The Regional Transition Committee, which I chair, has tasked senior local and central government officers in the Finance Working Group, with reviewing these controls and guidance and considering the need for them to be extended to embrace the use of council reserves and loans in the period leading up to the formation of the new councils in 2015. I will consider if legislation is required and will closely monitor the situation.

Local Councils: Expenditure

Mr McNarry asked the Minister of the Environment to outline the rationale for allowing the existing local councils to continue spending significant sums of money in the period before the eleven council model becomes operational in 2015.

(AQW 13937/11-15)

Mr Attwood: The underpinning rationale for the existing councils continuing to incur significant expenditure, in the period before the eleven council model becomes operational in 2015, is their need to continue to deliver services to ratepayers in accordance with their approved three year financial management plans. In so doing, however, the councils need to act responsibly and prudently in considering expenditure commitments, taking into account the best interests of ratepayers both in the run up to local government reform in 2015 and beyond .

The Department has issued guidance to the councils, encouraging them to do so and to liaise closely on this matter with the other councils with which they will be amalgamating in 2015. This inter-council liaison will be managed initially through the Voluntary Transition Committees, which I have reinstated, in order to promote a pragmatic and responsible approach to the future needs of the enlarged councils. Indeed, the importance of the collaborative working is an issue which I have highlighted in my meetings with the Voluntary Transition Committees over recent months and I will continue to do so.

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The Regional Transition Committee, which I chair, has tasked senior local and central government officers in the Finance Working Group, with reviewing these controls and guidance and considering the need for them to be extended to embrace the use of council reserves and loans in the period leading up to the formation of the new councils in 2015. I will consider if legislation is required and will closely monitor the situation.

Local Government Reform

Mr McNarry asked the Minister of the Environment how much of the estimated bill of £118 million for the Local Government Reform will be apportioned to each of the eleven new councils.

(AQW 13938/11-15)

Mr Attwood: The economic appraisal of local government service delivery, published by PricewaterhouseCoopers in October 2009, indicated that under the preferred option (i.e. Transformation with Regional Collaboration) implementation of the local government reform programme could involve expenditure of up to £118 million over five years and achieve savings of £438 million over twenty five years. These costs and savings were not, however, broken down on an individual council or cluster basis.

The Regional Transition Committee, which I chair, has commissioned the senior local and central government officers in the Finance Working Group, with re-examining the costs and benefits of reform taking account a range of key factors. These include the 2015 timescale for reform set out in the Programme for Government 2011-15, the sector's Improvement, Collaboration and Efficiency proposals and the changed economic climate in which reform is now being taken forward. The group will be working closely with the Transition Committees in developing the costs and benefits of reform in their constituent councils, and is due to present its findings and recommendations by March 2013.

In the interim, I made a bid in the June Monitoring Round for the provision of £2.3 million to support local government reform in the current financial year. Unfortunately, this bid was unsuccessful and I am disappointed with this outcome. Indeed, I have been actively pursuing this funding issue, over recent weeks, in discussions and correspondence with Executive colleagues. I have made it clear that I:-

- acknowledge that it is reasonable to expect local government to contribute to the cost of reform initiatives from which they will ultimately benefit;
- consider, however, that there are transition work streams, vital to the successful delivery of reform, which should be funded by the Executive – particularly those which are inescapable and have no cash releasing benefits for the sector;
- have identified associated transition costs, in the order of tens of millions, over the 2012-13 to 2014-15 period; and
- would be presenting a paper to the Executive on this issue.

An Executive paper has been prepared and is currently being considered by Ministers. It is anticipated that the paper will be tabled for discussion at an Executive meeting later this month. If this bid is successful, these transition costs will be met by the Executive and, therefore, will not be apportioned to individual councils or council clusters.

Marine Bill

Mr McKay asked the Minister of the Environment what impact the Marine Bill will have on (i) hunting; (ii) shooting; and (iii) angling activities.

(AQW 13987/11-15)

Mr Attwood: The Marine Bill will provide the Department with the powers to designate and manage Marine Conservation Zones (MCZs). Management measures include the introduction of new byelaws to manage activities which are not subject to regulation or control by other public bodies and are potentially damaging to the features of an MCZ. It is envisaged that most MCZs will be designated primarily for the protection of seabed features.

The implementation of the Marine Bill, specifically the designation of MCZs and any related byelaws, should have minimal impact on hunting, shooting and angling activities. In any case, it is intended that MCZs (and marine plans) would be developed through a process of inclusive engagement with stakeholders.

Hydraulic Fracturing

Mr Swann asked the Minister of the Environment whether his Department has carried out any research on the safety of hydraulic fracturing.

(AQO 2379/11-15)

Mr Attwood: Hydraulic fracturing has attracted much media attention and generated considerable debate and concern across Northern Ireland, but particularly in Fermanagh and is an issue that I am highly vigilant on.

My Department seeks to safeguard the quality of the environment through effective regulation of activities that have the potential to impact on the environment through the planning and environmental processes.

My Department is supplementing its knowledge of this process through reviewing and engaging with emerging research, case study analysis and liaising with counterparts in other Environment Agencies in Britain, Ireland and the United States.

My officials in NIEA and Planning are involved in working groups at Northern Ireland, UK and European levels dealing with the regulation of unconventional fossil fuels.

On a cross border level, officials from the Northern Ireland Environment Agency meet regularly with the Republic of Ireland's Environmental Protection Agency. My officials in NIEA are currently in discussions regarding cooperation and co-funding on a major research project on all of the potential environmental impacts of hydraulic fracturing.

Consequently, the evidence base around fracking is being developed in order to provide the intelligence and information to assess applications if they are submitted. I repeat that all standards – environmental and planning – will be upheld at all stages. That is not to prejudice the outcome, but to provide guarantees on the robust character of any assessments.

Department of Finance and Personnel

Multi-unit Developments

Mr McNarry asked the Minister of Finance and Personnel what consideration is being given to protecting the interests of the current owners of property in multi-unit developments, who will not be included in the reform proposals consultation paper which is expected to be published in October 2012 by the Northern Ireland Law Commission.

(AQW 13790/11-15)

Mr Wilson (The Minister of Finance and Personnel): It was agreed that the Northern Ireland Law Commission would review the law and practice relating to multi-unit developments, with a view to ensuring that the legitimate needs and interests of the various parties are fairly addressed.

The Commission has recently revised the review team and the revised team has been re-considering the handling of the review project. It would cause me real concern if the review did not assess and address the full range of difficulties which have arisen in this area, including, in particular, those experienced by existing owners. We are all well aware of those difficulties and the Commission itself has heard about some of them first hand. I have had a number of exchanges with the Commission in which I have emphasised the need for practical, effective relief for all. The Commission has now assured me that the pressing problems of existing owners will be dealt with in its report as a matter of priority and I have welcomed that assurance.

New Public Sector Buildings

Mr Agnew asked the Minister of Finance and Personnel if he will restrict the building of all new public sector buildings to town centres.

(AQW 13830/11-15)

Mr Wilson: The location of any new public sector property is driven by the business requirements of the Department involved and is subject to a suitable business case to determine best value for money.

Civil Servants Working in the Stormont Estate

Mr Agnew asked the Minister of Finance and Personnel how many civil servants working in the Stormont Estate reside in North Down.

(AQW 13832/11-15)

Mr Wilson: There are 347 Permanent NICS staff, for whom work location information is available, working in the Stormont Estate, who reside in the North Down District Parliamentary Constituency.

Freedom of Information Requests

Mr Flanagan asked the Minister of Finance and Personnel to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by his Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13840/11-15)

Mr Wilson: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be seen as validated until the publication of the 2011 FOI Annual Report.

VAT Exemption on Food for Guide Dogs

Mr Agnew asked the Minister of Finance and Personnel whether he has had any engagement with the UK Treasury regarding a VAT exemption on food for guide dogs.

(AQW 13878/11-15)

Mr Wilson: I have not had any engagement with Treasury regarding the VAT rate that is applied to food for guide dogs or the possibility of an exemption in this regard.

I understand this is an issue the Guide Dogs for the Blind Association has already raised with Treasury Ministers, including the Exchequer Secretary David Gauke MP who has responsibility for this Reserved Matter.

Small Business Rates Relief Scheme

Mrs Dobson asked the Minister of Finance and Personnel how many businesses in Upper Bann currently contribute to the Small Business Rates Relief Scheme; and what is the annual revenue generated by these businesses through the scheme.

(AQW 13947/11-15)

Mr Wilson: The Small Business Rate Relief Scheme aims to support businesses by providing some small business owners with rate relief. The amount of rate relief provided was increased in April 2012 with funding provided through a Large Retail Levy and the shortfall paid out of regional rate revenue. The Large Retail Levy is used to support businesses throughout Northern Ireland.

Information is not collated at parliamentary constituency level by Land & Property Services but is available at district council level. Six businesses in the Craigavon and Banbridge District Council areas (covering the Upper Bann Parliamentary Constituency) have been levied a total of just over £350,000 in 2012/13 as a result of the Large Retail Levy.

Ulster Bank: Compensation

Mr McKay asked the Minister of Finance and Personnel what action he is taking to ensure that the Ulster Bank compensate its customers, and the customers of other banks, who were affected by the recent IT problems.

(AQW 13986/11-15)

Mr Wilson: Ensuring that the Ulster Bank redress scheme announced on 31st August 2012 satisfies the bank's statutory duties in terms of compensating customers is a matter for the regulator, the Financial Services Authority to determine. I have no formal responsibility in this regard. However, I will be monitoring this situation closely to ensure this scheme is implemented and customers are compensated as quickly as possible.

2012 Pay Settlement for the EO2 Grade

Mr Gardiner asked the Minister of Finance and Personnel, using the figures and assimilation terms provided in the 2012 pay settlement for the EO2 grade, how much it would cost to apply back pay to EO2s (i) in total; and (ii) the average per individual for the period 2009-2012.

(AQW 14021/11-15)

Mr Wilson: The offer made to NIPSA as part of the pay and grading review proposals is with effect from 1 August 2012, so there is no element of backdating prior to that date. No estimates of the cost of back pay beyond that date were produced as part of the negotiation process and it would not be possible to provide the information without incurring disproportionate costs.

Vacant Commercial and Non-commercial Properties

Mr Givan asked the Minister of Finance and Personnel what is the liability of banks and financial institutions, that hold the deeds of vacant commercial and non-commercial properties, for the payment of rates on those properties to Land and Property Services.

(AQW 14049/11-15)

Mr Wilson: Under Article 18 of the Rates (Northern Ireland) Order 1977, the occupier of any property which appears in the valuation list is liable to pay rates on that property. When a property is vacant that liability falls to the person entitled to possession of the property.

In cases where a bank or financial institution is merely holding the deeds to a vacant property on which a mortgage is being paid then the ratepayer would be the person paying that mortgage.

Since 1 April 2004, rates have been payable on vacant commercial property at 50% of full liability. In October 2011 the implementation of the rating of empty homes resulted in full rates being payable on all vacant domestic properties, subject to a number of exclusions. There is no exclusion from the rating of empty homes for banks and other financial institutions who are mortgagees in possession following the repossession of a property. Therefore, as in any other case the person entitled to possession of an unoccupied property will be the liable person.

DFP: Primary Legislation

Mr McKay asked the Minister of Finance and Personnel (i) to list the primary legislation his Department (a) has introduced; and (b) plans to introduce during this Assembly mandate; and (ii) to detail the (a) timescale; and (b) intention of each Bill.

(AQW 14053/11-15)

Mr Wilson: The following table details the requested information in respect of the legislation which I have introduced and which I intend to introduce during this Assembly mandate.

| Primary Legislation | (ii)(a) Timescale | (ii)(b) Intention |
|---|--|---|
| (i)(a) Introduced | | |
| Budget (No. 2) Act (Northern Ireland) 2011 | Royal Assent 25 July 2011 | To give effect to the 2011-12 Northern Ireland Main Estimates. |
| Rates (Amendment) Act (Northern Ireland) 2012 | Royal Assent 28 February 2012 | To expand the Small Business Rate Relief Scheme and introduce a Large Retail Levy. |
| Budget Act (Northern Ireland) 2012 | Royal Assent 20 March 2012 | To give effect to the 2011-12 Spring Supplementary Estimates and Vote on Account for 2012-13. |
| Budget (No 2) Act (Northern Ireland) 2012 | Royal Assent 20 July 2012 | To give effect to the 2012-13 Northern Ireland Main Estimates. |
| Superannuation Bill | Committee stage scheduled for completion 28 September 2012 | To remove the requirement for trade unions consent to introduce detrimental changes to the Civil Service Compensation Scheme (Northern Ireland) and to introduce requirements for the Department to report on the consultation with trade unions. |
| (i)(b) Plans to introduce | | |
| Air Passenger Duty (Setting of Rate) Bill | Planned for introduction in 2012-13 subject to Executive agreement | To set the APD rate for direct long haul flights (Bands B, C and D). |
| Financial Provisions Bill | Planned for introduction in 2012-13 subject to Executive agreement | To adjust specific statutory limits and to handle other routine financial matters. |
| Budget Bill 2013 | Planned for introduction in January 2013 | To give effect to the 2012-13 Spring Supplementary Estimates and Vote on Account for 2013-14. |
| Legal Complaints and Regulation Bill | Planned for introduction in 2012-13 subject to Executive agreement | To provide powers for a new legal services oversight commissioner and create new complaints handling committees for barristers and solicitors. |
| Budget (No 2) Bill 2013 | Planned for introduction in June 2013 | To give effect to the 2013-14 Northern Ireland Main Estimates. |

| Primary Legislation | (ii)(a) Timescale | (ii)(b) Intention |
|-----------------------------------|-------------------|--|
| Land Law Reform Bill | To be determined | To give effect to the recommendations of the Northern Ireland Law Commission for the reform of the general land law. |
| Land Registration Bill | To be determined | To replace the Land Registration Act (NI) 1970. |
| Rate Collection and Recovery Bill | To be determined | To enable more effective collection of rates. |

Peace III and INTERREG IV

Mr McKay asked the Minister of Finance and Personnel how much PEACE III and INTERREG IV money (i) has been allocated; and (ii) remains to be allocated, to projects.

(AQW 14054/11-15)

Mr Wilson: The PEACE III Programme has fully committed its funding allocation.

The INTERREG IVA Programme has committed approximately £188.6 million¹, eighty five per cent of the £222.6 million¹ Programme. An assessment and selection process is underway to allocate the remaining budget and it is anticipated this will be completed by the end of the year.

Peace III and INTERREG IV

Mr McKay asked the Minister of Finance and Personnel, in instances where letters of offer or funding have not been signed off in time, whether projects have been, or could be, invalidated by delays to the PEACE III or INTERREG IV programmes.

(AQW 14055/11-15)

Mr Wilson: Any serious delays in the commencement of projects at this stage of the PEACE III and INTERREG IVA Programmes, particularly in the case of capital build expenditure, may impact upon the capacity of the project to complete its activities by the end of the Programming period. SEUPB must ensure a project is in a position to fully spend its funding allocation to meet deadlines imposed by the European Commission. To date, no project has been unable to meet the timetable set.

Performance and Efficiency Delivery Unit

Mr McKay asked the Minister of Finance and Personnel what work the Performance and Efficiency Delivery Unit has carried out to identify inefficiencies in the Special EU Programmes Body administrative process.

(AQW 14056/11-15)

Mr Wilson: As a first step towards addressing issues around the efficiency of the Special EU Programmes Body (SEUPB), my department's Business Consultancy Service is currently undertaking a review of the staffing requirements of the body. The study aims to identify the number of staff required by the SEUPB during 2013 and 2014 to enable the body to deliver its business objectives.

Following the completion of the staffing review, we have an option to engage the Performance and Efficiency Delivery Unit (PEDU) to conduct an efficiency review of SEUPB in collaboration with officials from the Republic of Ireland's Department for Public Expenditure and Reform (DPER). However, before the efficiency study could commence we would need to agree the timing and Terms of Reference for the work with the DPER.

Special EU Programme Body: Staffing Levels

Mr McKay asked the Minister of Finance and Personnel to detail the basis on which it is proposed that the staffing levels of Special EU Programme Body will be reduced by 2014.

(AQW 14057/11-15)

Mr Wilson: Following a review of SEUPB staffing in 2010, both Finance Ministers, North and South, agreed that SEUPB could proceed on the basis of 65 staff until 2012 but that this complement should fall to a number in the 50s in 2013 and the 40s in 2014. A staffing review of the SEUPB is currently being undertaken to assess staff numbers required in 2013 and 2014 and this will report at the end of October.

Empty Non-commercial Properties

Mr Easton asked the Minister of Finance and Personnel the number of empty non-commercial properties on which rates are not currently being paid.

(AQW 14087/11-15)

¹ An exchange rate of £1 = €1.15 has been used.

Mr Wilson: The reference to 'non-commercial properties' in the question has been interpreted to mean domestic properties. As at 16th September there were 25,455 empty domestic properties on which rates are not currently being paid. This includes 7,444 properties on which no payments are due as they are entitled to an exclusion.

Unpaid Rates

Mr Easton asked the Minister of Finance and Personnel what was the level of unpaid rates in the last financial year.
(AQW 14088/11-15)

Mr Wilson: The level of unpaid rates at the end of 2010/11 (the latest year for which published information is available) was £155.6 million.

Relocation of Public Sector Jobs

Mr Eastwood asked the Minister of Finance and Personnel, in light of the recent announcement of the relocation of the Department of Agriculture and Rural Development Headquarters to Ballykelly, whether the Executive now has a policy of decentralisation.

(AQW 14125/11-15)

Mr Wilson: There is currently no Executive policy for the decentralisation of public sector or civil service jobs. Individual public bodies, departments and Ministers can of course consider the relocation of public sector facilities and jobs subject to the normal requirements of business need, value for money and affordability.

Department of Health, Social Services and Public Safety

Family Nurse Partnership Programme

Mr Beggs asked the Minister of Health, Social Services and Public Safety when the Family Nurse Partnership Programme will be extended to the Carrickfergus, Larne and Newtownabbey area.

(AQW 13775/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): The Public Health Agency established a test site for the Family Nurse Partnership Programme within Northern Ireland in the Western Trust in 2010. Following a selection procedure by the PHA further test sites have been agreed within the Belfast and Southern Trusts to be initiated during 2012/13. The Public Health Agency will consider the further extension of the programme in conjunction with Trusts, the UK Family Nurse Partnership Programme National Centre and the University of Colorado.

Ultraviolet Light Treatments for People with Skin Disorders

Mr Hussey asked the Minister of Health, Social Services and Public Safety how many hospitals provide Ultra Violet Light Treatments for people with skin disorders; and how many patients have had appointments in each location in each of the last three years.

(AQW 13886/11-15)

Mr Poots: The HSC Trusts have informed me that Ultra Violet Light treatment for people with skin disorders is currently provided at the following hospitals: Belfast City and the Royal Victoria in the Belfast HSC Trust; Braid Valley, Causeway and Whiteabbey in the Northern HSC Trust; Downe and Lagan Valley in the South Eastern HSC Trust; Craigavon in the Southern HSC Trust; and Altnagelvin, Tyrone County Hospital, and South West Acute (formerly Erne) in the Western HSC Trust.

In addition, the Southern HSC Trust have advised me that the service for this treatment previously offered at Daisy Hill hospital, is currently in the process of being transferred from a physiotherapy managed service to a nursing dermatology team.

Information on how many patients have had appointments for Ultra Violet light treatment for skin disorders, at each of these locations, in each of the last three years, is not collected centrally by the Department and is not routinely collected by some of the Trusts.

Bangor Hospital

Mr Easton asked the Minister of Health, Social Services and Public Safety what future plans the South Eastern Health and Social Care Trust has for Bangor Hospital.

(AQW 13924/11-15)

Mr Poots: The South Eastern Health and Social Care Trust (SEHSCT) is responsible for the provision of services at Bangor Hospital.

The SEHSCT has advised me that Bangor Hospital will continue to form an essential part of the Trust's estate for the foreseeable future with further phased development on site in the coming years. The future development of the hospital is an important component of the Trust's implementation plan developed in response to the regional review of health and social

care – Transforming Your Care. The intention is that Bangor Hospital will continue to provide the local population with a wide range of safe, effective and accessible local services.

Oasis Dental Care

Mr McGlone asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 10247/11-15, what steps he has taken to ensure value for money in the Oasis dental contract.

(AQW 13928/11-15)

Mr Poots: The contract between the Health and Social Care Board and Oasis Dental Care stipulates that Oasis must register a total of 57,000 patients across Northern Ireland. Oasis have met the registration targets as set out in their contract. The HSC Board has regular monitoring meetings with Oasis and carries out post treatment checks to assess the quality of treatment carried out alongside patient satisfaction surveys. As part of its continuing effort to ensure value for money in this contract, the HSC Board has decided that in addition to providing care and treatment to its current patients, Oasis will:

- collect oral health data on 11-13 year olds who attend Oasis practices; and
- carry out a pilot of epidemiological work and collect data relating to the oral/dental health of 5 year old children randomly selected from schools across Northern Ireland.

Oasis Dental Care

Mr McGlone asked the Minister of Health, Social Services and Public Safety for his assessment of the value for money of the private dental care provided by Oasis dental care during 2011/12.

(AQW 13929/11-15)

Mr Poots: The contract between the Health and Social Care Board and Oasis Dental Care stipulates that up to 10% of the dentists' time may be spent carrying out private treatment within the contracted time. This clause was included in the contract to reflect the fact that certain treatments are not available under the health service and to allow patients to receive all their care in the one dental practice. The value of the contract awarded to Oasis relates only to the Health Service treatment provided to registered patients and this is the part of the contract monitored by the Health and Social Care Board.

My Department does not monitor the provision of private dental care and treatment. However, any practices which provide private treatment must register with RQIA and meet the Minimum Standards for Dental Care and Treatment published in March 2011

Primary Medical Care for Patients in Nursing Homes and Residential Homes

Mr McGlone asked the Minister of Health, Social Services and Public Safety with whom does responsibility lie for primary medical care for patients in (i) nursing homes; and (ii) residential homes.

(AQW 13930/11-15)

Mr Poots: GP Practices and out of hours services are responsible for providing primary medical services to patients in nursing and residential homes that are within their catchment area.

Allied Health professional services are normally accessed through GP referrals and are provided by the local Health and Social Care Trust.

Dental Amalgam

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail (i) the number of claims for amalgam fillings placed through the general dental services in the year 2011/12; (ii) the number of adult patients who received amalgam fillings through the general dental services during this period; and (iii) the number of child patients who received amalgam fillings through the general dental services during this period.

(AQW 13946/11-15)

Mr Poots: The information requested is set out below:

| Code | Description |
|------|--|
| 1401 | Amalgam fillings in permanent or retained deciduous teeth - 1 surface |
| 1402 | Amalgam fillings in permanent or retained deciduous teeth - 2+ surfaces |
| 1403 | 2 or more surfaces where the mesio-occlusal or disto-occlusal surfaces are involved |
| 1404 | 3 or more surfaces where the mesio-occlusal and disto-occlusal surfaces are involved |
| 4405 | In connection with treatment on referral - filling |
| 5811 | Permanent amalgam fillings - 1 surface |

| Code | Description |
|------|--|
| 5812 | Permanent amalgam fillings - 2+ surfaces |
| 5813 | 2 or more surfaces where the mesio-occlusal or disto-occlusal surfaces are involve |
| 5814 | 3 or more surfaces where the mesio-occlusal and disto-occlusal surfaces are involved |

| P7-Item | i) No of claims under codes in 2011/12 | ii) No of adult patients who received amalgam fillings under GDS in 2011/12 | iii) No of children patients who received amalgam fillings under GDS in 2011/12 |
|------------|--|---|---|
| 1401 | 96,049 | 66,423 | 25,399 |
| 1402 | 24,922 | 19,746 | 4,607 |
| 1403 | 156,629 | 128,030 | 16,367 |
| 1404 | 58,721 | 52,514 | 3,293 |
| 4405 | 0 | 0 | 0 |
| 5811 | 20 | 15 | 5 |
| 5812 | 10 | 9 | 1 |
| 5813 | 86 | 76 | 8 |
| 5814 | 40 | 37 | 3 |
| All | 336,477 | 266,850 | 49,683 |

Figures for treatment codes 4401, 1411 and 6001 may also include amalgam fillings but as other materials are allowed it is not possible to sub-classify how many actually were amalgam. Therefore these have not been included in the analysis.

This information is based on data supplied by the BSO.

Executive Papers

Mr Allister asked the Minister of Health, Social Services and Public Safety how many papers, which have been approved by the Minister, have yet to be placed on the agenda for an Executive meeting, including (i) the date on which the papers were circulated to ministerial colleagues; (ii) the subject matter of each paper; and (iii) the consequences of a delay in securing Executive approval.

(AQW 13968/11-15)

Mr Poots: The content of Executive papers and all aspects of Executive business are confidential.

Residential Care and Nursing Homes

Mr Swann asked the Minister of Health, Social Services and Public Safety how many older people live in (i) residential care homes; and (ii) nursing homes.

(AQW 13979/11-15)

Mr Poots: Information on the number of older people who live in residential care homes and nursing homes is not available centrally and could only be provided at disproportionate cost.

Reclaiming Care Costs

Mr Campbell asked the Minister of Health, Social Services and Public Safety, in light of the media coverage in England of a deadline of 30 September 2012 for people who wish to reclaim care costs for payments which had been made over a period of up to 8 years, whether any such deadline exists in Northern Ireland; and whether any potential applicants have been notified that they may be eligible.

(AQW 13982/11-15)

Mr Poots: Within our integrated health and social care system, HSC Trusts are responsible for carrying out assessment of needs for individuals with continuing care needs. The outcome of the assessment could be an identified primary need for either health care or social care. The distinction between health and social care is complex and requires a careful appraisal of each individual case, and every case is considered on its own merits.

These differences are accentuated in England, where separate structures and legal responsibilities of local authorities (who provide social care) and Strategic Health Authorities (SHAs) (who provide health care) emphasise a dividing line between social care and health care. As our system is integrated such differences are minimised and we have not experienced the same difficulty as England.

There is no formal reimbursement scheme operating in Northern Ireland.

Dental Fluorosis

Mr McDevitt asked the Minister of Health, Social Services and Public Safety what is the estimated incidence of dental fluorosis, for the latest available year; and how this figure compares with Great Britain and the Republic of Ireland.

(AQW 14012/11-15)

Mr Poots: There is no available data on the incidence of dental fluorosis in Northern Ireland. However, data on the prevalence of dental fluorosis in both Northern Ireland and the Republic of Ireland is available from the 'Children's oral health in Ireland 2002' report. The data from this report for, 8 year old, 12 year old and 15 year old children from both Northern Ireland and the Republic of Ireland is reproduced in the tables below. There is no data on the incidence or prevalence of fluorosis available at a United Kingdom level:

8 year olds

| Dean's Index of fluorosis | Republic of Ireland Fully Fluoridated Areas | Republic of Ireland Non Fluoridated Areas | Northern Ireland Non Fluoridated Areas |
|---------------------------|---|---|--|
| Severe | 0% | 0% | 0% |
| Moderate | 0% | 0% | 0% |
| Mild | 4% | 0% | 0% |
| Very mild | 8% | 2% | 3% |
| Questionable | 11% | 7% | 6% |
| Normal | 76% | 90% | 90% |

12 year olds

| Dean's Index of fluorosis | Republic of Ireland Fully Fluoridated Areas | Republic of Ireland Non Fluoridated Areas | Northern Ireland Non Fluoridated Areas |
|---------------------------|---|---|--|
| Severe | 1% | 0% | 0% |
| Moderate | 1% | 0% | 0% |
| Mild | 5% | 2% | 2% |
| Very mild | 9% | 4% | 7% |
| Questionable | 14% | 10% | 12% |
| Normal | 71% | 82% | 78% |

15 year olds

| Dean's Index of fluorosis | Republic of Ireland Fully Fluoridated Areas | Republic of Ireland Non Fluoridated Areas | Northern Ireland Non Fluoridated Areas |
|---------------------------|---|---|--|
| Severe | 1% | 0% | 0% |
| Moderate | 1% | 0% | 0% |
| Mild | 5% | 3% | 0% |
| Very mild | 10% | 4% | 8% |
| Questionable | 19% | 10% | 5% |
| Normal | 61% | 81% | 83% |

Senior 2 Podiatrists

Mr Eastwood asked the Minister of Health, Social Services and Public Safety why Senior 2 Podiatrists in the Western Health and Social Care Trust were re-evaluated as grade 5, following the implementation of the Agenda For Change, when Senior 2 Podiatrists in the other Health and Social Care Trusts were re-evaluated as grade 6; and what action he will take to address this regional disparity.

(AQW 14036/11-15)

Mr Poots: It is not correct to say that all Senior II Podiatrists outside the Western Health and Social Care Trusts were re-evaluated as grade 6. The Agenda for Change process, which was implemented by HSC employers in partnership with Trade Unions, sought to measure the size of jobs on the basis of job content and not previous job titles or grades. As a result of this process, 100 Podiatrists in the HSC, who were previously graded as Senior II, were given a Band 5 grading; 79 of these staff were not satisfied with this grading and sought a review. Following the review process 51 staff from across the HSC were moved to Band 6 and the remaining 28 staff, again across the HSC, were confirmed as Band 5.

Dementia

Mr Durkan asked the Minister of Health, Social Services and Public Safety how many people in the Foyle constituency have been diagnosed with dementia in each of the last five years.

(AQW 14046/11-15)

Mr Poots: The number of patients newly diagnosed with dementia each year is not available; however, under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP registered patients with dementia is recorded.

The number of patients on the dementia register of practices located in Foyle constituency in each of the last five years is shown in table 1 below.

Table 1: QOF dementia register counts, Foyle constituency, 2008 – 2012

| | 2008 | 2009 | 2010 | 2011 | 2012 |
|--|------|------|------|------|------|
| Number of GP registered patients with dementia in Foyle constituency | 461 | 481 | 538 | 562 | 539 |

Data Source: Payment Calculation and Analysis System (PCAS) as at National Prevalence Day. National Prevalence Day was changed from 14 February to 31 March from 2009 onwards to bring it into line with National QOF Achievement Day.

The number of patients on the dementia register in Foyle constituency has been determined based on the location of the GP practices (GP postcodes) using Westminster Parliamentary Constituency 2008 boundaries. It should be noted that patients on the register may not reside in the constituency in which their practice is located.

Drug and Alcohol Misuse Among Young People

Mr Lyttle asked the Minister of Health, Social Services and Public Safety (i) for their assessment of the current extent and type of drug and alcohol misuse among young people; (ii) what measures are being delivered in response; and (iii) what legislative measures are being proposed in the British and Irish administrations to address misuse.

(AQW 14050/11-15)

Mr Poots: Preventing and addressing the harm related to alcohol and drug misuse remains a key priority for my Department. Drug misuse appears to have leveled out, with the proportion of young people aged 15-34 currently taking drugs (in the previous month) dropping from 6.1% in 2002/03 to 5.7% in 2010/11. Cannabis remains the main drug of misuse for our young people, with very low numbers aged under 18 injecting any drugs. Alcohol misuse remains a much more prevalent issue amongst young people in Northern Ireland, with 23% of young people aged 11-16 reporting getting drunk in 2010.

A range of local counselling and mentoring services for children and young people is available across Northern Ireland, much of this in community settings and involving a wide range of service providers. A Regional Initial Assessment Tool has been developed allowing non-specialist workers to screen and assess a young person's alcohol and drug misuse, provide initial intervention, and signpost those who require additional support into the correct service. A "one-stop-shop" initiative to support young people around substance misuse has been successfully piloted and is now being rolled out across Northern Ireland.

The UK-wide Misuse of Drugs Act has been recently amended to enable temporary bans to be placed on emerging substances. My Department and the Department for Social Development (DSD) have been working together on liquor licensing and related issues for many years, and we recently supported DSD in bringing regulations through the Assembly that can be used to ban irresponsible promotions. Work is underway on a North/South basis on a range of alcohol misuse issues including pricing, promotions, advertising, etc. Both administrations are currently exploring the benefit of undertaking joint research on the impact of introducing a minimum unit pricing for alcohol in order to inform potential future legislation.

Guidelines for Prescribing Gluten-free Foods

Mr Eastwood asked the Minister of Health, Social Services and Public Safety whether the guidelines for prescribing gluten-free foods are flexible; and whether a GP can prescribe more gluten-free products than suggested if requested by the patient.

(AQW 14052/11-15)

Mr Poots: Patients with confirmed gluten-sensitive medical conditions are able to obtain a range of foods on prescription. To ensure efficient use of resources the HSC Board has issued guidance to all prescribers recommending that only staple foods such as bread, pasta, crackers and flour be supplied on prescription to patients diagnosed with gluten-sensitive enteropathies. Items which are not staple foods, and which are not consistent with healthy eating advice such as biscuits,

cakes, muffins, pasties and sausage rolls, should no longer be supplied on prescription. This guidance is in line with advice from Coeliac UK which is the leading charity working for people with coeliac disease and dermatitis herpetiformis.

The guidance does not override or replace the individual responsibility of health professionals to make appropriate decisions in the circumstances of their individual patients, but prescribers are encouraged to look at their prescribing of gluten-free foods to ensure that it falls within these recommendations.

Encouraging Men to Visit their GP

Mr Frew asked the Minister of Health, Social Services and Public Safety how his Department aims to encourage men to visit their GP when symptoms first appear so that illnesses can be treated before they become too serious.
(AQW 14058/11-15)

Mr Poots: I have issued a new draft cross departmental public health strategic framework, "Fit and Well" for public consultation. This takes a life course approach with one of the key stages being adults of working age and recognises that men often present later in the course of illness. They are also less likely to use traditional health services such as GPs. Therefore, a specific outcome has been proposed in the draft framework that more men present with early symptoms of health problems to their GPs. It is envisaged that actions will be developed as part of the implementation to help achieve this outcome.

My Department has a number of health promoting strategies in place including strategies to reduce smoking, suicide/self harm, skin cancer and obesity; and to improve mental health and sexual health. Whilst the health promoting strategies are not gender specific, they include actions targeting men where there is a difference in behaviours or outcomes. Men have higher death rates for most of the leading causes of death and are more likely to engage in risk-taking behaviours. Thus, the Public Health Agency (PHA), through its public information programmes, has tailored its awareness campaigns to male target audiences on topics such as alcohol consumption, sexual health, smoking cessation, promoting positive mental health and suicide prevention, healthy eating and improving levels of physical activity.

Another example, within the Skin Cancer Prevention Strategy, is that programmes are being developed to ensure that outdoor workers (mostly men) are aware of the need to seek early clinical advice on suspected moles and lesions.

There are also a wide range of programmes and initiatives which address specific lifestyle and health risks for men. These include: the Men's Health Forum Ireland, which seeks to identify the key concerns relating to men's health and to increase understanding of these issues; the "Man Van" which brings health checks and life-saving messages to men in rural areas; and local men's groups which address physical and mental health issues.

Ovarian Cancer

Mr McCarthy asked the Minister of Health, Social Services and Public Safety how many GPs have been refused tests that they have requested in connection with ovarian cancer in the last twelve months.
(AQW 14059/11-15)

Mr Poots: The information requested is not available.

Specialised Services for Young People with Eating Disorders

Mr Durkan asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 13815/11-15, whether patients at Beechcroft Inpatient Centre, Belfast, who are receiving treatment related to an eating disorder, are cared for in a separate facility from patients with other mental illnesses.
(AQW 14113/11-15)

Mr Poots: Beechcroft provides a total of 18 adolescent in-patient beds including two intensive nursing beds. They are single rooms all with en suite shower W/C. There is no separate facility for the treatment of those patients admitted with an eating disorder.

Children in Care

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children (i) are currently in care; and (ii) have been in care in each of the last five years, in each Health and Social Care Trust area.
(AQW 14116/11-15)

Mr Poots: Table 1 details the numbers of children in care in each HSC Trust at 31 March each year from 2008 to 2012.

Table 1: Children in Care by HSC Trust at 31 March, 2008 to 2012

| HSC Trust | Year | | | | |
|-----------|------|------|------|------|-------------------|
| | 2008 | 2009 | 2010 | 2011 | 2012 ¹ |
| Belfast | 592 | 587 | 627 | 622 | 653 |
| Northern | 506 | 519 | 519 | 579 | 634 |

| HSC Trust | Year | | | | |
|---------------|-------|-------|-------|-------|-------------------|
| | 2008 | 2009 | 2010 | 2011 | 2012 ¹ |
| South Eastern | 553 | 562 | 635 | 503 | 512 |
| Southern | 356 | 370 | 403 | 407 | 420 |
| Western | 426 | 425 | 422 | 400 | 425 |
| All Trusts | 2,433 | 2,463 | 2,606 | 2,511 | 2,644 |

Source: DHSSPS Children Order Return LA1 (2008 – 2010) including respite placements, Health and Social Care Board Delegated Statutory Functions Corporate Parenting Returns (2011 - 2012) excluding respite placements;

1 The figures for 2012 are provisional.

Children in Care: Foster Carers and Approved Kinship Carers

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety what percentage of (i) foster carers; and (ii) approved kinship carers are from an ethnic minority background.
(AQW 14117/11-15)

Mr Poots: The information requested is not centrally available and could only be provided at disproportionate cost.

Children in Care: Childcare Places

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many childcare places does each Health and Social Care Trust pay for in respect of children in care who are placed with foster and approved kinship carers.
(AQW 14118/11-15)

Mr Poots: The information requested is not centrally available, and could only be provided at disproportionate cost.

Children in Care: Registered Foster Carers

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many registered foster carers there are.
(AQW 14119/11-15)

Mr Poots: At 31 March 2012, there were 2,280 foster carers registered with Health and Social Care Trusts in Northern Ireland. This figure was provided by the Health and Social Care Board and has not been validated by the DHSSPS.

Children in Care

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children in care are currently in (i) foster placements; (ii) approved kinship; (iii) residential accommodation; and (iv) other placements.
(AQW 14120/11-15)

Mr Poots: At 31 March 2012, of the 2,644 children in care, 1,946 were in foster care placements, 781 in approved kinship care placements, a further 231 were placed in residential accommodation, and 467 children were in 'other' placement types.

Stereotactic Body Radiotherapy Treatment Equipment

Mr McDevitt asked the Minister of Health, Social Services and Public Safety how much funding the Health and Social Care Board has allocated for the replacement of radiotherapy equipment for this financial year, and the subsequent financial years; and whether he has any plans to provide Stereotactic Body Radiotherapy Treatment for cancer patients in this region within the current Assembly mandate.
(AQW 14166/11-15)

Mr Poots: The Belfast Trust has secured a replacement linear accelerator in 2012/13 as part of the terms of the PFI agreement which the Trust has in place with HTI (Ireland). A further replacement linear accelerator is also expected to be secured in 2013/14 as part of the PFI agreement, subject to business case approval.

Stereotactic radiotherapy is a highly specialist service that is not currently provided in Northern Ireland. There are no plans for its introduction in the near future. However, Northern Ireland patients who are clinically suitable for this treatment are routinely referred to specialist centres in other parts of the UK.

Dental Amalgam

Mr Agnew asked the Minister of Health, Social Services and Public Safety to detail his Department's position on the safety and continued use in the Health Service of mercury in dental amalgam; and what steps his Department takes to ensure that mercury from dental amalgam does not impact on the environment.
(AQW 14182/11-15)

Mr Poots: I am content that dental amalgam is a safe and effective material for dental restorations and for its continued use in the Health Service. All dentists who use dental amalgam are required to comply with the Hazardous Waste Regulations. These regulations require that dental amalgam waste is kept separate from other waste and consigned to an appropriate waste management facility.

Diabetic Training for Teaching Staff in Clondeboye Primary School

Mr Dunne asked the Minister of Health, Social Services and Public Safety when the South Eastern Health and Social Care Trust can provide full diabetic training for teaching staff in Clondeboye Primary School, Bangor, to allow a pupil requiring paediatric diabetic care to commence school.

(AQW 14199/11-15)

Mr Poots: Partnership between the Child, Family, Education and Health is critical for Children with diabetes.

The South Eastern HSC Trust (SEHSCT) delivered initial basic training to teaching staff at Clondeboye Primary School on 14th September 2012 following a request on 7th September that the school required this training. The Trust's Paediatric Diabetic Nurse Specialist (PDSN) has also met with the principal of Clondeboye Primary School to explore whether a member of staff within the school maybe willing to take on the role of administering insulin. Only once this has been established can plans be put in place for further specialist training.

The training is delivered on a one to one basis involving a Diabetes Specialist Nurse (DSN), the parents, the pupil and the volunteer teaching staff. Training can only be delivered in an established term as the teaching staff need to be there together with the nurse, the parents and the pupil. The training requires five sessions to ensure the necessary competencies are acquired by the staff being trained. This is important from a patient safety and clinical governance point of view as Insulin is a potentially dangerous medication which requires sufficient training before it can be administered safely, particularly to young children.

There is no legal duty that requires school staff to administer medication; this is a voluntary role.

Children Deemed to be on the Edge of Care

Miss M McIlveen asked the Minister of Health, Social Services and Public Safety how many children in each Health and Social Care Trust area are deemed to be on the edge of care.

(AQW 14205/11-15)

Mr Poots: The figures requested are not available.

Department of Justice

Foreign National Prisoners: English Language Classes

Lord Morrow asked the Minister of Justice how many foreign national (i) remand; and (ii) sentenced prisoners are currently taking part in English language classes.

(AQW 13721/11-15)

Mr Ford (The Minister of Justice): On 4 September 2012, 68 foreign national prisoners in custody in Northern Ireland were enrolled in English for Speakers of Other Languages (ESOL) classes. Of these, 41 were on remand and 27 were sentenced prisoners.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW 13418/11-15, how this document constitutes approval by the Secretary of State, given that it states that he is content to approve the Code as drafted; and whether a document exists to show that the Code of Practice was formally signed by the then Secretary of State.

(AQW 13722/11-15)

Mr Ford: There is no document formally signed by the Secretary of State; the letter issued by his Private Secretary on his behalf constituted approval of the current Code of Conduct and Discipline (COCD).

Edward Paul Murphy

Lord Morrow asked the Minister of Justice to detail the circumstances in which Edward Paul Murphy was erroneously released, including why the Northern Ireland Prison Service failed to publicly announce the matter; and whether he intends to launch an investigation into the matter, including all the agencies involved.

(AQW 13723/11-15)

Mr Ford: Edward Paul Murphy was erroneously released from Maghaberry Prison as the result of an administrative error by staff in the Northern Ireland Courts and Tribunals Service.

On 8 June 2012, Mr Murphy was remanded in custody to appear on 18 September 2012 at Craigavon Crown Court for sentencing on charges of fraud by false representation. On 22 June, his solicitor took the unusual step of asking the Court to make an order for compensation in advance of Mr Murphy's sentencing hearing. The Compensation Order was entered on the Court IT system, which had the effect of automatically cancelling the future hearing date. The Prison Service was advised, in error, that the case had been dealt with and Mr Murphy was released. When the error came to light, Mr Murphy was returned to custody on 11 August to await sentencing.

I did not consider it necessary to issue a public announcement about this incident due to the particular circumstances of the case. My officials have carried out a full investigation and have taken appropriate corrective action to prevent a recurrence.

Edward Connors

Lord Morrow asked the Minister of Justice why the agencies monitoring Edward Connors, upon his release from custody, did not seek his return to custody following his first breach of a condition of his probation, rather than have him summonsed to appear in court.

(AQW 13727/11-15)

Mr Ford: Following the first breach, the Probation Board applied for a warrant for immediate arrest which was executed by the Police and Edward Connors was returned to custody.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW 13418/11-15, on how many occasions the document has been (i) requested; and (ii) supplied during Northern Ireland Prison Service disciplinary procedures and court cases or tribunals.

(AQW 13781/11-15)

Mr Ford: There is no record of the document being either requested or supplied during disciplinary proceedings.

Prisoner Assessment Unit Report

Lord Morrow asked the Minister of Justice, in light of the Prisoner Assessment Unit report (i) whether investigations into staff malpractice or similar offences are continuing with a view to disciplinary procedures; and (ii) how many staff are currently under investigation.

(AQW 13782/11-15)

Mr Ford: No Prison Service staff are currently under investigation resulting from the PAU report.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW 12644/11-15, whether he will provide a copy of the Northern Ireland Prison Service's submission of 22 November 1995.

(AQW 13783/11-15)

Mr Ford: In line with current guidance relating to the Disposal and Retention of Documents, a copy of the Northern Ireland Prison Service submission to the then Secretary of State in 1995 has not been retained.

Freedom of Information Requests

Mr Flanagan asked the Minister of Justice to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by his Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13841/11-15)

Mr Ford: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be seen as validated until the publication of the 2011 FOI Annual Report.

Separated Prisoner Compact

Lord Morrow asked the Minister of Justice whether the non-signing of a separated prisoner compact has become an accepted practice.

(AQW 13846/11-15)

Mr Ford: All those prisoners who apply for separated conditions and meet the criteria set out in the compact are interviewed by a Governor. Although some prisoners refuse to sign the compact it is explained to them that they must adhere to the

conditions within the compact. The Governor has determined that those prisoners who meet the criteria are held in separated conditions for reasons of health and safety and for control and discipline.

Edward Connors

Lord Morrow asked the Minister of Justice whether convicted rapist Edward Connors participated in any sexual offenders treatment programme whilst in custody.

(AQW 13852/11-15)

Mr Ford: NIPS is unable to provide the information requested as it falls into the category of sensitive personal data as defined in the DPA 1998.

Maghaberry Prison

Mr McClarty asked the Minister of Justice whether the £140 million, originally ring-fenced for the upgrade of Magilligan Prison, will be used to fund the proposed 240 cell block at Maghaberry Prison.

(AQW 13856/11-15)

Mr Ford: The Northern Ireland Prison Service (NIPS) has produced an Outline Estate Strategy that is currently subject to a sixteen week period of public consultation.

Prior to the development of the Outline Estate Strategy, NIPS had considered the re-development of the Magilligan site at an estimated cost of £180m (rather than the £140m quoted in the above question). That figure was the total estimated funding requirement for the project, the majority of which was required beyond the current budget period (Budget 2011-15) and not, therefore, included in NIPS' capital budget allocation.

As part of the Budget 2011-15 period, NIPS was allocated a total of £54m for the redevelopment of the prison estate.

One of the proposals contained in the Outline Estate Strategy is the development of a 240 block project at Maghaberry. The Strategy proposes that £23.75m is spent on the 240 block during the Budget 2011-15 period, although some further capital funding would be required to complete the project in the next Spending Review period.

Final capital plans are currently subject to review pending the outcome of the Outline Estate Strategy public consultation, including a final decision on the future of the Magilligan site.

Thomas Ward

Lord Morrow asked the Minister of Justice whether Thomas Ward has indicated if he will appeal his conviction, his sentence or both.

(AQW 13898/11-15)

Mr Ford: Thomas Ward has lodged an application for leave to appeal to the Court of Appeal against his conviction and sentence.

Edward Connors

Lord Morrow asked the Minister of Justice what agencies were responsible for monitoring Edward Connors following his release from custody.

(AQW 13903/11-15)

Mr Ford: Offenders subject to a custody probation order are released from prison at the end of the custodial part of their sentence. The Probation Board for Northern Ireland is then responsible for supervising the probation element of the sentence. Those who breach the conditions are returned to court.

Under the PPANI public protection arrangements, established by Articles 49 to 51 of the Criminal Justice (NI) Order 2008, agencies cooperate to manage the risk posed by certain offenders in the community. This multi agency approach allows for the sharing of information to better address risk and thereby reduce the possibility of reoffending.

Prisoner Assessment Unit Report

Lord Morrow asked the Minister of Justice which bodies and people have had access to an unredacted copy of the Prisoner Assessment Unit report.

(AQW 13904/11-15)

Mr Ford: An unredacted copy of the Prisoner Assessment Unit report was considered and discussed by officials at an appropriate level within the Northern Ireland Prison Service and the Department of Justice. As Minister of Justice I also have had access to an unredacted copy of the report.

A copy of the Report of the Investigation into the Prisoner Assessment Unit was shared with Criminal Justice Inspection Northern Ireland (CJINI) for information purposes in relation to the ongoing CJINI thematic inspection into the management of life sentence prisoners.

Foreign National Prisoners: Interpreter Services

Lord Morrow asked the Minister of Justice whether foreign national prisoners who have taken part in, or completed, English language classes continue to have the use of interpreter services in prison or court.

(AQW 13905/11-15)

Mr Ford: All foreign national prisoners are offered the opportunity of interpretation services regardless of their attendance at English speaking classes. Because of the complexity of some of the issues being addressed, the Prison Service does not assume that an individual's competence with the English language will allow them to have a full understanding of the subject matter.

If a court is satisfied that a foreign national cannot speak or understand the language of the court well enough to take part in its hearing then he or she will be assigned an interpreter regardless of whether or not they have been taking English language classes.

Convicted Sex Offenders Living in the Limavady Borough Council Area

Mr G Robinson asked the Minister of Justice how many convicted sex offenders are currently living in the Limavady Borough Council area.

(AQW 13973/11-15)

Mr Ford: My Department is not responsible for recording information on convicted sex offenders who are subject to notification requirements under the Sexual Offences Act 2003.

Information in relation to numbers of sex offenders subject to notification may be obtained by contacting the PSNI directly.

Tiger Kidnappings

Mr Flanagan asked the Minister of Justice to detail (i) the number of tiger kidnappings that have taken place; and (ii) the amount of money/value of goods estimated to have been stolen through tiger kidnappings, in each of the last five years.

(AQW 13974/11-15)

Mr Ford: The information available in response to the request is set out in the table below:

| Year | Tiger Kidnaps |
|------------------|---------------|
| 2008 | 10 |
| 2009 | 16 |
| 2010 | 7 |
| 2011 | 7 |
| 2012 (to 12 / 9) | 3 |
| Total: | 43 |

It is not PSNI practice to disclose details of the amount of money and value of goods stolen.

Tiger Kidnappings

Mr Flanagan asked the Minister of Justice to detail (i) what support is provided for victims of tiger kidnappings; and (ii) whether he has any plans to provide additional support for such victims.

(AQW 13977/11-15)

Mr Ford: The Department of Justice provides funding of over £2.1million per annum to Victim Support NI to offer help and support to all victims and witnesses of crime. This includes victims of tiger kidnapping. Services provided included emotional support; criminal injuries compensation assistance; and referral to other agencies for counselling support.

I want to ensure that all those affected by crime, including tiger kidnappings, are supported by the criminal justice system. The new five year Victim and Witness Strategy, which is due to go out for consultation shortly, seeks to improve our understanding of gaps in support services for victims of serious crime and those who are vulnerable or intimidated.

In addition, I will be commissioning research on those who have been affected by serious crimes. The research will be used to identify any further issues that need to be addressed and inform future policy development.

Cost of Food per Prisoner

Mr Elliott asked the Minister of Justice what is the cost of food, per prisoner, per day.

(AQW 13995/11-15)

Mr Ford: During the most recent full financial year where audited costs are available (ie 2011/12) the average daily cost of food per prisoner was £2.61.

Animal Cruelty Offences

Mr Weir asked the Minister of Justice how many people have been convicted of animal cruelty offences in each of the last five years.

(AQW 14005/11-15)

Mr Ford: Animal cruelty offences span a number of statutes. During the period in question offences were prosecuted under the Welfare of Animals Act (Northern Ireland) 1972 and the Wildlife (Northern Ireland) Order 1985.

The table below gives the number of convictions for animal cruelty for the calendar years 2005 to 2009 (the latest year for which figures are currently available).

Number of convictions for animal cruelty, 2005-2009

| Year | Number of convictions |
|------|-----------------------|
| 2005 | 24 |
| 2006 | 17 |
| 2007 | 21 |
| 2008 | 17 |
| 2009 | 11 |

Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

Data for 2005-2006 should not be directly compared with data from 2007 to 2009 as the data sets are sourced from different systems.

Garden of Remembrance for Murdered Prison Officers

Mr Allister asked the Minister of Justice why there is no Garden of Remembrance for murdered prison officers; and whether there are plans for such a provision.

(AQW 14019/11-15)

Mr Ford: The prison establishments and the Prison Service College have small memorials which commemorate prison staff who were murdered.

I support, in principle, the creation of a memorial garden for prison staff. However, before I reach a conclusion in relation to this matter I want to await the outcome of the ongoing NIPS Estates Strategy.

Policing with the Community 2020 Strategy

Mr D McIlveen asked the Minister of Justice whether there are plans to improve the sustainability of the Policing with the Community 2020 Strategy.

(AQW 14024/11-15)

Mr Ford: The Policing with the Community 2020 Strategy was developed and published by the Chief Constable with the support and agreement of the Northern Ireland Policing Board.

I recognise that the Strategy is consistent with my own long-term policing objectives, but decisions regarding its prioritisation and the allocation of resources are matters for the Chief Constable and the Policing Board.

Body Scanner Equipment at Magilligan and Hydebank Wood Prisons

Mr McElduff asked the Minister of Justice (i) for an update on his Department's trialling of the body scanner equipment at Magilligan and Hydebank Wood Prisons; and (ii) a timescale for its introduction at Maghaberry Prison.

(AQW 14026/11-15)

Mr Ford: Previously I made the commitment that the Northern Ireland Prison Service (NIPS) would pilot and evaluate the use of two types of full body imaging scanners - Millimetre Wave and Transmission X-Ray scanners.

NIPS officials have leased two Millimetre Wave Scanners, the first of which was delivered for installation at Magilligan Prison on 17 September. Following the delivery of staff training it is anticipated that the pilot will commence on 26 September.

A second Millimetre Wave Scanner is due to be delivered to Hydebank Wood Young Offenders Centre next month and a similar pilot will commence then.

NIPS has also commenced the process to seek approval for the use of Transmission X-ray Scanners in prisons in Northern Ireland under the Justification of Practices Involving Ionising Radiation Regulations 2004.

The safety of staff and prisoners is paramount and since the range of technologies under consideration have not been tested in the prison environment it is appropriate that we evaluate them in our lower security prisons rather than our highest.

Therefore, at this moment, it is not possible to provide an accurate timescale for the introduction of body scanning equipment at Maghaberry prison.

Dress Code for Northern Ireland Prison Service Officers

Mr Campbell asked the Minister of Justice to detail the dress code for Northern Ireland Prison Service Officers when escorting prisoners who are attending the funeral of a family member.

(AQW 14082/11-15)

Mr Ford: Prison Service staff escorting a prisoner attending the funeral of a family member are expected to dress appropriately as befitting the occasion. This should be smart civilian dress.

Illicit Drugs in Prisons

Mr Givan asked the Minister of Justice to detail the amount of illicit drugs detected in each prison, in each of the last three years. **(AQW 14106/11-15)**

Mr Ford: The total number of illicit drug finds in Northern Ireland prisons for each of the last three years are set out below.

| | Maghaberry | Magilligan | Hydebank | Total |
|---------------------|------------|------------|------------|-------------|
| Aug-Dec 09 | 57 | 22 | 30 | 109 |
| Jan-Dec 10 | 199 | 76 | 66 | 341 |
| Jan-Dec 11 | 192 | 85 | 175 | 452 |
| Jan-July 12 | 120 | 62 | 77 | 259 |
| 3 Year Total | 568 | 245 | 348 | 1161 |

Headline Building in Belfast

Mr Nesbitt asked the Minister of Justice to detail the (i) cost; and (ii) purpose of preparing the Headline Building in Belfast as part of the court architecture in the trial of Robert and Ian Stewart.

(AQW 14225/11-15)

Mr Ford: Robert and Ian Stewart were witnesses in the case of R v Haddock and others. The final estimated cost of providing the additional courtroom facility was £49,474. This comprises £32,435 for equipment and staffing and estimated additional policing costs of £17,039.

In his ruling of 6 September 2011, Mr Justice Hart referred to the considerable public interest that the trial could potentially generate and of the importance of ensuring that the public should be able to view the proceedings. The additional facility was therefore provided for members of the public who had an interest in the proceedings but could not be accommodated in the public gallery in Courtroom 12 at Laganside Courts.

Inter-ministerial Group on Domestic and Sexual Violence

Mr D McIlveen asked the Minister of Justice to outline the strategies proposed for his Department from the Inter-Ministerial Group on Domestic and Sexual Violence.

(AQW 14232/11-15)

Mr Ford: The Inter-Ministerial Group on Domestic and Sexual Violence (IMG), leads and co-ordinates efforts across Government to address domestic and sexual violence. Currently Government Departments, agencies and voluntary and community sector partners share responsibility for implementing the following strategies:

- Tackling Violence at Home – a strategy for addressing domestic violence and abuse in Northern Ireland; and
- Tackling Sexual Violence and Abuse.

In May 2012 the IMG endorsed a proposal to develop a new single strategy to tackle both domestic and sexual violence which it is proposed will take effect from September 2013.

Sentencing Guidelines Council

Mr Boylan asked the Minister of Justice whether he has any plans to establish a Sentencing Guidelines Council. **(AQO 2442/11-15)**

Mr Ford: In June 2012, I announced proposals for ways in which greater transparency, consistency and community engagement in sentencing practice could be delivered in a way that promotes public confidence. One strand of these proposals is related to the Lord Chief Justice's Programme of Action on Sentencing, which contains a number of measures to ensure consistent and fair sentences. As part of this Programme, the Lord Chief Justice established a Sentencing Group with responsibility for overseeing the development and publication of guidelines. I asked the LCJ to include lay members on the

Group, one of whom should represent the views of victims. I am pleased that the LCJ has announced his acceptance of my proposals and that advertisements seeking applications have appeared in the local press.

This is a significant step, and a new departure for the judiciary, opening up a process seen by many as something of a 'closed shop'. Sentencing benchmarks will be transparent to all, enabling informed debate on sentencing issues outside the context of an individual case.

The other strand to my reforms is the development of a community engagement strategy to ensure a two way flow of information on sentencing issues.

It is my view that these reforms will achieve the ends of a Sentencing Council without the need for a separate, and costly, body. The mechanisms will be reviewed within two years to assess their effectiveness in achieving objectives.

Criminal Justice: Case Management

Mr B McCreagh asked the Minister of Justice for his assessment of the progress made by criminal justice organisations in reforming case management processes.

(AQO 2450/11-15)

Mr Ford: While the key agencies, such as the police and the prosecution service, are independent of the Department, that is no barrier to us working together to achieve real and lasting change. This includes a range of procedural and legislative reforms to improve the management and progression of criminal cases.

Good progress is being made in implementing the programme, with some of the initiatives already brought forward, such as streamlined files, providing promising results. In addition, I will be proposing a number of legislative changes through the next Justice Bill, and the Department is developing a consultation paper for publication later this year on statutory case management, in line with the recent recommendation from the Justice Committee in the report of its Inquiry into services for victims and witnesses of crime.

I am in no doubt that there is an absolute commitment at the highest levels in the system to building a faster, fairer justice system for everyone.

Civil Disturbance: North Belfast

Mr McDevitt asked the Minister of Justice how many PSNI officers sustained injuries as a result of disturbances in North Belfast between 25 August 2012 and 5 September 2012.

(AQO 2451/11-15)

Mr Ford: There is no justification for the scenes which we witnessed in North Belfast over recent months. The violence and disorder is inexcusable.

During the disturbances at Donegall Street on Sunday 25 August 9 police officers sustained injuries. Between 2 and 4 September a total of 80 police officers sustained injuries as they dealt with the disorder in the Clifton Street/ Carlisle Circus area.

Civil Disturbance: North Belfast

Ms Fearon asked the Minister of Justice for his assessment of the recent civil disturbances in North Belfast, including the number of arrests made.

(AQO 2453/11-15)

Mr Ford: There is no justification for the scenes which we witnessed in North Belfast over recent months. The violence and disorder is inexcusable.

During the disturbances at Donegall Street on Sunday 25 August 9 police officers' sustained injuries. Between 2 and 4 September a total of 80 police officers' sustained injuries as they dealt with the disorder at Clifton Street/ Carlisle Circus. I commend the professionalism, courage and bravery displayed by the officers as they carried out their duties to restore law and order in difficult and challenging circumstances.

Police investigations into the incidents are ongoing. I can advise that, as of 18 September, there have been 5 arrests and 3 charges following the disorder at Donegall Street. In relation to the disorder at Denmark Street/Carlisle Circus there have been 14 arrests and 7 charges.

The Executive agreed to initiate work to seek a successful resolution to both the parade in the area on 29 September and contentious parades in general. The signs from engagement to date have been positive and I hope they lead to a positive outcome for the parade on 29 September and, importantly, set the tone for the longer term work on parading.

We must take responsibility for how we, in Northern Ireland, want to manage parades and protests in a way that recognises the rights and responsibilities of all those involved.

Office of the Police Ombudsman

Mr Hazzard asked the Minister of Justice for his assessment of whether the appointment of a new Police Ombudsman will help to restore public confidence in that office.

(AQO 2454/11-15)

Mr Ford: I welcome Michael Maguire's appointment and believe that the implementation of the findings of the Criminal Justice Inspection Northern Ireland report into the independence of the Ombudsman's office together with the renewal at senior levels of the Ombudsman's Office will help restore and secure public confidence and enable the public to have confidence in these matters for the future.

Department for Regional Development

Planning Permission for Road Infrastructure Projects

Mr Agnew asked the Minister for Regional Development what level of public consultation is required by Roads Service prior to seeking planning permission for road infrastructure projects.

(AQW 13740/11-15)

Mr Kennedy (The Minister for Regional Development): My Department's Roads Service has advised that it engages with landowners at an early stage in the development of major road improvement proposals so they are kept informed as the scheme develops and advised of likely impacts affecting their property.

Community information events are held during the development of each road improvement scheme. These will be arranged at locations convenient to the proposed scheme and are advertised in the local press.

Major road improvements generally do not require planning permission but are implemented by statute, under the various provisions contained in The Roads (Northern Ireland) Order 1993. Before construction of a major scheme on the trunk road network commences, Roads Service will make a Direction Order and Vesting Order and publish an Environmental Statement, along with the decision to proceed.

As required, the public are given the opportunity to formally comment on, or object to the proposals, which are published in draft statutory orders and normally augmented following community information events. If written objections are received, a public inquiry may be held, depending on the number and content of objections.

In general, minor road improvement schemes such as road widening, reshaping or realignment do not require planning permission based on a Service Level Agreement between the Department of the Environment's Planning Division and Roads Service. This type of road construction is deemed 'permitted development'.

When schemes of this nature are being progressed, i.e. from the initiation stage to implementation, Roads Service will consult with elected representatives and interested stakeholders, either on a scheme by scheme basis and/or through the twice yearly Council meetings.

Comber Bypass

Mr McNarry asked the Minister for Regional Development to detail the maintenance work that has been completed, including the cost, since the opening of the Comber By-Pass.

(AQW 13777/11-15)

Mr Kennedy: My Department's Roads Service has advised that no major maintenance work, such as resurfacing, has been carried out on the Comber Bypass, since it was opened to traffic. However, routine maintenance work, such as, gully cleaning, grass cutting and hedge trimming has been carried out in accordance with Roads Service's maintenance guidelines. The cost of these activities is recorded on a District Council basis, but is not broken down to individual roads.

Executive Papers

Mr Allister asked the Minister for Regional Development (i) how many draft Executive papers, for approval by the Minister, have not yet been approved; (ii) the date the Minister received each paper; and (iii) the subject matter of each paper.

(AQW 13793/11-15)

Mr Kennedy: The content of Executive papers and all aspects of Executive business are confidential.

Flooding in the Holywood Area

Mr Easton asked the Minister for Regional Development what measures have been put in place to ensure that there will be no further flooding in the Holywood area.

(AQW 13821/11-15)

Mr Kennedy: I sympathise with all those affected by flooding in the Holywood area, in particular the flooding experienced on the 27 June 2012. I have been advised by Northern Ireland Water and my Department's Roads Service that the flooding on

that date was as a result of the intensity of rainfall, which was beyond that which the drainage infrastructure is designed to cope with.

Unfortunately, it is impossible to ensure that flooding will never occur, even if significant additional investment was available. However, Roads Service intends to install a number of grills on road culverts at key locations to help alleviate the potential for any future flooding, in advance of the winter season. Northern Ireland Water will continue to maintain the sewerage networks in order to prevent flooding resulting from defects or blockages, and will endeavour to have these cleared or repaired promptly should they occur.

I have been advised by the Department of Agriculture and Rural Development that, following the flooding on 27 June 2012, Rivers Agency commenced a comprehensive inspection and investigation programme of all sites within the Greater Belfast, Holywood and Lisburn areas where flooding had occurred potentially as a result of a watercourse overflowing. The findings of this programme will be used to inform an ongoing maintenance programme, to ensure the free flow of watercourses, and identify where additional works might be required to alleviate the risk of further flooding.

In parallel to the inspection programme, Rivers Agency has already undertaken river maintenance where there are obvious blockages to the flow of watercourses causing an increase in the risk of further flooding. The Agency is also carrying out interim measures to increase the capacity of river channels where this is practicable.

Signal-related Failures on the Rail Network

Mr Storey asked the Minister for Regional Development to detail the number of signal related failures on the rail network which resulted in delays or cancellations, in the last three years, broken down by railway line.

(AQW 13827/11-15)

Mr Kennedy: Translink has reported that the number of signal related failures on the rail network which resulted in delays or cancellations, in the last three years, broken down by railway line is as set out in the tables below:

Sep 2009-Aug 2010

| LINE | No. of Faults Causing Delays | No. of Services Delayed | Cancellations |
|-------------|------------------------------|-------------------------|---------------|
| Bangor | 4 | 10 | 3 |
| Border | 51 | 91 | 19 |
| Larne | 29 | 60 | 0 |
| Londonderry | 50 | 84 | 2 |

Sep 2010 - Aug 2011

| LINE | No. of Faults Causing Delays | No. of Services Delayed | Cancellations |
|-------------|------------------------------|-------------------------|---------------|
| Bangor | 2 | 7 | 1 |
| Border | 62 | 91 | 15 |
| Larne | 18 | 35 | 2 |
| Londonderry | 69 | 109 | 5 |

Sep 2011 - Aug 2012

| Line | No. of Faults Causing Delays | No. of Services Delayed | Cancellations |
|-------------|------------------------------|-------------------------|---------------|
| Bangor | 2 | 2 | 1 |
| Border | 70 | 179 | 22 |
| Larne | 20 | 52 | 3 |
| Londonderry | 52 | 111 | 1 |

Sewerage System for the Helen's Bay and Crawfordsburn Areas

Mr Dunne asked the Minister for Regional Development whether NI Water has any plans to upgrade the sewerage system for the Helens Bay and Crawfordsburn areas.

(AQW 13847/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water (NIW) that the sewerage system serving the Helens Bay and Crawfordsburn areas was upgraded within the past ten years in order to address capacity and quality requirements in the

area. NIW is satisfied that the sewerage system is operating effectively and has no plans for any major upgrade work at this time. However, it will continue to maintain the system and plans to replace a sewer on the Craigdarragh Road and the Seahill Road. This work is scheduled to commence in 2012.

Sewerage Infrastructure in Millisle

Mr Easton asked the Minister for Regional Development when work on the sewerage infrastructure in Millisle will commence. (AQW 13858/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water (NIW) that its Price Control 13 Business Plan includes a £2.2 million capital project to upgrade the sewerage system in Millisle to meet EU Bathing Water standards and reduce the risk of out-of-sewer flooding.

NIW has been consulting with local residents and has reached agreement on the site for a new pumping station at Millisle Presbyterian Church car park. The legal issues regarding the site acquisition could take up to one year to conclude. In the interim, NIW will be seeking planning permission for the pumping station and Northern Ireland Environment Agency consent for construction of a new sea outfall pipeline.

NIW will be seeking tenders in late 2013 with a view to commencing construction in Spring 2014, subject to the availability of funding, completion of lands acquisition and the satisfactory completion of all necessary statutory approvals. Work is expected to take approximately one year to complete.

Upgrade of the A2 Road at Greenisland

Mr Dickson asked the Minister for Regional Development what preparatory measures his Department is taking to minimise disruption during the upgrade of the A2 road at Greenisland. (AQW 13862/11-15)

Mr Kennedy: Implementation of a major project, such as the A2 Shore Road Greenisland, will inevitably cause significant disruption along the A2 and adjacent roads during the construction phase. There are significant challenges associated with carrying out these works within the space available on this very constrained urban corridor. These include laying new gas mains, sewers, water mains, electricity and telephone cables. All utilities to the adjoining properties must be maintained during construction of the new road, while at the same time accommodating the 35,000 vehicles that use the road every day.

In order to tackle these issues, my Department's Road Service has established a Temporary Traffic Management Strategy Group (TTMSG) which includes representatives from PSNI, Translink, Transportation Unit and officials from Newtownabbey and Carrickfergus Borough Councils.

The aims of this wide-ranging group will be to minimise disruption and keep all those affected by the works informed of developments throughout the contract. These will be delivered through three distinct strands:

- issues to be conditioned for delivery within the contract;
- works to be undertaken by Roads Service and other bodies in advance of, or during, the contract works; and
- development of a communication strategy to provide timely and relevant information to those who require it.

The TTMSG has, over the past 3 years, developed a range of proposals, which are progressing and are to be established in advance of the commencement of the construction stage of the scheme in early 2013.

The proposals include:-

- the deferment of planned public utility work in the run-up to and during the construction phase of the contract;
- the acceleration of resurfacing and utility work on the B90 Old Carrick Road in advance of the scheme;
- the acceleration of planned improvement works on alternative routes so that they are completed in advance of the main scheme;
- the extension and expansion of Park and Ride facilities and an increase in Translink facilities and services; and
- a communications strategy, which will involve the use of multi-media facilities, in order to keep stakeholders informed of scheme developments at all times.

Door-2-Door Transport Scheme

Mr Dickson asked the Minister for Regional Development to detail the criteria used to decide the Door-2-Door Transport Scheme's operational area boundaries. (AQW 13863/11-15)

Mr Kennedy: An independent review of the Transport Programme for People with Disabilities in 2003 recommended that door-to-door transport services should be introduced for people with disabilities living in urban areas throughout Northern Ireland. The services were to be used primarily by people who are unable to use conventional public transport and would fulfil the same function as conventional town bus services by enabling people to get to and from their home to local facilities and services.

Following consultation, the Department decided to introduce services in all urban areas with a population of 10,000 or more based on data obtained from the 2001 census.

Using the town/city boundary maps as a starting point, the Department consulted locally with people with disabilities, disability groups and other relevant bodies to agree the operational areas. To allow for possible future expansion of the town/cities and to address some local anomalies the operational boundaries were extended by a further mile.

RG6 Strengthen Community Cohesion

Mr Dickson asked the Minister for Regional Development how the progress of RG6 Strengthen Community Cohesion, under the Regional Development Strategy, is monitored
(AQW 13864/11-15)

Mr Kennedy: The Regional Development Strategy (RDS) 2035 is a long term strategic document whose purpose is to deliver the spatial aspects of the Programme for Government. It complements the Sustainable Development Strategy and informs the spatial aspects of the strategies of all Government Departments. The Strategy is not limited to land use but recognises that policies for physical development have far reaching implications. The RDS therefore seeks to address economic, social and environmental issues aimed at achieving sustainable development and social cohesion.

The purpose of the RDS is to provide an overarching strategic planning framework to facilitate and guide the public and private sectors, it does not redefine other Departments' strategies but compliments them with a spatial perspective.

Many of the policies can only be implemented through individual departments and their strategies. Now that the RDS 2035 has been published my officials are working with a range of other bodies to develop appropriate indicators to monitor the strategy and ensure that government departments take account of the RDS 2035.

Due to the cross-cutting nature of the RDS 2035 a number of stakeholders will be involved in delivery. As a result measuring progress on the implementation of the strategy may therefore have to rely on monitoring carried out by individual departments.

Community cohesion within the RDS 2035 relates to three elements – (1) Developing integrated services and facilities, (2) fostering a stronger community spirit and sense of place, and (3) encouraging mixed housing development. Once appropriate indicators are agreed we will work with our partner departments and other stakeholders to assess the impact of the RDS 2035.

Two-tier Parking Fine System

Mr Dickson asked the Minister for Regional Development what action his departmental officials have taken to assess the feasibility of a two-tier parking fine system.
(AQW 13865/11-15)

Mr Kennedy: The Assembly recently approved an increase to the amount of a parking Penalty Charge Notice from £60 to £90 for all contraventions.

I am aware that other parts of the United Kingdom do apply differential penalties for different contraventions, however, I felt it was necessary to increase the level of deterrent for all contraventions.

My Department is currently monitoring the impact of this fee increase on illegal parking, as well as the nature of the contraventions. It is anticipated that this monitoring exercise will run for approximately twelve months to enable a comprehensive assessment to be completed. My Department will then carry out a statistical analysis of the results found in Northern Ireland compared with those in England and Wales, where differential penalties are in place, and in Scotland, where differential penalties are not in use.

Disabled Parking Bays

Mr Weir asked the Minister for Regional Development, pursuant to AQW 13630/11-15, to detail the reasons for the rejection of applications for disabled parking bays.
(AQW 13875/11-15)

Mr Kennedy: I can advise that the reasons for the rejection of the 20 applications between 2009/10 and 2011/12 were as follows:-

| Reason for Rejection | Number |
|--|--------|
| No parking problem identified at the location in question | 7 |
| Applicant not the driver of the vehicle and no parking problem identified at the location | 10 |
| Bay requested on land not adopted by Roads Service. (NIHE land) | 1 |
| Applicant not the driver of the vehicle and vehicle owner does not live at same address | 1 |
| Requested location conflicted with waiting restrictions.(no alternative available/acceptable) | 1 |

Public Transport Vehicles: Audio/Visual Information

Mr Agnew asked the Minister for Regional Development whether he intends to introduce legislation that would require all public transport vehicles to have audio/visual information; and what is the timescale for the introduction of such legislation. (AQW 13879/11-15)

Mr Kennedy: The legislative regulations for rail and bus are different.

The Department of the Environment is responsible, via the Public Service Vehicles Accessibility Regulations (NI) 2003, for determining and setting the standards which buses should meet in terms of accessibility. At present there is no requirement for buses to be fitted with audio/visual information systems.

Passenger Information Systems on trains, including audio/visual systems, are covered by the Rail Vehicle Accessibility Regulations (RVAR) Northern Ireland and the Passengers of Reduced Mobility Legislation Technical Standards for Interoperability, respectively. All trains have already audio/visual passenger information systems installed.

There are currently no plans to introduce legislation that would require all public transport vehicles to have audio/visual information available, although I will keep the matter under review.

Public Transport Vehicles: Audio/Visual Information

Mr Agnew asked the Minister for Regional Development why there is a requirement for trains to include audio/visual information but the same requirement does not apply to buses. (AQW 13880/11-15)

Mr Kennedy: Different legislation applies to trains and buses.

The legislative requirements for Passenger Information Systems, including audio/visual Systems, on trains are set out in the Rail Vehicle Accessibility Regulations (NI). In addition, all trains that have come into service since 2008 must comply with the Passengers of Reduced Mobility Technical Standards for European interoperability.

The Department of the Environment is responsible, via the Public Service Vehicles Accessibility Regulations (NI) 2003, for determining and setting the standards which buses should meet in terms of accessibility. At present there is no legal requirement for buses to be fitted with audio/visual information systems in Northern Ireland or in other parts of the United Kingdom.

Freedom of Information Requests

Mr Flanagan asked the Minister for Regional Development to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by his Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal. (AQW 13900/11-15)

Mr Kennedy: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The Member should note that statistics for 2011 are provided on a quarterly basis and cannot be seen as validated until the publication of the 2011 FOI Annual Report.

Cycle Lanes

Mr Dickson asked the Minister for Regional Development what action his Department is taking to improve cycle lane connectivity. (AQW 13909/11-15)

Mr Kennedy: My Department's Roads Service is committed to providing safer roads for vulnerable road users, such as pedestrians and cyclists. This is facilitated by the use of a range of measures, such as road safety education and engineering, traffic calming and enhancement of the pedestrian and cycling network.

The provision of bicycle paths or cycle lanes in Northern Ireland is led by Roads Service, through its Local Transport and Safety Measures and in accordance with the Regional Transport Strategy and the Belfast Metropolitan Transport Plan. These plans build on the Northern Ireland Cycling Strategy and recognise that cycling is an ideal form of transport for short journeys.

It is Roads Service's intention to invest and implement, in so far as available resources permit, additional cycling measures which will complement the existing National Cycle Network and improve the connectivity of cycle lanes.

Cycle Lanes

Mr Weir asked the Minister for Regional Development what steps his Department is taking to educate motorists to prevent them from parking in cycle lanes.

(AQW 13915/11-15)

Mr Kennedy: My Department's Roads Service has advised that Rule 140 of the Highway Code for Northern Ireland provides guidance on cycle lanes and specifically refers to parking. Therefore drivers should be aware of these rules.

My Department's new parking enforcement and car park management contract with NSL Ltd will commence on 30 October 2012. In advance of this, my Department will be running a parking enforcement awareness campaign.

This campaign will include the distribution of information leaflets to drivers to remind them of the importance of parking restrictions and the benefits of effective parking enforcement. The leaflet will include a number of "Dos" and "Don'ts" for drivers, advising them of where they should and should not park. In addition, it will clearly inform drivers not to park in mandatory cycle lanes.

Furthermore, my Department will also be publishing a parking enforcement protocol, to provide the public with detailed information on the various parking contraventions that can be enforced by traffic attendants. This will include information specifically related to mandatory cycle lanes.

Cycle Lanes

Mr Weir asked the Minister for Regional Development what enforcement action his Department is taking against parking in cycle lanes in Belfast.

(AQW 13916/11-15)

Mr Kennedy: My Department's Roads Service has advised that a Traffic Attendant can issue a Penalty Charge Notice (PCN) to a vehicle parked on a mandatory cycle-lane. However, a PCN cannot be issued to a vehicle parked on an advisory cycle-lane, unless other parking restrictions apply, for example, clearway restrictions.

Cycle Lanes

Mr Weir asked the Minister for Regional Development what strategy his Department is pursuing to encourage greater use of cycle lanes and to ensure that they are free from obstacles and blockages.

(AQW 13917/11-15)

Mr Kennedy: My Department through its Travelwise initiative encourages cycling and the use of cycling facilities generally, as part of its promotion of sustainable modes of travel. The promotion includes regular messages to the media in support of cycling as well as production of posters, leaflets and maps and support for events that highlight cycling facilities.

The Department is also finalising an Active Travel Strategy, which I published for consultation in December 2011. The key elements of the strategy are to provide a more integrated approach across government in the delivery of active travel initiatives, including the encouragement of cycling and walking. I am currently consulting with Executive colleagues and hope to publish an agreed strategy shortly. My Department's Roads Service provides cycle lanes in Northern Ireland through its Local Transport and Safety Measures, in accordance with the Regional Transport Strategy and the Belfast Metropolitan Transport Plan. These transport plans build on the Northern Ireland Cycling strategy and recognises that cycling is an ideal form of transport for short journeys.

Roads Service is committed to providing safer roads for the vulnerable road user, such as cyclists, by developing a high quality integrated cycle route network that is free of obstructions and links key origins and destinations and encourages more people to cycle.

The design and implementation of cycle lanes is carried out in accordance with standards set out in the Design Manual for Roads and Bridges, and takes into consideration 'Cycle infrastructure design', a publication by the Department for Transport which identifies the space needed for a cyclist in which to feel safe and comfortable.

With regard to obstacles and blockages on cycle lanes, I can advise that a Traffic Attendant can issue a Penalty Charge Notice (PCN) to a vehicle which is parked on a mandatory cycle lane. However, a PCN cannot be issued to a vehicle parked on an advisory cycle lane, unless other parking restrictions apply, for example, clearway restrictions.

Rail Network

Mr Easton asked the Minister for Regional Development what plans his Department has to increase the rail network.

(AQW 13922/11-15)

Mr Kennedy: Within the current budget there are no plans for any extensions to the railway network. My Department has received approaches from interested parties with proposals for new rail links. These can be considered in the future under the prioritisation framework to be developed under the new approach to Regional Transportation Strategy. To advise the new approach, I propose to hold a public consultation to determine what should be the priorities for future investment in the railway network.

Belfast Harbour Commissioners

Mr McNarry asked the Minister for Regional Development what discussions he has had with the Belfast Harbour Commissioners in relation to the £20 million per year the Executive plan to realise from that source.

(AQW 13955/11-15)

Mr Kennedy: I discussed the release of value issue at various meetings with the Chairman and Chief Executive of Belfast Harbour Commissioners over the past year. This topic was also addressed during the two business review meetings which I have held with the Belfast Harbour Commissioners since taking up office.

Belfast Harbour Commissioners

Mr McNarry asked the Minister for Regional Development when he plans to bring forward legislative proposals to enable the £20 million per year from the Belfast Harbour Commissioners to be realised.

(AQW 13957/11-15)

Mr Kennedy: Discussions are on-going with Belfast Harbour Commissioners and with other Departments with an interest in this matter to determine the optimum means of achieving the policy aims outlined in the Budget proposals. An early draft of legislation has been prepared but the outcome of these discussions will more fully inform that legislation and when it will be brought forward to the Assembly.

Belfast Harbour Commissioners

Mr McNarry asked the Minister for Regional Development for his assessment of the pressures that will be put on his budget if he fails to realise the planned £20 million per year from the Belfast Harbour Commissioners; and how he plans to address this situation.

(AQW 13958/11-15)

Mr Kennedy: The Executive's Budget requires a release of value of £40 million from Belfast Harbour Commissioners, amounting to £20 million in each of years 2013-14 and 2014-15. The Executive is addressing the release of value through its Budget Review Group, and Ministers, including myself, have met the Belfast Harbour Commissioners to progress this issue.

2012 Regional Development Strategy

Mr Agnew asked the Minister for Regional Development why, despite the assurance from the Office of the First Minister and deputy First Minister, in February 2011, that the 2012 Regional Development Strategy will include the provision of specific guidance that embodies the objectives of the European Landscape Convention, there is no mention of the European Landscape Convention, its requirements and obligations under the 2012 Regional Development Strategy.

(AQW 13961/11-15)

Mr Kennedy: The assurance you refer to from OFMDFM has been checked and it appears that the undertaking was that the Regional Development Strategy 2035, which was out for public consultation at that time, would include the provision of specific guidance that embodies the guidance of the European Landscape Convention.

The Regional Development Strategy 2035 published in March 2012 includes the provision of specific guidance that embodies the objectives of the European Landscape Convention. I would refer the member to the key objective on page 19 "Protect and enhance the environment for its own sake" as well as the specific regional guidance in RG11 on pages 47 to 50 which requires those making decisions with a spatial dimension to - "Conserve, protect and, where possible, enhance our built heritage and our natural environment".

As the Regional Development Strategy 2035 contains many cross cutting issues a conscious decision was taken not to refer to the raft of EU Directives, strategies and regional operational policies that it influences or from which it is influenced. This includes EU directives, other strategies of the Executive and Planning Policy Statements.

Street Lighting

Mr Easton asked the Minister for Regional Development to detail the cost of street lighting left on during the day in the North Down area, in each of the last 12 months.

(AQW 13964/11-15)

Mr Kennedy: My Department's Roads Service has advised that it believes the Member is referring to locations where there are groups of lights left on during daylight hours. These are areas where the lighting is supplied directly by Northern Ireland Electricity (NIE). I understand that the lighting is left on due to faults within the NIE network, and their usual method for locating those faults within their system is to switch the lighting on for a 24 hour period. My Department has no responsibility for, nor control over these operations. I can advise that officials have reported such incidents to NIE at the following locations in North Down area, all of which are in Bangor, over the past 12 months:

- Greenridge Park;
- Towerview Avenue;
- Robinson Road/Marlo Park;

- Abbey Mount/Abbey Drive;
- Gransha Road; and
- Chippendale Vale.

Officials have further advised that there is no additional cost incurred by my Department arising from these incidences.

Cycling Lane Infrastructure

Mr Weir asked the Minister for Regional Development to detail the investment in cycling lane infrastructure in each of the last five years.

(AQW 13970/11-15)

Mr Kennedy: I refer the Member to my response to his previous query AQW 10961/11-15, in which I advised that my Department's Roads Service can provide details of investment in cycling measures, which includes paths that are shared between pedestrians and cyclists, but is unable to provide details of investment in distinct cycling lane infrastructure which are not recorded separately.

My previous response covered the period 2006/07 to 2010/11, as figures for the year 2011/12 were not available at that time.

The table below has been updated to include outturn for the five years up to 2011/12:

Expenditure on roads and cycling measures over the last five years £'000

| | 2007/08 | 2008/09 | 2009/10 | 2010/11 | 2011/12 |
|------------------|---------|---------|---------|---------|---------|
| Cycling Measures | 1,056 | 1,360 | 981 | 311 | 1,101 |

I can also advise the Member that information on proposed cycle path schemes for the 2012/13 financial year, can be found in Roads Service's Spring Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

http://www.drdni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils

Cycling Lane Infrastructure

Mr Weir asked the Minister for Regional Development what evaluation has been carried out of the effectiveness of spend on cycling lane infrastructure to ensure maximum beneficial effect.

(AQW 13971/11-15)

Mr Kennedy: My Department's Roads Service is committed to providing safer roads for vulnerable road users, such as pedestrians and cyclists. This is facilitated by the use of a range of measures, such as, road safety education and engineering, traffic calming and enhancement of the pedestrian and cycling network.

As part of the design and implementation process, Roads Service reviews all cycling infrastructure schemes that have been in place and operational, for at least six months, to ensure that the intended objectives have been fully met.

This evaluation is intended to guide and assist Roads Service officials in assessing whether the scheme has achieved its objectives, and also if it has demonstrated value for money.

Proposals to Enable Taxi Drivers to Use Bus Lanes

Mr Weir asked the Minister for Regional Development what cognisance has been given to the needs of cyclists in relation to the proposals to enable all taxi drivers to use bus lanes.

(AQW 13972/11-15)

Mr Kennedy: My Department recently initiated a consultation exercise on a proposal to permit all taxis to use bus lanes. The consultation period is due to close on 21 September, after which the responses will be given careful consideration. The proposal was developed in direct response to the forthcoming change in DOE taxi licensing arrangements, which will see the end of the private hire/public hire distinction with the introduction of a single-tiered system, which will allow all taxis to pick up on street.

The impact of the change is explored in the Consultation Document, which can be accessed via the following link:

http://www.drdni.gov.uk/index/freedom_of_information/customer_information/doc-details.htm?docid=8191

Signs: Welcome to Northern Ireland

Mr Flanagan asked the Minister for Regional Development to provide details of the total cost of erecting the 'Welcome to Northern Ireland' signs at some border crossings, broken down by design costs, manufacturing costs, legal advice, and signage erection,

(AQW 13978/11-15)

Mr Kennedy: My Department's Roads Service has advised that to date, the cost of providing 'Welcome to Northern Ireland' signs is £1,296. A breakdown of the cost is provided in the table below:

| Element | Cost (£) |
|---------------------|----------|
| Design costs | 150 |
| Manufacturing costs | 803 |
| Sign erection | 343 |

Tendering Process for the Lease of Land in the Mourne

Mr Hazzard asked the Minister for Regional Development for an update on the tendering process for the lease of land in the Mourne; and what steps his Department is taking to ensure that the process is executed in a fair and equitable manner.
(AQW 14006/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water (NIW) that the tender proposals for renewing the land leasing are well advanced and the tender opportunity should be advertised before the end of October 2012. The tenants presently leasing the land have been individually informed that NIW will no longer be using a local agent to manage the tender and leasing arrangements as this will be undertaken by NIW procurement staff. NIW is confident that the process will be executed in a fair and equitable manner.

Proposed Roundabout System at Craigtlet

Mr Easton asked the Minister for Regional Development for an estimate of the cost of the proposed roundabout system at Craigtlet.
(AQW 14007/11-15)

Mr Kennedy: My Department's Roads Service has estimated that this scheme will cost approximately £2.25 million.

Proposed Roundabout System at Craigtlet

Mr Easton asked the Minister for Regional Development what consultation his Department carried out on the proposed roundabout system at Craigtlet.
(AQW 14009/11-15)

Mr Kennedy: My Department's Roads Service has advised that its officials have met with landowners whose land would be acquired by the Department, if the preferred scheme is progressed.

Residents, living in the vicinity of the scheme, were advised of the proposal through the neighbour notification process, as part of the planning application. The planning process will also give interested parties an opportunity to comment on, or object to, the proposed scheme.

Proposed Roundabout System at Craigtlet

Mr Easton asked the Minister for Regional Development whether an Environmental Impact Assessment has been carried out on the effects of the proposed roundabout system at Craigtlet.
(AQW 14010/11-15)

Mr Kennedy: My Department's Roads Service has advised that an Environmental Impact Assessment has been prepared and submitted, as part of the planning application for this scheme.

Repairing Bus Shelters in the North Down Area

Mr Easton asked the Minister for Regional Development to detail the cost to Translink of repairing bus shelters in the North Down area, in each of the last three years.
(AQW 14011/11-15)

Mr Kennedy: There has been no cost to Translink for repairing bus shelters in the North Down area over the last three years as they do not own them and it is not their responsibility for carrying out such repairs.

Traffic in the Exchange Street/Hector Street Area of Belfast

Mr A Maginness asked the Minister for Regional Development what action the Roads Service is taking to reduce traffic congestion and improve the flow of traffic in the Exchange Street/Hector Street area of Belfast.
(AQW 14033/11-15)

Mr Kennedy: My Department's Roads Service has advised that it has no plans, at present, to change the existing traffic management arrangements in this area. However, I understand that the proposed relocation of the University of Ulster, from its Jordanstown campus to a site in this general vicinity, may result in some changes to how these streets are used in the future.

Pension Arrangements for Senior Staff in Northern Ireland Water

Mr Allister asked the Minister for Regional Development why the pension arrangements for senior staff in Northern Ireland Water continue to provide for a 26.9 percent salary contribution by the employer and only a 1.5 to 3.5 percent contribution by the employee; and when prevailing public service pension arrangements will be applied to Northern Ireland Water.
(AQW 14208/11-15)

Mr Kennedy: The NI Water Pension Scheme is outside of the remit of the current reforms and therefore any changes to it would be a matter for the Board of Trustees to determine. However, following the outcome of the Department of Finance and Personnel's consultation on proposed amendments to the Principal Civil Service Pension Scheme in 2012/13, my Department wrote to the Chair of NI Water to seek his views as to how the NI Water Board would be addressing this issue. The expectation is that the company will provide a plan to take forward the necessary work and relevant consultation with the Scheme Trustees, NI Water employees and Trade Unions to revise the NI Water Scheme to make it broadly comparable with the changes in the wider public sector.

Although preliminary work has been undertaken by the company, the Department is still awaiting a formal response from the Board. It is not yet possible to give a firm indication of when any changes may be implemented.

Pumping Station at New Court, Portavogie

Miss M McIlveen asked the Minister for Regional Development to detail (i) the outcome of the enforcement action, taken under Article 11, relating to the pumping station at New Court, Portavogie; and (ii) what steps will be taken to bring the station and the sewerage system up to adoption standards.
(AQW 13876/11-15)

Mr Kennedy: I have been advised by Northern Ireland Water (NIW) that an Article 11 Enforcement Notice has been served on the developer in relation to New Court Portavogie. Article 11 and other provisions of the Private Streets (NI) Order 1980 enable the Department to require the person responsible for constructing private street works to bring them up to standard or recover costs from them if DRD/NIW undertakes remedial work. Quotations for remedial works to the pumping station and sewerage system have been obtained. Subject to final approvals, NIW intends to commence upgrade works before the end of September 2012 and to have the work completed during this financial year. NIW continues to work closely with its counterparts in Roads Service to bring the outstanding issues within the sewerage system and particularly the pumping station in this development to a conclusion.

Translink: Finances

Mrs D Kelly asked the Minister for Regional Development what plans are in place to address the anticipated deficit in Translink's finances over the next three years.
(AQO 2428/11-15)

Mr Kennedy: Translink have commenced preparatory work on their Corporate Plan which covers the three year period up to 2015/16. Translink has identified anticipated deficits in its plans for the next two years but will be concentrating initially on how to address the position for next year, in liaison with my officials. Careful consideration is required before deciding on the most appropriate way forward. It is too early to speculate at this stage on what the outcomes might be.

In developing a Corporate Plan and ensuring it achieves a balanced position, Translink has to take account of all relevant factors. This includes funding assumptions, revenue generation and costs. Some gains will be made by continuing to increase efficiency. Other options which need to be considered include services and ways to reduce the cost of delivering those services. On the income side Translink have to take account of the impact of decisions on fare revenue from passengers, as well as funding from the taxpayer in the form of the budget given to the Department.

I recognise that the funding position for Translink in the next two years is constrained. The position in the third year is less clear cut as it is beyond the scope of the current Spending Review.

My Department is now working closely with the Performance and Efficiency Delivery Unit of the Department of Finance and Personnel in carrying out an efficiency review which will also assist with the deliberations. The Committee for Regional Development will be fully engaged during this process and kept informed as plans are progressed. It is important to recognise the plans being drawn up will require time to develop and will be subject to change but I am confident that a resolution can be found.

Railways: Waterside Railway Station

Mr Mitchel McLaughlin asked the Minister for Regional Development what is the current status on the provision of a new station or preservation of the old Waterside Railway Station.
(AQO 2433/11-15)

Mr Kennedy: Translink advise that it is working with Ilex to carry out a joint 'Londonderry Railway Station Feasibility Study' in order to identify the preferred location and concept layout of a new or refurbished station. As part of the study, Translink will consider options to continue using the existing location, acquiring and re-using the old station building, which is privately owned, and also a new build option, including consideration of a site in close proximity to the Peace Bridge. It is Translink's

intention to hold a public consultation event in Londonderry as part of the decision-making process. The study is expected to be completed around the end of 2012.

The study is being undertaken at this stage so that suitable steps can be taken to protect any identified sites.

It should be emphasised that there is no funding within the current capital programme for a station to be built or refurbished and we need to consider all relevant costs.

Flooding: South Belfast

Dr McDonnell asked the Minister for Regional Development for an update on the funding and start date for infrastructure upgrade work as a direct response to recent flooding in South Belfast.
(AQO 2434/11-15)

Mr Kennedy: I wish to express my sympathy with those householders and businesses who have suffered from the upset, inconvenience and expense of flooding in all parts of Northern Ireland.

I take this issue very seriously and, along with my colleagues who share responsibility for this issue, will continue to play my part to reduce the risk of flooding. This includes continuing to make the case for investment, whether for my own Departmental responsibilities or others, and pursuing every avenue to obtain funding.

As regards Sicily Park and the surrounding area of South Belfast, NIW is currently progressing a study to determine the best option for future investment in the sewerage infrastructure to minimise the risk of flooding and pollution to watercourses. NIW recently completed a drainage survey of the area and will be meeting with Roads Service and Rivers Agency (the statutory drainage and flood protection authority) later this month to ensure a catchment wide solution.

It is expected that the study will be completed in early 2013 which will enable a preferred solution to be adopted. At that point costs will be clarified and NIW will seek any necessary regulatory or Departmental approvals, including funding.

The proper planning, evaluation of options and viability of complex drainage projects is an integral part of putting solutions in place. Therefore, work to address flood alleviation in the Sicily Park and surrounding area has already begun as a result of NIW having accelerated this element of the wider Glenmachan Scheme programme. This programme will require substantial investment in the future.

Translink: Wi-Fi

Mr B McCrea asked the Minister for Regional Development when the first live WiFi facilities will be rolled out across Translink.
(AQO 2435/11-15)

Mr Kennedy: Translink has advised that Wi-Fi will be provided on key longer distance Goldline* services from Monday 1 October 2012. This will enable the majority of Goldline customers to avail of this facility. It is hoped that expanded Goldline services will be in place by early 2013 which will also have this facility.

Wi-Fi is already fitted and in operation on Cross-channel bus services.

On the rail side, it is expected that Wi-Fi will be introduced on local rail services by the end of this week, and will be introduced on Enterprise services from mid-October 2012 onwards.

Railways: Larne Railway Station

Mr Beggs asked the Minister for Regional Development whether Translink is currently proposing any additional capital investment for Larne Train Station.
(AQO 2436/11-15)

Mr Kennedy: Translink advise that capital works are underway to extend the platforms at both Larne Stations.

The platform extension works at Larne Town are complete and the platform works at Larne Harbour are due to start on 6 October and last for 4 weeks.

The works are being undertaken to facilitate the use of the 6-car train sets on the railway line.

I am pleased that the Executive's investment of close to £150m on the New Trains programme will be of major benefit to rail users on this line.

A28 Armagh East Link

Mr Irwin asked the Minister for Regional Development whether he will consider an alternative route for the new East Link road in Armagh given the concerns of residents opposed to the current proposal.
(AQO 2437/11-15)

Mr Kennedy: I can advise the Member that I am aware of the concerns of the local community in relation to the impact of the A28 East Link Road. However, I am also aware the selection of the preferred route for this scheme, which follows the line of Ardmore Road for a distance of 460 metres and was made public at an information event in March 2007, followed the careful assessment of several corridor options.

On 27 January 2012, officials from my Department's Roads Service met with local residents, yourself, Councillor Thomas O'Hanlon and Councillor Gareth Wilson, to describe the proposal and explain the assessments, including the need to demonstrate a satisfactory economic appraisal that led to the selection of the Preferred Route. Officials also explained that there is still much to be done to progress this scheme, including completing the detailed design and the publication of an Environmental Statement, along with the Direction Order and Vesting Order, and the potential for a Public Inquiry.

These Statutory Procedures will provide an opportunity for anyone with an interest in the scheme to formally record their views, including objections, and have their opposition considered by an independent Inspector, should the Department decide a public inquiry is required.

I can assure you that all concerns raised will be carefully considered and officials, from Roads Service, will continue to be available to meet with those with concerns to discuss the potential impacts of the scheme.

Flood Prevention

Ms Lo asked the Minister for Regional Development whether his Department has had any discussions with the Department of Agriculture and Rural Development regarding the role of the Rivers Agency in the potential alleviation of flooding in certain areas through drainage diversions to rivers and watercourses.

(AQO 2438/11-15)

Mr Kennedy: The Department of Agriculture and Rural Development (DARD) Rivers Agency is the statutory arterial drainage and flood defence authority for Northern Ireland and my Department and Northern Ireland Water (NIW) have ongoing contact with Rivers Agency on a range of issues. For example, as a matter of due process, NIW will seek Consent to Discharge from the Rivers Agency where NIW are seeking to discharge storm water to a river or watercourse. NIW also works with the Rivers Agency to promote joint projects where work is required to NIW and Rivers Agency assets to deliver an overall solution.

The Executive-commissioned review of the response to the recent flooding incidents is currently ongoing and I look forward to seeing its recommendations to improve co-ordination and efficiency across all government agencies.

Rathlin Island

Mr McKay asked the Minister for Regional Development what work he has done this year in regard to improving the quality of life of residents living on Rathlin Island.

(AQO 2439/11-15)

Mr Kennedy: Through the Rathlin Ministerial Forum which I chair work is ongoing with the Rathlin Community Development Association and other Departments and local bodies to deliver the Executive's commitment in the Rathlin Island Policy to ensure the sustainability of island life and maintain a vibrant island community.

The forum meets twice a year to monitor progress against the strategic objectives set out in the Action Plan and I will be chairing the next meeting in late October to review recent progress. At the last forum meeting in April this year I confirmed that work was about to commence on a review of the Action Plan as required by the Rathlin Island Policy. This work is ongoing and working with the Islanders will review and refresh the Plan to reflect changing circumstances.

The Forum meetings provide the islanders with the opportunity to have face to face discussions with senior officials from relevant Government Departments on issues that affect them on a day to day basis.

To date this has helped build relationships and provided opportunities for joined-up working which has brought significant successes for the islanders. Recent joint working between DRD, DSD and DOE helped overcome planning issues and ensured that approval for the social housing scheme on the island was not delayed.

My Department provides ongoing support for the Rathlin Island ferry service. Under the current six year contract the Department will provide £3.8m, or approximately £630,000 per annum, until 2014.

This financial support has borne tangible results, with significant benefit to the island's economy. For example, in 2009 the current operator was enabled to introduce an additional passenger-only vessel onto the route. As a result of this Government support for the Rathlin ferry service passenger numbers have increased from 37,000 in 2000/01 to over 80,000 in 2011/12, indicating a major increase in tourist interest on the island. In turn, this has delivered significant economic benefits, including increased employment, in a geographically isolated location where job opportunities are limited.

A1 Roundabout: Hillsborough

Mrs Hale asked the Minister for Regional Development for an update on any planned developments to alleviate the traffic problems associated with the A1 Dual Carriageway junction at Hillsborough Roundabout.

(AQO 2440/11-15)

Mr Kennedy: My Department's Roads Service has considered a number of options to improve the capacity of the existing Hillsborough roundabout, at the junction of the A1 Hillsborough Bypass with the B77 Lisburn Road.

Roads Service officials have advised that they met with you, other public representatives and residents from Halftown and Culcavy on 10 February 2012 to discuss the feasibility of installing part-time traffic signals at this roundabout in order to minimise delays in the morning peak. I understand from officials that there was a less than positive response to this proposal.

You may also be aware that this issue was informally discussed with the Rt. Hon Jeffrey Donaldson MP on 13 April 2012, at a general meeting with Mr Donaldson, attended by Roads Service officials. In addition, I was pleased to have the opportunity to visit Hillsborough with you on 25 June 2012 to observe, at first hand, the problems faced at this junction by both the local and wider community.

Roads Service understands that, as a result of the meeting in April, Mr Donaldson is planning to arrange a meeting with local representatives and local officials, to discuss the proposal to signalise the roundabout. To date, this meeting has not taken place. However, I believe it will represent an important step forward in fully debating the proposal and deciding on the best way forward.

If you consider that a meeting with Roads Service to discuss this matter would be beneficial you should contact Mr John Irvine, Divisional Roads Manager, Roads Service Eastern Division to arrange suitable date.

Footpaths

Mr Dickson asked the Minister for Regional Development what actions his Department has taken to address the gaps in legislation regarding responsibility for the gritting of footpaths.

(AQO 2441/11-15)

Mr Kennedy: As the Member will be aware, there is no statutory duty on my Department's Roads Service or on Councils to salt or clear snow and ice from footways. Roads Service clears ice and snow from carriageways under the 1993 Roads Order legislation. While new legislation may be necessary in the future, it is not an option that I am actively pursuing at present.

The Member may recall that following heavy snowfalls and prolonged periods of wintry weather in previous years, it was generally accepted by the Assembly that Roads Service should, where possible, enlist the help of other agencies, such as district councils, to help clear busy town centre footways of snow and ice. It was envisaged that the best way of salting busy town centre footways in prolonged freezing conditions would be a partnership between Roads Service and Councils, with Roads Service supplying the salt and the Councils supplying the plant and labour to spread it.

In an attempt to facilitate such agreements, Roads Service held discussions with all Councils during last year's winter season, and as a result, I am happy to confirm that as of January 2012, the majority of Councils had agreed a Memorandum of Understanding or exchanged letters agreeing local arrangements for the removal of ice and snow from town centre footways during severe winter weather. A small number of Councils have indicated that they are unlikely to agree to such arrangements. However, Roads Service will continue its efforts to try to bring these Councils on board with this initiative.

I believe the best way to deal with this matter is through the partnering arrangements that have been offered and agreed by the majority of Councils.

Department for Social Development

Replacement of Reversible Windows

Mr McKay asked the Minister for Social Development whether an Equality Impact Assessment will be carried out on any proposal to change the criteria for the replacement of reversible windows.

(AQW 13780/11-15)

Mr McCausland (The Minister for Social Development): Reversible windows that are currently installed in Housing Executive stock will not be replaced under the double glazing programme if they are in good condition. Only those reversible windows that are in poor condition and warrant replacement will be removed and replaced with casement style windows.

Therefore, as this is an operational decision for the Housing Executive, based on the condition of the window and not a policy matter an equality impact assessment is not required.

Employment and Support Allowance Refusal Decisions

Lord Morrow asked the Minister for Social Development how many Employment and Support Allowance refusal decisions have been overturned at the point of Mandatory Consideration in each of the last three years.

(AQW 13836/11-15)

Mr McCausland: The information requested is set out in the table below:

| Year | Decisions reconsidered in customer favour upon receipt of an appeal |
|-----------------------|---|
| April 10 to March 11 | 635 |
| March 11 to April 12 | 685 |
| April 12 to August 12 | 341 |

| Year | Decisions reconsidered in customer favour upon receipt of an appeal |
|--------------|---|
| Total | 1661 |

Local Area Priority Scheme in North Down

Mr Easton asked the Minister for Social Development whether his Department has given the Housing Executive permission to install double glazing under the Local Area Priority Scheme in North Down.

(AQW 13849/11-15)

Mr McCausland: The Housing Executive has advised that Local Area Priority schemes (LAPs) were a mechanism adopted by them to help identify and prioritise planned maintenance schemes at a local level. However, given the introduction of the Programme for Government (PFG) target that all Housing Executive properties should have double glazing installed by 2015, the need for double glazing schemes to be programmed through LAPs has been superseded by the Housing Executive's adoption of double glazing as one of their investment priorities across Northern Ireland.

They have developed a programme to meet the PFG target and, with regards to North Down, have three double glazing schemes due to start in the autumn of 2012 in the following areas of North Down:

- Lisnabreen and Clanmorris, Bangor
- Whitehill, Bangor
- Rathgill and Kilcooley, Bangor
- Loughview, Holywood

Any remaining double glazing installation required in the borough will be programmed for 2013/14 or 2014/15.

Councillors Employed by Community Organisations

Mr Eastwood asked the Minister for Social Development to detail (i) the Councillors that have been employed in each of the last five years by community organisations which were in receipt of Neighbourhood Renewal funding; (ii) the organisations which employed the Councillors; and (iii) the length of employment in each organisation.

(AQW 13883/11-15)

Mr McCausland: Please see the table attached at Annex A, which provides the requested information.

Annex A

AQW 13883/11-15 - COUNCILLORS EMPLOYED BY COMMUNITY ORGANISATIONS IN RECEIPT OF NEIGHBOURHOOD RENEWAL FUNDING

| Organisation | Name Of Councillor | Year (2008/09 - 2012/13) |
|---|-----------------------------------|--------------------------|
| Galliagh Development Trust | Elisha McCallion (nee McLaughlin) | 2008/2009 - 2010/2011 |
| Glen Development Initiative | Maeve McLaughlin | 2008/2009 - 2012/2013 |
| Hillcrest House | Gerry Maclochlainn | 2008/2009 - 2012/2013 |
| Bogside & Brandywell Initiative | Kevin Campbell | 2008/2009 - 2012/2013 |
| Waterside Area Partnership | Drew Thompson | 2008/2009 - 2012/2013 |
| Greater Turf Lodge Residents Assoc. / Ardmonagh Family & Community Grp. | Janice Austin | 2008/2009 - 2012/2013 |
| Clonard Neighbourhood Development Association | Deirdre Hargey | 2011/2012 – 2012/2013 |
| South City Resource and Development Centre | Robert Stoker | 2008/2009 – 2012/2013 |
| Lower North Belfast Community Council | Ian Crozier | 2008/2009 |

Hotel-type Hinges on Windows

Mr McKay asked the Minister for Social Development what are the benefits of 'hotel' type hinges on windows that led to their initial adoption by the Housing Executive.

(AQW 13907/11-15)

Mr McCausland: In 2006 the Housing Executive introduced fully reversible hinges across all of its stock. The "hotel hinge" is a variant of this and is produced by the same manufacturer. It was introduced into the Housing Executive's windows

programme in January/February 2010 for all first and second floor situations following internal approvals to vary the specification.

Whilst this hinge is of the same quality, dimensional configuration, and has identical features to the fully reversible hinge it has the following benefits:-

- The integral restrictor provides for initial restrictions at 100mm and 200mm as per relevant standards, there is however, a reverse catch and turn lever (hold open) mechanism integrated with the restrictor that maintains all of the required safety features on the “open out” of the opening vent, but allows the user importantly to close the window with a “one-handed” operation.
- Window Opening Vent is restricted at the intervals as stated and can be “held restricted” with the turn lever as stated. Even if the window opening vent is fully reversed, the subsequent closure will default with two re-engagements of the restrictor, the full closure is undertaken by simply pulling the window with one hand.
- The turn lever/hold open device is the critical component that distinguishes the two hinges – both, however, contribute the highest possible safety features as standard and have been used extensively across the Housing Executive’s stock with no recorded issues.

The “hotel hinge” is being retained for the medium/high rise stock. The Housing Executive is satisfied that the replacement hinge proposed for the low rise stock is of good quality and meets their needs though it will require “two handed operation”.

Bungalows at Bloomfield Estate, Bangor

Mr Easton asked the Minister for Social Development for an update on the proposed transfer of ownership of the pensioners’ bungalows at Bloomfield Estate, Bangor to a Housing Association.

(AQW 13950/11-15)

Mr McCausland: Oaklee Housing Association is currently finalising its response to the Housing Executive transfer brief for Bloomfield bungalows. This will allow the formal consultation exercise to commence around November of this year, with an on-site start, subject to a positive tenant vote, envisaged in May 2013.

This is a challenging timeframe and remains predicated on no major issues arising during the formal consultation period.

Squatting

Mr Weir asked the Minister for Social Development what plans he has to change the law on squatting given the recent changes in England and Wales.

(AQW 13962/11-15)

Mr McCausland: I have no plans to change the law on squatting.

Squatting is already a criminal offence in Northern Ireland under Article 10 of the Criminal Justice (Northern Ireland) Order 1986. A person guilty of an offence under this Article is liable on summary conviction to a fine not exceeding level 5 on the standard scale (£5,000) or to imprisonment for a term not exceeding 6 months or to both.

Executive Papers

Mr Allister asked the Minister for Social Development how many papers, which have been approved by the Minister, have yet to be placed on the agenda for an Executive meeting, including (i) the date on which the papers were circulated to ministerial colleagues; (ii) the subject matter of each paper; and (iii) the consequences of a delay in securing Executive approval.

(AQW 13967/11-15)

Mr McCausland: The content of Executive papers and all aspects of Executive business are confidential.

Work Capability Assessment

Lord Morrow asked the Minister for Social Development what factors determine whether a person undergoing a Work Capability Assessment is examined by an Atos doctor or by an Atos nurse.

(AQW 13990/11-15)

Mr McCausland: As part of the process, customers undergoing the Work Capability Assessment complete a Limited Capability for Work questionnaire (ESA50). The information contained in the completed questionnaire is used to determine whether a face-to-face assessment is required and whether the examination is carried out by a doctor or a nurse.

Work Capability Assessment

Mr McGlone asked the Minister for Social Development what elements of Professor Harrington’s Year 2 Recommendations on the Work Capability Assessment have been implemented; and which are yet to be implemented.

(AQW 13991/11-15)

Mr McCausland: In his second independent report on the Work Capability Assessment, laid before the Assembly in November 2011, Professor Malcolm Harrington made 23 recommendations, of which 12 have already been completed and work is ongoing to implement the remaining 11 as soon as possible.

- The elements which have been implemented relate to changes in the Atos Healthcare Logic Integrated Medical Assessment (LIMA) system, Atos training and wording of descriptors.
- The remaining recommendations relate to customer research, evaluation of previous recommendations, proposed changes to descriptors and the customer journey.

In terms of the remaining recommendations, work has commenced on the evaluation process and the type of customer research required. The Social Security Agency are also engaged with the Department for Work and Pensions pilot schemes that are examining changes to descriptors, the customer journey, etc.

Double Glazing in Housing Executive Properties

Mrs Dobson asked the Minister for Social Development to list the number of Housing Executive properties in (i) Banbridge; (ii) Portadown; and (iii) Lurgan which have yet to be double glazed, broken down by (a) older person's dwellings; and (b) non-older person's dwellings; and for an estimated timescale by which these works will be completed.

(AQW 13996/11-15)

Mr McCausland: The information is not available in the format requested because the Housing Executive does not designate properties as older person's dwelling or non-older person's dwellings.

However, the overall number of properties that still require double glazing for each District is:

| | |
|-----------|------|
| Portadown | 298 |
| Lurgan | 1494 |
| Banbridge | 529 |

The Housing Executive has advised that a scheme for 313 dwellings in Lurgan is currently programmed to commence in late October 2012 with an estimated completion date of August 2013. The remainder of the dwellings will be addressed over the next two years through a new double glazing contract being introduced by the Housing Executive in January 2013.

Future of Passported Benefits

Mr Durkan asked the Minister for Social Development for an update on his Department's analysis of the future of passported benefits.

(AQW 14047/11-15)

Mr McCausland: My Department is currently providing assistance with the analysis of the impact of Universal Credit on a range of passported benefits. This information will help my Executive colleagues develop new eligibility criteria and delivery models for those passported benefits for which they have responsibility. I am unable to provide an update on those passported benefits that are within the purview of other Executive Departments.

A number of passported benefits, which currently form part of the regulated Social Fund, are administered by the Social Security Agency. The benefits are Cold Weather Payments, Funeral Payments and Sure Start Maternity Grants. New eligibility criteria have been proposed and are being evaluated to assess the impact on Universal Credit customers in Northern Ireland.

Grants to Help Small Businesses

Mr Easton asked the Minister for Social Development whether his Department has grants available to help small businesses.

(AQW 14089/11-15)

Mr McCausland: Small businesses can receive grants through the Urban Development Grant (UDG) Programme. The UDG programme aims to encourage job creation and private sector investment by providing a grant to assist in the development of derelict, vacant or underused land and properties in town and city centres, neighbourhood renewal areas and, within Belfast, along designated arterial routes. Applications are open under UDG for programmes in towns and cities in Northern Ireland with populations above 4.5 thousand. Occasionally small businesses may benefit from Shop Front Improvements funded through the Restore and Revitalisation Programmes being rolled out, which aim to improve trading conditions in town and city centres.

Grants for Community Groups

Mr Easton asked the Minister for Social Development for an up to date list of the grants available from his Department for community groups.

(AQW 14152/11-15)

Mr McCausland: The following are grants which are available from the Department for Social Development for community groups:

- Neighbourhood Renewal Investment Fund
- Areas at Risk
- Small Pockets of Deprivation (administered by NIHE on behalf of the Department)
- Regional Infrastructure for the Voluntary and Community Sector
- Support for Volunteering
- Community Investment Fund
- Women's Centre Childcare Fund
- Innovation Fund
- Modernisation Fund

Golden Share Scheme

Mr A Maginness asked the Minister for Social Development for an update on the development of the Golden Share scheme to assist residents in proposed redevelopment areas to tackle the problem of negative equity.
(AQW 14155/11-15)

Mr McCausland: The "Golden Share" scheme was introduced to support owner occupiers living in areas which are undergoing major redevelopment or regeneration. This initiative provides the opportunity to purchase a new home in the community post regeneration, with any difference in the value of their old and new home held by the Housing Association building the new housing. Those wishing to avail of the scheme in a regeneration area should make an application to the relevant Housing Association.

The scheme has been piloted in an area of regeneration in Carrickhill, Belfast with one owner occupier availing of this Shared Equity option.

Negative equity is an issue which affects all sectors of the community. Although the policy itself does not compensate for any loss arising from negative equity, it may indirectly mitigate the problems facing those owner occupiers wishing to remain in their community post regeneration.

Welfare Reform Bill

Mr Copeland asked the Minister for Social Development why the Welfare Reform Bill has not yet been introduced in the Assembly; and whether he can give a commitment that this delay will not result in any breach of parity.
(AQW 14170/11-15)

Mr McCausland: It is normal practice for a Northern Ireland Social Security Bill to be introduced as soon as possible after the corresponding Westminster Bill has received Royal Assent, in this case, the Welfare Reform Act 2012 received Royal Assent on 8th March 2012.

The Department for Work and Pensions accept that some delay between the Great Britain Act and the corresponding Northern Ireland Act is inevitable, as Northern Ireland legislation can only be introduced to the Assembly after the Great Britain legislation has achieved Royal Assent and a number of pre-introductory legislative processes are completed. On previous occasions, this delay was not regarded as a breach of parity as our aim has always been to facilitate the passage of the Bill and obtain Royal Assent in as timely a fashion as possible here.

I should explain that the pre-introductory legislative processes include seeking confirmation from the Departmental Solicitor's Office and the Attorney General that any proposed Bill is within the legislative competence of the Assembly, as well as seeking the consent of the Secretary of State for Northern Ireland on the inclusion of provisions which deal with excepted matters under section 4(1) of, and Schedule 2 to, the Northern Ireland Act 1998. These approvals and consents have all been received and I can confirm that I hope to receive agreement from the Executive to introduce the Bill to the Assembly shortly.

ASM Howarth Report into the Northern Ireland Housing Executive

Mr Allister asked the Minister for Social Development why the ASM Howarth report into the Northern Ireland Housing Executive of July 2012 has yet to be published.
(AQW 14209/11-15)

Mr McCausland: On 3 July 2012, I made a statement to the Northern Ireland Assembly about the concerns I had regarding contract management by the Northern Ireland Housing Executive following an investigation into their management of response maintenance contracts, conducted by ASM.

In the interests of due process, it would not be appropriate to publicly release ASM's investigation until it has been fully considered by the Department and the Northern Ireland Housing Executive. Further there are matters contained within the investigation which are of a commercial nature which might fall for the Northern Ireland Housing Executive to take forward through their contractual arrangements.

Housing Executive Properties: Asbestos

Mr Brady asked the Minister for Social Development whether his Department will provide financial support to people who have purchased Housing Executive properties and have then found asbestos present in the fabric of the building.

(AQW 14235/11-15)

Mr McCausland: The Housing Executive has advised that, in relation to current owners of former Housing Executive properties, any grant aid that could be considered towards the removal of high risk asbestos from such properties would only be through discretionary grant. Discretionary grants however can only be considered where there are clear exceptional circumstances. Furthermore, any grant aid would be subject to a means test being undertaken on individual owners to determine their ability to contribute towards the decontamination works, and would also require that the decontamination works be certified.

Welfare Reform Bill

Mr B McCrea asked the Minister for Social Development for an update on discussions he has had with the Department for Work and Pensions in relation to identifying areas of flexibility which may exist for the Welfare Reform Bill.

(AQO 2459/11-15)

Mr McCausland: I recognise the need to ensure that the reforms proposed in the Welfare Reform Bill reflect the particular needs of Northern Ireland. Any potential areas of flexibilities have to be considered within the context of maintaining parity with Great Britain.

I continue to maintain regular contact with Department for Work and Pensions Ministers on all issues arising from Welfare Reform including the particular needs of Northern Ireland. Indeed, I met with Lord Freud in London today (18 September) as part of that ongoing dialogue in relation to the flexibilities required for Northern Ireland.

In parallel, with this Ministerial dialogue, my officials are working with their counterparts from the Department for Work and Pensions to identify and explore the detailed feasibility of delivering meaningful flexibilities that will benefit the people of Northern Ireland.

The potential flexibilities that have been identified so far have been tabled for discussion with Executive colleagues on the Sub-Committee on Welfare Reform.

Housing Strategy

Mr Rogers asked the Minister for Social Development for an update on the Housing Strategy.

(AQO 2462/11-15)

Mr McCausland: My officials are putting the finishing touches on the draft Housing Strategy which will be a comprehensive document available for wide-ranging consultation in October 2012 at the latest. Much time and care has gone into the drafting of this document to reflect the importance of getting such a strategic piece of work right. This has delayed publication a little beyond the original timescale of spring this year.

Housing Executive: PEDU Review

Mr Hamilton asked the Minister for Social Development for an update on the Performance and Efficiency Delivery Unit's review of the Housing Executive's delivery of new social housing.

(AQO 2463/11-15)

Mr McCausland: The Performance and Efficiency Delivery Unit (PEDU) of the Department of Finance and Personnel (DFP) has been engaged to review management and delivery of the Social Housing Development Programme (SHDP) by the Northern Ireland Housing Executive.

I asked for this work to be undertaken to provide me with the necessary assurances that robust and effective systems are in place to deliver this important programme. I have also asked that cost and delivery implications of the current design and specification standards for social housing stock are reviewed.

Whilst annual targets are being met, I have concerns about the risk attached to some aspects of the Housing Executive's programme delivery and I want to see these much improved.

The review commenced in July with interviews of key stakeholders to identify any process difficulties that might need to be addressed. PEDU will also examine good practice in other jurisdictions to identify good practice that might be adopted locally.

PEDU will submit their final report to my officials within the next few weeks. On consideration of the report findings I will instruct my officials to put together an action plan setting out how I intend to take forward recommendations.

Belfast City Centre

Ms S Ramsey asked the Minister for Social Development for an update on proposals to deal with the blight which exists in parts of Belfast City Centre.

(AQO 2464/11-15)

Mr McCausland: My Department recognises that the regeneration of Belfast City Centre is far from complete. During the last decade we began the process of reversing the 30 years of under-investment with developments such as the £400m invested at Victoria Square and the £28m public investment in the renewal of 13 of the main shopping streets. Due to the impact of the current recession our plans to attract further investment in the city centre are moving forward more slowly than we would have wished in common with other cities across the country. However, we continue to plan for the future upturn in the economy and I am pleased to announce that the Bank Square renewal scheme will commence in April 2013 with an investment of £4.4 million by the Executive. This is good news for the city centre and the construction sector and builds on the £800,000 which I have already committed to the design of a scheme to renew the Donegall Square area. I will also be announcing later this month proposals for bringing forward development sites in the Northside of the city centre which aim to attract private investment to complement the £250 million investment by the University of Ulster at its York Street campus.

Housing Executive: Maintenance Contracts

Mr Brady asked the Minister for Social Development for his assessment of the recent Audit Office report on the Northern Ireland Housing Executive Management of Response Maintenance Contracts, particularly in relation to Red Sky.
(AQO 2465/11-15)

Mr McCausland: I welcome this NIAO report which focuses on four main areas:-

- Management of response maintenance contracts including termination of the Red Sky contracts;
- Inspection of repairs and maintenance work;
- Whistleblowing and complaints; and
- Contract management and governance in the Housing Executive

It is inappropriate for me to comment in detail in advance of the DFP Minister's considered response following the Public Accounts Committee hearing on Wednesday 12 September at which my Permanent Secretary and the Chief Executive of the Housing Executive gave evidence. The report focuses on the seriousness of problems identified in the management of specific response maintenance contracts against the significant level of expenditure and finds that the problems identified are indicative of wider governance deficiencies.

The issue of Housing Executive contract management is an area where I have had considerable concerns and I made a statement to the Assembly on 4 July advising that I intended to introduce special accountability measures with immediate effect that must bring about improvements efficiently and effectively. These measures enhance significantly the current oversight arrangements between my Department and the Housing Executive.

My Department is committed to working with the Housing Executive to implement the changes necessary to improve governance and contract management.

Antisocial Behaviour

Mr Lynch asked the Minister for Social Development what measures he is putting in place to deal with the problem of anti-social activity which affects many housing estates.
(AQO 2466/11-15)

Mr McCausland: While the Housing Executive and registered housing associations already have a range of powers at their disposal for dealing with anti-social activity, my Department has been working with social landlords to improve their capacity in this area. My Department is developing proposals to place anti-social tenants on notice that, if they unreasonably refuse to engage with any support that the landlord may offer, the landlord will take immediate steps to repossess their homes.

While there are no easy solutions, my Department has been involved in delivering training for social housing landlords on dealing with anti-social behaviour and I aim to ensure that social landlords will be in a position to show a "Yellow Card" to anti-social tenants who persist in their behaviour.

Anti-social behaviour is one of the issues that will be addressed in the new Housing Strategy for Northern Ireland.

Community and Voluntary Sectors: Government Policy

Ms Ruane asked the Minister for Social Development for his assessment of the importance of the role of the community and voluntary sectors in influencing and examining the impact of government policies.
(AQO 2467/11-15)

Mr McCausland: My assessment is that the voluntary and community sector, including sporting and faith based organisations has a significant and important role to play in influencing and examining the impact of government policies. Effective engagement on key policy issues presents a valuable opportunity to maximise input from the voluntary and community sector and the need for such engagement is embedded within the Concordat for Relationships between Government and the Voluntary and Community Sector, which has been endorsed by the NI Executive.

- Concordat Action Team established on issue of voluntary sector engagement in policy development and impact.
- Action Team has members from government and voluntary and community sector
- Action team has met on four occasions.

- Report due early 2013
- Participative policy development leads to better policy

Housing Executive: Antisocial Behaviour

Mr Lunn asked the Minister for Social Development for an update on the Housing Executive's policy on dealing with anti-social, provocative and offensive behaviour of tenants towards other tenants.

(AQO 2468/11-15)

Mr McCausland: I am concerned about the serious problems that can be caused by anti-social behaviour. While there are no easy solutions, I aim to ensure that the Housing Executive uses all the powers at its disposal to deal with this issue.

The Housing Executive is required by statute to publish its policies and procedures in relation to anti-social behaviour and the latest policy statement was published in January 2011. The policy statement acknowledges that every individual is entitled to live in peace within their neighbourhood and that to provide a quality service, anti-social behaviour must be addressed effectively. The statement commits the Housing Executive to tackling anti-social behaviour wherever it occurs and in whatever form it presents itself. The Housing Executive must respond to instances of anti-social behaviour whether the complainant is one of its own tenants, a private tenant, an owner occupier or any other person visiting or engaging in a lawful activity within the locality of its property. The Executive is also committed to preventing anti-social behaviour through a range of early intervention support and diversionary measures.

The policy statement is available upon request from the Housing Executive and an electronic version of the statement can be found on their website.

Housing: Dampness Problems

Mr Irwin asked the Minister for Social Development what action is being taken on the problems facing residents of older Housing Executive and housing association homes in combating condensation, damp and mould growth on interior walls.

(AQO 2469/11-15)

Mr McCausland: Mould growth is the main symptom of condensation and may be confused for damp. It is best treated by regular ventilation of the property. Where the Housing Executive is aware of condensation in a property the tenant will be advised that it can be prevented by:-

- Allowing air to circulate throughout the property by opening doors occasionally
- Using extractor fans in kitchens and bathrooms
- Opening windows when cooking
- Not blocking air vents
- Drying clothes outside if possible
- Ensuring there is ventilation in the property, especially bedrooms, during the night.

Reports of damp are assessed by the Housing Executive's maintenance staff and contractors on a case by case basis and the necessary remedial action is taken. Typical examples of work carried out would be:-

- Damp proof course
- Installation of extractor fans in kitchens
- Checking of water pipes in kitchens and bathrooms
- Cleaning of outside guttering to prevent water penetration
- Inspection of roofs and external doors

Every Housing Executive tenant is provided with a tenant's handbook at the start of their tenancy which includes advice on condensation. The Housing Executive also has a separate condensation advice leaflet which is available in all of their District offices and also online at www.nihe.gov.uk.

Of those Housing Associations that have reported problems with condensation, damp and mould growth on interior walls, the majority adopt a variety of measures used to combat these problems. These measures range from installing ventilation systems to educating tenants on improving air circulation in their properties.

Northern Ireland Assembly

Friday 28 September 2012

Written Answers to Questions

Office of the First Minister and deputy First Minister

Time Limits for Answering Written Assembly Questions

Mr Allister asked the First Minister and deputy First Minister why they do not comply with the requirements of Standing Orders with regards to the time limits for answering written Assembly Questions.
(AQW 5960/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): Every effort is made to respond to written Assembly Questions as expeditiously as possible.

Photographic Services to the Executive

Mr Allister asked the First Minister and deputy First Minister how much has been spent on the provision of photographic services to the Executive since May 2007, including the award of the contract for Project 5873 to 6 photographic companies in January 2012.
(AQW 9484/11-15)

Mr P Robinson and Mr M McGuinness: Figures are not available in all Departments for the years 2007/08 and 2008/09. For the 3 years from 2009/10 to 2011/12 inclusive, £349,740 has been spent across all 11 departments in 2009/10, and all 12 departments in 2010/11 and 2011/12 on the provision of photographic services.

AQW 116/11-15

Mr Allister asked the First Minister and deputy First Minister why AQW 116/11-15, which was due for answer on 8 June 2011, remains unanswered.
(AQW 11350/11-15)

Mr P Robinson and Mr M McGuinness: A response to AQW 116/11-15 was issued on 17 September 2012.

Special Ministerial Advisers

Mr Allister asked the First Minister and deputy First Minister why AQW 1550/11-15, which was due for answer on 20 July 2011, remains unanswered; and when they will provide the answer to same.
(AQW 11420/11-15)

Mr P Robinson and Mr M McGuinness: A response to AQW 1550/11-15 was issued on 17 September 2012.

Meetings of the Cohesion, Sharing and Integration Strategy Working Group

Mr Lyttle asked the First Minister and deputy First Minister to detail the attendance of (i) MLAs; and (ii) party representatives at meetings of the Cohesion, Sharing and Integration Strategy Working Group to date.
(AQW 11690/11-15)

Mr P Robinson and Mr M McGuinness: The Department does not hold the information in the form requested though individuals on the group may have retained an attendance record.

Tickets for the Jubilee Garden Party

Mr Allister asked the First Minister and deputy First Minister how many tickets for the Jubilee Garden Party on 27 June 2012 were allocated to (i) the First Minister; (ii) the deputy First Minister; (iii) their Department; and (iv) its arm's-length bodies.
(AQW 13122/11-15)

Mr P Robinson and Mr M McGuinness: Our Department, in common with all other departments, was invited by the Northern Ireland Office to submit a total of 150 names of adults and children who wished to attend the Diamond Jubilee event in the

Stormont Estate on Wednesday 27 June 2012. There was no separate allocation of tickets for the First Minister or deputy First Minister or for arm's length bodies and the Departmental allocation included its arm's length bodies.

Freedom of Information Requests

Mr Flanagan asked the First Minister and deputy First Minister to detail, for each of the last three financial years, (i) the number of Freedom of Information (FOI) requests received by their Department; (ii) the number of FOI requests responded to within the 20 working day requirement; (iii) the number of FOI requests that have taken longer than 20 working days to complete; and (iv) the number of FOI requests which were refused, broken down by the reason for refusal.

(AQW 13768/11-15)

Mr P Robinson and Mr M McGuinness: The information requested is published in a series of FOI Annual Reports which are on the basis of calendar years, not financial years. The reports can be accessed from the OFMDFM website at:

http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

The statistics for 2011 are provided on a quarterly basis and cannot be seen as fully validated until the publication of the 2011 FOI Annual Report.

Ballykelly

Mr McClarty asked the First Minister and deputy First Minister what land and property on the former Ballykelly Army Base site will be made available to the Department of Agriculture and Rural Development.

(AQW 13857/11-15)

Mr P Robinson and Mr M McGuinness: Our officials are currently working with officials from the Department of Agriculture and Rural Development to identify what parts of the site it will require for its headquarters, including associated services such as car parking.

New Chairperson and Chief Executive of Ilex

Mr Eastwood asked the First Minister and deputy First Minister to outline the appointment process for the new Chairperson and Chief Executive of Ilex; and when this process will begin and both positions will be filled.

(AQW 13877/11-15)

Mr P Robinson and Mr M McGuinness: A competition to find a new Chairperson was undertaken in early 2012. The competition failed to attract a suitably wide field of candidates and as a result a new public appointment competition will be advertised later this year.

The current Chief Executive of Ilex recently announced her intention to step down from the post with effect from 31 October 2012. Arrangements to secure a suitable successor are currently being considered.

AQW 11698/11-15

Mr Dickson asked the First Minister and deputy First Minister why priority question AQW 11698/11-15 has not yet been answered.

(AQW 13910/11-15)

Mr P Robinson and Mr M McGuinness: A response to AQW 11698/11-15 was issued on 17 September 2012.

Maze/Long Kesh Development Corporation

Mr Allister asked the First Minister and deputy First Minister whether there is, or will be, a stakeholder group with which the Maze Regeneration Board will be expected to consult; and what its functions will be and who will serve on the group.

(AQW 14066/11-15)

Mr P Robinson and Mr M McGuinness: The Maze Long Kesh Development Corporation has been established with the statutory objective of securing the regeneration of the 347 acre site and in so doing maximising its economic, historic and reconciliation potential. It will be for the Development Corporation to decide on how it will engage with a wide range of stakeholders as it progresses plans for the overall development of the site.

Maze/Long Kesh Development Corporation

Mr Allister asked the First Minister and deputy First Minister who comprised the interview panel for appointments to the Maze Regeneration Board.

(AQW 14130/11-15)

Mr P Robinson and Mr M McGuinness: The panel members for the first Maze/Long Kesh Development Corporation Board competition in October 2011 were:

- Noel Lavery, Director OFMDFM – Chair
- Terence Brannigan, CEO Connected Health Ltd
- Seamus McAleavey, Chief Executive NICVA
- Francesca Graham, Independent Assessor.

The panel members for the second Maze/Long Kesh Development Corporation Board competition in March 2012 were:

- Noel Lavery, Director OFMDFM – Chair
- Seamus McAleavey, Chief Executive NICVA
- Frank Cushnahan, Former Banker
- Francesca Graham, Independent Assessor.

Maze/Long Kesh Development Corporation

Mr Allister asked the First Minister and deputy First Minister what were the requirements placed on applicants to serve on the Maze Regeneration Board in terms of declaring political connections; and what are the consequences of non-compliance. (AQW 14131/11-15)

Mr P Robinson and Mr M McGuinness: The requirements for candidates appointed to public appointments are outlined in the Code of Practice for Ministerial Public Appointments. These requirements do not include declaring membership of a political party. The Code requires the political affiliation of any appointee to be identified where an appointee falls into any of the following eight categories:

- 1 Has obtained office as a District Councillor, MP, MEP, MLA.
- 2 Has stood as a candidate for one of the above offices.
- 3 Has spoken on behalf of a political party or candidate.
- 4 Has acted as a political agent.
- 5 Has held office such as Chair, Treasurer or Secretary of a local branch of a political party.
- 6 Has canvassed on behalf of a political party or helped at elections.
- 7 Has undertaken any other political activity which the candidate considers relevant.
- 8 Has made a recordable donation or loan to a political party.

Any potential non-compliance would be investigated by OFMDFM and appropriate action taken in accordance with the nature of the matter.

Maze/Long Kesh Development Corporation

Mr Allister asked the First Minister and deputy First Minister when Terence Brannigan declared his membership of the DUP during the recruitment and appointment process in respect of the Chairmanship of the Maze Regeneration Board. (AQW 14132/11-15)

Mr P Robinson and Mr M McGuinness: In line with the Commissioner for Ministerial Public Appointments Code of Practice, there is no requirement for applicants to provide information on political party membership when applying for a public appointment position.

EC Regional Aid Guidelines

Mr P Ramsey asked the First Minister and deputy First Minister what input the Office of the Northern Ireland Executive in Brussels had in developing the EC Regional Aid Guidelines post 2013. (AQW 14134/11-15)

Mr P Robinson and Mr M McGuinness: State Aid is a reserved matter for which lead responsibility falls to the Department for Business Innovation and Skills.

Within the Executive, the policy responsibility for Regional Aid Guidelines rests with the Department of Enterprise, Trade and Investment. DETI officials are working closely with Whitehall officials to ensure that our interests are reflected in the UK's interactions with the European Commission, and our office in Brussels provides on the ground support to the DETI Minister and her officials.

Maze/Long Kesh Development Corporation

Mr Nesbitt asked the First Minister and deputy First Minister to list the people who sat on the first and second interview panels for the Maze Corporation Board, including the Chairs and Deputy Chairs.

(AQW 14227/11-15)

Mr P Robinson and Mr M McGuinness: The panel members for the first Maze/Long Kesh Development Corporation Board competition in October 2011 were:

- Noel Lavery, Director OFMDFM – Chair
- Terence Brannigan, CEO Connected Health Ltd
- Seamus McAleavey, Chief Executive NICVA
- Francesca Graham, Independent Assessor

The panel members for the second Maze/Long Kesh Development Corporation Board competition in March 2012 were:

- Noel Lavery, Director OFMDFM – Chair
- Seamus McAleavey, Chief Executive NICVA
- Frank Cushnahan, Former Banker
- Francesca Graham, Independent Assessor.

Neither panel has a deputy chair.

Drawdown of Competitive European Union Funds

Mr Eastwood asked the First Minister and deputy First Minister to detail the drawdown of competitive European Union funds in 2011/12.

(AQW 14292/11-15)

Mr P Robinson and Mr M McGuinness: We have nothing further to add to the figures provided by us at Question Time on 2 July 2012 (AQO 2284/11-15), Junior Minister Bell in his statement to the House following publication of the Executive's European Priorities 2011-2012 Implementation Report, or the previous answer provided to the Member on 28 May 2012 (AQW 6266/11-15).

Transgender Strategy

Mr Dickson asked the First Minister and deputy First Minister following the publication of 'Advancing Transgender Equality - A Plan For Action' by the Home Office and the meeting of the Junior Ministers with the Northern Ireland Transgender Forum, what steps are being taken to develop a transgender strategy.

(AQO 2418/11-15)

Mr P Robinson and Mr M McGuinness: We are well aware of the Home Office's publication "Advancing Transgender Equality – A Plan for Action". There are, however, no plans to develop a separate local Transgender Strategy. Transgender issues will be considered during the review of the Gender Equality Strategy.

Forthcoming Visit to China

Mr Clarke asked the First Minister and deputy First Minister to outline the purpose of their forthcoming visit to China.

(AQO 2419/11-15)

Mr P Robinson and Mr M McGuinness: In November we will visit China. This is a follow-up to the visit of Madam Lui Yandong to Belfast in April this year and a subsequent invitation to visit China later this year.

Our Programme for Government includes a target to strengthen our economy by developing links with countries such as China and India and we are determined to do all we can to provide the assistance that our businesses need in establishing a presence in overseas markets.

In line with these objectives, we have been working closely with InvestNI and the higher education sector to ensure that our visit delivers the maximum benefit. Our visit is planned to coincide with, and assist, InvestNI with a Northern Ireland Trade Mission to Shanghai.

Social Investment Fund

Mr Lyttle asked the First Minister and deputy First Minister for an update on the implementation of the Social Investment Fund.

(AQO 2421/11-15)

Mr P Robinson and Mr M McGuinness: Following Executive agreement to the final operation of the Social Investment Fund, we are in the process of establishing cross-sectoral Steering Groups, to co-ordinate the development of a strategic area plan in each social investment zone over the coming months.

We hope to be in a position to confirm membership of each Steering Group in the next few weeks.

In recognition of the need to expedite the area planning stage and the work involved, we have recently completed a tender exercise to establish a framework of service contractors to support the Steering Groups in developing the area plan.

Subject to business case approvals, they will be contracted to help identify, evidence and prioritise the needs, and propose relevant interventions for inclusion in the area plans, in consultation with the wider community.

It is our aim to have area plans submitted by the end of this calendar year with a view to commencing the delivery of approved projects early next year.

Childcare Strategy

Mrs Cochrane asked the First Minister and deputy First Minister for an update on the Childcare Strategy.
(AQO 2424/11-15)

Mr P Robinson and Mr M McGuinness: Subject to Executive agreement, we intend to publish a consultation document in the near future which will set out the vision and principles for a future Childcare Strategy. The consultation will enable all those with an interest to help shape the development and direction of the Strategy.

Devolution of Corporation Tax

Mr Douglas asked the First Minister and deputy First Minister to provide an update on discussions with HM Treasury regarding the devolution of Corporation Tax.
(AQO 2425/11-15)

Mr P Robinson and Mr M McGuinness: A reduction in the rate of Corporation Tax would provide a major stimulus to the local economy; one of the key commitments in our Programme for Government is to press for the devolution of Corporation Tax and reduce its level. The Joint Ministerial Working Group examining the issues involved in devolving responsibility for the rate of Corporation Tax has met on three occasions, most recently on 25 June.

While some good progress has been made, there are a number of critical issues that remain outstanding. In particular, we are concerned that the approach currently being proposed by Treasury would result in the cost of a rate reduction being prohibitively expensive. Cost is a very important issue and this needs to be affordable if it is to work. We still need to agree issues in respect of the proposed approach to the Block Grant adjustment. The Working Group will next meet on 18 October with a view to resolving the outstanding issues. The UK Government will then decide on whether the Executive should be offered the opportunity to take responsibility for Corporation Tax.

Budget Review Group

Mr Brady asked the First Minister and deputy First Minister for an update on the work of the Budget Review Group.
(AQO 2426/11-15)

Mr P Robinson and Mr M McGuinness: The Budget Review Group will meet on 27 September 2012 to discuss the progress that has been made on its work programme since its previous meeting on 15 May 2012. It will receive updates on a range of issues, including alternative options for accessing finance, realising the value of surplus and under-utilised assets, and other priority areas on which work was commissioned. It will continue to meet on a quarterly basis and will make recommendations to the Executive in due course.

Department of Agriculture and Rural Development

Red Meat Industry

Mr Rogers asked the Minister of Agriculture and Rural Development whether she intends to appoint an ombudsman to monitor the red meat industry.
(AQW 14063/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): The regulation of issues affecting competition is a reserved matter. You will therefore appreciate that the appointment of an ombudsman to monitor the red meat industry is not within my direct remit. However,

I support fully the concept of fair pricing and welcome the publication by the British Government at Westminster of the draft Groceries Code Adjudicator Bill.

In view of the importance of this matter I, along with the DETI Minister, wrote to the British Minister who has responsibility for this draft Bill. We set out our support for the Bill and called for the early introduction of an Adjudicator with real power. Also, I understand that the Bill will soon be starting its passage through the Commons and it is anticipated that an adjudicator, who will act on behalf of all sectors including the beef sector, will be in place early next year.

I will continue to monitor the progress of the Bill and engage as necessary with the British Minister and Defra Secretary of State. My aim is to see a food industry where both farmers and other suppliers, both of whom make a very important contribution to the local economy, are getting a fair deal.

Beef and Pork Industries

Mr Frew asked the Minister of Agriculture and Rural Development what plans she has to assist producers and processors of the pork and beef industries to expand trade, particularly to China and Russia.

(AQW 14074/11-15)

Mrs O'Neill: Whilst the trade of pork and beef is a commercial matter, my Department works closely with DEFRA, which has responsibility for the negotiation of new export markets, and our industry, to assist export market negotiations to ensure our particular interests are taken into account. Both China and Russia are high priority export markets and much effort is being focussed on getting them opened to trade in both beef and pork.

I have discussed, with my ministerial colleagues in Britain and the south, how our Departments can best work together to benefit our industry in export market negotiation, particularly in respect of China. My officials have also met with their southern counterparts to draw on mutual experiences and will continue to do so in the future.

My Department and the Livestock and Meat Commission (LMC) are actively involved in the work of UK Export Certification Partnership (UKECP), an industry/government partnership which works to develop export health certification to third countries. My officials are working closely with exporters interested in the Chinese and Russian markets to ensure the necessary infrastructure is in place to facilitate plant approvals, where required, and also supported an inspection by Russian officials on beef and lamb exports earlier this year.

I am committed to making sure that every effort is made to make the Chinese market as economically beneficial to our industry as possible and am pleased to report that a pig meat certificate for China has recently been achieved.

In addition to this ongoing role, a senior DARD official recently visited China to discuss the country's certification requirements. This engagement is likely to involve further visits in order to build relationships and highlight the quality and traceability of agri-food products from the north.

Invest NI's annual programme of trade exhibitions and missions offers opportunities for companies to visit markets of potential. The 2012-13 programme to worldwide destinations includes China and Russia, which are open to our food processing companies to join. However, companies must be alert to the restrictions currently in place by the countries involved.

The Agri-Food Strategy Board, which includes representatives from the red meat industry, has been established to develop an export-led growth strategy for the sector. I have no doubt that this will include how best to explore new and expanding markets for all of our local produce, including beef and pork.

Countryside Management Scheme

Mr Frew asked the Minister of Agriculture and Rural Development, for each of the last three years, to detail (i) on how many occasions woodland areas on farm land have been classified as 'not eligible' for funding under the Countryside Management Scheme because the Forest Service did not verify if they are funding these areas; and (ii) the amount of money that has been deemed 'not eligible' because of this (a) in total; and (b) broken down by constituency.

(AQW 14081/11-15)

Mrs O'Neill:

- (i) There was one occasion in the last three years where woodland areas on farmland have been temporarily classified as not eligible for funding under the NI Countryside Management Scheme (NICMS). This was in 2011.
- (ii) (a) The area described as 'not eligible' for this reason may be entitled to an annual Countryside Management Scheme payment of £1,072.
- (b) DARD does not hold this information broken down by constituency; however this NICMS agreement is in Co Antrim.

Grants for Farmers

Mr Easton asked the Minister of Agriculture and Rural Development for an update on what grants are currently available for farmers from her Department.

(AQW 14095/11-15)

Mrs O'Neill: The following table lists the grants available to farmers (subsidy schemes have been excluded from this information):-

| Title of Grant Available to Farmers | Brief Description of Purpose/Objective of Grant |
|--|--|
| Farm Modernisation Programme | To provide financial support of up to £4k maximum towards investment in eligible plant, machinery or equipment to improve the competitiveness of the farm business. |
| Assistance with Succession advice as part of the Farm Family Options programme | Assistance of up to £250 is available to a farm business to avail of legal and/or financial advice as part of the Mentoring element of the Farm Family Options programme. |
| Supply Chain Development Programme Co-operation support Study Tours | 50% funding to a maximum of £2,500 for professional advice to groups to establish the group as a legal entity. 75% of the cost per participant to a group maximum of £3,000 to avail of study tours linked to the groups needs. |
| Manure Efficiency Technology Scheme (METS) Tranche 2 | The METS provides grant aid to encourage farmers to invest in advanced slurry spreading systems. Investment in this technology will contribute to the overall objective of developing a more sustainable environment. |
| Agriculture and Forestry Processing & Marketing Grant Scheme (PMG) | The PMG Scheme provides grant aid to improve the economic performance and international competitiveness of the agri-food processing, horticulture and forestry sectors through the use of technology together with sound manufacturing and environment management practices. |
| NI Rural Development Programme (NIRDP) measures 3.1, 3.2 and 3.3 | Farmers may avail themselves of funding under these measures, which aim to:- Assist farm households to diversify into non-agricultural activities and, as a consequence, maintain or increase the income of farm households and create employment opportunities (all on-farm applications must be under this measure). Create employment opportunities through promoting entrepreneurship and developing the economic infrastructure in rural areas by providing support to existing micro-enterprises or to persons wishing to set up a new micro-enterprise in a non-agricultural sector. Use the natural resources in the north of Ireland's rural areas to attract visitors and create new employment opportunities through the sustainable development of the rural economy by providing support to existing rural tourism enterprises or to persons wishing to set up a new sustainable tourism enterprise. |
| NI Rural Development Programme (NIRDP) measures 3.4, 3.5 and 3.6 | Farmers and rural dwellers may avail themselves of funding under these measures, which aim to:- Support the improvement of basic services in rural areas, including cultural and leisure facilities and related small-scale infrastructure. Support animation and capacity-building within and between villages and surrounding rural areas in the formulation of integrated action plans to define the role of the village and fully develop the potential of villages and surrounding areas. Use the natural resources in the north of Ireland's rural areas to create new employment opportunities and develop the rural economy through supporting local village initiatives to preserve and upgrade their rural heritage. |
| *NI Countryside Management Scheme | This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change. |

| Title of Grant Available to Farmers | Brief Description of Purpose/Objective of Grant |
|---|---|
| *Countryside Management Scheme | This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change. |
| *Environmentally Sensitive Areas Scheme | This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change. |
| *Organic Farming Scheme | The Scheme provides payments to help farmers with the additional costs and loss of income that occurs during the conversion period to organic production. It aims to help protect and enhance the rural environment, and help producers meet consumer demand for organic produce. |
| *Habitat Improvement Scheme | Participants receive funding to manage areas on their farm to create, protect or enhance wildlife habitats. |
| *Countryside Access Scheme | Participants receive funding to maintain walkways on their land. |
| European Fisheries Fund (Productive Investments in Aquaculture Measure) | To support the construction, extension, equipping and modernisation of aquaculture production installations, in particular with a view to improving working conditions, hygiene, human or animal health, and product quality, while reducing negative impacts or enhancing positive impacts on the environment. |
| Biomass Processing Challenge Fund (BPCF) | The BPCF aims to encourage agricultural and forestry businesses to install biomass fuelled technologies primarily to aid agricultural activities at farm level. |
| Woodland Grant Scheme; Farm Woodland Premium Scheme; and Short Rotation Coppice Scheme | Grant aid to farmers and other landowners for creation of new woodland. |
| Woodland Environments Grant | Grant assistance to support woodlands owners to encourage the management of woodlands to contribute to biodiversity objectives. |
| Sustainable Forest Operations Grant | To encourage good management of existing woodlands. |
| Replanting Grant | Grant assistance to support replanting of existing woodland after clearfelling. |

Glenariff and Ballypatrick Forests

Mr McMullan asked the Minister of Agriculture and Rural Development, in relation to Glenariffe and Ballypatrick Forests, what involvement the Forest Service has had with local communities about helping to design the forests and the benefits of having a forest on their doorstep, as outlined in the Forest Service Business Plan 2012-2013.

(AQW 14100/11-15)

Mrs O'Neill: During the Antrim forest management planning review, which included Glenariffe and Ballypatrick forests, Forest Service held consultation meetings and open days at both a strategic and local level providing opportunities for local people to give feedback on the review of forest plans including information on their design and benefits.

Forest Service is keen to ensure that individual communities should be involved in designing forests and benefit directly from the presence of a forest on their doorstep and will continue to explore with stakeholders and partner organisations how best this might be done.

Current arrangements have the potential to be improved and to ensure that resources are being most effectively targeted, Forest Service has a business plan target for 2012/13 to 'Review the process of community engagement with forestry planning and activity in collaboration with partners in the south of Ireland.'

Glenariff and Ballypatrick Forests

Mr McMullan asked the Minister of Agriculture and Rural Development why the Forest Service does not have an agreement with Moyle District Council on the development of the social use of Glenariffe and Ballypatrick Forests, given that both forests

occupy strategically important positions within a tourist destination area, as outlined in the Forest Service Business Plan 2012-13.

(AQW 14105/11-15)

Mrs O'Neill: Forest Service is aware that some of our forests occupy strategically important positions within tourist destination areas and they have the potential to hold visitors within tourist areas as part of a longer visit.

My vision is for improved partnership working with local government and other bodies to make sure that forests play as full a role as possible in supporting regional and local recreational and tourism agendas.

Good progress has been made with several councils in the development of partnership arrangements, expressed in the form of memoranda of understanding and development licences. In the continuation of this work my officials in Forest Service have arranged to meet senior Moyle DC officials to discuss the council's recreation and tourism agendas and the type of agreements that may be used to deliver tourism and social use benefits in that tourism destination area.

Single Farm Payments

Mrs Dobson asked the Minister of Agriculture and Rural Development how many Single Farm Payments made after the 30 June deadline (i) were assessed for interest payments; and (ii) were not paid with interest because of the £50 minimum cap. **(AQW 14156/11-15)**

Mrs O'Neill: I have arranged for the review of approximately 600 inspection cases that were paid 2011 Single Farm Payments after 30 June 2012 in order to identify those cases where the delay in payment was caused solely by my Department and then to calculate the amount of interest accruing. The payment of interest will begin from late September 2012.

Figures in respect of the number of interest payments made and the number of cases in which interest is not payable will be available in November 2012.

Single Farm Payments

Mrs Dobson asked the Minister of Agriculture and Rural Development, for each of the last three years, to detail the number of Single Farm Payment applicants who received late payments after 30 June deadline; (i) how many applicants were paid interest; and (iii) what was the total amount of interest paid. **(AQW 14157/11-15)**

Mrs O'Neill: The number of Single Farm Payment claims not finalised after the 30 June deadline for each of the last three scheme years are:

| 2009 | 2010 | 2011 |
|------|------|-------|
| 451 | 416 | 1,261 |

- i) There are a variety of reasons in any year for claims not being completed by 30 June, and in many instances these are beyond the control of my Department, for example, probate not completed, disputes between landowners and tenants about the availability of land to one of the parties, the same field claimed by more than one applicant and bank account details not provided to enable payment to be credited to a bank account.
- ii) While the EU rules governing the SFP require us to make payments in full by 30 June each year, there is no obligation within these rules to pay interest. However payments made after 30 June do provide a principled basis on which to pay interest where the delay in payment has been solely caused by my Department. Because of the general delay experienced in finalising inspection cases for the 2011 scheme year I have made a commitment to pay interest in those claims paid after 1 July 2012 where the delay was solely caused solely by my Department and the interest is a minimum of £50. Interest payments were not deployed for the 2009 and 2010 scheme years.
- iii) For the 2011 scheme year, the payment of interest that exceeds the £50 minimum cap value will begin from late September 2012. It is anticipated that figures in respect of the amount paid to farmers will be available in November 2012.

Phytophthora Ramorum in South Down

Mr Hazzard asked the Minister of Agriculture and Rural Development for an update on her Department's efforts to tackle the spread of Phytophthora ramorum in South Down. **(AQW 14191/11-15)**

Mrs O'Neill: Phytophthora ramorum is a fungus-like pathogen which causes a serious plant disease which has the potential to attack a wide range of woody plants including rhododendron, viburnum and certain species of tree.

Previously limited to findings in plants in trade, the disease was first diagnosed in established plants in the South Down area on rhododendron at two private sites in late 2007. The first outbreak of the disease in larch in the area was confirmed at a public forest in the summer of 2010.

My Department has committed significant resources to control ramorum disease in that area. Felling of over 30 hectares of larch trees at two public forests and two private sites has been undertaken to contain the spread of the disease, along with

an ongoing programme to monitor and control the disease in rhododendron at private sites. Programmes of surveillance including aerial and on ground inspections of both public and private woodland are also in place. Bio-security measures have been implemented at affected sites and arrangements put in place that have facilitated the movement and processing of over 9,000 cubic metres of affected wood. My Department remains committed to manage ramorum disease in trees, woodland and on other plants and is funding research, carried out by the Agri-Food and Biosciences Institute (AFBI), into the host/pathogen interactions.

Poxvirus and Adenovirus Among the Red Squirrel Population

Mr Hazzard asked the Minister of Agriculture and Rural Development to outline her Department's progress in dealing with the spread of Poxvirus and Adenovirus among the Red Squirrel population in Tollymore Forest.

(AQW 14192/11-15)

Mrs O'Neill: The first case of poxvirus within a red squirrel population in Tollymore forest was confirmed by laboratory testing on 16 March 2011. Since then close liaison has taken place between NI Environment Agency who are the relevant authority, Forest Service and members of the Tollymore Red Squirrel Group in carrying out actions to restrict the spread of the disease to the remainder of the red squirrel population.

This has included the immediate removal of sick red squirrels, close monitoring of the remaining red squirrel population and continued control of grey squirrels as they are carriers of the disease.

Members of the NI Red Squirrel Forum, which includes representatives of Red Squirrel Groups throughout the north of Ireland, relevant authorities in the south of Ireland, and the member organisations of the British Red Squirrel Forum were kept informed of the developing situation.

The re-emergence of young red squirrels at Tollymore Forest during 2012 coupled with the fact that the last observation of a red squirrel showing symptoms of the poxvirus was reported over one year ago provides optimism that the local red squirrel population is now recovering from the poxvirus outbreak of 2011.

The only detected case of adenovirus in a wild red squirrel in the north of Ireland was also confirmed in Tollymore Forest in October 2011.

Forest Service liaised with a leading expert on adenovirus infections of red squirrels and relayed his advice to others as appropriate. No further cases of the adenovirus occurring within a wild red squirrel population have been reported in the north of Ireland since.

Antisocial Behaviour in Castlewellan and Tollymore Forest Parks

Mr Hazzard asked the Minister of Agriculture and Rural Development (i) what specific measures have been employed by Forest Service to reduce anti-social behaviour in Castlewellan and Tollymore Forest Parks; (ii) what is Forest Service's assessment of the success of these measures to date; and (iii) whether any further measures are required to tackle anti-social behaviour in our forests.

(AQW 14194/11-15)

Mrs O'Neill:

- (i) Forest Service employs staff at both Castlewellan and Tollymore Forest Parks who provide a forest park ranger service dealing with customer queries and incidents of anti-social behaviour as and when required. Forest Service also provide contracted in night-time security personnel at peak visitor periods. Additionally, Forest Service permission for events and activities carry a requirement that appropriate measures are taken by the organiser to mitigate anti-social behaviour.
- (ii) To date these measures are considered to be working well and, compared to previous years, complaints of anti-social behaviour within these sites are now rare.
- (iii) Forest Service keeps the level of anti-social behaviour / customer satisfaction under continual review and further measures are considered within this context. Forest Service places ongoing importance on engaging with local people and visitors; discussions with local PSNI officers regarding any incidents where improvements may be made and, clear lines of communication between Forest Service, contractors, event organisers etc. The need for further restrictions on night time vehicular access to these sites has been considered and is being kept under review.

Forestry Tourism

Mr Hazzard asked the Minister of Agriculture and Rural Development for an update on discussions between the Tourist Board and Forest Service Project Management Group on advancing Forestry Tourism.

(AQW 14195/11-15)

Mrs O'Neill: The forest recreation strategy acknowledges that we will have to work with partners to realise the full potential of forests to deliver against wider objectives such as health, tourism, education and sport and my officials are working with other government agencies, local authorities and other recreational providers to ensure that opportunities are realised.

Within the context of this strategy, an assessment of the existing and potential tourism development opportunities available from forests in the north of Ireland has been jointly commissioned between the NI Tourist Board and Forest Service. The purpose of the study is to gather and analyse tourism information and provide evidence-based proposals for tourism development for forests in the north of Ireland. This will inform the Forest Service planning review process and assist the NI Tourist Board and other partners to support the case for tourism development in forests. The study is required to provide specific outputs for forests in the Mourne area and both Down District Council and Newry and Mourne District Council are represented on the project steering group.

Wind Farms in Department-owned Forests

Mr Hazzard asked the Minister of Agriculture and Rural Development whether Forest Service has explored the potential development of Wind Farms in departmental owned forests across South Down.
(AQW 14196/11-15)

Mrs O'Neill: During a market sounding exercise in 2009, a developer expressed interest in County Down as a potential location for wind farm development on forestry land. Much of this land is covered by environmental designations. An Outline Business Case has been developed for all forestry land. No decisions have been taken on whether to market test the potential for wind farm development on forestry land in South Down.

The Outline Business Case is now being considered, before I make a decision on whether to proceed on this or any part of the proposals.

Public Awareness of Animal Cruelty

Mr Frew asked the Minister of Agriculture and Rural Development how her Department intends to increase public awareness of animal cruelty.
(AQW 14274/11-15)

Mrs O'Neill: My Department has issued a number of press notices to inform the public about the commencement of the Welfare of Animals Act 2011 and the appointment of the new Animal Welfare Officers by Councils. The animal welfare contact points for DARD, the Councils' Animal Welfare Officers and the PSNI are publicised on my Department's website and similar information is available on the NI Direct website and local Councils' websites.

My Department has recently published revised Codes of Practice for the welfare of farmed animals such as beef cattle, sheep and meat chickens as well as new Codes of Practice for the keeping of other animals such as cats, dogs, horses, non-human primates and rabbits. These Codes of Practice, which contain useful guidance for animal owners, are available on my Department's website. Further revisions of the Codes are planned for pigs, dairy cows and laying hens. Similar information is available on the NI Direct website.

The Councils have also publicised the new Animal Welfare Officer contact points, by a combination of internet information and Council newsletters to rate payers. In addition, earlier this year Councils invited key animal welfare organisations to a number of meetings to update them on the Councils new role in animal welfare and to give them the opportunity to meet the new Animal Welfare Officers.

I have been very encouraged by the positive approach taken by Councils to their new responsibilities and by the close and effective partnership working between Council and DARD officials in putting the necessary arrangements in place.

In the first five months since the Councils commenced their new enforcement role in respect of domestic pets and horses they have received over 1800 animal welfare complaints from the public. This gives confidence that the public know who to contact if they have an animal welfare concern.

Over the coming weeks, my Department plans to issue a press release to remind farmers of the actions they should take to protect the welfare of their animals this winter.

Following the Assembly motion debate on 24 September regarding the offences and penalties contained in the Welfare of Animals Act 2011, I issued a press release restating the current position regarding the penalties for offences under the legislation, emphasising the importance of animal welfare and making it clear that causing unnecessary suffering to animals is completely unacceptable. I also took that opportunity to encourage the public to report any animal welfare concerns to the relevant enforcement Agency.

When the first cases under the new Welfare of Animals Act have been successfully prosecuted in the Courts, I will be encouraging the relevant enforcement Agency to widely publicise the outcomes of these cases to deter others from committing similar offences.

The general public will be left in no doubt that causing unnecessary suffering, including deliberate acts of cruelty to domestic pets, will not be tolerated and that the perpetrators will be punished.

DARD Headquarters: Staff

Mr Allister asked the Minister of Agriculture and Rural Development how many departmental staff, who will be affected by the transfer of the Department's headquarters to Ballykelly, live within each parliamentary constituency.
(AQW 14287/11-15)

Mrs O'Neill: A total of 845 DARD staff are currently headquartered at Dundonald House and Hydebank and are within the scope of the transfer to Ballykelly. Information in the form requested is not readily available as details of where staff live is held by postcode area rather than by parliamentary constituency area.

Attached, however, is a table showing the numbers of staff, by postcode areas, together with some electoral constituency information. A significant number of postcodes appear in more than one constituency.

Dundonald House and Hydebank Staff at 4 Sep 2012 (Excluding Forest Service)

| Post Code | Number | Post Code Location | Constituencies |
|-----------|--------|--------------------|--|
| None Held | 51 | | |
| BT41 | 11 | Antrim | North Antrim/Mid Ulster/South Antrim/East Antrim |
| BT60 | 2 | Armagh | Upper Bann/Newry And Armagh |
| BT61 | 1 | Armagh | Newry And Armagh |
| BT39 | 18 | Ballyclare | North Antrim/East Antrim/South Antrim |
| BT42 | 9 | Ballymena | South Antrim/North Antrim |
| BT43 | 5 | Ballymena | North Antrim |
| BT53 | 3 | Ballymoney | North Antrim/East Londonderry |
| BT24 | 13 | Ballynahinch | Strangford/Lagan Valley/South Down |
| BT32 | 11 | Banbridge | Lagan Valley/South Down/Upper Bann |
| BT19 | 37 | Bangor | Strangford/North Down |
| BT20 | 24 | Bangor | North Down |
| BT10 | 4 | Belfast | Belfast South/Belfast West |
| BT11 | 7 | Belfast | Belfast South/Belfast West |
| BT12 | 6 | Belfast | Belfast South/Belfast West |
| BT13 | 4 | Belfast | Belfast West/Belfast North |
| BT14 | 10 | Belfast | Belfast West/Belfast North/South Antrim |
| BT15 | 11 | Belfast | Belfast North |
| BT16 | 27 | Belfast | Belfast East/North Down/Strangford |
| BT17 | 9 | Belfast | Belfast South/Belfast West/Lagan Valley/South Antrim |
| BT29 | 8 | Belfast | South Antrim |
| BT4 | 29 | Belfast | Belfast East |
| BT6 | 22 | Belfast | Belfast East/Belfast South/Strangford |
| BT8 | 35 | Belfast | Belfast South/Lagan Valley/Strangford |
| BT2 | 1 | Belfast | Belfast North/Belfast South |
| BT5 | 47 | Belfast | Belfast East/Belfast South/Strangford |
| BT7 | 7 | Belfast | Belfast South |
| BT9 | 10 | Belfast | Belfast South |
| 1050 | 1 | Brussels | |
| 1060 | 1 | Brussels | |
| BT57 | 2 | Bushmills | East Londonderry/North Antrim |
| BT68 | 1 | Caledon | Fermanagh South Tyrone/Newry & Armagh |
| BT38 | 25 | Carrickfergus | East Antrim/South Antrim |
| BT81 | 1 | Castledearg | West Tyrone |
| BT31 | 3 | Castlewellan | South Down |
| BT51 | 2 | Coleraine | East Londonderry/North Antrim/Mid Ulster |

| Post Code | Number | Post Code Location | Constituencies |
|--------------------|------------|--------------------|---|
| BT52 | 2 | Coleraine | East Londonderry |
| BT80 | 4 | Cookstown | Mid Ulster |
| BT62 | 6 | Craigavon | Fermanagh South Tyrone/Newry & Armagh/Upper Bann |
| BT63 | 1 | Craigavon | Newry And Armagh/Upper Bann |
| BT65 | 2 | Craigavon | Upper Bann |
| BT66 | 8 | Craigavon | Upper Bann |
| BT67 | 12 | Craigavon | Lagan Valley/Upper Bann |
| BT21 | 12 | Donaghadee | North Down/Strangford |
| BT30 | 35 | Downpatrick | South Down/Strangford |
| BT25 | 7 | Dromore | Lagan Valley/South Down/Upper Bann |
| BT70 | 6 | Dungannon | Fermanagh South Tyrone/Mid Ulster/West Tyrone |
| BT71 | 3 | Dungannon | Fermanagh South Tyrone/Mid Ulster/Newry & Armagh/ Upper Bann |
| BT74 | 1 | Enniskillen | Fermanagh South Tyrone/West Tyrone |
| BT92 | 3 | Enniskillen | Fermanagh South Tyrone/West Tyrone |
| BT26 | 6 | Hillsborough | Lagan Valley |
| BT18 | 16 | Holywood | Belfast East/North Down |
| BT40 | 7 | Larne | East Antrim |
| BT27 | 20 | Lisburn | South Antrim/Lagan Valley |
| BT28 | 17 | Lisburn | South Antrim/Lagan Valley/Upper Bann |
| BT47 | 3 | Londonderry | East Londonderry/Foyle/West Tyrone |
| BT48 | 2 | Londonderry | Foyle |
| BT46 | 1 | Maghera | Mid Ulster/East Londonderry |
| BT45 | 9 | Magherafelt | Mid Ulster |
| BT33 | 4 | Newcastle | South Down |
| BT35 | 4 | Newry | Newry & Armagh/South Down/Upper Bann |
| BT34 | 11 | Newry | Newry & Armagh/South Down/Upper Bann |
| BT36 | 13 | Newtownabbey | Belfast North/East Antrim/South Antrim |
| BT37 | 13 | Newtownabbey | Belfast North/East Antrim/South Antrim |
| BT22 | 40 | Newtownards | North Down/Strangford |
| BT23 | 111 | Newtownards | Belfast East/North Down/Strangford |
| BT78 | 2 | Omagh | Fermanagh South Tyrone/West Tyrone |
| BT79 | 3 | Omagh | Mid Ulster/West Tyrone |
| BT56 | 2 | Portrush | East Londonderry |
| BT82 | 1 | Strabane | Fermanagh South Tyrone/West Tyrone |
| Grand Total | 845 | | |

DARD: Headquarters

Mr McCartney asked the Minister of Agriculture and Rural Development to outline the benefits for the wider rural North West area resulting from her decision to relocate her Department's headquarters to Ballykelly.

(AQO 2476/11-15)

Mrs O'Neill: Mr Speaker, I am confident that the wider rural area around the North West will significantly benefit from this project in a number of ways.

As well as the construction jobs supported through the refit of the accommodation at the site, local businesses and suppliers in the area will benefit from a much larger customer base. The new headquarters will need to be serviced, with functions such as cleaning, catering and security services which will impact on employment in the area. I will also ensure that the development of the site benefits the local community – how that will be met will be included in the business case but I envisage, for example my Department being able to open up its conference rooms for community use.

As well as that this relocation will open up employment and promotion opportunities for the people living in the local area. It will also ensure greater accessibility to DARD services for those living in the region.

I believe that this relocation to Ballykelly emphasises that DARD is a Department that promotes regional economic re-balancing and is committed to the sustainability of rural communities.

Farming

Mr McDevitt asked the Minister of Agriculture and Rural Development what steps her Department is taking to deal with the current crisis within the farming sector.

(AQO 2479/11-15)

Mrs O'Neill: I recognise that farmers in several sectors have been experiencing difficulty in achieving a level of profitability that they feel is sustainable. Farmers have been experiencing high livestock feed costs due to the high world price of grain and, in some cases, due to the wet summer weather. Meal for feeding livestock is expensive and, in many cases, more has been fed due to poor summer weather curtailing grazing.

Input costs are only half of the equation, the other half being prices received for produce. Producer prices across the milk, beef and sheep sectors have fallen during the course of 2012. The price farmers receive for their produce is a commercial matter over which my Department has no control. Nevertheless, I believe that farmers should receive a fair price for their produce.

My Department offers assistance in a number of ways to farmers striving to improve farm efficiency. Farmers are encouraged to use benchmarking, which is available within the Rural Development Programme. Farmers can also benefit from research undertaken by the Agri-food and Biosciences Institute. Advice on farm management and planning can be obtained from your CAFRE Development Advisers.

Rural Development Programme: GAA

Mr Storey asked the Minister of Agriculture and Rural Development how much money from the Rural Development Fund has been given to clubs or organisations that are part of the Gaelic Athletic Association in each county.

(AQO 2480/11-15)

Mrs O'Neill: My Department has not funded projects where the specific aim is the development and promotion of any sport. Financial support under these terms would not be eligible under the Rural Development Programme. However, through Axis 3 some rural community facilities have been funded where sports organisations have acted as the lead project sponsor. These projects are eligible under the terms and conditions of the programme where they are designed primarily to benefit the wider rural community by affording local people the opportunity to access facilities and undertake a vast range of community activities at suitable venues in their areas.

Rural Development Programme: Strategic Projects

Mr D Bradley asked the Minister of Agriculture and Rural Development how much funding she has allocated for strategic projects within the Rural Development Programme.

(AQO 2481/11-15)

Mrs O'Neill: I have not allocated any funds under RDP to Strategic Projects. Rather in response to the continued build up of underspend across Axis 3, I announced a re-focus for the programme last year and asked the Local Action Groups to consider opening calls for strategic projects up to £1m in value. It is the responsibility of the LAG's to encourage enhanced opportunities for higher spend and most agree that strategic projects are a good way to help get more funds on the ground more quickly. All LAG's have availed of that opportunity and most are currently working towards taking the applications through the assessment process.

It will be the Local Action Groups together with the Joint Council committees who will making determine which strategic projects will be successful in the competitive assessment process and currently it is for them to determine how much to allocate to these successful strategic projects.

A5 Dual Carriageway: Compulsory Acquisition

Lord Morrow asked the Minister of Agriculture and Rural Development for her assessment of the impact on the agriculture industry in the west from the Minister for Regional Development's decision to proceed with the A5 dual carriageway and the compulsory acquisition of some 1000 acres of land.

(AQO 2483/11-15)

Mrs O'Neill: It is the responsibility of the Department of Regional Development (DRD) to ensure the impact of any roads scheme is properly assessed. The Minister for Regional Development has advised me that his Department's Roads Service carried out Agricultural Impact Assessments for 282 farms across the entire A5 dualling scheme. The reality is that fewer than 20 percent of these farms will be substantially impacted.

I am content that, while this scheme will undoubtedly have a negative impact on some individual farm businesses, the overall impact on the agriculture industry will be minimal.

It is also important to bear in mind that the Executive approved this scheme.

National Parks

Mr McCallister asked the Minister of Agriculture and Rural Development what discussions she has had with the Minister of the Environment about the possible introduction of National Parks.

(AQO 2484/11-15)

Mrs O'Neill: I met with the Minister of the Environment in May of this year to discuss his intention to bring forward proposals on enabling legislation for national parks.

My Department has consistently held the position that farmers and rural dwellers must be fully involved in any debate on establishing national parks, and that their concerns must be taken into account. I advised the Minister of this during our meeting.

I stressed it would be important that no additional controls should be placed on farming activities and that a national park could only proceed with the co-operation and support of farmers and rural dwellers.

I am aware of significant opposition to the Minister of the Environment's proposals among farmers and residents who live in areas that are being considered for national park designation.

Should any proposal come before the Executive, I will seek to ensure that the wide range of concerns of farmers and rural dwellers are at the forefront of considerations.

I believe that a national park could only proceed with the agreement of the people in that area.

Department of Culture, Arts and Leisure

Salmon Conservation

Mr Byrne asked the Minister of Culture, Arts and Leisure for an update on her Department's plan to develop a salmon conservation policy.

(AQO 2491/11-15)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): My Department has carried out a public consultation process on a range of salmon conservation measures for both commercial netting and recreational angling. The consultation closed in July and a statistical analysis of the responses has been completed.

My officials are considering the outcomes of the public consultation, together with scientific and other advice, and I will decide on what actions are required to provide robust protection of wild Atlantic salmon stocks in the DCAL jurisdiction.

Following this, I will bring forward the necessary legislation and I would anticipate this coming into effect during 2013.

Líofa 2015

Ms Ruane asked the Minister of Culture, Arts and Leisure what progress has been made on the Líofa campaign over the last year.

(AQO 2492/11-15)

Ms Ní Chuilín: Considerable progress has been made. When Líofa was launched on 5th September 2011 the initial target was to encourage 1000 people from all walks of life across the north to sign up to becoming fluent in Irish by 2015. Since then we have exceeded our second target of signing up 2015 people by 2015 and we have now set our sights even higher and aim to have 5000 people fluent in Irish by the year 2015. So far, over 2,300 people have signed up to the Líofa challenge.

Over the past year, I have seen how the appeal of the Irish language has widened. I have attended events across the north, heard people's stories and shared experiences. What is being built is a diverse and inclusive community of people who are united in their journey to learn Irish.

This demonstrates people are keen to explore our rich cultural heritage. The Irish Language is a vital part of our cultural mix and something that can be enjoyed and shared by all.

DCAL Arm's-length Bodies

Mr McQuillan asked the Minister of Culture, Arts and Leisure for an update on her Department's review of its arm's-length bodies.

(AQO 2493/11-15)

Ms Ní Chuilín: Since updating the Assembly on the 28th May, I postponed completion of the stage 1 review of Sport NI (SNI) and asked SNI to carry out a detailed review of their internal governance and efficiency procedures. Their report is due for completion by end September / early October and subsequently the review team will complete stage 1 and stage 2 of the review.

The team are currently finalising stage 1 reviews for both National Museums NI (NMNI) and NI Museums Council (NIMC). Draft stage 1 reports will be issued to each body shortly for comment.

The team will commence the review of Arts Council by the end of September.

2012 Olympics: Training

Mr Hilditch asked the Minister of Culture, Arts and Leisure how many training camps hosted teams for the Olympic and the Paralympic Games.

(AQO 2494/11-15)

Ms Ní Chuilín: Seventeen countries chose the north of Ireland as their base for Pre Games training. The countries and sports are:-

- China - for the Men's and Women's Olympic Artistic Gymnastics, who were hosted by Salto Gymnastics Centre in Lisburn;
- Australia, Cuba, Canada, Ecuador, Puerto Rico and Argentina - for Olympic boxing, who were hosted by Queens University, Belfast;
- Ireland - Paralympics Team were hosted by Antrim Forum;
- Mexico, Qatar, Algeria, Djibouti, Oman, St Vincent and the Grenadines, and Egypt Olympic athletics Teams were also hosted by Antrim Forum;
- Jordan - Paralympics Team was also hosted by Antrim Forum; and
- South Africa - for Olympic badminton, who were hosted by Lisburn Racquets Club.

In addition to the camps there were three pre Games qualifying events held in the north of Ireland and five pre Games training events.

In total over one thousand international athletes prepared for the Games in the north of Ireland.

North/South Language Body

Mr Lunn asked the Minister of Culture, Arts and Leisure for her assessment of the publication of accounts by the North/South Language Body.

(AQO 2495/11-15)

Ms Ní Chuilín: A revised process to simplify and speed up the consolidation of Accounts was used for the first time to complete the 2008 accounts and these were laid in the respective Houses on 11 July 2012.

At the NSMC Languages meeting on 9 July 2012 Ministers sought assurances from both chairs and CEOs that the 2009 and 2010 reports and accounts of the Language Body will be laid before the Assembly and both Houses of Oireachtas by the 31 December 2012. Sponsor departments receive fortnightly reports from the agencies about progress towards the completion of the outstanding accounts to enable them to monitor the position and challenge any issues which might delay completion.

No significant issues affecting the completion and laying of the 2009 and 2010 accounts have been reported.

Boxing

Mrs McKeivitt asked the Minister of Culture, Arts and Leisure whether Sport NI has made contact with all boxing clubs in the South Down area to establish their equipment needs so that they may benefit from the Boxing Strategy.

(AQO 2496/11-15)

Ms Ní Chuilín: Sport NI is currently taking forward an exercise to establish the equipment and facility needs of boxing clubs across the north of Ireland that are affiliated, or have recently been affiliated, to the boxing governing body, the Irish Amateur Boxing Association (IABA). This includes boxing clubs based in the South Down area. I understand that Sport NI has made contact with 9 clubs in South Down and to date has received responses from 2 of these.

Fishing

Lord Morrow asked the Minister of Culture, Arts and Leisure what plans she has for the further development of rod fishing.

(AQO 2497/11-15)

Ms Ní Chuilín: My Department manages the Public Angling Estate which consists of some 63 coarse and game fisheries across the north of Ireland. The aim of the Public Angling Estate is to provide local and visiting anglers with high quality fishing at an affordable price. Officials keep under review the possibility of new fisheries being added to the Estate to enhance the product and currently are assessing a number of waters that may be taken on.

The Department has a programme of work to enhance access to and facilities at Public Angling Estate waters. A number of these are stocked trout fisheries and to support the stocking regime a new hatchery has been opened recently at the Department's fish farm at Movinagher near Kilrea.

The Department undertakes a range of promotional activities, such as participating in angling shows in the north and south of Ireland, Great Britain and Europe. The Department also works closely with other agencies in promoting angling and tourism and played an important role in the success of the recent World Pairs Angling Championship in the Lakelands & inland Waterways region which attracted anglers from around the World.

DCAL produces a guide, which promotes awareness of all waters in the Public Angling Estate and a separate guide detailing the facilities for disabled anglers.

Officials are currently carrying out initial work looking at new initiatives to further develop angling in the region.

DCAL will continue to encourage new anglers into the sport by supporting angling Club Open days and competitions where minority groups such as juveniles, disabled persons or females are encouraged to participate. The Department will consider requests from angling clubs for donations of free fish in support of such competitions and events.

DCAL Fisheries Officers will continue to provide Angling Clubs with free technical advice on a range of issues such as fish husbandry techniques and conservation measures, which will help sustain and improve fish stocks.

Marching Bands

Mr Irwin asked the Minister of Culture, Arts and Leisure for an update on her Department's research into marching bands. (AQO 2498/11-15)

Ms Ní Chuilín: My Department produced a Study and Toolkit for Marching Bands which can be found on the DCAL website.

The document is designed for use by policy makers, marching bands and umbrella groups from all traditions who wish to develop their musical and cultural offering.

My officials met with the Confederation of Ulster Bands (who provided extensive input and oversaw development of the final documents) in October last year and were advised that the document had been warmly received by the sector, with early indications that the content was aiding development of the sector.

Ulster's Solemn League and Covenant

Mr Elliott asked the Minister of Culture, Arts and Leisure how much funding her Department has made available for events and publications to celebrate the centenary of the Ulster Solemn League and Covenant. (AQO 2499/11-15)

Ms Ní Chuilín: The creative and cultural infrastructure and programmes already funded and supported by my Department will play a key role in telling the stories and different interpretations of significant anniversaries in the decade ahead.

The centenary of the signing of the Ulster Covenant will be examined by a diverse range of events across the libraries network; at PRONI and by exhibitions, dramas, literature and music at our museums and elsewhere.

On the eve of the anniversary, a landmark documentary on the BBC will explore the story of the Ulster Covenant. Supported by NI Screen, via the Ulster-Scots Broadcasting Fund, it will shine a light on the people, places and stories of that time.

Department of Education

Year 1 Places: Ballyholme and Groomsport

Mr Easton asked the Minister of Education what his Department can do to resolve the lack of school places for year 1 pupils in the Ballyholme and Groomsport areas of Bangor. (AQW 14150/11-15)

Mr O'Dowd (The Minister of Education): Both the primary schools within the Ballyholme and Groomsport area – Ballyholme PS and Towerview PS – were oversubscribed with applications for admission for September 2012 and had to apply their published admissions criteria to determine which pupils to admit. There are, however, sufficient places available in the controlled sector in Bangor as a whole and there are no plans to increase the admissions number of either of these schools.

Year 1 Places: Ballyholme and Groomsport

Mr Easton asked the Minister of Education what action he can take so that schools in the Ballyholme and Groomsport area include Groomsport in their catchment area for year 1 pupils.

(AQW 14151/11-15)

Mr O'Dowd: There are two primary schools in the immediate Ballyholme/Groomsport area; Ballyholme and Towerview Primary Schools. The admissions criteria used by these schools give priority to different circumstances and as a result both enrol pupils from outside what might be considered their natural catchment area, including from Groomsport. Proximity to the school is the third criterion for Ballyholme PS and fifth for Towerview PS.

It is the sole responsibility of the Board of Governors of a school to define the criteria they wish to use to select between applicants down to the last available place. In drawing up their criteria Boards of Governors must consider any representations made to it by – in the case of a controlled school – the appropriate Education and Library Board. Where schools are oversubscribed with applications for admission they have to apply their published admissions criteria to determine which pupils they can admit. It is an unfortunate, though an inevitable consequence of how the admissions process works however, that some children do not meet a school's choice of admissions criteria as well as others.

Amalgamation of Primary Schools

Mr Lunn asked the Minister of Education, over the past year, what permission has been given to the Belfast Education and Library Board to seek planning permission for the amalgamation of any primary schools.

(AQW 14164/11-15)

Mr O'Dowd: In undertaking planning for schools within its area it is a matter for the relevant Education and Library Board to consider whether to apply for planning permission. The Board does not have to seek the Departments permission to proceed with a planning application.

Co-operation Between Schools and the Manufacturing Industry

Mr Frew asked the Minister of Education what action his Department will take to ensure greater co-operation between schools and the manufacturing industry.

(AQW 14241/11-15)

Mr O'Dowd: The promotion of Science, Technology, Engineering and Maths (STEM) is important to our future economic growth and as Education Minister I am committed to playing my part. At every level in our schools, I have been driving forward work to promote the uptake of STEM subjects, to foster links between schools and business (including manufacturing) and to promote the importance of high quality careers education that raises aspirations for all.

The revised curriculum, which is now in place across all grant-aided schools, provides much greater freedom for teachers to explore STEM-related learning with pupils. The full implementation of the Entitlement Framework in September 2015 will guarantee all young people at Key Stage 4 and at Sixth Form equality of access to a broad, balanced and more economically relevant pupil-centric curriculum. This increased choice is being supported with improved careers education, information, advice and guidance, with a particular focus on STEM-related career opportunities.

My Department directly funds a number of organisations each year to ensure that schools link with business. These organisations include Sentinus, which through partnership with business and industry provides opportunities for more than 50,000 pupils per annum to develop skills for the work place and discover the exciting range of careers available to them in science and engineering.

My Department is also a member of the Advanced Manufacturing and Engineering Services Working Group that has recently been established by the Department for Employment and Learning with the aim of producing an action plan to address current and future skill needs of the sector.

Japanese Knotweed on South Eastern and Education Library Board Land

Mr Agnew asked the Minister of Education what work has been undertaken by the South Eastern Education and Library Board to ensure that Japanese knotweed, identified in the ecological report at its land on Old Belfast Road, Bangor, does not spread to adjacent properties.

(AQW 14247/11-15)

Mr O'Dowd: Any issues at the site are a matter for the South Eastern Education and Library Board (SEELB) to address in the first instance. SEELB has advised that the area has been sprayed with a herbicide specifically used to eradicate Japanese knotweed. Repeat spraying will be carried out when required.

Education Bill

Mr Lunn asked the Minister of Education whether the Education Bill was discussed at the first Executive meeting after recess, as promised by the First Minister and deputy First Minister in their statement of 19 July 2012; and when the Bill will be introduced in the Assembly.

(AQW 14249/11-15)

Mr O'Dowd: The content of Executive papers and all aspects of Executive business are confidential.

School Enrolments

Mr Kinahan asked the Minister of Education how his Department calculates the level of empty school desks; and what is the difference between maximum school enrolment and maximum school capacity.

(AQW 14252/11-15)

Mr O'Dowd: The Department derives data on unfilled places (empty desks) in funded schools by comparing the approved enrolment number of each school against the actual enrolment of schools at the annual census date (October) in the same year. The figures exclude pupils in receipt of a statement of special educational needs, and pupils admitted on appeal, or those admitted by direction of the Exceptional Circumstances Body (ECB) (post-primary schools only), as they are admitted over and above a schools approved enrolment number.

The maximum enrolment capacity is the approved enrolment number of a school which is determined by the Department having regard to a number of factors and in particular to the teaching accommodation available at a school. The actual number of pupils in a school can exceed this figure for a number of reasons. Statemented pupils and pupils admitted on appeal or by direction of the ECB are supernumerary and do not count against the enrolment number. In addition, schools can apply to the Department for a temporary increase of their numbers which, if approved, would apply for one academic year only.

School Enrolments

Mr Kinahan asked the Minister of Education how frequently projected school enrolments are determined.

(AQW 14253/11-15)

Mr O'Dowd: The Department uses population projections published by the Statistics and Research Agency (NISRA) as the basis to project school enrolments. Population projections are usually updated and published by NISRA on a biennial basis.

Road Cycle Training

Mr Weir asked the Minister of Education what action he is taking to ensure that every school has full access to road cycle training rather than training in playgrounds.

(AQW 14271/11-15)

Mr O'Dowd: The Department of the Environment (DOE) has a statutory responsibility for the delivery of road safety education in our schools. The DOE Road Safety Education Officer Service (RSEOS) provides the Cycling Proficiency Scheme (CPS) to primary schools in the north of Ireland. The decision to take up the offer of the CPS lies with individual schools, as does the decision on whether to include on road / off road training. A total of approximately 580 (69%) Primary Schools (with an average of 8,800 children trained each year) have taken up the offer of running the CPS and between 5 and 10% of those schools choose to do the on road element.

A review of the CPS commenced in August 2012 and is due to be completed before the end of the year. The CPS continues to be offered to all primary schools while the review is in progress and schools offering CPS are fully supported by DOE RSEOs.

The revised curriculum provides opportunities for schools to address road safety which could include cycling. These opportunities are provided through the Personal Development and Mutual Understanding and the World Around Us Areas of Learning at primary level and through the Personal Development strand of Learning for Life and Work at post-primary level.

Whilst these opportunities exist, the revised curriculum is more flexible and it is a matter for schools to decide on the specific areas they wish to cover under the Areas of Learning which are detailed in the Education (Curriculum Minimum Content) Order (NI) 2007.

The Department wrote to all schools in March 2010 to remind them about the importance of ensuring the effective delivery of road safety messages through the revised curriculum and to inform them about the existing opportunities within the curriculum to highlight road safety.

Early Years Services: Budget

Mr Storey asked the Minister of Education for a breakdown of the £84 million allocated to early years services in 2012/13.

(AQW 14335/11-15)

Mr O'Dowd: In 2012/13 the opening budget available for allocation for early years services amounts to £84.51m.

| Provision | Funding 2012/13 £m |
|--|--------------------|
| Statutory Nursery Schools | 18.3 |
| Primary schools with Nursery Classes (*Part funding only) | 21.7 |
| PSEEP – Voluntary/Private settings | 15.7 |
| Early Years Fund | 3.145 |
| Early Years – The Organisation for Young Children – Core funding | 0.265 |
| Sure Start – figure includes Programme for 2-3 Year olds and expansion | 23.4 |
| Capital | 2.0 |
| Total | 84.51 |

* it is not possible to disaggregate all funding for Nursery Class pupils from overall funding provided to primary schools – figure relates only to core AWPU funds.

This includes over £55m for pre-school education in both the statutory and voluntary and private sectors; and £23m for Sure Start services targeted at our most disadvantaged families and children.

Principals' Salary Protection

Mr Storey asked the Minister of Education to explain the reasons for the difference in principals' salary protection in nursery and primary schools, within the LMS formula.

(AQW 14336/11-15)

Mr O'Dowd: There is no difference in the criteria applied using the Common Funding Formula for distribution of funding to schools under the Teachers' Salary Protection factor. This factor seeks to provide compensation for schools with above average teacher salary costs and is applied consistently across all phases.

Schools receive a compensatory amount for above average salary costs taking account of the number of teachers employed and the extent to which the school's salary bill is above average for the phase. Compensation is payable at 100% of the above average costs for schools of 4 teachers or less, tapering to 10% of the above average costs for schools of 30 teachers or more.

Full Complement of Governors

Mr Storey asked the Minister of Education which schools do not have a full complement of governors, broken down by (i) type of school; and (ii) Education and Library Board.

(AQW 14339/11-15)

Mr O'Dowd: This information is not readily available. However, it is being requested from schools by the Education & Library Boards, the Council for Catholic Maintained Schools and the Department. I will write to you with the information as soon as it is available.

St Colm's High School, Draperstown

Mr Frew asked the Minister of Education how, and why, St Colm's High School, Draperstown was allocated eight additional pupil places, in the last year.

(AQW 14368/11-15)

Mr O'Dowd: The eight additional places at St Colm's High School, Draperstown in 2011-12 were as a result of successful appeals by parents to the Western Education & Library Board's Independent Appeals Tribunal. The role of the Appeals Tribunal is to assess whether a school applied its admissions criteria correctly during the admissions process when establishing its rank order to decide the awarding of places.

In each of the eight appeal cases, following representations from the parent backed by legal and political support, the Tribunal concluded that the school had incorrectly applied their admissions criteria due to the inexactness of a single word within one of the criteria. Where a Tribunal finds in favour of an applicant, the child is automatically awarded a place at the school over and above its approved admissions and/or enrolment numbers.

This is an entirely independent process and my Department had no involvement in the granting of these places.

Post-primary Children

Mr Storey asked the Minister of Education to list, by school, the number of post-primary children who are resident in Belfast but who attend schools in another Education and Library Board area.

(AQW 14381/11-15)

Mr O'Dowd: The information requested is detailed in the table below.

Post-primary pupils who are resident in the Belfast Education and Library Board area, but who attend school in another Education and Library Board by school attended – 2011/12

| School name | ELB | Pupils |
|-------------------------------------|-------|--------|
| Antrim Grammar School | NEELB | * |
| Assumption Grammar School | SEELB | 24 |
| Ballyclare High School | NEELB | * |
| Ballyclare Secondary School | NEELB | * |
| Bangor Academy and 6th Form College | SEELB | * |
| Belfast High School | NEELB | 20 |
| Blackwater Integrated College | SEELB | 7 |
| Cambridge House Grammar School | NEELB | * |
| Carrickfergus College | NEELB | * |
| Carrickfergus Grammar School | NEELB | * |
| Crumlin Integrated College | NEELB | * |
| Down High School | SEELB | * |
| Downshire School | NEELB | * |
| Dunclug College | NEELB | * |
| Dundonald High School | SEELB | 27 |
| Dunmurry High School | SEELB | 96 |
| Edmund Rice College | NEELB | 338 |
| Fort Hill College | SEELB | 143 |
| Friends' School, Lisburn | SEELB | 7 |
| Glengormley High School | NEELB | 128 |
| Glenlola Collegiate | SEELB | * |
| Knockbreda High School | SEELB | 246 |
| Lagan College | SEELB | 441 |
| Larne Grammar School | NEELB | * |
| Laurelhill Community College | SEELB | * |
| Lisnagarvey High School | SEELB | * |
| Monkstown Community School | NEELB | 36 |
| Movilla High School | SEELB | * |
| Nendrum College | SEELB | * |
| New-Bridge Integrated College | SELB | * |
| Newtownabbey Community High School | NEELB | 67 |
| Newtownbreda High School | SEELB | 285 |
| Our Lady and St Patrick's College | SEELB | 280 |
| Parkhall Integrated College | NEELB | * |
| Priory College | SEELB | 73 |
| Regent House School | SEELB | 5 |
| Saintfield High School | SEELB | * |
| St Benedict's College, Randalstown | NEELB | * |

| School name | ELB | Pupils |
|--|-------|--------------|
| St Colman's College, Newry | SELB | * |
| St Colman's High School, Ballynahinch | SEELB | 59 |
| St Colm's High School, Twinbrook | SEELB | 27 |
| St Columbanus' College, Bangor | SEELB | * |
| ST Killian's College, Carnlough | NEELB | * |
| St Malachy's High School, Castlewellan | SEELB | * |
| St Mark's High School, Warrenpoint | SELB | * |
| St Mary's Grammar School, Magherafelt | NEELB | * |
| St Mary's High School, Downpatrick | SEELB | * |
| St Patrick's High School, Lisburn | SEELB | 5 |
| Sullivan Upper School | SEELB | 342 |
| The High School Ballynahinch | SEELB | * |
| The Royal School Armagh | SELB | * |
| The Royal School Dungannon | SELB | * |
| Ulidia Integrated College | NEELB | 5 |
| Wallace High School | SEELB | * |
| Total | | 2,713 |

Source: school census

Note:

** denotes fewer than 5 pupils.

1 Figures relate to pupils for whom a valid postcode is held.

Competition to Appoint Members to the General Teaching Council

Mr Storey asked the Minister of Education to explain how seven breaches occurred during the competition to appoint members to the General Teaching Council for Northern Ireland as highlighted in the Commissioner for Public Appointments Audit Report.

(AQW 14678/11-15)

Mr O'Dowd: I have made 26 Ministerial appointments to bodies which are regulated by the Commissioner for Public Appointments. In making these appointments, my officials have worked closely with the Office of the Commissioner for Public Appointments to ensure that the correct procedures are being followed at every stage of the appointments process.

On this one occasion, my Department's processes have clearly fallen short of the standards that the Commissioner rightly expects and that I as Minister also expect.

I am deeply disappointed that the Commissioners Report has identified breaches of the Code in relation to this process.

On examination of the report you will see that the issues identified relate to administrative errors by officials.

They do not in any way point to irregularity regarding the suitability of the appointments made. The Commissioner has not questioned their abilities or their appointment.

Nonetheless, I take very seriously indeed the breaches that the Commissioner has identified.

I am determined to ensure that, for those appointments to which it applies, all relevant aspects of the Code of Practice are adhered to in future. I have therefore asked the Department's Permanent Secretary to carry out an immediate review to establish how these breaches occurred and to make sure that lessons are learned and systems improved so that there can be no risk of recurrence.

My Department will be responding to the Commissioner on each aspect highlighted in the Report and on the measures required to ensure compliance with the Code. I will be working closely with my officials in this regard.

Parkhall Integrated College

Mr Kinahan asked the Minister of Education why there has been a delay in awarding Parkhall Integrated College a new build. (AQO 2508/11-15)

Mr O'Dowd: Parkhall Integrated College was not one of the schools included in my announcement of new builds on 25 June this year. I made it clear at that time that the projects being announced were those which had been future proofed and were also a priority for capital investment.

At that time the North Eastern Education and Library Board had initiated a public consultation on the future pattern of post primary provision in the Antrim/Ballymena area. Included in this were a number of proposals around the shape and size of Parkhall Integrated College. As such Parkhall Integrated College could not be considered at that time as there was a lack of clarity on the scale and type of provision which the Department of Education was being asked to provide funding for.

I met with the member, other local politicians and representatives from the school on Thursday 13 September 2012 to discuss the matter.

I indicated at that meeting that with clarity now provided around the proposed pattern of provision at Parkhall Integrated College that it could be considered alongside other proposals as part of any future announcement. However, I also made it clear that there could be no guarantee that it would be successful.

St Louis Grammar School, Ballymena

Mrs D Kelly asked the Minister of Education when the Department will carry out urgent maintenance work at St Louis Grammar School, Ballymena. (AQO 2511/11-15)

Mr O'Dowd: As part of the financial allocations funding for maintenance is included in the budgets allocated to Voluntary Grammar Schools. As such Voluntary Grammar Schools are responsible for maintaining their own premises and have discretion to decide on the amount of maintenance work carried out annually within their LMS budget

Post-primary Schools: Area Planning

Mr Anderson asked the Minister of Education what plans he has to extend the consultation period in relation to post-primary area plans. (AQO 2513/11-15)

Mr O'Dowd: The five Education and Library Boards published the draft Post-primary Area Plans on their websites on 5 July for public consultation.

The consultation runs for 16 weeks from 5 July to 26 October. This exceeds the recommended minimum consultation period of 12 weeks and has been set to take account of the school summer holidays.

I am confident that this timetable allows ample time for interested parties to consider the area plans and make their views known. I therefore do not think it is necessary to extend the consultation period. I think it is more important to move forward and start refining the post-primary plans taking account of the views of the public.

Education and Library Boards: Departmental Policy

Mr Lynch asked the Minister of Education whether the response of the Education and Library Boards reflects and supports the implementation of departmental policies. (AQO 2514/11-15)

Mr O'Dowd: You provided clarification that your question is in the context of area plans and you mention that Professor Tony Gallagher has reported that different individuals and boards are engaging to varying degrees.

The Area Planning Terms of Reference state that the Boards and CCMS must ensure that they take account of the Department's commitments in the Programme for Government and that any proposals supports the delivery of Departmental Policies.

They require the Boards, working closely with CCMS to actively engage with the other school sectors in developing the area plans.

Also, the Boards' public consultations on the plans will ensure that all interested parties have the opportunity to provide comment before a final draft plan is submitted for my consideration.

The plans will report the extent of this engagement. And I will consider this when assessing the revised plans following the public consultation.

Department for Employment and Learning

Higher Education for Mature Students and Parents

Mr Lyttle asked the Minister for Employment and Learning how his Department intends to improve access to higher education for mature students and parents, including provisions to assist them in completion of their courses.

(AQW 14091/11-15)

Dr Farry (The Minister for Employment and Learning): I am fully committed to ensuring that higher education and the opportunities that it brings should be available to all of those who have the ability to benefit from it regardless of their background or location. With around 80% of the Northern Ireland workforce already having completed full-time education, it is clear that future skills needs cannot be met from the existing young graduate output. Increasing participation in higher education in order to upskill the existing workforce is therefore critical if Northern Ireland's skills needs are to be met.

It was with this in mind that I allocated an extra £1.3 million in 2012/13 to provide an additional 1,000 part-time Higher Education and Further Education places. This additional funding will provide mature students with even greater opportunity to access flexible, close-to-home delivery of higher education through their local Further Education colleges.

In addition, I recently launched a Regional Strategy for Widening Participation in Higher Education, Access to Success. A major focus of the strategy is on supporting mature learners in higher education and many of the initiatives and activities which will be implemented through the strategy are specifically aimed at, or are particularly relevant to, helping improve access to higher education for this particular group and to support them in completing their studies once they have commenced their course.

The strategy outlines the Department's plans to draw on and develop the experience and good practice of the traditional Adult Access courses in order to encourage HE institutions to develop a regional standard model for Access Courses across all institutions. These programmes, which could include modules on skills, employability and personal development, would provide alternative access routes, particularly suitable to adult returners, to allow them to meet the needs and admission requirements for entry to university.

Access to Success also details the Department's commitment to expand provision of Foundation Degrees. There is good evidence to suggest that the skills gap is most acute at a level that is represented by HE qualifications below degree level such as the Foundation degree. Foundation Degrees, higher education qualifications which combine academic and work-related learning, provide a close-to-home option for people who face barriers to participation in higher education and, because many courses are delivered on a part-time basis, they are more able to accommodate the diverse learning needs of the mature student.

Foundation degrees are also particularly relevant to mature learners as they allow potential students, who may not have a recognised formal qualification, to gain entry to a higher education programme through the Accreditation of Prior Experiential Learning (APEL) system. The APEL system, which Access to Success aims to promote and expand, allows individuals without a recognised formal qualification to draw on their skills, experience and achievement to gain entry to higher education.

The strategy also outlines the Department's intention to make additional funding available to support outreach programmes with adult learners in the workplace and in local communities. Again, this will help facilitate improved access routes into HE for mature students and parents.

In addition, the recently published Higher Education Strategy, 'Graduating to Success', details my Department's plans to work with the HE and FE sectors to develop a pilot scheme for the creation of university bases at the FE colleges. The pilot scheme, which if successful will allow identified further education colleges to provide access to university resources by 2020, will give higher education students the opportunity to undertake distance learning at local further education colleges, with access to the university materials and resources they need, thus improving access for mature students and parents who are more likely to face travel or time-related barriers to participating in higher education.

Research indicates that mature students can often feel out of place in the university environment and find it difficult to involve themselves in student activities. The strategy recognises that once in the system, we need to ensure the continuation of students in higher education. This can be achieved through a range of supplementary support measures tailored to meet assessed individual needs and based on identified multiple disadvantage.

This might include targeted bursary payments, fee waivers and other forms of direct support to students who are on the lowest household income levels. These measures are in addition to the supplementary allowances already in place which are particularly relevant for mature students and parents, such as: fee loans and course grants for part-time undergraduate students who are studying at least 50% of an equivalent full-time course; Special Support Grant – a non repayable grant for students who may be eligible for means tested benefits; Parent Learning Allowance; and Childcare Grant.

The strategy will also encourage the development of non-financial support measures, many of which are likely to be of particular benefit to mature learners, for instance: institutions adopting flexible teaching, learning and assessment methods in light of the changing pattern of students' academic backgrounds; targeted mentoring and tutoring support; and enhanced induction and orientation programmes to introduce students to the institution, its staff and pastoral care arrangements.

Belfast Metropolitan College

Mr Humphrey asked the Minister for Employment and Learning why Belfast Metropolitan College is refusing to allow school leavers to take part in programme-led apprenticeship construction courses unless they have a work placement.

(AQW 14108/11-15)

Dr Farry: The Belfast Metropolitan College has advised that school leavers do not require a work placement in order to take part in a programme-led apprenticeship.

The college has 12 work placement officers working to secure work placements for its students, regardless of the route of study, in order that they can successfully complete their qualifications.

The college is happy to meet with school leavers to explore training options and if any wish to participate in a programme-led apprenticeship and meet the entrance requirements all efforts will be made to accommodate them.

Education Maintenance Allowance

Mr Dunne asked the Minister for Employment and Learning whether he has any plans to widen the eligibility criteria of the Education Maintenance Allowance to support more students who seek to further their education.

(AQW 14160/11-15)

Dr Farry: I can advise the member that the policy intent for the introduction of the Education Maintenance Allowance scheme in September 2004 was to enable young people from lower income backgrounds to remain in post-compulsory education at school or college with the key objectives of raising participation, retention and achievement rates in the eligible group; and addressing the well-established link between low attainment and low income.

The future intention is to better target the scheme at those young people from lower income families who otherwise would not have carried on with their post-compulsory education without the incentive of Education Maintenance Allowance.

Education Maintenance Allowance

Mr Dunne asked the Minister for Employment and Learning for his assessment of the effectiveness of the current Education Maintenance Allowance.

(AQW 14161/11-15)

Dr Farry: Findings from the joint review of the scheme by my Department and the Department of Education highlighted that only one-third of students in receipt of means tested Education Maintenance Allowance, EMA, indicated they would not have remained in education had they not received it. This suggests that the scheme could be better targeted and options to do so are out to public consultation at present.

The review established EMA does promote better attendance, timely completion of coursework and learner behaviour. That together with the encouragement given to a significant minority of learners to stay in full-time education has convinced me to give a commitment to retain the fundamental principles of EMA in a better targeted scheme.

84% of current Education Maintenance Allowance awards go to students living in the homes with household income of up to £22,331 or less. Therefore, the vast majority of the students receiving EMA are currently from lower income families.

My assessment of the means tested EMA scheme is that it should be retained. However, in future it needs to be more effectively targeted towards the most disadvantaged families and the options presented in the consultation document have been designed to achieve this.

Co-operation Between Universities and Schools

Mr Frew asked the Minister for Employment and Learning what action his Department will take to ensure greater co-operation between universities and schools.

(AQW 14240/11-15)

Dr Farry: The level of engagement and cooperation between the universities and the school sector remains primarily a matter for these institutions. However, my Department recognises that there are sections of our society which are currently under-represented in higher education and funds initiatives to widen participation and ensure fair access. The special project funding provided for the Step-Up and Discovering Queen's programmes allows the universities to develop partnerships with schools in disadvantaged areas, with traditionally low levels of participation in higher education.

Step-Up is a unique and innovative science-based programme which is delivered by schools in conjunction with the University of Ulster, industry and government. The aim of the programme is to encourage participation in higher education by disadvantaged students who have low attainment levels, relatively low expectations and who previously may not have considered higher education as an educational option. Step-Up pupils are supported during the two years of study for the Double Award GCE in Applied Science qualification, which is equivalent to two A-Levels. Pupils are also required to study an additional A-Level or GCE Applied six unit award within their own school. The programme has operated successfully at the Magee Campus in Londonderry since 2000 and in greater Belfast since 2006. By academic year 2010/11 over 1200 students will have participated in Step-Up, with a progression rate of 97% into higher education.

Discovering Queen's was introduced in 1999 and is also aimed at raising awareness and aspirations of potential students from disadvantaged backgrounds to consider higher education as an option. Activities include work in Primary Schools, non selective Secondary Schools and Further Education Colleges as well as targeted work with specific groups such as, with students who have a disability, teachers and support staff. Since 2000 Discovering Queen's has engaged with over 15,000 participants. A high proportion of school leavers from the Discovering Queen's schools progress to higher education each year.

The Department recently launched the integrated, regional strategy for Widening Participation in Higher Education 'Access to Success'. A major focus of the strategy will be to make additional funding available, on a competitive basis, to all institutions offering higher education courses to encourage them to expand the range of aspiration and attainment raising programmes at school, college and in the community. My Department has allocated £2.5 million each year to help to widen participation from groups which are currently under-represented in higher education.

Co-operation Between Universities and the Manufacturing Industry

Mr Frew asked the Minister for Employment and Learning what action his Department will take to ensure greater co-operation between universities and the manufacturing industry.

(AQW 14242/11-15)

Dr Farry: There is already a significant amount of co-operation between the universities and the manufacturing industry here in Northern Ireland. In continuing to develop and strengthen this cooperation I recently announced the creation of an Advanced Manufacturing and Engineering Services Working Group. The Working Group includes business leaders from the sector, employer representative bodies and representatives from our local universities and further education colleges together with officials from other Government Departments and agencies, including the Department of Enterprise Trade and Investment, the Department of Education and Invest NI.

I chaired the first meeting of this Working Group on 19 September 2012 and the Group had productive discussions regarding the skills needs of the sector and areas of work that could be taken forward in order to address those skills needs.

Those initial discussions indicated a willingness between the manufacturing industry and the universities to work together to support the sector and to explore the possibility of, for example, increasing the interaction between university lecturers and the industry.

The Working Group is tasked with developing an Action Plan which will address the skills needs of the sector and will fully outline actions to ensure a closer collaboration between the universities and the manufacturing industry.

My Department has also, as part of the implementation of the Department's 'Employer Engagement Plan', initiated a project to scope the current level of employers offering placements and scholarships to people studying in further and higher education and consider how it can encourage more companies to offer these opportunities. The project will particularly focus on those studying science, technology, engineering and maths (STEM) subjects.

Higher Education Skills

Mr Frew asked the Minister for Employment and Learning what higher education skills his Department is planning to target to boost the economy at present and in the future.

(AQW 14243/11-15)

Dr Farry: The Department's Skills Strategy, 'Success through Skills – Transforming Futures', identifies skills as a crucial ingredient in both rebalancing and rebuilding our economy. At the heart of the Strategy is the desire to up-skill the existing workforce and to increase the number of people with higher level skills within the workforce. This ambition is reflected as a key strategic goal in the strategy which reflects the likely level of demand from industry for higher level skills.

The Strategy was informed by Oxford Economics' 'Forecasting Future Skill Needs in Northern Ireland' report. The report predicts that the demand for higher level skills will increase significantly and that by 2020 a significant number of jobs will require post graduate or degree level qualifications. It is anticipated the main skill needs will be in areas such as business, engineering, technology, computer science, and biological science.

The Department's Higher Education Strategy for Northern Ireland – 'Graduating to Success', sets out the importance of ensuring that higher education learners not only undertake higher level courses in economically relevant subjects but also gain the skills, experiences and attributes needed to succeed within employment and ultimately benefit the Northern Ireland economy. The Strategy also highlights the need to ensure that all learners within higher education are provided with the opportunities to develop a portfolio of skills, attributes and experiences that will set them apart in the world of employment. This should include personal development, creative thinking allied to enterprise and innovation, international mobility opportunities and embedding employability within the curriculum.

Graduating to Success feeds into the implementation of the overarching Skills Strategy and reinforces the need to increase the proportion of those qualifying from Northern Ireland Higher Education Institutions with graduate and post graduate level courses in science, technology, engineering and maths (STEM) subjects.

I have recently increased the funding available to the universities in the current academic year for economically relevant Masters courses. This has enabled the universities to increase recruitment on graduate conversion IT software development courses and on advanced food safety.

I have also introduced a new higher education research funding model which rewards world-leading and internationally excellent research whilst providing a premium for research in STEM and priority skills areas.

Jobseeker's Allowance: Concessionary Fee for Part-time Courses

Mr Spratt asked the Minister for Employment and Learning whether Further Education Colleges and Higher Education Institutes are required to accept a letter from Jobs and Benefits offices so that people who have applied for Job Seekers Allowance can receive a concessionary fee for part-time courses.

(AQW 14296/11-15)

Dr Farry: For the purpose of securing a concessionary fee for a part-time course, I am advised that further education colleges and higher education institutions require written confirmation that applicants are in receipt of Job Seekers Allowance. This may take the form of a letter from the Jobs and Benefit office.

Apprenticeship Places

Mr Easton asked the Minister for Employment and Learning how many apprenticeship places have been made available to the South Eastern Regional College for the 2012/13 academic year.

(AQW 14348/11-15)

Dr Farry: My Department's ApprenticeshipsNI programme is an employer-led programme and, as such, it is employers who create apprenticeship places. The training offered through the ApprenticeshipsNI programme is provided through the Department's contracted Training Suppliers, including the South Eastern Regional College.

At 24 September 2012, 298 apprentices were availing of training provided by the South Eastern Regional College through the ApprenticeshipsNI programme.

Educational Underachievement

Mr Easton asked the Minister for Employment and Learning what action his Department is taking to address educational underachievement among working class Protestants.

(AQW 14351/11-15)

Dr Farry: The key to addressing educational underachievement is to fully engage with young people while at school in order to raise their academic attainment levels. Although this is primarily a matter for the Department of Education and the school sector, my Department provides special project funding for programmes such as, Step-Up and Discovering Queens. These programmes allow the universities to develop partnerships with non-selective, post-primary schools in disadvantaged areas to raise awareness of the benefits of higher education and to help pupils attain the necessary qualification for entry. Pupils from working class Protestant backgrounds are specifically targeted for inclusion in these programmes.

One of the aims of my Department's widening participation strategy "Access to Success" is to raise academic attainment among the most disadvantaged in our society. This will be achieved through the improved targeting of resources, an expansion in the range of attainment raising programmes in schools, colleges and in the community, and increased project funding for community outreach programmes. The strategy has identified young males from a working-class Protestant background from lower participation neighbourhoods as a clearly defined target group. My Department has allocated £2.5 million each year to help to widen participation from groups which are currently under-represented in higher education.

Job Losses at FG Wilson

Mr McGimpsey asked the Minister for Employment and Learning (i) whether there is any legal requirement for companies to inform his Department, in advance, of any redundancies, such as those recently announced by FG Wilson; and (ii) when his Department was informed of the job losses at FG Wilson that were announced on the 13 September 2012.

(AQW 14390/11-15)

Dr Farry:

- (i) Under the Employment Rights (Northern Ireland) Order 1996, there is a statutory requirement for employers, who are proposing to make 20 or more employees redundant, to notify the Department in advance. This is done by means of completing an HR1 form, and forwarding it to my Department.
- (ii) The Department received informal notification of the proposed redundancies at FG Wilson on 11 September 2012, and received formal notification on 14 September through the standard HR1 notification processes.

DEL: One Plan

Mr P Ramsey asked the Minister for Employment and Learning to outline what work his Department has undertaken to assist Derry City Council in the implementation of the One Plan.

(AQO 2522/11-15)

Dr Farry: My Department has responded positively to the opportunities provided for working with Derry City Council and others by the One Plan for the regeneration of the city.

This has included participation in the city's Skills Directorate, support for the delivery of skills provision across the city by North West Regional College, the University of Ulster and others and the provision of services to help people find employment.

In particular, my Department has worked closely with Derry City Council in the provision of WorldHost training which has a key role to play in raising the standard of customer service provided to visitors to the city through the hospitality sector. This is crucial at this time with the City of Culture and other major events such as the All Ireland Fleadh coming to Derry in 2013. With the Department's support, over 900 people have been trained in WorldHost in Derry and I believe this lays a firm platform to support tourism in the city which is of major significance in the One Plan. It is a good example of co-operation across a range of bodies in the city to deliver training which will bring real benefits.

In addition, as part of the agreement on tuition fees the Executive has made funding available to my Department for additional places in Science, Technology, Engineering and Maths subjects.

The University of Ulster has been allocated a total of 322 additional places by 2014/15. The University has stated that all of these places will be deployed at the Magee campus. This therefore makes a significant contribution to the development of the university which is seen as an important driver in the success of the One Plan.

Engineering Skills Working Group

Mrs Cochrane asked the Minister for Employment and Learning for an update on the Engineering Skills Working Group. (AQO 2523/11-15)

Dr Farry: I chaired the first meeting of 'Advanced Manufacturing and Engineering Services Working Group' which took place on 19th September. The Working Group consists of a number of employers from the sector, employer representative bodies and representatives from the colleges, universities and other Government Departments.

The Group is a short term intervention and has been tasked with producing an action plan to address the current and future skill needs of the sector by addressing the themes of skills provision, sector attractiveness and coordination and communication.

In order to inform the Group, I asked the Northern Ireland Adviser to undertake a series of meetings with employers in the sector. His findings, together with an analysis of the sector, have been published and are available on my Department's website.

At the meeting the Group had an open discussion regarding the areas they felt needed addressed within the sector. Some of the issues discussed included the need to improve the image of the engineering sector, improve the employability skills of those coming through to be employed in the sector and the need to increase the numbers of individuals studying STEM subjects. My officials are in the process of producing a draft Action Plan based on these discussions.

Representatives from FG Wilson also provided an update on the recent announcement of job losses and actions that are being taken to minimise the number of compulsory redundancies and to help those affected to find alternative employment. I took the opportunity to talk to members about what we could collectively do to potentially redeploy these skills within the sector in order to address current and future skill needs.

It is important to note that their announcement coincided with the beginning of the 90 day consultation to determine what areas of the business will be affected.

North West Regional College: Industrial Relations

Mr Ó hOisín asked the Minister for Employment and Learning to provide an update on industrial relations in the North West Regional College. (AQO 2524/11-15)

Dr Farry: The Governing Body of North West Regional College asked my Department to undertake an independent review of industrial relations at the college following two reports into a redundancy and redeployment programme at the college. The terms of reference for this review were drawn up by the Department, following consultation with all interested parties. An independent consultant from the Labour Relations Agency's panel of arbitrators was then appointed to conduct the assignment.

The review will be completed by the end of October. My Department will liaise with all those who have an operational interest in the review's findings and will ensure that, where appropriate, its recommendations are fully implemented.

Southern Regional College: Higher Education

Mr Brady asked the Minister for Employment and Learning whether his Department has any plans to increase the higher education provision delivered through the Southern Regional College. (AQO 2525/11-15)

Dr Farry: I am fully committed to further education colleges delivering higher education courses and believe they are best placed to meet the higher level skills needs of employers through the provision of intermediate level higher education courses. This commitment was demonstrated when my Department increased the overall higher education in further education allocation to the Regional Colleges by almost £1.6m in academic year 2012/13.

In December 2011, I also announced an additional 70 full-time places, the first tranche of which are allocated in 2012/13.

The Department has increased the number of full-time higher education places that it funds at Southern Regional College from 395 places in 2007/08 to 539 places in 2012/13, an increase of 36% over the 5 year period.

The Department has a target of increasing full-time and part-time foundation degree enrolments to 2500 by March 2015 from a baseline of 1132 enrolments in 2010. The Further Education sector has a key role to play in achieving this target.

The expansion of part-time provision offers colleges another route to increase higher education provision. Southern Regional College received an increase of £258,400 for funding of part-time places in 2012/13 compared to the previous year, bringing the college's total funding targeted at part-time places in 2012/13 to £1,761,200.

Youth Unemployment

Mr Nesbitt asked the Minister for Employment and Learning what new approaches his Department is taking to address youth unemployment following the most recent figure of 23.5 percent youth unemployment.

(AQO 2526/11-15)

Dr Farry: Addressing youth unemployment is an Executive priority. In March we agreed a package of new measures to help young people gain experience, acquire new skills and find employment. The package which I announced to the Assembly on 2 July will invest £40 million in these measures over the next 3 years, including £10 million to support those young people not in education, employment or training.

Opportunities include short two to eight week work experience placements, six to nine month training opportunities, and subsidised job opportunities as well as training in sector specific skills. My Department is actively working with employers to secure as many opportunities as possible as quickly as possible. I have been encouraged by the positive response of employers so far and I expect many more to offer opportunities for young people in the coming months.

A major promotional event will take place tomorrow at Titanic Belfast, members are welcome to come along. Breakfast is at 8 am and we will finished by 11 am.

In addition, my Department provides a guarantee of a training place through its Training for Success programme to all unemployed young people aged 16 and 17, with extended eligibility for those with a disability or from an in-care background.

This programme is designed to enable participants to progress to higher level training, further education, or employment by providing training to address personal and social development needs, develop occupational skills and employability skills and, where necessary, Essential Skills training.

I am particularly aware that jobs for school leavers continue to be limited and programme-led apprenticeships have been developed for those who have been unable to find employment to train as an apprentice.

Jobs and Benefits Offices: Staffing

Mr Durkan asked the Minister for Employment and Learning to outline changes to staffing numbers in Jobs and Benefits Offices as a result of benefit migration since the introduction of Employment and Support Allowance.

(AQO 2527/11-15)

Dr Farry: To cope with the increased workload brought about by the reassessment of Incapacity Benefit claimants as a result of the introduction of Employment and Support Allowance, an additional 58 staff have been approved for the Jobs & Benefits offices, 19 in 2011/12 and 39 in 2012/13. Twenty-seven additional staff are currently in post, and three will commence shortly. The Department's Human Resources Team is actively working to fill the remaining 28 vacancies.

Higher Education: Widening Participation

Mr Hussey asked the Minister for Employment and Learning how the strategy for widening participation in higher education will be communicated to parents to help improve outcomes.

(AQO 2528/11-15)

Dr Farry: My Department's strategy for widening participation "Access to Success" recognises the need for an awareness raising campaign to better communicate the benefits of higher education to under-represented sections of the community, this includes the parents of potential students.

A single, centralised and co-ordinated awareness and aspiration raising programme will be developed and implemented in close collaboration with relevant partners including, higher education providers and other Government Departments to avoid duplication and to promote the benefits of higher education.

The programme will be integrated and regional. It will utilise multiple media channels in a phased and themed campaign which will target schools, communities and the workplace.

New Widening Access and Strategic Assessment Plans will also be published to enable parents, students and careers advisers to better understand the individual institution's widening participation strategy and assistance available for students.

Further Education: Student Finance

Mr Craig asked the Minister for Employment and Learning whether his Department holds information on the financial background of students in Further Education Colleges.

(AQO 2529/11-15)

Dr Farry: The only financial information about students in further education held by my Department is that which identifies whether a student, or his or her parents, are in receipt of specific social security benefits. This information helps inform the level of grant that is made available through support funds for those students who may require financial assistance.

More detailed information on the financial background of students in further education colleges, such as earnings from employment, benefits and pensions received, is held by education and library boards, individual colleges and the Student Loans Company.

Department of Enterprise, Trade and Investment

Enterprise Zones

Mr McNarry asked the Minister of Enterprise, Trade and Investment to outline the recommendations which have been made to the Executive on the introduction of Enterprise Zones on specific sites for specific sectors.

(AQW 13789/11-15)

Mrs Foster (The Minister of Enterprise, Trade and Investment): Enterprise Zones are being considered in the context of the ongoing Treasury work on rebalancing the Northern Ireland economy, the outcome of which will not be known until later this year. As such, any decision on establishing an Enterprise Zone for Northern Ireland cannot be taken until these discussions have concluded.

Northern Ireland's difficulties are further exacerbated, given the UK Government's intention to remove Northern Ireland's automatic assisted area status post 2013, on the basis that the economic analysis no longer supports that position. This will impact on our ability to progress with implementing the Government's Enterprise Zone policy in Northern Ireland, and in particular the capital allowance element which is based on zones being within an assisted area for the five years from April 2012.

It should be noted, however, that the approach being adopted in other GB regions in terms of Enterprise Zones relates to issues such as rating, simplified planning and broadband, all of which are already devolved and being applied across Northern Ireland as a whole. The enhanced capital allowances element may be of interest and is being explored.

My officials continue to closely monitor developments in relation to UK Government's Enterprise Zone policy as implemented in other GB regions, to ensure that any potential benefits for Northern Ireland are exploited.

Bed and Breakfasts

Mr McKay asked the Minister of Enterprise, Trade and Investment how many referrals Bed and Breakfasts have received from the Northern Ireland Tourist Board in each of the last five years, broken down by council area.

(AQW 13939/11-15)

Mrs Foster: The Northern Ireland Tourist Board offers all B&Bs in Northern Ireland the option to promote their properties for free on www.discovernorthernireland.com. Website views of B&B properties on NITB's consumer website, including details of how to book, over the past five years, are detailed below:

- **1st August 2007 - 31st July 2008** - 413,000 page views
- **1st August 2008 - 31st July 2009** - 254,845 page views
- **1st August 2009 - 31st July 2010** - 189,305 page views
- **1st August 2010 - 31st July 2011** - 143,547 page views
- **1st August 2011 - 31st July 2012** - 146,307 page views

The Northern Ireland Tourist Board offers all B&Bs in Northern Ireland the option to be listed on their online booking system. Visitors can make bookings for B&Bs which choose to use NITB's online booking system. The number of bookings made via this system for B&Bs, in each of the last five years, broken down by council area is detailed in Table 1.

Renewable Heat Incentive

Mr Agnew asked the Minister of Enterprise, Trade and Investment to detail what measures her Department is taking to launch and advertise the Renewable Heat Incentive (RHI) to key stakeholders, including industry, schools, community groups and churches to ensure the greatest uptake of the RHI, as part of its efforts to meet the target of producing 10 percent of heat from renewable sources by 2020, as outlined in the Strategic Energy Framework.

(AQW 13959/11-15)

Mrs Foster: My Department intends to launch the Northern Ireland Renewable Heat Incentive (RHI) once all administrative processes are in place and necessary legislation is passed in the Assembly. Work is currently underway to develop

appropriate communication and marketing material that will highlight the opportunities presented by the RHI and the associated Renewable Heat Premium Payment (RHPP) scheme. It is expected that this marketing activity will launch once the RHI is in place and will advise consumers of the support available and assist in the success of both the RHI and RHPP schemes.

In addition, my Department is working with cross-departmental stakeholders through the Renewable Heat Strategy Group to ensure that opportunities within the public sector are also considered.

Executive Papers

Mr Allister asked the Minister of Enterprise, Trade and Investment how many papers, which have been approved by the Minister, have yet to be placed on the agenda for an Executive meeting, including (i) the date on which the papers were circulated to ministerial colleagues; (ii) the subject matter of each paper; and (iii) the consequences of a delay in securing Executive approval.

(AQW 13969/11-15)

Mrs Foster: I refer the Member to the answer I gave to AQW 13792/11-15.

Giant's Causeway Visitor Centre

Mr McKay asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 13635/11-15, to list the individuals and groups who wrote to her expressing an interest in the interpretative content of the Giants Causeway Visitor Experience.

(AQW 13993/11-15)

Mrs Foster: Various individuals and groups wrote to me expressing an interest in the interpretative content of the Giant's Causeway Visitor Experience.

Bioscience and Technology Institute/Habourgate Affair

Mr Allister asked the Minister of Enterprise, Trade and Investment what discipline was imposed on the two InvestNI staff arising out of the Bioscience and Technology Institute/Habourgate affair; and at what level the staff operated within InvestNI.

(AQW 14016/11-15)

Mrs Foster: Invest NI is subject to the Data Protection Act 1998, and to reveal details of disciplinary action against an individual would breach this legislation and Invest NI's duty of confidentiality to its employees.

Bioscience and Technology Institute/Habourgate Affair

Mr Allister asked the Minister of Enterprise, Trade and Investment what steps have been taken to address the findings against her Department and InvestNI by the Audit Office and Public Accounts Committee reports into the Bioscience and Technology Institute/Habourgate affair.

(AQW 14017/11-15)

Mrs Foster: The Memorandum of Reply to the Public Accounts Committee's report on the Bioscience and Technology Institute was laid before the Assembly on 23 July 2012 and sets out the Department's responses to the Committee's recommendations.

This full document can be accessed at the following website: http://www.dfpni.gov.uk/index/finance/afmd/afmd-public-audit-and-pac/afmd-memoranda_of_reply/mor_6th_8th_reports_1115.pdf

The Department has taken and is taking a number of actions to address the issues raised in the report. Progress will be reviewed on a regular basis.

Invest NI: Operation in North and South America

Mr Allister asked the Minister of Enterprise, Trade and Investment, in relation to InvestNI's operation in North and South America, to detail (i) how many staff are employed; (ii) what is the nationality of staff; (iii) what is the community background of staff (with regards to the Fair Employment designations applicable in Northern Ireland); and (iv) what is the annual cost of the American operation.

(AQW 14018/11-15)

Mrs Foster: Invest NI has offices in New York, Boston and San Jose that focus on attracting high quality inward investment and developing trade opportunities for Northern Ireland companies. In addition, Invest NI has representation, without physical office space, in Chicago, Toronto and Sao Paulo.

- (i) There are currently 22 members of staff engaged in the United States. In addition there are 2 contractors engaged outside the US – one in Toronto and one in Sao Paulo.
- (ii) This information is not recorded. All staff and contractors are engaged under local terms and conditions of employment and as such this information is not required.

- (iii) This information is not recorded. All staff and contractors are engaged under local terms and conditions of employment and as such this information is not required.
- (iv) The cost of the North and South America operation for 2011-12 was £2,358,000.

Tourism Strategy

Mrs Overend asked the Minister of Enterprise, Trade and Investment for an update on the final Tourism Strategy, including when it will be published.

(AQW 14025/11-15)

Mrs Foster: My Department is currently working to finalise a 'Priorities for Action' Plan for tourism to ensure that tourism commitments in the PfG are delivered. The draft Plan is currently out with other Departments for review and we intend to take it to the Executive for endorsement in autumn 2012.

Grants for Small Businesses

Mr Easton asked the Minister of Enterprise, Trade and Investment what grants are currently available from her Department to help small businesses.

(AQW 14097/11-15)

Mrs Foster: Invest NI provides a range of financial assistance to support the establishment and growth of new and existing export focussed businesses. This support is targeted particularly at businesses that sell in markets outside Northern Ireland, are actively pursuing growth plans, and can contribute to increased Northern Ireland productivity. Financial support is based on the needs of the project and is normally targeted at areas such as Research and Development, Marketing and Employment.

New social enterprise start ups will be supported by Invest NI's planned Social Entrepreneurship Programme, with capability support to the business plan and initial start up. Grants may be available to social enterprise starts should they have a level of export potential.

The Jobs Fund has been developed to provide a range of grant based employment support. These include grants of between £1,000 - £1,500 for business starts in Neighbourhood Renewal Areas and for individuals not being in employment, education or training (known as NEETS).

Further Information can be found on Invest NI's Website www.investni.com

Invest NI: Funding Allocated to the East Antrim Area

Mr Dickson asked the Minister of Enterprise, Trade and Investment how much funding InvestNI has allocated to the East Antrim area in each of the last three years.

(AQW 14109/11-15)

Mrs Foster: Whilst the question asks for the amount allocated to East Antrim, it should be noted that Invest NI does not determine the level of funding to particular areas. Assistance patterns are based on the location of those clients which are seeking to grow and develop their business. Table 1 shows the amount of assistance, or funding, that Invest NI has offered to businesses in the East Antrim Parliamentary Constituency Area (PCA) in each of the last three financial years.

Table 1: Invest NI Assistance Offered in East Antrim PCA (2009-10 to 2011-12)

| Financial Year | Total Assistance £million |
|----------------|---------------------------|
| 2009-10 | 4.54 |
| 2010-11 | 2.42 |
| 2011-12 | 1.59 |
| Total | 8.55 |

Jobs Fund

Mr Dickson asked the Minister of Enterprise, Trade and Investment how many businesses in the East Antrim area obtained funding under the Jobs Fund during 2012, broken down by each of the maximum grants.

(AQW 14110/11-15)

Mrs Foster: To date during 2012 a total of 8 businesses in East Antrim have received offers of support through the Jobs Fund for employment based investment projects which collectively have the potential to create a total of 29 new jobs.

Under the Jobs Fund scheme the grant offered is determined by the salaries of the jobs being created and ranges from £3,000 per job to £7,000 per job. The 8 projects supported in East Antrim range from a one person employment project with a grant offer of £7,000 to a 15 person project with a total grant offer of £45,000.

In addition to these company investment projects, the Jobs Fund also provided support to three young people in East Antrim (aged 16-24 Not in Education, Employment or Training) to set up a new business through the NEET Business Start Grant.

The Jobs Fund work is ongoing and Invest NI is continuing to build a pipeline of projects that may lead to further new job creation in East Antrim in the near future.

Jobs Fund

Mr Dickson asked the Minister of Enterprise, Trade and Investment how many businesses in the South Antrim area obtained funding under the Jobs Fund during 2012, broken down by each of the maximum grants.

(AQW 14111/11-15)

Mrs Foster: To date during 2012 a total of 14 businesses in South Antrim have received offers of support through the Jobs Fund for employment based investment projects which collectively have the potential to create a total of 68 new jobs.

Under the Jobs Fund scheme the grant offered is determined by the salaries of the jobs being created and ranges from £3,000 per job to £7,000 per job. The 14 projects supported in South Antrim range from a two person employment project with a total grant offer of £10,000 to an eight person employment project with a total grant offer of £50,000.

The Jobs Fund work is ongoing and Invest NI is continuing to build a pipeline of projects that may lead to further new job creation in South Antrim in the near future.

Giant's Causeway Visitor Centre

Mr McKay asked the Minister of Enterprise, Trade and Investment whether the Northern Ireland Tourist Board expressed a view to the National Trust on the inclusion of creationism material at the Giant's Causeway Visitors Centre.

(AQW 14141/11-15)

Mrs Foster: During the initial stages of the project, the National Trust undertook a series of consultations with a wide group of stakeholders which included The Northern Ireland Tourist Board (NITB) in order to help inform the interpretative solution.

NITB was keen that interpretation was determined by research and visitor need. However The National Trust, as project promoter, had the final decision in terms of the final interpretative content.

Social Economy Strategy

Ms Maeve McLaughlin asked the Minister of Enterprise, Trade and Investment to detail (i) the number of people employed in the social economy sector; (ii) the income generated by the sector in each of the last three years; and (iii) for an update on the new Social Economy Strategy, including a timescale for its introduction.

(AQW 14147/11-15)

Mrs Foster: In 2007, it was estimated that there were nearly 400 SEEs with a total of 6,700 paid employees, 5,000 volunteers and turnover of just over £355 million. DETI and DSD are currently undertaking a scoping exercise on the size and scale of the Third Sector and to assess the potential of community and voluntary organisations to make the transition to the social enterprise model. A final report is expected by December 2012.

DETI has led, on behalf of the Executive, on the development of social economy policy for Northern Ireland and this work is being taken forward by a cross departmental Social Economy Policy Group (SEPG). As part of this work, the SEPG has identified departmental actions, within the context of the Executive's emerging Enterprise Strategy, to further develop and support the social economy sector given its importance both in rebuilding and rebalancing the NI economy.

A key DETI action within the SEPG action plan is to appoint a service provider to design, manage and deliver a three year Social Economy Work Programme (SEWP) with the objective of identifying and implementing a programme of initiatives to enable the continued growth of a sustainable social economy sector. It is anticipated that a contract will be awarded by early October 2012.

Power Station

Mr Lunn asked the Minister of Enterprise, Trade and Investment to outline the need for an additional power station.

(AQW 14169/11-15)

Mrs Foster: The System Operator for Northern Ireland (SONI) Adequacy Statement for 2011 indicates that there is sufficient generation capacity in Northern Ireland to meet current demand.

Technical Assistance Budget

Ms Maeve McLaughlin asked the Minister of Enterprise, Trade and Investment whether she intends to introduce a Technical Assistance Budget to assist small and medium sized enterprises and others to access new rounds of EU funding.

(AQW 14190/11-15)

Mrs Foster: My Department already provides advice, guidance and financial support to assist small and medium sized enterprises and others to access EU funding. In addition my department has also recently appointed a Horizon 2020 Manager

who will work closely with universities and industry to ensure they have the necessary support to increase the Northern Ireland success rate in EU R&D programmes. We are also currently considering how this assistance might be further enhanced for the 2014-2020 period.

All-island Approach to Waste-to-energy

Mr Lunn asked the Minister of Enterprise, Trade and Investment what potential exists under the single electricity market for an all-island approach to waste-to-energy.

(AQW 14193/11-15)

Mrs Foster: The Single Electricity Market (SEM) is an all island market and the arrangements for generators and their access to the market are harmonised. These harmonised arrangements include provision for renewables generators to have priority dispatch in accordance with Article 16(2) of the Renewable Energy Directive 2009/28/EC allowing the system operator to run them ahead of other generation so long as the system can take them.

In its government response to the consultation on priority dispatch, DETI stated its plans to allocate priority dispatch status to Energy from Waste plant in Northern Ireland under the Renewable Energy Directive. In addition, waste to energy technologies in Northern Ireland are incentivised under the Northern Ireland Renewables Obligation.

Boosting Business Programme

Ms Maeve McLaughlin asked the Minister of Enterprise, Trade and Investment what percentage of businesses which have received money from the Boosting Business programme have been from the North West area.

(AQW 14213/11-15)

Mrs Foster: The Boosting Business campaign began in November 2011. Provisional results show that between then and 31st August 2012, Invest NI has offered financial assistance of over £7million to over 350 businesses located in its North West regional area (Coleraine, Londonderry, Limavady and Magherafelt District Council Areas). This represents 15% of all businesses offered support during the same period and 10% of all financial assistance offered.

The Boosting Business campaign was designed to increase awareness of the wide range of support and advice available to businesses, to signpost them to the most appropriate source of support, and to broaden the support available from Invest NI. It is not a programme designed purely to provide financial support to businesses. Since the launch of the campaign, over 11,000 enquiries have been received and as a result 104 businesses in the North West area have been referred to Invest NI teams involved in the provision of development support to date. This represents 9% of the total number of referrals made since the campaign began.

Prior to 1st July 2012 it was not possible to track the geographic location of some of the enquiries made to Boosting Business, however, software enhancements have now enabled this. Since this date a total of 114 calls, texts and emails have been received from the North West area. Also, from 1 July 2012 there were an additional 973 enquiries recorded from unknown addresses across Northern Ireland, 109 of which are estimated to be from the North West.

In addition, during the period 14th November 2011 to 31st August 2012, Invest NI engaged with more than 330 individuals located in its North West regional area who were interested in starting their own business, 203 of which completed business plans. These businesses are expected to create 65 new jobs.

Hydraulic Fracturing Licence

Mr Agnew asked the Minister of Enterprise, Trade and Investment, given that the licence document PL2/10 states "Section 2 of the above-mentioned Act Hereby Grants to the Licensee full and free and exclusive liberty and licence for a period of five years from the date hereof and thereafter during the continuance of this Licence to search and bore for and get petroleum within those party of the County of Fermanagh"; whether a hydraulic fracturing licence is an explicitly supplementary tangible licence to allow a company to perform hydraulic fracturing, separate from the actions of getting petroleum.

(AQW 14246/11-15)

Mrs Foster: I would refer the Member to the answer I gave to AQW 14180/11-15. My Department does not issue fracking licences. The processes and stages of Petroleum Licences have been set out previously. Exploration drilling and hydraulic fracturing will be subject to Planning Approval and other consents pertaining to various aspects of the engineering, environmental and safety issues by DETI, NIEA and HSENI respectively.

Invest NI: Advertising Spend

Mr Eastwood asked the Minister of Enterprise, Trade and Investment to detail the advertising spend by InvestNI in each constituency in each of the last five years.

(AQW 14251/11-15)

Mrs Foster: Invest Northern Ireland (Invest NI) does not book advertising on the basis of Parliamentary constituencies in Northern Ireland and therefore does not hold this information.

Broadband Provision in the West Tyrone Constituency

Mr Hussey asked Minister of Enterprise, Trade and Investment for her assessment of Broadband provision in the West Tyrone constituency, particularly the Sixmilecross postal area; and what specific actions her Department has taken to improve the service.

(AQW 14255/11-15)

Mrs Foster: Broadband services in Northern Ireland are delivered via a mix of technologies including fixed-line, satellite, radio (wireless) and mobile. This is similar to many regions globally where there are geographic and topographic challenges to network development.

My Department has taken forward a number of initiatives aimed at improving broadband access for consumers across Northern Ireland, particularly those located in rural areas. This includes the £51million Next Generation Broadband Project which has facilitated the roll-out of the highest level of fibre-to-the-cabinet technology in the UK. Indeed, the recent OFCOM Communications Market Report indicates that Northern Ireland has the highest estimated proportion of homes able to receive superfast services among the UK nations, at 94%.

Under this project all five of the cabinets in the Beragh telephone exchange area have been upgraded. These are located at the junction of Omagh & Sixmilecross roads, junction of Redergan Road, Fintona Road, Omagh Road and Sixmilecross road, with the potential to deliver fixed-line broadband services of up to 40 megabits per second (Mbps).

However, as fibre-to-the-cabinet technology is distance related, not all premises will be able to access this service.

Customers in the Sixmilecross area will be able to access the satellite broadband services available under the Department's contract with Onwave Ltd.

Onwave offers services with download speeds of 8, 12 and 18 Megabits per second, details of which can be found on their website at www.onwave.co.uk/ni or by contacting the company directly on 0845 43 43 500.

In addition, my Department has also contributed funding to the £1.9 million Northern Ireland Broadband Fund through which there has been significant deployment of fixed-wireless broadband networks across many parts of Northern Ireland.

One of the companies who have received support under the Fund, North West Electronics, is currently delivering fixed-wireless broadband services, with download speeds up to 100 Mbps. More information can be found on North West Electronic's website at www.nwewn.com or by contacting them directly on 028 7135 1999.

Looking forward, my Department has secured £4.4 million under the UK Coalition Government's Broadband Delivery UK (BDUK) initiative which, together with its Budget allocations for 2011-2015, will be used to extend the delivery of higher speed services into those areas of Northern Ireland where, despite previous investments, a minimum download speed of 2Mbps via fixed-line technology cannot currently be attained. DETI officials are also in discussion with BDUK to source additional funds to deliver an innovative project aimed at improving mobile broadband coverage across Northern Ireland. Work on scoping both projects is underway.

Justification of Practices Involving Ionising Radiation Regulations 2004

Mr P Ramsey asked the Minister of Enterprise, Trade and Investment (i) whether it is her Department's responsibility to issue Statutory Instruments giving justification to applications, under the Justification of Practices Involving Ionising Radiation Regulations 2004; and (ii) to provide a timescale in which applications are processed.

(AQW 14268/11-15)

Mrs Foster: It is for the relevant Northern Ireland Department to issue Statutory Instruments giving justification to applications, under the Justification of Practices Involving Ionising Radiation Regulations 2004. The relevant Northern Ireland Department will depend very much on the nature of the application.

There is no specified timescale in which applications must be processed. However, the regulations require the applicant to be informed (within a month of the application) of the period within which the application will be determined. The relevant Northern Ireland Department must then determine the application within that period or within such further period as notified to the applicant.

Communication with FG Wilson/Caterpillar

Mrs Overend asked the Minister of Enterprise, Trade and Investment to detail all communication she had with FG Wilson/Caterpillar between 4 July 2012 and 13 September 2012.

(AQW 14345/11-15)

Mrs Foster: Between 4th July 2012 and 13th September 2012 I wrote to and received a correspondence from the CEO of Caterpillar Inc., in which he confirmed the company's plan to continue to manufacture large gensets in Northern Ireland. I also had telephone calls with the Head of Caterpillar's global Electric Power Division. My team in Invest NI specifically had telephone calls with senior officials in the US as well as three face-to-face meetings with senior management in Northern Ireland and from the wider Caterpillar organization. In addition there have been numerous e-mail exchanges and telephone calls on a range of matters relating to this decision.

I hope to meet senior management of the company next week.

Department of the Environment

Development of Private Roads

Mr Kinahan asked the Minister of the Environment what action he has taken to ensure that the Planning Service does not grant applications for the development of private roads before suitable safeguards are in place that ensure these roads would be completed and finished should the developer go into administration.

(AQW 2392/11-15)

Mr Attwood (The Minister of the Environment): Where full planning permission is granted for a housing development this will be subject to a private streets condition stating that the width, position and arrangement of the internal streets shall be as indicated on the private streets determination drawing. A Private Streets Determination is carried out in conjunction with DRD Roads Service prior to granting full planning permission. However, the planning condition does not ensure that a road bond is in place. The process of seeking the bond is carried out by DRD Roads Service and follows the grant of planning permission. I will consider if this needs changed, to mitigate the risk identified in the AQ.

While there is a time limit for commencement of development, 5 years in the case of full planning permission, there is no time limit stipulated in planning law whereby a developer must complete the development including the internal streets of a development. Where roads are not completed in compliance with the Private Streets Determination in terms of layout, technically there would be a breach of condition. Again, there may be an issue here that needs to be considered.

The key legislation that governs the eventual adoption of new roads in housing developments are the Private Streets (NI) Order 1980 and the Private Streets (Amendment) (NI) Order 1992. This legislation requires developers to make provision for the cost of street works and to secure that by means of a bond.

In cases in which the construction of a private street is not progressing satisfactorily, Roads Service can issue a notice under Article 11 of the Private Streets (NI) Order 1980 "requiring the execution of all works which are reasonably necessary to bring the street into conformity with regulations". I shall write to the DRD Minister to highlight the issue and to refer to the potential remedy.

It is considered that the current private streets legislation and procedures is the most appropriate means of ensuring that new roads in housing developments are built to appropriate standards and hence adopted into the public road network when they are completed.

Tamboran Resources

Mr Agnew asked the Minister of the Environment whether Tamboran Resources (i) will be required to (a) apply for planning permission; and (b) carry out an Environmental Impact Assessment for each site they propose to drill and conduct hydraulic fracturing; and (ii) will be required to produce a cumulative Environmental Impact Assessment.

(AQW 11111/11-15)

Mr Attwood: I am advised by my officials that a planning application for hydraulic fracturing has not been submitted to date.

Any proposal for hydraulic fracturing would require planning permission separate to any licences granted by DETI.

Any planning application for hydraulic fracturing would be subject to Environmental Impact Assessment (EIA) under The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999. EIA is the process for identifying the environmental effects of proposed developments before planning permission is granted. Its purpose is to prevent, reduce or off set the significant adverse environmental effects of a development proposal and to enhance positive ones.

Applications for hydraulic fracturing which are considered to be linked or form part of a larger project (potential cumulative effect) would be assessed in line with the EIA Regulations.

A developer is required to notify the Department prior to undertaking any exploratory works- including drilling. This affords the Department an opportunity to determine whether or not the exploratory works require planning permission. It also enables the Department to determine whether proposals for such works need to be accompanied by an Environmental Statement. I will be highly vigilant in relation to this matter.

I propose to make a statement to the Assembly on the matter of hydraulic fracturing shortly after the summer recess.

Staff Member Re-employed in the Same Position

Lord Morrow asked the Minister of the Environment, pursuant to AQW 11851/11-15, to detail (i) whether the employment term was fixed as part of the staff member's contract after retiring; (ii) whether this is in compliance with the Local Government Staff Commission Code of Procedures on Recruitment and Selection; (iii) on what date the agreement of temporary employment was reached and approved; (iv) the nature of the project which required the staff member to remain until its completion; and (v) at what stage is the project.

(AQW 13945/11-15)

Mr Attwood:

- (i) The employment term of 51 part time weeks was agreed prior to the officer's date of retirement.

- (ii) Yes, Part B6 of the code states "In normal circumstances, all posts should be publicly advertised. However there may be times when councils may need to use alternative recruitment methods, for example, secondments or acting up to cover for maternity leave, development opportunities or temporary project work".
- (iii) June 2009.
- (iv) The staff member was involved in corporate efficiency. (v) The project is complete.

I am not able to provide full details as to do so could breach the principles of the Data Protection Act.

Proposed Waste Management Schemes

Mr Dunne asked the Minister of the Environment for an update on the proposed waste management schemes for (i) SWaMP2008; (ii) Arc 21; and (iii) the North West Region Waste Management Group.
(AQW 14068/11-15)

Mr Attwood: All three Waste Management Groups continue to manage the public procurement process in which they invited bidders to apply for the contract to provide the facilities and services required.

As the members will understand, much of the detailed information pertaining to the procurements is subject to restrictions imposed by public procurement law and commercial confidentiality requirements. However, I can provide the following summary of each procurement to be as follows:

SWaMP2008 is considering the next steps in its project in light of the introduction of new members to the bid consortium.

arc21 continues in dialogue with its remaining bidder with particular focus on the development of the technical solution and the draft environmental statement.

North West Region Waste Management Group has finalised its Appointment Business Case and has submitted it to DOE/DFP for approval. Once approved, this will allow the NWRWMG to consider appointing a Preferred Bidder.

Flooding in the North Lisburn Area

Mr Givan asked the Minister of the Environment what action his Department is taking in response to the recent flooding in the north Lisburn area; and what implications these flooding events might have on current and future planning applications in the area.
(AQW 14085/11-15)

Mr Attwood: The Department is responsible for the creation, where, appropriate, of an Emergency Financial Assistance Scheme to help Councils' emergency response in the immediate post-flooding situation including payments to qualifying households that have suffered severe inconvenience because of flooding. This was activated in time and on a number of other occasions. Indeed, I am developing proposals to extend the financial threshold and reach of the scheme.

Planning Policy Statement PPS 15 Planning and Flood Risk sets out the Department's planning policies to minimise flood risk to people, property and the environment. The susceptibility of all land to flooding is a material consideration in determining planning applications. The particular issue of flooding events in recent years and planning and other consequences are under further consideration.

DOE Planning will continue to determine planning applications taking into account the Strategic Flood Maps produced by DARD Rivers Agency and any other local information available. If any new local information is available as a result of the recent flooding episode this will be taken into account.

Responsibility for updating the Strategic Flood Map in response to any new information is the responsibility of DARD Rivers Agency.

Controls on the Use of Snares

Mr Wells asked the Minister of the Environment what progress is being made by his Department to introduce controls on the use of snares.
(AQW 14122/11-15)

Mr Attwood: The Department intends to begin a consultation process on proposed regulations to control the use of snares by the end of October.

Planning Process for Local Businesses

Mr Easton asked the Minister of the Environment whether he has any plans to reform the planning process for local businesses.
(AQW 14153/11-15)

Mr Attwood: I am working on a number of fronts to reform and remodel the planning system so that it supports the future economic and social development needs of all users in Northern Ireland, including local business, and pays due regard to the wonder of our built and natural heritage and environment.

The reforms to the planning system contained within the Planning Act (Northern Ireland) 2011 will result in a modernised system transferring to councils with quicker local development plans, faster decisions on planning applications, faster and fairer appeals and tougher and simpler enforcement. The transfer of planning functions to councils will ultimately see applications considered against the backdrop of a locally established development plan in tune with the council's approach to local economic development.

In order to maintain the momentum of planning reform I am currently seeking the Executive's agreement to introduce a Planning Bill to this Assembly session to accelerate the implementation of a number of the reforms contained in the Act, to be administered by the Department.

In addition, I have instructed officials to undertake a comprehensive and fundamental review of planning policy in advance of the transfer of planning powers to councils. This work will support local businesses by ensuring that regional planning policy is shorter, clearer and more focused. It will involve collating policies in one document so that regional policy is more accessible, and intelligible, and with an appropriate Executive Statement of intent setting out the expectations of the planning system.

I am also bringing forward a number of administrative reforms which will speed up the processing of applications (including major applications) such as an extension to the streamlined planning application scheme with local councils, measures to ensure quicker responses from consultees and on a voluntary

basis pre-application community consultation on key developments. A new complaints procedure has been introduced designed to make the process of complaining easier and more user-friendly for members of the public.

In order to speed up the current planning process I have set ambitious targets for 2012-2013. For Strategic Planning Division the target is to process 60% of large scale investment planning applications received on or after 1 April 2012 within 6 months; for Local Planning Division the targets are to determine all major, intermediate and minor planning applications within an average of 23 weeks, 20 weeks and 14 weeks respectively. These targets should ensure that planning applications for small business are processed in a timely manner.

However, the Department's experience to date is that improved performance can only be achieved through working inclusively with all key stakeholders in the overall planning system. This includes the submission of acceptable schemes at the outset. I would encourage applicants to engage with the local community and to enter into pre-application discussions with my Department prior to the submission of major planning applications.

In addition, I have commenced a series of other interventions including involving representatives of the renewable industry (including anaerobic digestion) to identify how the planning service can be improved; initiating an operational review of PPS21; establishing a group to look at planning, business and the economy.

Additionally, legislation, which came into operation on 19th September 2012, provides new permitted development rights for extensions, alterations and other small scale development for shops, financial and professional services establishments, office premises and schools, colleges, universities and hospitals. The legislation also provides revised permitted development rights for industrial buildings and warehouses. This means that owners of these types of premises do not need to apply for planning permission to undertake these types of development.

I will continue to work with key stakeholders to ensure that planning delivers benefits to the economy in an efficient and timely manner and continue to monitor the performance within Planning.

Prosecutions for Littering

Mr Easton asked the Minister of the Environment how many prosecutions have been secured for littering in each of the last two years, broken down by council area.

(AQW 14224/11-15)

Mr Attwood: The figures obtained by the Department from councils in respect of successful prosecutions in the courts for littering offences are as follows:-

| Council | 2010/11 Year | 2011/12 Year |
|--------------|--------------|--------------|
| Ballymena | 2 | 1 |
| Belfast | 91 | 15 |
| Castlereagh | 1 | 4 |
| Coleraine | 1 | 2 |
| Cookstown | 2 | - |
| Craigavon | 25 | 11 |
| Larne | 3 | - |
| Magherafelt | - | 1 |
| Newtownabbey | 7 | 7 |

| Council | 2010/11 Year | 2011/12 Year |
|--------------------|--------------|--------------|
| Omagh | 1 | 2 |
| All Other Councils | 0 | 0 |
| Total | 133 | 43 |

Over the same 2 year period Councils across Northern Ireland issued 7198 fixed penalty notices (£50 fines) for litter offences. Fixed penalty notices are issued as an alternative to prosecution in the courts.

Road Cycle Training

Mr Weir asked the Minister of the Environment what provision is made to ensure that every child has access to road cycle training.

(AQW 14269/11-15)

Mr Attwood: The Cycling Proficiency Scheme (CPS) is offered to all of the 849 primary schools in Northern Ireland. It is aimed primarily at children in Primary 7, although some schools offer CPS to Primary 6 and occasionally Primary 5 children. However, children must be over nine years of age before they are allowed to sit the final test.

Approximately 580 primary schools with an average of 8,800 children are trained in the CPS each year.

Every school who takes up CPS is offered the opportunity to include an on-road element. There is currently 5 -10% take-up on the on-road option as schools and teachers have been reluctant to include the on-road cycling experience for safety and public liability reasons.

My Department has no power to insist that a school takes up the option to deliver the Cycling Proficiency Scheme; this decision lies solely with the individual schools, as does the decision on the use of the on-road option. Officials are currently reviewing the CPS to ensure that it remains effective in promoting the importance of road safety. I intend to confirm how CPS will be developed in the near future.

Marine Conservation Zone

Mr Frew asked the Minister of the Environment, in light of the comments made by a departmental official at the Committee for the Environment meeting on 31 May 2012 that a Marine Conservation Zone (MCZ) is not purely an environmental designation, will be primarily for seabed features and is not intended to displace any other activity or industry, to outline the intended purpose of an MCZ; and whether these comments are indicative of the Department's official position on MCZs.

(AQW 14355/11-15)

Mr Attwood: I will first point out that the Marine Bill has now concluded the committee stage and will return to the Assembly in the autumn. There will be amendments forthcoming – including from me – which, if endorsed, will reconfigure the Bill.

That said, the context of the official's statement that MCZs are not purely an environmental designation is accurate and confirms that throughout the designation process any economic or social activities are properly considered, as well as the environmental benefits.

In this respect the MCZ process differs significantly from the current obligation to designate sites for European wide species and habitats under the Habitats and Birds Directives. Under these directives the emphasis is focused primarily on the ecological benefits of each site.

The MCZ process under the Marine Bill is intended to extend the Department's remit to enhance protection of nationally important marine wildlife and habitats. The designation process will primarily be for seabed habitats and features, as many mobile marine species are already protected under the Wildlife (Northern Ireland) Order 1985.

Staff Member Re-employed in the Same Position

Lord Morrow asked the Minister of the Environment, pursuant to AQW 13724/11-15, whether this person is still in post; and if so, why this is the case, given that the project has now been completed.

(AQW 14377/11-15)

Mr Attwood: I have been advised by the relevant council that the person is no longer in post.

Department of Finance and Personnel

Transfer of Funds from the Belfast Harbour Commissioners to the Executive

Mr Allister asked the Minister of Finance and Personnel whether he plans to compel a transfer of funds from the Belfast Harbour Commissioners to the Executive; and whether it is accepted that such is not legally possible.

(AQW 13867/11-15)

Mr Wilson (The Minister of Finance and Personnel): The Executive decided, as part of its Budget 2011-15 in March 2011 that it will take forward measures to ensure that the Harbour Commissioners can make a direct financial contribution of £20 million per annum in 2013-14 and 2014-15. The Minister for Regional Development is currently working on proposals as to how this will be taken forward, and my officials have been working closely with his officials to that end.

Until such time as the Regional Development Minister brings proposals to the Executive it would not be appropriate for me to comment on what they will contain.

Peace III and INTERREG IV

Mr McKay asked the Minister of Finance and Personnel what delays are being experienced in the allocation of PEACE III and INTERREG IV funding; and what are the causes of the delays.

(AQW 13988/11-15)

Mr Wilson: Both the PEACE III and INTERREG IVA Programmes are in the final stages of budget allocation.

Under PEACE III, there are 164 projects in receipt of Letters of Offer, with a value of approximately £255.7 million. INTERREG IVA has issued seventy-three Letters of Offer worth approximately £183.1 million.

All projects seeking financial assistance under the PEACE III or INTERREG IVA Programmes must undergo a rigorous assessment process to ascertain their fit with programme objectives, viability and value for money. This includes obtaining the approval of an independent Steering Committee and, where necessary, economic appraisal and approval of the relevant Accountable Government Departments.

Five PEACE III project applications which have received Steering Committee approval are currently awaiting approval from relevant Accountable Departments prior to issue of a Letter of Offer. Additionally, under PEACE III Theme 1.2, Acknowledging and Dealing with the Past, which is delivered by a Consortium comprising the Community Relations Council and Pobal, Letters of Offer for twenty-two projects are currently being processed as a priority.

Under INTERREG IVA, three project applications received under a 2011 call were presented to Steering Committee in June 2012. The Steering Committee requested that these projects undergo additional assessment work. This work is currently being carried out by SEUPB, and the projects will be brought back to the Steering Committee in October 2012. Thirteen project applications from the last funding call, which closed in February 2012, are undergoing assessment. These will be brought to Steering Committee for final decision by November 2012.

Finally, three INTERREG IVA applications approved by Steering Committee are currently awaiting approval from the relevant Accountable Departments.

Peace III

Mr McKay asked the Minister of Finance and Personnel to detail (i) the organisations based in the (a) Ballymoney; (b) Moyle; and (c) Ballymena council areas that applied to SEUPB for PEACE III funding in each of the last five years; and (ii) the organisations that were successful and the level of funding awarded in each case.

(AQW 13989/11-15)

Mr Wilson: Under Theme 1.1, Building Positive Relations at the Local Level, of the EU PEACE III Programme, the North East PEACE III Partnership—which includes Ballymoney Borough Council, Moyle District Council and Ballymena Borough Council, alongside Coleraine Borough Council, Larne Borough Council and Limavady Borough Council—was awarded approximately £7.8 million across two phases (2007-2010 and 2010-2013) to deliver local Peace and Reconciliation Action Plans across the partnership area. The Partnership is led by Coleraine Borough Council.

The table below details applications for this and other PEACE III assistance from the Ballymoney, Moyle and Ballymena council areas in the last five years.

| Year | Lead Partner | Project Title | Outcome | Amount £ |
|---------|--|---|------------|----------------------|
| 2009/10 | Youth Education Social Inclusion Partnership | NEELB | Successful | 208,558 ¹ |
| | Coleraine Borough Council | Inter Church / Inter Faith Confidence Building Programme | Successful | 146,875 ² |
| | Coleraine Borough Council | Programme 4a: Community and Ethnic Minority Capacity Building and Sharing Development Programme | Successful | 92,400 ² |
| | Coleraine Borough Council | Programme 7a: Cultural diversity, respect and enriching programme | Successful | 127,000 ² |
| | Magherafelt Borough Council | Audit & Profiling of Victims Groups | Successful | 7,760 ³ |

| Year | Lead Partner | Project Title | Outcome | Amount £ |
|---------|--|---|--------------|----------------------|
| 2009/10 | Coleraine Borough Council | Programme 9b: Indigenous & Ethnic Minority Culture & Arts | Successful | 122,000 ² |
| | Coleraine Borough Council | Outreach Work with Detached Young People | Successful | 82,148 ² |
| 2010/11 | Newtownabbey Borough Council | Play Fair Programme - Sports Element | Successful | 98,960 ⁴ |
| 2011/12 | Coleraine Borough Council | Ballymoney Area Project | Successful | 123,000 ² |
| | Coleraine Borough Council | Ballymena Area Project | Successful | 123,000 ² |
| | Newtownabbey Borough Council | Play Fair Programme | Successful | 91,090 ⁴ |
| | Coleraine Borough Council | Moyle Area Project | Successful | 123,000 ² |
| 2008/09 | Imeall Tra | Peace of Mind:-Going Back Looking Forward | Unsuccessful | 0 |
| | BCW Training Limited | Get Smarter | Unsuccessful | 0 |
| | Atlantic Corridor (NI) Limited | The Diamond Project | Unsuccessful | 0 |
| 2009/10 | Newtownabbey Borough Council | Faith Communities Programme | Unsuccessful | 0 |
| | Newtownabbey Borough Council | Engagement, Integration and Diversity Programme | Unsuccessful | 0 |
| 2010/11 | Ballymena East Rural Community Cluster | Young Futures | Unsuccessful | 0 |
| | Magherafelt Borough Council | Chanterhill Community Connections Programme CCCP | Unsuccessful | 0 |
| 2011/12 | Newtownabbey Borough Council | Leading Lights Community Drama Programme | Unsuccessful | 0 |
| | Newtownabbey Borough Council | We CAN Make a Difference | Withdrawn | 0 |

Notes –

- 1 – This project was supported under the Regional element of Theme 1.1, Building Positive Relations at the Local Level, and as such it has a regional geographical remit. The other successful projects included in the table were awarded funding under the Local element of Theme 1.1. Under the Local element, partnerships of local authorities secured PEACE III funding to deliver local Peace and Reconciliation Action Plans in their respective areas. Organisations may then apply to the partnerships for funding to deliver projects within the relevant local Action Plan.
- 2 – These are sub-projects of the North East PEACE III Partnership Local Peace and Reconciliation Action Plans. While the North East Partnership is led by Coleraine Borough Council, it also comprises Ballymena Borough Council, Ballymoney Borough Council, Moyle Borough Council, Limavady Borough Council and Larne Borough Council, and the Action Plans benefit all named council areas.
- 3 – This is a sub-project of the South West Cluster Action Plan. The South West Cluster comprises the four council areas of Cookstown, Dungannon and South Tyrone, Fermanagh and Magherafelt.
- 4 – These are sub-projects of the CAN (Carrickfergus, Antrim and Newtownabbey) Action Plan.

Project address information was used to allocate a project to a particular postcode and subsequently an area, where possible. However, if the project address was insufficient to allocate a postcode, organisation address details were used. Due to the strategic nature of PEACE III projects, the project or lead partner organisation address is often regional headquarters but it is unlikely that all elements of the project will be based in these headquarters. This is particularly relevant when organisation address is used in lieu of project address in geographical analysis.

The following caveats apply to the geographical allocation of projects:

When using project address it is important to note that the scope or impacts of the project may extend beyond the geographical location of the project itself. For example, while a project address may fall in one council area, the impact may extend to surrounding areas.

In addition, where organisation address is used, it is important to note that a project may or may not be situated within the same geographical area as the applicant organisation. For example, one council area may be the location of the lead applicant, yet the expenditure could be distributed throughout a number of other areas.

Where required, an exchange rate of £1 = €1.15 has been used.

Company Headquarters

Mr Flanagan asked the Minister of Finance and Personnel to detail (i) the number of companies that are operational; and (ii) of these, the number of companies which have their headquarters (a) outside Britain or the island of Ireland; (b) in Britain; (c) in the Republic of Ireland; and (d) here; and (iii) the number of these companies that are (a) banks; and (b) small and medium-sized enterprises that do not pay corporation tax.

(AQW 14039/11-15)

Mr Wilson: The number of VAT and/or PAYE registered businesses can be obtained from the Inter-Departmental Business Register (IDBR). Businesses are classified by their legal status and Companies (including Building Societies) are grouped together with Limited Liability Partnerships and Joint Ventures on the IDBR.

- i At August 2012, there were 67,640 VAT and/or PAYE registered businesses operational in Northern Ireland. 19,965 of these businesses had a legal status of Company (including Building Societies), Limited Liability Partnership or Joint Ventures.
- ii. Of these 19,965 businesses, based on their registered address within the UK or country of ultimate ownership:-
 - a 560 have their headquarters outside Great Britain or the island of Ireland.
 - b 555 have their headquarters in Great Britain.
 - c 270 have their headquarters in the Republic of Ireland.
 - d 18,575 have their headquarters in Northern Ireland.
- iii. Of these 19,965 businesses:
 - a 10 are banks.
 - b 19,765 are small and medium sized businesses.

As the IDBR does not hold information on corporation tax, it is not possible to determine how many of these small and medium sized businesses do not pay corporation tax.

Figures are rounded to the nearest 5 and thus may not add to totals.

Hard Landscaping Material

Mrs Cochrane asked the Minister of Finance and Personnel to detail (i) what consideration has been given to the implementation of new procedures and guidelines to ensure sustainable and ethical supply chains in the provision of hard landscaping materials; and (ii) whether the British Standard European Norm standard will be applied in the future provision of hard landscaping material.

(AQW 14084/11-15)

Mr Wilson: Central Procurement Directorate, in conjunction with Centres of Procurement Expertise (CoPEs), has developed a 'Construction Sustainability Action Plan 2012 – 2015' (SAP). This incorporates responsible sourcing into contract conditions by 2013. The SAP requires ethical trading requirements to be included in contract specifications. Further responsible sourcing guidance based on the London Organising Committee of the Olympic Games & Paralympic Games Sustainable Sourcing Code is being developed. Among other things this will require suppliers to ensure that locations used in the manufacture and supply of products and services meet the provisions of the Ethical Trading Initiative Base Code.

It is current procurement practice to specify products and materials using relevant BS EN standards (or equivalent). The NI CoPEs encourage the use of relevant BS EN standards (or equivalent) in technical specifications for the provision of hard landscaping materials.

Employee Pension Contributions

Mr Allister asked the Minister of Finance and Personnel whether he is satisfied that, in circumstances where employee pension contributions have been increasing in the public sector, that within the senior grades of Northern Ireland Water the employer's contribution is 26.9 percent and the employee contribution is in the range 1.5 to 3.5 percent; and what steps are being taken to address this imbalance.

(AQW 14207/11-15)

Mr Wilson: The NI Water Pension Scheme is outside of the remit of the current reforms and therefore any changes to it would be a matter for the Board of Trustees to determine. I advised the Minister for Regional Development of this on 31 October 2011. Since then, I understand that his officials have been liaising with the NI Water Board on the matter and that there is a clear expectation that the company will provide a plan to take forward the necessary work and relevant consultation with the

Scheme Trustees, NI Water employees and Trade Unions to revise the NI Water Scheme to make it broadly comparable with the changes in the wider public sector. The policy intention is that smaller schemes, not specifically part of the Independent Public Service Pensions Review, will be required to act on the recommendations for wider pension reform but to a longer timescale.

Census 2011

Mr Lunn asked the Minister of Finance and Personnel to detail the publication dates of further data arising from the 2011 census (AQW 14260/11-15)

Mr Wilson: NISRA published the second report from the 2011 Census (Census 2011 Population and Household Estimates by Local Government District for Northern Ireland) on Wednesday 19 September 2012. This followed on from the publication of the first results (population figures, by age and sex, for Northern Ireland) on 16 July 2012.

The next release, which will consist of Key and Quick Statistics, is scheduled for release between November 2012 and February 2013. The actual date of release will be advised at least one month in advance.

Full details of the release plans for the 2011 Census Statistics are set out in the 2011 Census Outputs Prospectus which is available on the NISRA website at <http://www.nisra.gov.uk/Census/2011CensusProposedOutputs.html>.

Rebate on the Regional Rate Payment

Mr Swann asked the Minister of Finance and Personnel to detail the rebate on the Regional Rate payment available to customers who pay for water and sewage through the NI Water billing system; and how the rebate is calculated. (AQW 14295/11-15)

Mr Wilson: There is no rate rebate for anyone paying for water and sewerage through the NI Water billing system; however, commercial customers who also pay business rates receive an allowance off their water bill, depending on whether the supply is metered or unmeasured. The charging scheme is not something that my Department has any direct involvement in and it is a matter for DRD and NI Water.

Effectiveness of Local Short-term Interventions by the Executive

Mr Hazzard asked the Minister of Finance and Personnel whether cost benefit analyses can be conducted to measure the effectiveness of local short-term interventions by the Executive. (AQW 14306/11-15)

Mr Wilson: In principle, it should be possible to assess the costs and benefits of any of the Executive's interventions, although the precise method for doing so would depend on the nature of the intervention in view. For example, it is often difficult to measure benefits in monetary terms so in many cases they have to be assessed by other means such as using performance indicators or impact statements.

Conducting cost benefit analysis uses up resources and can be time consuming. Thus, before deciding to undertake any particular analysis, there would need to be consideration of the resources required to do it, and whether it would be the best use of them in view of other priorities.

Youth Unemployment

Mr McKay asked the Minister of Finance and Personnel to detail the current rate of youth unemployment in each constituency. (AQW 14394/11-15)

Mr Wilson: The official measure of unemployment is sourced to the Northern Ireland Labour Force Survey (LFS). However, the LFS is a sample survey and the current rates of youth unemployment in each parliamentary constituency area are not sourced to the LFS because of the relatively large confidence intervals around the estimates. This is due to sample size constraints in the LFS.

The table overleaf is sourced to the claimant count measure of unemployment. This shows the number of persons aged 18-24 claiming unemployment related benefits at August 2012 and this figure as a percentage of the resident working age population of that age group.

Table 1 - Youth Claimant Count August 2012

| Parliamentary Constituency Area | 18 – 24 year olds | |
|---------------------------------|-------------------|-------|
| | Number | Rate |
| Belfast East | 870 | 10.7% |
| Belfast North | 1,535 | 14.2% |
| Belfast South | 1,015 | 6.6% |

| Parliamentary Constituency Area | 18 – 24 year olds | |
|---------------------------------|-------------------|--------------|
| | Number | Rate |
| Belfast West | 1,730 | 14.3% |
| East Antrim | 800 | 9.5% |
| East Londonderry | 1,030 | 11.6% |
| Fermanagh & South Tyrone | 895 | 9.2% |
| Foyle | 1,835 | 17.1% |
| Lagan Valley | 720 | 8.6% |
| Mid Ulster | 850 | 8.6% |
| Newry & Armagh | 1,250 | 10.9% |
| North Antrim | 920 | 9.7% |
| North Down | 660 | 9.0% |
| South Antrim | 710 | 7.8% |
| South Down | 1,055 | 9.4% |
| Strangford | 785 | 10.5% |
| Upper Bann | 1,325 | 11.4% |
| West Tyrone | 1,035 | 11.9% |
| Northern Ireland | 19,025 | 10.6% |

Rates are calculated using rounded data

Guidance on the Appointment of Special Advisers

Mr Allister asked the Minister of Finance and Personnel, since he introduced his guidance on the appointment of special advisers in September 2011, how many Special Advisers have been appointed by Sinn Fein Ministers in full compliance with the guidance and are now being paid as civil servants directly from public funds.

(AQW 14474/11-15)

Mr Wilson: None.

Youth Unemployment

Mr Weir asked the Minister of Finance and Personnel to detail the number of people aged 16-25 who are currently unemployed, broken down by constituency.

(AQW 14566/11-15)

Mr Wilson: The official measure of unemployment is sourced to the Northern Ireland Labour Force Survey (LFS). However, the LFS is a sample survey and the current rates of youth unemployment in each parliamentary constituency area are not sourced to the LFS because of the relatively large confidence intervals around the estimates. This is due to sample size constraints in the LFS.

The table overleaf is sourced to the claimant count measure of unemployment. This shows the number of persons aged 16-25 claiming unemployment related benefits at August 2012.

Table 1 - Claimant Count for 16-25 year olds at August 2012

| Parliamentary Constituency Area | 16-25 Year old Claimants |
|---------------------------------|--------------------------|
| Belfast East | 875 |
| Belfast North | 1,385 |
| Belfast South | 1,085 |
| Belfast West | 1,810 |
| East Antrim | 1,090 |
| East Londonderry | 1,080 |
| Fermanagh & South Tyrone | 1,020 |

| Parliamentary Constituency Area | 16-25 Year old Claimants |
|---------------------------------|--------------------------|
| Foyle | 2,145 |
| Lagan Valley | 975 |
| Mid Ulster | 945 |
| Newry & Armagh | 1,395 |
| North Antrim | 1,070 |
| North Down | 745 |
| South Antrim | 895 |
| South Down | 1,255 |
| Strangford | 965 |
| Upper Bann | 1,495 |
| West Tyrone | 1,200 |
| Northern Ireland | 21,430 |

Department of Health, Social Services and Public Safety

GP Surgeries

Mr Swann asked the Minister of Health, Social Services and Public Safety how many GP surgeries require replacement or significant upgrade.

(AQW 13981/11-15)

Mr Poots (The Minister of Health, Social Services and Public Safety): There are currently 353 GP Practices providing primary medical care services across Northern Ireland. Of the 353 GP Practices 124 are based in Trust owned premises. The remaining 229 GP Practices are based either in privately owned or privately rented accommodation and GPs are therefore responsible for the upkeep of their premises.

My Department recently undertook a survey of Trust owned premises accommodating GP Practices with the aim of highlighting areas where priority work was required to maintain the building. A total of 64 Trust owned properties were surveyed of which 48 were identified as requiring investment. Over the last 2 years a total of some £8.1m of capital funding has been allocated (£3.9m in 11/12 and £4.2m in 12/13) to address urgent areas of work across a number of these properties. Further investment is planned in 2013/14.

I am currently considering other funding streams including revenue funded options for replacement of a number of health and care centres which include GP Practices. Any such investment will be subject to business case approval, demonstration of value for money and affordability.

GP Out-of-hours Consultation

Mr McDevitt asked the Minister of Health, Social Services and Public Safety, in relation to the GP Out of Hours consultation, whether there is the potential for cutbacks on completion of the consultation; and for his assessment of the likelihood of job losses as a result of his proposals.

(AQW 14020/11-15)

Mr Poots: The changes outlined in the Strategic Framework for GP Out of Hours is primarily concerned with simplifying access, integrating services and ensuring a safe and effective GP Out of Hours service is available to everyone in Northern Ireland.

It is not anticipated that the changes outlined in the Strategic Framework for GP OOHs would result in money being taken out of the existing OOHs budget, nor is it anticipated that staff currently working in this area will lose their jobs if the service is regionalised. It is possible that some staff may experience a change in their work pattern as a result of the proposed implementation.

Doctors: Industrial Action on 21 June

Mr Clarke asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 13206/11-15, whether he received information from Health and Social Care organisations on whether the appropriate amounts were paid to doctors for the period of industrial action on 21 June 2012.

(AQW 14022/11-15)

Mr Poots: Health and Social Care organisations have confirmed to the Department that they are now in the process of adjusting accordingly the salaries of those doctors who undertook industrial action. Appropriate deductions in pay are being made commensurate with individual action.

LED Screens to Transfer Information to People who are Blind or Visually Impaired

Mr Swann asked the Minister of Health, Social Services and Public Safety what assessment Health and Social Care Trusts have made of the use of LED screens to transfer information to people who are blind or visually impaired.

(AQW 14038/11-15)

Mr Poots: I am not aware that Health and Social Care Trusts have made any assessment of the use of such technology and LED screens are not universally used by Trusts.

In general, at appointments, patients are called and a patient with a visual impairment is then escorted to the consulting room. Where LED screens are used, they are used in conjunction with other calling systems.

Exceptional Funding Applications for Avastin

Mr McCarthy asked the Minister of Health, Social Services and Public Safety how many exceptional funding applications for Avastin have been approved since it was licensed in December 2011.

(AQW 14060/11-15)

Mr Poots: I am advised by the Health and Social Care Board that since December 2011, the HSCB has approved one request for exceptional funding for Avastin.

Health Service Dentists

Mr McCarthy asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 11042/11-15, to detail the timeframe for public consultation on changes to the provision of Health Service dental care.

(AQW 14061/11-15)

Mr Poots: My Department is finalising the Regulatory Impact Assessment on these proposals. Once this is completed the consultation with the British Dental Association, Patient and Client Council, wider dental profession, public and other key stakeholders will begin. It is important that consultees have access to all the information to enable them to make an informed response to the proposed changes to the provision of dental services. I will inform the Committee on Health, Social Services and Public Safety in advance of the launch of the consultation.

Ipilimumab Through the Cancer Drugs Fund

Mrs Cochrane asked the Minister of Health, Social Services and Public Safety how many people have (i) requested; and (ii) received Ipilimumab through the cancer drugs fund.

(AQW 14076/11-15)

Mr Poots:

- (i) The cancer drugs fund operates in England and Wales only; there is no equivalent in Northern Ireland. However within Northern Ireland patients can access non-commissioned drugs and treatments through individual funding requests (IFRs) to the Health and Social Care (HSC) Board. These requests are required to show exceptionality and be supported by nominated senior clinicians within the relevant Trust. It should be noted that in considering exceptionality the HSC Board can only take account of the clinical circumstances that apply to the individual case. It is not in a position to take account of any personal or social circumstances such as age, dependants, occupation etc.
- (ii) The Health and Social Care Board has not received an IFR in respect of ipilimumab.

Pupils with Type 1 Diabetes

Mr Agnew asked the Minister of Health, Social Services and Public Safety what engagement his Department has had with the Department of Education to ensure that schools can get quick access to the necessary training to enable them to support incoming pupils who have type one diabetes.

(AQW 14096/11-15)

Mr Poots: Education and Library Boards are responsible for taking forward the issue of training needs in this specific field within schools in cooperation with the relevant health authorities.

Officials from my Department have held recent discussions with officials from DE with regard to training for school staff volunteering to support pupils with medication needs.

My Department will continue to provide advice and guidance, as necessary, with regard to the health issues, to the Department of Education and the Education and Library Boards who are leading on managing this issue.

Pupils with Type 1 Diabetes

Mr Agnew asked the Minister of Health, Social Services and Public Safety what is the minimum level of training that a teacher should have to enable them to support a child with type one diabetes; and how quickly can this training be accessed.

(AQW 14098/11-15)

Mr Poots: Training for teachers and school staff regarding specific health conditions is provided by the relevant Health and Social Care Trust and will be in line with the pupil's individual healthcare plan.

The training is delivered on a one to one basis involving a Diabetes Specialist Nurse (DSN), the parents, the pupil and the volunteer teaching staff. Training can only be delivered in an established term as the teaching staff need to be there together with the nurse, the parents and the pupil. The training requires five sessions to ensure the necessary competencies are acquired by the staff being trained. This is important from a patient safety and clinical governance point of view. Insulin is a potentially dangerous medication which requires sufficient training before it can be administered safely, particularly to young children. There is no legal duty that requires school staff to administer medication; this is a voluntary role.

Any parent who feels that their child is not receiving the appropriate level of support for the administration of medication should raise the issues with the school in the first instance and if they are still not content with the level of support, then they should contact their relevant Education and Library Board Special Education Officer

Blood Donations

Mr Kinahan asked the Minister of Health, Social Services and Public Safety whether he has apologised to the African and Caribbean community for his comments on 17 June 2012 in relation to blood donation.

(AQW 14115/11-15)

Mr Poots: My priority as Health Minister is the safety of blood, continuity in the supply of safe blood, and public confidence in the safety of blood. The current policy throughout the UK is that a person may not give blood within 12 months of having had sex with anyone who has been sexually active in parts of the world where AIDS/HIV is very common. On 19th June 2012 on Good Morning Ulster I provided further clarification on the comment that I had made on the Sunday Politics Show regarding blood donation, that in referring to the risk associated with African countries I certainly did not intend any slur or generalisation about African people or people of African descent.

Ban on Cigarette Vending Machines

Mr Wells asked the Minister of Health, Social Services and Public Safety whether he has any evidence of breaches of the regulations which ban the use of cigarette vending machines.

(AQW 14121/11-15)

Mr Poots: Regulations banning the sale of tobacco from vending machines commenced on 1 March 2012 and, to date, unofficial reports from district councils enforcement officers have indicated very high levels of compliance with the legislation.

While a very small number of premises have been observed in breach of the regulations, these cases have been promptly resolved to the satisfaction of enforcement officers.

Deep Vein Thrombosis Clinics

Mr Weir asked the Minister of Health, Social Services and Public Safety why Belfast City Hospital is the only hospital to provide a deep vein thrombosis clinic; and whether there are any plans to create more provision in this field.

(AQW 14137/11-15)

Mr Poots: Most hospitals in Northern Ireland provide assessment services for patients with deep vein thrombosis (DVT). These services are provided either in an ambulatory (clinic) setting or through emergency departments. In addition, pathways are being developed which extends the GP role in DVT management which reduces the need for patients having to go to hospital.

Dangers of Blood Clots to Children and Young People

Mr Weir asked the Minister of Health, Social Services and Public Safety what plans his Department has to raise awareness of the dangers of blood clots to children and young people.

(AQW 14138/11-15)

Mr Poots: Venous thromboembolism is a rare occurrence in children. The current awareness programmes are focused on adults and hospitalised patients.

Venous Thromboembolism

Mr Weir asked the Minister of Health, Social Services and Public Safety for an update on collaborative improvement projects which involve Health and Social Care Trusts and the expert advisory group on the issue of venous thromboembolism.

(AQW 14140/11-15)

Mr Poots: In July 2011 the Chief Medical Officer and Chief Nursing Officer wrote on the development and introduction of a new regional venous thromboembolism (VTE) risk assessment tool.

This work has been led by the HSC Safety Forum which is now part of the Public Health Agency. The risk assessment tool was developed through a VTE Collaborative (with HSC Trusts) which was established in 2009, and an associated advisory group which was chaired by a consultant haematologist.

This means that a single assessment tool was agreed for use in all HSC Trusts in Northern Ireland. Its purpose is to promote that every adult patient has a documented VTE risk assessment on admission to hospital and that the risk assessment is conducted in accordance with the National Institute for Health and Clinical Excellence Guideline (CG92) which was endorsed by the DHSSPS in 2011. Where appropriate, the patient would be commenced on treatment to reduce the risk of VTE occurring.

Through its Collaborative learning sets, the Safety Forum has promoted the use of this risk assessment tool and has highlighted the importance of prevention of VTE. Uptake and compliance with the risk assessment tool has significantly increased since 2009 as has the provision of information for patients. The last meeting of the Collaborative was held in September 2012. The Advisory Group will continue to monitor developments regarding prevention of VTE locally and take account of any changing research evidence.

Cancer Patients Sent Outside Northern Ireland for Radiotherapy or Radiosurgery Treatment

Mr McDevitt asked the Minister of Health, Social Services and Public Safety to detail (i) the number of cancer patients who were sent outside Northern Ireland for radiotherapy or radiosurgery treatment in each of the last five years; (ii) the cancers for which these treatments were used; (iii) the hospitals to which the patients were sent; and (iv) the total cost of sending the patients for treatment during this period.

(AQW 14163/11-15)

Mr Poots:

- (i) Information on the number of cancer patients that have been referred for radiotherapy or radiosurgery treatment outside of Northern Ireland, for each calendar year since 2008 until the present, is detailed in the table below:

| Calendar Year | 2008 | 2009 | 2010 | 2011 | 2012 |
|------------------------|------|------|------|------|------|
| Total no. of referrals | 96* | 128* | 73* | 56 | 31 |

Source: Health and Social Care Board

* Information for 2008, 2009 and 2010 refers to all patients who were referred for treatment for cancer, as records for this period were not kept in a manner that would allow the definitive identification of referrals for radiotherapy or radiosurgery only.

- (ii) The Health and Social Care Board have advised me that information on the types of cancer that were treated with radiotherapy or radiosurgery is not collected centrally, and can only be obtained at disproportionate cost.

During the last five years cancer patients were referred for radiotherapy or radiosurgery to the following hospitals:

- (iii) Aintree Hospital Liverpool; Alder Hey Children's Hospital; Basingstoke and North Hampshire Hospital; Beaumont Hospital, Dublin; Birmingham Children's Hospital; Christie Hospital; Clatterbridge Centre of Oncology; Cookridge Hospital, Leeds; Great Ormond Street Hospital; Harley Street Clinic; Heatherwood and Wrexham Hospital; Imperial College; Kings College Hospital; Leeds Gamma Knife; Leeds Teaching Hospital; Lister Hospital; Manchester Children's University Hospital; National centre for Stereotactic Surgery; National Hospital for Neurology and Neurosurgery; NHS Greater Glasgow and Clyde; North West Hospital; Queens Square London; Royal Hallamshire, Sheffield; Sheffield Teaching Hospital; Sligo General; St Bartholomew's Hospital; St James, Leeds; St Marks Hospital; St Paul's University Hospital; The London Gamma Knife Centre; The Royal Marsden; The Walton Centre; United Bristol Royal Hospital; University College London; and University Hospital, Regensburg, Germany.

- (iv) The Health and Social Care Board have advised that information on the total costs of sending patients outside of Northern Ireland for treatment is not collected centrally, and could only be provided at disproportionate cost.

Book and Uniform Allowance for Student Nurses

Mr Hussey asked the Minister of Health, Social Services and Public Safety (i) why the book and uniform allowance for student nurses has been removed; (ii) the estimated savings this will generate; and (iii) what consultation was carried out before the decision was taken.

(AQW 14177/11-15)

Mr Poots: In light of the short period of notice between announcement of the new bursary provision and commencement of the training courses this year, I have reinstated the book and uniform allowance this academic year only and will apply to new students entering study in the September 2012 and February 2013 intakes. The savings from the reduction in the basic non means tested bursary are estimated to deliver around £2.0m by 2014/15. A decision was taken to move ahead with

the reductions to the nursing and midwifery support following a 12 week public consultation on the Review of Healthcare Bursaries which was closed on 2 August. Forty four responses were received.

Higher Education Institute Fees

Mr Hussey asked the Minister of Health, Social Services and Public Safety how much his Department has spent on Higher Education Institute fees in each of the last five years.

(AQW 14178/11-15)

Mr Poots: The estimated amount spent on fees by my Department to higher education institutions during each of the last five years is set out in the table below:

| Year | 2011/12 | 2010/11 | 2009/10 | 2008/09 | 2007/08 |
|--------|---------|---------|---------|---------|---------|
| Amount | £26.9m | £26.6m | £26.5m | £26.2m | £26.3m |

Higher Education Institute Fees

Mr Hussey asked the Minister of Health, Social Services and Public Safety why Higher Education Institute fees for student nurses cannot be paid through a student loan which can be repaid at a later date.

(AQW 14179/11-15)

Mr Poots: Under the Student Fees (Qualifying Courses and Persons) (Amendment) (No.2) Regulations (Northern Ireland) 2001 Regulation 5 (a) a nurse is not eligible for a tuition fee loan if a healthcare bursary is in payment. Nursing students receive a bursary paid by the Department of £5165 per year, making them ineligible for a fee loan.

A nursing student who is successful in gaining a place commissioned by the Department at either the University of Ulster or Queens University will have the cost of their fees met in full.

Health Service Dentists

Mr Agnew asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 11995/11-15, to detail the timeframe for the delivery of new dental contracts.

(AQW 14181/11-15)

Mr Poots: My Department is working with the Health and Social Care Board to finalise the legislative framework which will allow the new dental contract arrangements to be piloted. Officials from my Department and the Health and Social Care Board continue to engage with local representatives of the British Dental Association on the development of the new contracts for General Dental Services, Oral Surgery and Orthodontics.

Once completed, the pilots of the new contract arrangements will be reviewed. Following this, my Department will bring forward the regulations necessary to implement new dental contracts.

Alcohol and Drugs Outreach Centre in Belfast

Mr McCarthy asked the Minister of Health, Social Services and Public Safety what his Department is doing to establish an alcohol and drugs outreach centre in Belfast.

(AQW 14185/11-15)

Mr Poots: Neither my Department, the Belfast Health & Social Care Trust, nor the Public Health Agency are aware of any plans to establish an alcohol and drugs outreach centre in Belfast, nor indeed of any discussions around the need for such a facility.

The Belfast Trust's Community Addiction Service currently operates a Drug Outreach Team based in Belfast, which offers harm reduction advice, support and/or counselling to drug users, as well as signposting and referring on to more specialised addiction services. This team works with hard-to-reach individuals who are experiencing ongoing opiate addiction problems.

In addition, the PHA currently funds a full range of alcohol and drug services that is available to the residents of Belfast; these services could be offered on an outreach basis as required/requested. This means that any client experiencing difficulties through alcohol and/or drug misuse has the option to request that the service be provided at a preferred location suitable to them rather than the client having to present at the service provider's office.

Health Inequalities

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety, given that the constituencies of West Belfast, North Belfast and Foyle rank in the top three for health inequalities, what action he is taking to address these issues.

(AQW 14198/11-15)

Mr Poots: Tackling health inequalities involves addressing the socio-economic circumstances that prevail across society. Health and social care can address some aspects, but collaboration with other organisations across all sectors, including with local communities is crucial.

In addition to the range of regional programmes in place, the PHA is working in partnership with statutory, community and other sectors in these constituencies to invest in and support local initiatives. These are aimed at addressing both the social determinants contributing to health inequalities, and issues such as alcohol and drug misuse, smoking, and mental health and suicide.

The new cross-Departmental public health strategic framework, which is currently out for consultation, will also seek to re-invigorate cross-departmental and cross-sectoral collaborative action to tackle health inequalities and improve the health and well being of the most disadvantaged in our society.

Inter-ministerial Group on Domestic and Sexual Violence

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety for an update on the Inter-Ministerial Group on Domestic and Sexual Violence and any proposed strategies for the next three years.

(AQW 14231/11-15)

Mr Poots: The Inter-Ministerial Group on Domestic and Sexual Violence seeks to co-ordinate the effort across government to ensure that domestic and sexual violence issues are integrated into the policy initiatives of all relevant Government Departments.

The Inter-Ministerial Group on Domestic and Sexual Violence most recently met on 24 May 2012 and members were updated on the work being taken forward in respect of implementing the "Tackling Violence at Home" and "Tackling Sexual Violence and Abuse" Strategies.

The "Tackling Violence at Home" and "Tackling Sexual Violence and Abuse"

Strategies are due to end during 2013. A new joint Domestic and Sexual Violence Strategy will be published in September 2013.

Tackling Violence at Home Strategy

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety for an update on the implementation of the 'Tackling Violence at Home Strategy'.

(AQW 14233/11-15)

Mr Poots: The "Tackling Violence at Home" Strategy is being taken forward through strong partnership working between statutory and voluntary sector stakeholders. As the issues to be addressed straddle areas of responsibility for a number of government departments, the Strategy delivers outcomes through cross-departmental working.

To continue to deliver on the objectives of the "Tackling Violence at Home" Strategy,

a joint Domestic and Sexual Violence Action Plan covering the period April 2012 to September 2013 has been published.

Steady progress has been made and work continues to further the interests of victims/survivors and their families.

Inter-ministerial Group on Domestic and Sexual Violence

Mr D McIlveen asked the Minister of Health, Social Services and Public Safety (i) how many times since 2010 the Inter-Ministerial Group on Domestic and Sexual Violence has met; (ii) how many times the Minister of Justice has attended these meetings; and (iii) how often the minutes of the meetings are published.

(AQW 14234/11-15)

Mr Poots: The Inter-Ministerial Group on Domestic and Sexual Violence has met on two occasions since 2010: 29 June 2010 and 24 May 2012; the Minister of Justice attended both. The next meeting of the Inter-Ministerial Group is scheduled for 14 November 2012.

The minutes of the Inter-Ministerial Group are not routinely published. However, ratified minutes have been released following Freedom of Information requests.

Welfare Reform

Mr Lunn asked the Minister of Health, Social Services and Public Safety what discussions he has held with the Minister for Social Development concerning the implementation of welfare reform, as it impacts on people with neurological conditions and their carers.

(AQW 14261/11-15)

Mr Poots: I have met the Minister for Social Development on a number of occasions to discuss issues of mutual interest, including the reform of adult social care on which public consultation has now commenced; this particular issue, however, has not been discussed.

Transfers from an Accident and Emergency Department

Mr McElduff asked the Minister of Health, Social Services and Public Safety to detail the number of transfers from an Accident and Emergency (A&E) department in a hospital to (i) an A&E department in another hospital; and (ii) a specialist ward or unit in another hospital over the last twelve months, broken down by each hospital.

(AQW 14272/11-15)

Mr Poots: This information is not currently available and could only be provided at disproportionate cost.

Contractors and Sub-contractors Working on the South West Acute Hospital in Enniskillen

Mr McElduff asked the Minister of Health, Social Services and Public Safety whether he will intervene to ensure that all the contractors and sub-contractors, working on the South West Acute Hospital in Enniskillen, are paid without delay for work which they have carried out.

(AQW 14291/11-15)

Mr Poots: As you are aware, the South West Acute Hospital was procured under a PFI initiative. The contract for the hospital is between the Western Health and Social Care Trust (WHSCT) and Northern Ireland Health Group (NIHG) who in turn appointed FCC Elliott as Main Contractor for the project.

As neither the Department nor the WHSCT has any involvement in the contracts between FCC Elliott and its sub-contractors, there is no mechanism in place whereby recourse may be sought from my Department should the Contractor default on payments. There is a responsibility placed upon FCC Elliott to ensure that all monies due to sub-contractors are paid in accordance with the contract conditions between the parties. The recourse for resolution of any contractual disputes between the main and sub-contractors, including any alleged non-payment of monies due should be provided for within the terms of the contract between the two parties.

Windermere Supporting Living Services in Lisburn

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety for an update on the review into services at Windermere Supporting Living Services in Lisburn, and the inclusion of former employees in the process.

(AQW 14299/11-15)

Mr Poots: As part of a review into services at Windermere, the South Eastern Trust, in partnership with the Regulation and Quality Improvement Authority (RQIA), are interviewing all current members of Windermere staff. These interviews are being carried out by staff who have had no previous contact with the service at Windermere. This work is now approaching completion.

In addition, the Trust has deployed a nurse from the Behaviour Support Team to work across a range of shifts, and all the houses in Windermere, to further engage with staff and observe practice. That nurse is currently drafting a report of findings.

I am advised that no major issues have emerged from the review; indeed, a large amount of good practice has been identified and residents' families have all expressed satisfaction with the service at Windermere.

The Trust and the RQIA expect to conclude findings shortly and thereafter plan to meet with staff and relatives to inform them of their findings.

Adult Safeguarding Referrals

Ms Maeve McLaughlin asked the Minister of Health, Social Services and Public Safety for a breakdown of Adult Safeguarding referrals and protection plans introduced in each Health and Social Care Trust area over the last three years.

(AQW 14300/11-15)

Mr Poots: Table 1 and Table 2, detail the numbers of Adult Safeguarding Referrals and Adult Protection Plans respectively, in each Health and Social Care Trust for each of the last three years.

Table 1: Adult Safeguarding Referrals by HSC Trust 2009/10 – 2011/12

| HSC Trust | Year | | |
|-------------------|--------------|--------------|--------------|
| | 2009/10 | 2010/11 | 2011/12 |
| Belfast | 509 | 643 | 1,189 |
| Northern | 390 | 396 | 641 |
| South Eastern | 292 | 441 | 658 |
| Southern | 235 | 226 | 854 |
| Western | 148 | 205 | 244 |
| All Trusts | 1,574 | 1,911 | 3,586 |

Source: Health and Social Care Board Delegated Statutory Functions Monitoring Returns year ending 31 March

Note: These figures have not been validated by DHSSPS

Table 2: Adult Protection Plans in each HSC Trust 2009/10 – 2011/1

| HSC Trust | Year | | |
|-------------------|--------------|--------------|--------------|
| | 2009/10 | 2010/11 | 2011/12 |
| Belfast | 388 | 426 | 953 |
| Northern | 309 | 333 | 453 |
| South Eastern | 220 | 205 | 447 |
| Southern | 36 | 42 | 140 |
| Western | 106 | 121 | 136 |
| All Trusts | 1,059 | 1,127 | 2,129 |

Source: Health and Social Care Board Delegated Statutory Functions Monitoring Returns year ending 31 March

Note: These figures have not been validated by DHSSPS

Glass-bottle or Glass-related Injuries

Ms Lo asked the Minister of Health, Social Services and Public Safety to outline the statistics for the last three years relating to glass bottle or glass related injuries, and the cost to the Health Service in treating these injuries.

(AQW 14353/11-15)

Mr Poots: Information is available on the number of hospital inpatient and day case admissions where a diagnosis of a glass related injury has been recorded. Figures relating to the latest three years for which information is currently available are shown in the table below:-

| Financial Year | 2008/09 | 2009/10 | 2010/11 |
|----------------|---------|---------|---------|
| Admissions | 173 | 185 | 145 |

Source: Hospital Inpatient System

The relevant year's HRG² Reference Costs, derived from annual trust costing returns, have been applied to the activity information to produce the following estimate of the total cost associated with admissions due to glass related injuries:-

| Financial Year | 2008/09 | 2009/10 | 2010/11 |
|----------------|---------|---------|---------|
| Total Cost (£) | 391,153 | 371,434 | 288,280 |

Source: HRG Reference Cost returns

Please note the following:

- HRG reference costs are fully absorbed unit costs including capital charges.
- Reference costs do not include costs belonging to days associated with disproportionately long lengths of stay - excess bed-days.
- Costs relating to critical care, renal dialysis and rehabilitation are not included in the above estimated total cost as they are collected separately.
- Costs do not include the cost of any high cost drugs that may have been administered. The high cost drug information is not collected at the level of detail required to enable us to estimate what has been spent on people with specific diagnoses.
- All costs provided above relate only to inpatient and daycase admitted care. Substantial A&E, outpatient, primary care, community and personal social services may also be provided to patients. Costs for these services are not collected at the level of detail required to enable us to estimate what has been spent on people with specific diagnoses.

Glass-bottle or Glass-related Injuries

Ms Lo asked the Minister of Health, Social Services and Public Safety for his assessment of the potential savings to the Health Service and the reduction in glass related injuries through the restriction of the sale of alcohol in glass bottles, and the promotion of alternative packaging.

(AQW 14354/11-15)

2 Healthcare Resource Groups (HRGs) are standard groupings of clinically similar treatments which use common levels of healthcare resource.

Mr Poots: My Department has not undertaken any work to assess the potential savings to the Health Service and the reduction of glass related injuries through the restriction of the sale of alcohol in glass bottles, and the promotion of alternative packaging. However, research has shown that in total alcohol misuse costs Northern Ireland up to £900 million every year, and almost £250 million of these costs are borne directly by the Health and Social Care Sector. Research has also shown that approximately one in six people who attend hospital Accident and Emergency Departments have alcohol-related injuries or problems. At weekends, which are the peak times, the proportion rises to eight out of ten.

My Department leads on the cross-departmental strategy to reduce the harm related to alcohol and drug misuse in Northern Ireland, and I launched the revised New Strategic Direction for Alcohol and Drugs (NSD) Phase 2 on 26 January 2012. One of the issues we have been looking at is the growth in the evening and night-time economy which has led to increased concerns about the levels of alcohol-related crime and disorder (including alcohol-related violence involving glass) in towns and cities and also the associated long-term health impacts of alcohol misuse. My Department has therefore been working with the Department of Justice, the Department for Social Development, the Department of the Environment, the Northern Ireland Tourist Board, the PSNI, Pubs of Ulster, the Drinks Industry, and local councils to look at this issue and support the "Purple Flag" scheme

Several initiatives already implemented in Wales, Scotland and parts of England have been successful in reducing the impact of violent alcohol-related incidents. I understand that, based on the model and the achievements in Cardiff and Hull, a multi-agency cross-sector partnership has been established in Belfast (hosted by the Belfast HSC Trust), with representation from PSNI, Belfast City Council, Public Health Agency, and a number of interested community groups including "Bottle Out" campaign. This group has been exploring the local context, reviewing experiences elsewhere and is currently in the very early stages of data collection in order to facilitate the development of objectives and implementation plan.

As part of this work a survey was undertaken, and in a sample of 116 violent alcohol-related attendances at a Belfast Emergency Department over a seven-week period, the type of injury recorded in 13 cases was glass-related.

Blood Donations

Mr McCarthy asked the Minister of Health, Social Services and Public Safety whether he will publish the new reports he has received on accepting blood donations from men who have had sex with other men.
(AQW 14363/11-15)

Mr Poots: I have not received any new reports. In recent interviews I have referred to correspondence that I have received. I have received a letter from Dr James Reilly, the Irish Minister for Health, advising me that he does not have any plans to change the permanent deferral which applies to men who have had sex with men. I also referred to work that is currently being undertaken by the Council of Europe Steering Committee on Blood Transfusion (CD-P-TS). The link below is to the technical memorandum outlining the results of the CD-P-TS study.

http://www.edqm.eu/medias/fichiers/paphts_11_28_r_european_committee_partial_agreemen.pdf

Child and Adolescent Mental Health Services

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety what his Department is doing to address the absence of a child and adolescent psychotherapy regional service in 13 of the Children and Adolescent Mental Health Service teams.
(AQW 14372/11-15)

Mr Poots: Psychotherapy services for children and young people are provided in all Trust areas by a range of specialists, including psychiatrists, psychologists and family therapists. The HSC Board has confirmed that a review of extra contractual referrals which it has funded over the last five years has not found any instances of children having to travel outside Northern Ireland specifically for psychotherapy assessment or treatment.

In response to Bamford my Department published "A Strategy for the Development of Psychological Therapy Services" (June 2010). This sets out the Department's policy for the provision of a range of psychological therapy services and includes recommendations for the provision of these services for children and adolescents.

A regional Psychological Therapies Group, chaired by the HSC Board, is taking forward the implementation of the strategy. The development of child psychotherapy services will be considered as part of the work of that group.

Child and Adolescent Mental Health Services

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety what steps he will take to address the absence of a departmental policy on child psychotherapy as a core profession within Children and Adolescent Mental Health Services.
(AQW 14373/11-15)

Mr Poots: Psychotherapy services for children and young people are provided in all Trust areas by a range of specialists, including psychiatrists, psychologists and family therapists. The HSC Board has confirmed that a review of extra contractual referrals which it has funded over the last five years has not found any instances of children having to travel outside Northern Ireland specifically for psychotherapy assessment or treatment.

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A regional Psychological Therapies Group, chaired by the HSC Board, is taking forward the implementation of the strategy. The development of child psychotherapy services will be considered as part of the work of that group.

Child and Adolescent Mental Health Services

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety what steps have been taken to implement the recommendation of the Bamford Review of Mental Health and Learning Disability (NI) to develop child psychotherapy as a core profession within Child and Adolescent Mental Health Services.

(AQW 14374/11-15)

Mr Poots: Psychotherapy services for children and young people are provided in all Trust areas by a range of specialists, including psychiatrists, psychologists and family therapists. The HSC Board has confirmed that a review of extra contractual referrals which it has funded over the last five years has not found any instances of children having to travel outside Northern Ireland specifically for psychotherapy assessment or treatment.

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A regional Psychological Therapies Group, chaired by the HSC Board, is taking forward the implementation of the strategy. The development of child psychotherapy services will be considered as part of the work of that group.

Psychotherapy Services for Children and Young People

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety how he will address the cost arising out of the absence of local intensive psychotherapy treatment, which means children have to travel to other regions for assessment and treatment.

(AQW 14375/11-15)

Mr Poots: Psychotherapy services for children and young people are provided in all Trust areas by a range of specialists, including psychiatrists, psychologists and family therapists. The HSC Board has confirmed that a review of extra contractual referrals which it has funded over the last five years has not found any instances of children having to travel outside Northern Ireland specifically for psychotherapy assessment or treatment.

In response to Bamford my Department published "A Strategy for the Development of Psychological Therapy Services" (June 2010). This sets out the Department's policy for the provision of a range of psychological therapy services and includes recommendations for the provision of these services for children and adolescents.

A regional Psychological Therapies Group, chaired by the HSC Board, is taking forward the implementation of the strategy. The development of child psychotherapy services will be considered as part of the work of that group.

Firefighter Recruitment Process

Mr McMullan asked the Minister of Health, Social Services and Public Safety when the retained fire-fighter recruitment process will begin again to allow stations to attain their full complement.

(AQW 14385/11-15)

Mr Poots: The NIFRS anticipates launching a campaign to recruit Retained Firefighters in December 2012.

Blood Donations

Mr McCarthy asked the Minister of Health, Social Services and Public Safety whether he will publish the new reports that he has received on accepting blood donations from sex workers and, or, people who have had sex in Africa.

(AQW 14386/11-15)

Mr Poots: I have not received any new reports on these donor deferral criteria.

In 2011 the Advisory Committee on the Safety of Blood, Tissues and Organs (SaBTO) considered the UK policy in respect of commercial sex workers. Details of this review are in SaBTO's Blood Selection Criteria Review which is available at:

http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_129909.pdf .

Regarding people who have had sex in Africa, the policy throughout the UK is that a person may not give blood within 12 months of having had sex with anyone who has been sexually active in parts of the world where AIDS/HIV is very common. Blood donors are asked, before they donate blood, whether they have had sex in the past 12 months with anyone who may ever have had sex in parts of the world where AIDS/HIV is very common. They are advised that this includes most countries in Africa. This policy has been in place for many years.

My priority is to ensure the safety of blood; continuity in the supply of safe blood, and public confidence in the safety of blood.

Blood Donations

Mr McCarthy asked the Minister of Health, Social Services and Public Safety who wrote the reports that he has recently received on accepting blood donations from men who have had sex with other men, sex workers and or people who have had sex in Africa.

(AQW 14387/11-15)

Mr Poots: I refer to the answer I gave to AQW 14363/11-15.

Blood Donations

Mr McCarthy asked the Minister of Health, Social Services and Public Safety to detail the cost of commissioning the reports that he has received on accepting blood donations from men who have had sex with other men, sex workers and, or, people who have had sex in Africa.

(AQW 14389/11-15)

Mr Poots: I have not commissioned any reports on these issues.

Executive Papers

Mr Allister asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 13968/11-15, and excluding the content of the Executive papers, to detail the (i) quantity; (ii) dates; and (iii) general topic of the papers awaiting approval.

(AQW 14402/11-15)

Mr Poots: As outlined in my response to AQW 13968/11-15, all aspects of Executive business are confidential.

Inflammatory Bowel Disease Specialist Nurses

Mr Ross asked the Minister of Health, Social Services and Public Safety how many hospitals have an Inflammatory Bowel Disease specialist nurse; and how many are full-time.

(AQW 14412/11-15)

Mr Poots: The information requested is provided in the table below.

Table 1: Inflammatory Bowel Disease Specialist Nurses at September 2012 by Hospital

| Hospital | Headcount | WTE |
|----------------|-----------|-------------|
| Causeway | 1 | 0.16 |
| Antrim Area | 1 | 0.50 |
| Altnagelvin | 1 | 0.50 |
| Royal Victoria | 1 | 1.00 |
| Total | 4 | 2.16 |

Source: Northern Ireland Health and Social Care Trusts

Notes:

- 1 The Southern Health & Social Care Trust has advised that they intend to hold interviews for a 0.5 WTE position in October 2012.

Short-stay Unit at the Royal Victoria Hospital

Ms S Ramsey asked the Minister of Health, Social Services and Public Safety whether the short-stay unit at the Royal Victoria Hospital will be included in the new Critical Care building.

(AQW 14438/11-15)

Mr Poots: The Belfast Health and Social Care Trust has advised that the new emergency department in the critical care unit will contain a Clinical Decision Making Unit, not a short stay unit. The short stay unit will be located in the main hospital.

Carers of People Diagnosed with Parkinson's Disease

Mrs McKeivitt asked the Minister of Health, Social Services and Public Safety what support is available in the South Down area for carers of people diagnosed with Parkinson's Disease.

(AQW 14443/11-15)

Mr Poots: In addition to respite and short break services, the South Eastern HSC Trust also operates a Carer's Cash Grant Support Scheme, which facilitates carers' participation in a range of activities. The Trust's Carer Coordinator maintains a carers' database that enables carers to be invited to carer-focussed events.

Furthermore, there is a Parkinson's Support Group, which meets in Newtownards. There is another Newry-based support group for South Down, covering Newcastle, Castlewellan and Kilkeel, which also provides advice and support to people with Parkinson's Disease and their carers.

Invoices Paid within 10 Days

Mr McClarty asked the Minister of Health, Social Services and Public Safety to detail, for the period 1 April 2012 to 31 July 2012, (i) the number of invoices paid; and (ii) the number paid within 10 working days of receipt, by each Health and Social Care Trust.

(AQW 14448/11-15)

Mr Poots: The number of invoices paid by HSC Trusts for the period 1 April 2012 to 31 July 2012 and the number paid within 10 working days of receipt are contained in the following table:

Prompt Payment Performance 1 April 2012 to 31 July 2012

| Trust | Number of invoices paid | Number paid within 10 working days |
|---------------|-------------------------|------------------------------------|
| Northern | 46,465 | 27,581 |
| Belfast | 125,578 | 62,252 |
| Western | 36,144 | 20,226 |
| South Eastern | 51,060 | 21,893 |
| Southern | 41,488 | 17,548 |
| NIAS | 4,770 | 1,060 |

Hoax Calls for Ambulances

Mr Weir asked the Minister of Health, Social Services and Public Safety how many people have been prosecuted in each of the last three years for making hoax calls for ambulances.

(AQW 14469/11-15)

Mr Poots: Neither my Department nor the Northern Ireland Ambulance Service records data on prosecutions relating to hoax calls for ambulances. The prosecution of those who abuse 999 calls is a matter for the Police Service of Northern Ireland.

Special Schools: Music

Mr McMullan asked the Minister of Health, Social Services and Public Safety whether he will reintroduce music to special needs schools.

(AQO 2503/11-15)

Mr Poots: Music Therapy is still provided in a number of special schools, using funding allocated by the Health and Social Care Board (HSCB) and through self-funding by some schools. The HSCB will continue the funding they provide until the end of March 2013.

I am advised that the HSCB is working with the NI Music Therapy Trust to help develop a service model which reflects the early intervention focus of the service and which aligns with the Families Matter Strategy. This is supported by the Children and Young People's Strategic Partnership which seeks to promote partnership working and collaborative commissioning arrangements between all services engaged with children, across a range of settings.

I am also advised that the HSCB has identified funding for the procurement of a contracted music therapy service from April 2013. This will focus on supporting children with disabilities and their families within the early intervention framework outlined in Transforming Your Care. This contract will be tendered in line with relevant procurement requirements.

X-ray Facility at Bangor Hospital

Mr Dunne asked the Minister of Health, Social Services and Public Safety if there any plans to upgrade the x-ray facility at Bangor Hospital.

(AQW 14575/11-15)

Mr Poots: The South Eastern Health and Social Care Trust has advised me that there are no plans to upgrade the Bangor Community Hospital X-ray facility.

Recruitment of a Neuromuscular Care Adviser

Mr Swann asked the Minister of Health, Social Services and Public Safety for an update on the recruitment of a neuromuscular care adviser by the Belfast Health and Social Care Trust.

(AQW 14618/11-15)

Mr Poots: The new neurological nurse specialist post was advertised on 26 June 2012. Regrettably, there were no applicants. The post was re-advertised by Belfast HSC Trust on 18 September 2012 with a closing date for applications of 4 October 2012.

Ban on Cigarette Vending Machines

Mr Wells asked the Minister of Health, Social Services and Public Safety for an update on compliance with the regulations prohibiting the use of cigarette vending machines.

(AQW 14661/11-15)

Mr Poots: I refer Mr Wells to the answer to AQW 14121/11-15 which I issued on 21 September 2012.

Department of Justice

Northern Ireland Prison Service: Governors

Lord Morrow asked the Minister of Justice to detail the number of governors within Northern Ireland Prison Service facilities, including Hydebank Wood Young Offenders Centre, broken down by (i) facility; and (ii) grade.

(AQW 13948/11-15)

Mr Ford (The Minister of Justice): Table A below details the number of Governors within the Northern Ireland Prison Service at 31 August 2012. The table shows both substantive and temporary staff currently in Governor posts.

Table A: Current Governors in post (both substantive and temporary)

| Governor Grades | Magha-berry | Magilligan | Hydebank Wood | Head-quarters | *PSC | *PECCS | Total |
|---|-------------|------------|---------------|---------------|----------|----------|-----------|
| Gov 1 | 1 | 1 | 0 | 0 | 0 | 0 | 2 |
| Gov 2 | 1 | 0 | 1 | 1 | 0 | 0 | 3 |
| Gov 3 | 1 (1) | 1 (1) | 1 | 2 | 1 (1) | 1 (1) | 7 |
| Gov 4 | 6 (1) | 2 (1) | 2 | 3 (2) | 0 | 0 | 13 |
| Gov 5 | 8 (3) | 3 (1) | 4 (1) | 3 | 1 (1) | 0 | 19 |
| Total (both substantive and temporary) | 17 | 7 | 8 | 9 | 2 | 1 | 44 |

Figures in brackets relate to the number of temporary promotions

* Prison Service College

* Prisoner Escort and Court Custody Service

Offenders who Receive a Jail Term and a Victims Levy

Lord Morrow asked the Minister of Justice, in relation to offenders who receive a jail term and a victims levy, whether the levy becomes an immediate warrant or is it deducted at source from prison allowances.

(AQW 13949/11-15)

Mr Ford: Once committed to prison, an offender will be given the opportunity to pay the levy amount in full. However, in the event that he is unwilling or unable to do so, the levy will be deducted from his prisoner earnings whilst in custody.

Provision has been made in the Act to prevent the court, at the time of sentencing, from issuing a forthwith warrant in respect of non-payment of the levy. Operationally, this means that the offender will be unable to serve a period of custody in lieu of payment of the levy amount.

Security Improvements at Dungannon Court House

Lord Morrow asked the Minister of Justice to provide a breakdown of the estimated total cost of security improvements at Dungannon Court House, including contractor costs.

(AQW 13952/11-15)

Mr Ford: The cost of security improvements at Dungannon Courthouse is estimated at £133,400 including contractor costs. Due to the nature of this work, it would be inappropriate to provide a breakdown of the estimated costs.

Deaths in Custody of Female Prisoners

Lord Morrow asked the Minister of Justice, in light of the deaths in custody of female prisoners on 7 September 2002 and 3 March 2004, to detail (i) the recommendations made to the Northern Ireland Prison Service; and (ii) how many recommendations were successfully implemented.

(AQW 13954/11-15)

Mr Ford: These deaths occurred prior to the establishment of the Prisoner Ombudsman's remit to investigate deaths in custody, in September 2005. However, in May 2004, NIPS commissioned Professor Roy McClelland to complete an independent review of non-natural deaths in Northern Ireland prisons. This review took into account six suspected self inflicted deaths from June 2002 until March 2004 including the two female prisoners referred to above. The review was published in November 2005 with 30 recommendations relating to risk management, information sharing, prison healthcare, raising standards, training of staff and health service responsibilities. All of the recommendations relating to improved systems and processes within NIPS for the multi-disciplinary care of vulnerable prisoners have been implemented.

Since these deaths, a number of independent reviews and various external inspection reports have also been published which acknowledge that NIPS has made significant changes and improvements in the provision of safer custody and the management and care of vulnerable prisoners.

Improved systems and procedures for the identification and care of prisoners at risk have been implemented, including:

- Introduction of the Supporting Prisoners At Risk (SPAR) procedures which were reviewed and enhanced in August 2010, providing a multi-disciplinary approach to the management of those who self harm or show signs of potential suicide. This process replaced the dated PAR1 process which was previously criticised;
- A revised policy on Suicide and Self Harm Prevention and Standard Operating Procedures were issued on 10 February 2011 following a lengthy review of the processes that support the new SPAR procedures. These policies are subject to continuous review to address the issues and areas of concern identified in external and internal investigations/reports;
- Delivery of training to prison staff of Supporting Prisoners at Risk procedures and the Applied Suicide Intervention & Skills Training (ASIST) and Mental Health First Aid;
- The opening of the Donard Day Centre at Maghaberry in November 2011, to provide a therapeutic day centre facility for vulnerable offenders which is jointly managed by Healthcare professionals and specifically trained prison staff;
- Strong links are maintained with the Samaritans in the provision of a peer support Listeners Scheme, where prisoners are trained by the Samaritans to offer confidential emotional support to fellow prisoners who wish to share their problems with someone other than a member of prison staff. Prisoners also have access to Samaritans' volunteers through the Samaritans helpline or one to one counselling;
- The responsibility for the delivery of healthcare throughout Northern Ireland prisons transferred to the South Eastern Health and Social Care Trust on 1 April 2008. The transfer of Healthcare staff in prisons was effected on 1 April 2012. NIPS and the South Eastern Trust continue to work in partnership to regularly review the service-wide health needs of prisoners and to improve clinical governance and management of services.

Making custody safer remains a high priority for my Department and I continue to chair the Ministerial Forum on Safer Custody, which works with senior representatives from the criminal justice, healthcare and voluntary sectors to promote and support the development of best practice in safer custody across all the custodial agencies.

Tiger Kidnappings

Mr Flanagan asked the Minister of Justice to detail (i) the number of people that have been (a) arrested; (b) charged; and; (c) convicted of offences directly relating to tiger kidnappings; and (ii) for what offences those people were convicted, in each of the last five years.

(AQW 13976/11-15)

Mr Ford: PSNI has provided the following information in respect of arrests, charges and convictions in relation to tiger kidnappings:

| Year | Tiger Kidnaps | Arrests | Charges | Convictions |
|--------------|---------------|-----------|-----------|-------------|
| 2008 | 10 | 23 | 12 | 6 |
| 2009 | 16 | 19 | 5 | 3 |
| 2010 | 7 | 10 | 8 | 0 |
| 2011 | 7 | 5 | 3 | 2 |
| 2012 | 3 (to 6 Sept) | 4 | 0 | 0 |
| Total | 43 | 61 | 28 | 10 |

Details of the offences for which there have been convictions are as follows:

2008

| Robbery | Assisting Offenders | Aggravated Burglary with intent to steal |
|----------------|----------------------------|---|
| 2 | 2 | 2 |

2009

| Conspiracy to Rob | Conspiring to Falsely Imprison | Possessing a firearm without a certificate | Carrying a firearm with intent to commit an indictable offence |
|--------------------------|---------------------------------------|---|---|
| 3 | 3 | 2 | 2 |

2011

| Carrying a firearm with intent to commit an indictable offence |
|---|
| 2 |

An offender may have been convicted of more than one offence.

Loyalist Separated Prisoners in Bush House, Maghaberry Prison

Lord Morrow asked the Minister of Justice how many loyalist separated prisoners are in Bush House, Maghaberry Prison; and how many have signed the required compact.

(AQW 13997/11-15)

Mr Ford: There are currently 20 prisoners on the Loyalist Separated landings.

Of those 20, 19 have signed the compact for separated prisoners.

All prisoners who apply for entry into separated accommodation are provided with a copy of the compact for separated prisoners at the point of application and the terms of the compact are explained to them by a Governor. Each applicant is required to sign an application form prior to being placed in separated conditions.

Where a prisoner has not signed the compact for separated prisoners NIPS is satisfied that the prisoner has been made fully aware of the terms of the Compact.

Facilities to Hold Industrial and Benefit Appeal Tribunals

Lord Morrow asked the Minister of Justice whether there are proposals to use the hearing centres/court houses that are proposed for closure as facilities to hold industrial and benefit appeal tribunals.

(AQW 13998/11-15)

Mr Ford: Two of the hearing centres are used for Industrial Tribunal and Fair Employment Tribunal hearings. The suitability of other Hearing Centres for tribunal hearings is being considered, but the accessibility and layout of some courtrooms may mean that they are not adaptable for tribunal business.

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice what training the Northern Ireland Prison Service has provided to its members, since 1995, on the Code of Conduct and Discipline.

(AQW 13999/11-15)

Mr Ford: The induction programme for all new recruits entering the Northern Ireland Prison Service (NIPS) includes initial training in the Code of Conduct and Discipline (COCD) process. COCD training is also included in training programmes delivered to existing staff and managers.

Prisoner Assessment Unit Report

Lord Morrow asked the Minister of Justice when he intends to release an unredacted or less redacted copy of the Prisoner Assessment Unit report.

(AQW 14000/11-15)

Mr Ford: I have no plans to release any less redacted copies of the Prisoner Assessment Unit report. The issues which led to the redactions, including data protection and security considerations, remain and are likely to do so for the foreseeable future.

Members of Policing and Community Safety Partnerships

Mr Swann asked the Minister of Justice what reimbursement is made to members of the Policing and Community Safety Partnerships.

(AQW 14034/11-15)

Mr Ford: Members of Policing and Community Safety Partnerships (PCSPs) are eligible to claim:

- a £60 meeting expense payment, funded by the Department of Justice and the Northern Ireland Policing Board, for up to 20 meetings per year; and
- travel and subsistence, paid in line with NJC/Local Government rates.

Members of Policing and Community Safety Partnerships

Mr Swann asked the Minister of Justice to list the MLAs who are members of Policing and Community Safety Partnerships.

(AQW 14035/11-15)

Mr Ford: The following MLAs are currently members of Policing and Community Safety Partnerships:

- Trevor Clarke
- Paul Frew
- Paul Girvan
- David Hilditch
- William Irwin
- Declan McAleer
- Bronwyn McGahan
- Jimmy Spratt

Northern Ireland Prison Service: Officers

Lord Morrow asked the Minister of Justice how many Northern Ireland Prison Service officers have been granted retirement due to ill-health after the commencement of disciplinary investigations, broken down by (i) grade; and (ii) gender, in each of the last ten years.

(AQW 14069/11-15)

Mr Ford: The Northern Ireland Prison Service does not record details of applications made in relation to Ill Health Retirement granted after the commencement of disciplinary investigations.

Boston Tapes

Lord Morrow asked the Minister of Justice (i) whether Legal Aid has been granted to Anthony McIntyre, or others, for the challenge against the PSNI receiving the Boston tapes; (ii) to provide a breakdown of the Legal Aid paid to date; and (iii) the estimated final cost of the Legal Aid.

(AQW 14070/11-15)

Mr Ford: Legal Aid has been granted to Anthony McIntyre.

To date an amount of £129.76 has been paid on an application for legal advice and assistance. The payment comprises £108.13 in solicitor profit costs and £21.63 VAT.

An initial application for civil legal aid was refused but after appeal on 22 June 2012 emergency legal aid was granted allowing the applicant to apply to the Court of Judicature in Northern Ireland for judicial review of a decision of the Chief Constable of the Police Service of Northern Ireland. The certificate was limited to an application for leave.

On 31 August 2012 following an assessment of the applicant's financial eligibility a letter of offer issued to replace the emergency certificate. The applicant has 28 days to accept the offer. At 14 September 2012 no claim for payment had been received.

Edward Connors

Lord Morrow asked the Minister of Justice to detail (i) the date when the convicted rapist Edward Connors was released from custody; (ii) whether he applied for, and was granted, parole; (iii) the date he first breached his probation/release terms; and (iv) the date and nature of any subsequent breaches.

(AQW 14071/11-15)

Mr Ford: Edward Connors was released from prison on 18 April in accordance with the release date of the custodial part of his sentence. He first breached the requirements of his Custody Probation Order (CPO) on 11 June 2012. He was arrested, returned to custody and appeared in Court on 12 June 2012.

The date and nature of Edward Connors subsequent breaches are detailed in the table below.

| Date | Nature of Breach | Action Taken |
|--------------|--|---|
| 15 June 2012 | Breach of hostel rules | Warning issued. |
| 28 June 2012 | Breach of hostel rules | Further warning issued. |
| 4 July 2012 | Non attendance at appointment | Final formal warning issued. |
| 5 July 2012 | Non attendance at appointment | Breach proceedings initiated. Arrested then released on bail. |
| 14 July 2012 | Breach of hostel rules | PSNI sought arrest for breach of bail requirements. |
| 16 July 2012 | Failed to appear for adjourned CPO breach proceedings. | Bench warrant issued for arrest. |

Reporting Restrictions on Court Cases

Lord Morrow asked the Minister of Justice to detail (i) the legislation relating to reporting restrictions on court cases; and (ii) how this legislation covers or permits the withholding of information on adults charged with drug offences, particularly in the absence of a PSNI threat notification.

(AQW 14072/11-15)

Mr Ford: There is a range of legislation that provides powers in relation to reporting restrictions in criminal cases.

- Section 19 of the Criminal Justice Act (NI) 1945
- Sections 4 and 11 of the Contempt of Court Act 1981
- Article 10 of the Criminal Justice (Serious Fraud) (Northern Ireland) Order 1988
- Section 1 of the Sexual Offences (Amendment) Act 1992
- Article 22 of the Criminal Justice (Children) (Northern Ireland) Order 1998
- Chapter IV of Part 2 of the Youth Justice and Criminal Evidence Act 1999
- Article 8 of the Anti-social Behaviour (NI) Order 2004
- Article 30 of the Criminal Justice (NI) Order 2004

The decision to impose reporting restrictions is a judicial matter based on the statutory provisions and the facts of individual cases.

Republican Separated Prisoners

Lord Morrow asked the Minister of Justice whether republican separated prisoners who refuse to sign the required compact, which allows them to enter into separated conditions, can still apply and qualify for one-third remission.

(AQW 14073/11-15)

Mr Ford: Whether a prisoner signs the separated compact or not will have no bearing on any aspect of his sentence.

Consultants to Private Security Firms

Mr Allister asked the Minister of Justice (i) how many non-executive directors of the Northern Ireland Prison Service act as consultants to private security firms; (ii) to list each individual; and (iii) which firms are involved.

(AQW 14078/11-15)

Mr Ford: This information is published in NIPS financial accounts for 2011-2012.

Two non-executive directors of the Northern Ireland Prison Service act as consultants to private security firm G4S; Phil Wheatley and Paul Leighton.

Great care is taken to ensure that any work that Phil Wheatley or Paul Leighton carry out in their respective roles as consultants to G4S does not relate to NIPS.

New Prison at Maghaberry to Replace HMP Magilligan

Mr Allister asked the Minister of Justice to detail (i) the land acquisition needs of building a new prison at Maghaberry to replace HMP Magilligan; and (ii) the estimated cost of such an acquisition.

(AQW 14079/11-15)

Mr Ford: The Northern Ireland Prison Service Outline Estate Strategy is currently subject to a full public consultation exercise.

Development of a new prison, if that were the proposed direction following consultation, would require considerable effort in determining its size, shape and configuration. Until that work would be undertaken, it would not be possible to identify the land required on which to develop such a facility or to estimate the cost of any potential land acquisition.

Illicit Drugs in Prisons

Mr Givan asked the Minister of Justice for his assessment of the effectiveness of prison regimes which aim to prevent illicit drugs entering and circulating within prisons.

(AQW 14107/11-15)

Mr Ford: I recognise the high level of substance addiction within the prison population which has often been developed within the community over many years. I also acknowledge the impact that the misuse of prescription and other drugs can have within the prison estate.

Prisoners are provided with prescription drugs just like any other member of the community and are expected to behave responsibly. The South Eastern Health and Social Care Trust (SET) is responsible for the delivery of healthcare within our prisons and has developed a policy of 'in possession' medication in line with the practice in England and Wales. This policy is based on the equivalence principle, the notion that prisoners should have access to the same quality and range of healthcare services as the general public receives from the NHS.

However, experience has shown that prescription and illegally introduced drugs can be open to abuse in a prison setting and NIPS therefore has a strategy in place to address this problem including the measures below:

- working with other criminal justice agencies, particularly PSNI, to target any individual introducing illegal substances and disrupt drug trafficking routes into prisons;
- maintaining and developing the use of technology that will assist in preventing the trafficking of drugs;
- completion of routine searches, including the use of active search dogs;
- engaging in intelligence led searches of cells, prisons, property and visitors;
- raising intelligence awareness amongst staff in NIPS and SET service providers where relevant;
- maximising and targeting the use of passive drugs search dogs for prevention and detection;
- mandatory drug testing to identify prevalence of drug misuse and identify individuals abusing substances and ensure they are notified to addiction services;
- random testing for the purpose of risk assessment suspicion;
- home leave testing to ensure that prisoners prior to and returning from such leave are tested in an appropriate and timely manner, including life sentence prisoners on release;
- revised anti-bullying policy to be introduced;
- provision of individual safes for storing prescription medicine, and
- disciplinary action and removal from association with other prisoners where necessary.

An operational governor is also conducting a review of the effectiveness of the measures in place to minimise the availability of illicit drugs in prisons and is expected to shortly submit a report outlining his initial findings.

Juveniles Convicted of Sexual Assault Offences

Lord Morrow asked the Minister of Justice to detail the number of juveniles convicted of sexual assault offences that were served with a Youth Conference Order, broken down by court division, in each of the last five years.

(AQW 14135/11-15)

Mr Ford: The answer covers sexual offences with an assault element. These offences may be prosecuted under Common Law and under Article 3(1) of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983, Section 2 of the Attempted Rape Act (Northern Ireland) 1960, Article 18 (1) Criminal Justice (Northern Ireland) Order 2003, Article 19(1) Criminal Justice (Northern Ireland) Order 2003, Section 62 of the Offences Against the Person Act 1861 and a number of Articles in the Sexual Offences (NI) Order 2008.

The table below gives the number of juveniles (aged 10 to 17) convicted for sexual assault offences and disposed of by Youth Conference Order for the calendar years 2005 to 2009 (the latest year for which figures are currently available). In each case, the offence was indecent assault.

Number of juveniles convicted for sexual assault offences and disposed of via Youth Conference Order by court division 2005-2009

| Year | Antrim | Belfast | Craigavon | Ards | Total convictions |
|------|--------|---------|-----------|------|-------------------|
| 2005 | 0 | 0 | 0 | 0 | 0 |
| 2006 | 0 | 0 | 0 | 0 | 0 |
| 2007 | 2 | 0 | 0 | 1 | 3 |
| 2008 | 0 | 0 | 0 | 0 | 0 |
| 2009 | 0 | 1 | 1 | 0 | 2 |

Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

Data for 2005-2006 should not be directly compared with data from 2007 to 2009 as the data sets are sourced from different systems.

Prisoner Suicides and Attempted Suicides

Lord Morrow asked the Minister of Justice how many prisoner (i) suicides; and (ii) attempted suicides have occurred at each (a) prison facility; and (b) youth justice facility, in each of the last ten years.

(AQW 14136/11-15)

Mr Ford: Table A below shows the number of self inflicted deaths recorded in Northern Ireland prisons in each of the last ten years.

Table A

| Year | Maghaberry | Magilligan | Hydebank Wood |
|------|------------|------------|---------------|
| 2002 | 1 | 0 | 0 |
| 2003 | 1 | 0 | 0 |
| 2004 | 2 | 0 | 0 |
| 2005 | 0 | 0 | 0 |
| 2006 | 0 | 1 | 0 |
| 2007 | 1 | 0 | 0 |
| 2008 | 1* | 0 | 0 |
| 2009 | 3* | 0 | 0 |
| 2010 | 1* | 0 | 1* |
| 2011 | 3* | 0 | 2* |

* Suspected self inflicted death but still awaiting Coroner's verdict.

There have been no suicides in the Woodlands Juvenile Justice Centre within the last ten years.

Table B below shows the recorded attempted suicides, in each prison establishment for the period January 2006 – December 2011.

Table B

| Year | Maghaberry | Magilligan | Hydebank Wood (Female) | Hydebank Wood (Male) |
|-------|------------|------------|------------------------|----------------------|
| 2006 | 9 | 1 | - | - |
| 2007 | 4 | 2 | 1 | - |
| 2008 | 5 | - | - | 2 |
| 2009 | 7 | 1 | - | 7 |
| 2010* | 44 | 4 | 11 | 10 |
| 2011* | 56 | 3 | 8 | 10 |

Figures prior to 2006 are not readily available.

* The increase in attempted suicides recorded is indicative of improved recording and reporting systems introduced in January 2010.

The Juvenile Justice Centre maintains a detailed database of all incidents of self harm from serious incidents to those of a relatively minor nature. Attempted suicide is not specified as such in the database. The statistics recorded in the table below may not be directly comparable to Northern Ireland Prison Service figures, which have been drawn from a separate reporting system. Table C below shows the number of self harm incidents which took place for the period August 2007 to December 2011.

Table C

| Year | Serious(1) | Other(1) | Total |
|---------|------------|----------|-------|
| 2007(2) | 5 | 53 | 58 |

| Year | Serious(1) | Other(1) | Total |
|--------------|------------|------------|------------|
| 2008 | 3 | 28 | 31 |
| 2009 | 1 | 29 | 30 |
| 2010 | 3 | 75 | 78 |
| 2011 | 2 | 82 | 84 |
| Total | 14 | 267 | 281 |

- (1) The 14 serious incidents relate to three incidents of attempted hanging, one of overdose and 10 of deep cutting. Examples of the other 267 self harm incidents, not deemed to be in the serious category, include superficial cutting, wall/door punching.
- (2) Covers the period 16th August 2007 – 31st December 2007. Figures prior to 16th August 2007 are not readily available.

People Charged with Belonging to a Proscribed Organisation

Lord Morrow asked the Minister of Justice how many people who are currently before the courts have been charged with belonging to a proscribed organisation, broken down by court division.

(AQW 14139/11-15)

Mr Ford: There are 14 people currently before the courts facing charges relating to belonging to, or membership of, a proscribed organisation.

Two are before the Court of Appeal, three are in the Armagh and South Down Division, eight are in the Belfast Division and one is in the Fermanagh and South Tyrone Division.

Cases of Fraud by Abuse of Position

Lord Morrow asked the Minister of Justice how many cases of fraud by abuse of position are currently in the court system in each court division, broken down by (i) magistrates court; and (ii) crown court.

(AQW 14200/11-15)

Mr Ford: The tables below set out the number of cases of fraud by abuse of position currently before the Crown Court and Magistrates' Court broken down by County Court Division.

| Division | Crown Court |
|---------------------|-------------|
| Antrim | 0 |
| Ards | 3 |
| Armagh & South Down | 1 |
| Belfast | 5 |
| Craigavon | 2 |
| Fermanagh & Tyrone | 1 |
| Londonderry | 0 |
| Total | 12 |

| Division | Court Location | Magistrates' Court |
|---------------------|----------------|--------------------|
| Antrim | Ballymena | 1 |
| | Coleraine | 2 |
| Ards | Downpatrick | 1 |
| | Newtownards | 1 |
| Armagh & South Down | Armagh | 2 |
| | Newry | 1 |
| Belfast | Laganside | 9 |
| Craigavon | Craigavon | 0 |
| Fermanagh & Tyrone | Omagh | 0 |
| Londonderry | Londonderry | 3 |
| Total | | 20 |

Northern Ireland Prison Service: Code of Conduct and Discipline

Lord Morrow asked the Minister of Justice, pursuant to AQW13418/11-15, on how many other occasions a Private Secretary to a Secretary of State has communicated approval on matters such as this within the Northern Ireland Prison Service.
(AQW 14201/11-15)

Mr Ford: The Northern Ireland Prison Service does not hold records that specify the number of occasions on which a Private Secretary has communicated the approval of the Secretary of State.

Youth Conference Orders

Lord Morrow asked the Minister of Justice, in each of the last five years, in cases where young people were given Youth Conference Orders, how many have reoffended, broken down by court division; and, of these subsequent offences (i) how many were of a similar nature and (ii) how many were of a different nature.
(AQW 14202/11-15)

Mr Ford: The information requested is currently available for the 2005 to 2008 calendar years only.

The table below provides a summary of the number of Youth Conference Orders given and of these, the number of young people who re-offended within a one year follow up period with details of whether the re-offence was of the same, or a different nature as the baseline offence.

| Re-offence Cohort Year | Total Youth Conference Orders | Number re-offending within one year | | |
|------------------------|-------------------------------|-------------------------------------|---------------------------------|--------------------------------------|
| | | Total | Same nature as baseline offence | Different nature to baseline offence |
| 2005 | 97(1) | 43 | 10 | 33 |
| 2006 | 215 | 102 | 11 | 91 |
| 2007 | 413 | 158 | 32 | 126 |
| 2008 | 335 | 141 | 31 | 110 |

(1) The comparatively low number of Youth Conference Orders made in 2005 is due to the fact that the roll-out of youth conferencing across Northern Ireland was only completed in autumn of that year.

The information provided is based on young people given a Youth Conference Order who re-offend at least once during a one year follow up period, where the offence results in a conviction at court. The need to build in this follow up period as well as time for a re-offence to be convicted accounts for the lack of more up-to-date statistics beyond 2008 at this time. Statistics for 2009 are currently being collated and will be ready for publication later this year.

Information relating to the court division is not readily available and could only be obtained at disproportionate cost.

Mandatory Polygraph Tests for Sex Offenders

Lord Morrow asked the Minister of Justice whether he will introduce mandatory polygraph tests for sex offenders who are being managed in the community, as is the case in England and Wales.
(AQW 14204/11-15)

Mr Ford: Mandatory polygraph tests have only happened as pilot projects in two regions of England.

My Department keeps arrangements to manage the risk posed by sex offenders in the community under review, and I will want to consider the research commissioned by the Ministry of Justice, following the pilots.

Alcohol Test Purchasing

Mr Weir asked the Minister of Justice to outline the current legal position on test purchasing of alcohol from off-sales in order to prevent sales to people who are under-age.
(AQW 14214/11-15)

Mr Ford: Test purchasing powers came in to operation on 8 December 2008 under Article 67 of the Criminal Justice (NI) Order 2008 which created Article 60A within the Licensing (NI) Order 1996 by amendment.

Alcohol Test Purchasing

Mr Weir asked the Minister of Justice to detail his Department's processes and strategies in relation to alcohol test purchasing.
(AQW 14278/11-15)

Mr Ford: The development and implementation of alcohol test purchasing is a matter for the Chief Constable.

The Department of Justice, through the Community Safety Strategy and delivering against its commitments in the New Strategic Direction on Alcohol and Drugs which was launched by the Department of Health, Social Services and Public Safety, seeks to reduce the irresponsible sale of alcohol, particularly to those underage.

Alcohol Test Purchasing

Mr Weir asked the Minister of Justice whether the PSNI must be granted authorisation before carrying out alcohol test purchasing in a district command area; and in which districts authorisation is currently in place.

(AQW 14279/11-15)

Mr Ford: The development and implementation of alcohol test purchasing is a matter for the Chief Constable.

The Department of Justice, through the Community Safety Strategy and delivering against its commitments in the New Strategic Direction on Alcohol and Drugs which was launched by the Department of Health, Social Services and Public Safety, seeks to reduce the irresponsible sale of alcohol, particularly to those underage.

Desertcreat Joint Public Services College

Mr Weir asked the Minister of Justice for an update on the planned Desertcreat Joint Public Services College.

(AQW 14429/11-15)

Mr Ford: The tender package for the main contract is being issued this week. The key milestones are expected to be achieved on time. The Programme Board plans to appoint the preferred bidder in February 2013; to award the contract in May 2013; and to complete development of the college in Autumn 2015.

Private Clamping of Cars

Mr Weir asked the Minister of Justice to outline the current legal position on the private clamping of cars.

(AQW 14500/11-15)

Mr Ford: Wheel clamping on private land, with a view to charging a release fee, can only be carried out under certain conditions.

The Private Security Industry Act 2001 requires the licensing of anyone involved in clamping (or otherwise immobilising) vehicles on private land. The Security Industry Authority (SIA) currently awards the licences, which must be renewed annually. A "non frontline" licence is also required for those who manage, supervise and/or employ individuals who engage in the practice.

It is a criminal offence for wheel-clampers without a licence to clamp a vehicle and to try to charge a release fee. It is also a criminal offence for someone to employ an unlicensed wheel-clamper, or for a landowner to allow a wheel-clamper who they know is unlicensed to operate on their property.

Individuals who hold an SIA licence for vehicle immobilisation must observe the following licensing conditions:

- A vehicle must not be clamped/blocked/towed if a valid disabled badge is displayed on the vehicle or if it is a marked emergency vehicle which is in use as such.
- A receipt must be provided, which must include:
 - The place where the vehicle was clamped
 - Their name and signature
 - Their SIA licence number
 - The date
- Their SIA licence must be displayed where it can be seen at all times when they are working.

There is currently no regulation of the size of the release fee, the time taken to release a vehicle or the adequacy of signage around the site warning that vehicles may be clamped.

From 1 October 2012, it will be a criminal offence to immobilise a vehicle on private land in England and Wales without lawful authority. The practice has been banned in Scotland since 1992. I recently included the issue as part of a wider consultation on the future regulation of the private security industry in Northern Ireland and will consider the outcomes of the consultation, together with other evidence and research, before deciding whether to bring forward proposals to ban the practice in Northern Ireland.

Illicit Drugs in Prisons

Mr Givan asked the Minister of Justice, pursuant to AQW 14106/11-15, to detail the type and quantity of illicit drugs seized in each of the last three years.

(AQW 14712/11-15)

Mr Ford: The type and quantity of illicit drugs found by NIPS in the last three years are listed below.

| | SEPT 09 to NOV 09 | DEC 09 to NOV 10 | DEC 10 to NOV 11 | DEC 11 to AUG 12 |
|----------------------|----------------------|---------------------|------------------------------|---------------------|
| Cannabis | 185g | 508.54g | 490.9g/4 wraps/10 tablets | 327.1g+4 tablets |
| Steroids | 80 | 172+1 bottle | 1 bottle | 30 |
| Heroin Tablets | 0 | 56.5 | 0 | 2 |
| Heroin Powder | 7.7g | 19.3g | 0.5g | 1.8g |
| Cocaine | 7.5g | 12.5g | 26.1g+58 tablets | 0.6g |
| Unidentified Powder | 0 | 49.2g | 66.6g/13 capsules/¼ tsp | 37.8g+2 wraps |
| Prescription | 91 | 558+0.3g powder | 501 | 679 tablets +1 bag |
| Subutex | 0 | 1 | 1.5 tablets | 0 |
| Unidentified Tablets | 714 | 1409.5 | 1538.5 | 1652.5 |
| Barbituate | 0 | 4 tablets | 45 tablets+0.6g powder | 29 tablets |
| Amphetamine | 0 | 117.2g | 70 tablets+12g powder | 4g +59 tablets |
| Diazepam | 6 | 334.5+2.8g powder | 121.5 tablets+21g powder | 93 tablets |
| Ecstasy | 0 | 0 | 25.5 tablets | 0 |

Department for Regional Development

Road Access to Kilcooley Primary School, Bangor

Mr Easton asked the Minister for Regional Development what plans he has to improve road access to Kilcooley Primary School, Bangor.

(AQW 13963/11-15)

Mr Kennedy (The Minister for Regional Development): My Department's Roads Service has advised that there are currently no plans to alter the existing access arrangements at Kilcooley Primary School.

If the Member has any specific proposals that he feels would be useful in relation to this matter, I would request that he writes to me and I will give them due consideration.

Proposed Roundabout System at Craiganlet

Mr Easton asked the Minister for Regional Development what alternatives his Department considered before deciding on the proposed roundabout system at Craiganlet.

(AQW 14008/11-15)

Mr Kennedy: My Department's Roads Service has advised that it considered a wide range of alternative layouts, before selecting the preferred option.

These options included:

- the provision of a new through route from the Ballysallagh Rd/Craiganlet Rd, through agricultural land to the back of the Craiganlet cottages, onto the Ballymiscaw Rd;
- the provision of a roundabout at each of these two junctions, with two lanes running between the junctions;
- the provision of a roundabout at each of these two junctions, with three lanes running between the junctions;
- the provision of a roundabout at each of these two junctions, with four lanes running between the junctions; and
- the provision of traffic signals (full time or part time).

Having assessed these options, Roads Service considers that the most effective option is the one which has been submitted under the current planning application. This option was designed to minimise land take, whilst taking into consideration the collisions and traffic congestion regularly experienced in this vicinity.

Nevertheless, I have asked officials to give serious consideration to alternative layouts suggested by local residents that would have less impact on the Craigtlet cottages, and I will consider the outcome of this work before making any decision on the way forward.

Adoption of Roads in the Strangford Constituency

Miss M McIlveen asked the Minister for Regional Development to detail (i) the unadopted roads in the Strangford constituency that are in receipt of a preliminary certificate of adoption that was issued more than 12 months ago; and (ii) why a final certificate has not been issued in each case.

(AQW 14040/11-15)

Mr Kennedy: Details of the unadopted roads in the Strangford constituency that are in receipt of a preliminary certificate of adoption that was issued more than 12 months ago, including the reason why a final certificate has not been issued in each case, are listed in the table below:

| Site | Reason |
|--|--|
| Crossgar Road, Shrigley | Awaiting Technical Approval (Retaining Wall) |
| Edengrove, Ballynahinch | Remedial works outstanding |
| Park Lane, Saintfield | Awaiting Technical Approval Culvert |
| Ardview Road, Killinchy | Remedial works outstanding |
| Teal Rocks, Portaferry Road, Newtownards | Awaiting Northern Ireland Water (NIW) clearance Article 11 issued |
| Saltwater Close, Ballywalter | Awaiting NIW clearance |
| Briar Park, Ballywalter | Awaiting NIW clearance Article 11 issued |
| The Moatlands, Ballyhalbert | Awaiting NIW clearance |
| Spinners Court, Comber | Awaiting NIW clearance |
| Cornmill, Moss Road, Millisle | Remedial works outstanding |
| Old Dundonald Mews, Dundonald | Remedial works outstanding |

Road and Water Surety Bonds in the Strangford Constituency

Miss M McIlveen asked the Minister for Regional Development what enforcement action has been taken in relation to road and water surety bonds in the Strangford constituency, in each of the last five years; and the outcome of any action taken.

(AQW 14041/11-15)

Mr Kennedy: I should advise the Member that my Department's Roads Service is the administrator of the Departmental Bond. However, where enforcement action is taken in relation to road and sewer surety bonds in the Strangford constituency, Northern Ireland Water works closely with Roads Service and provides input to the enforcement procedures. The associated Enforcement Notices are issued by Roads Service.

Details of the enforcement actions taken by my Department's Roads Service in relation to road and water surety bonds in the Strangford constituency, in each of the last five years, including the outcome of any action taken, are listed in the table below:

| Site | Action | Comments |
|--|-------------------|-------------------------------|
| Drummond Brae, Ballynahinch | Article 11 issued | Contractor Appointed |
| Labyrinth Cottages, Ballynahinch | Article 11 issued | Work Progressing by Developer |
| Inishmore, Killyleagh | Article 11 issued | Contractor Appointed |
| Drummond Brae, Ballynahinch | Article 11 issued | Administrator Appointed |
| Fox Hollows, Ballygowan | Article 11 issued | Contractor Appointed |
| Lansdowne Road, Newtownards | Article 11 issued | Contractor Appointed |
| White Church Meadows, Ballywalter | Article 11 issued | Contractor Appointed |
| Ballyrolly, Ballywalter Road, Millisle | Article 11 issued | Contractor Appointed |
| The Brambles, Ballywalter | Article 11 issued | Contractor Appointed |

| Site | Action | Comments |
|--------------------------------------|-------------------|--|
| Seaview Court, Portavogie | Article 11 issued | Contractor Appointed |
| Portview Heights, Portavogie | Article 11 issued | Developer to complete |
| Shore Road, Ballyhalbert | Article 11 issued | NIW Clearance required |
| Ballyhelmin, Ballyhalbert | Article 11 issued | NIW Clearance required |
| Castle Meadows, Cloughey | Article 11 issued | Administrator Appointed |
| Tides Development, Portavogie | Article 11 issued | Bank/Developer to complete |
| Rubane Road/McKenna Road, Kircubbin | Article 11 issued | NIW Clearance required |
| The Meadows, Donaghadee | Article 11 issued | Contractor Appointed |
| Brackenridge, Donaghadee | Article 11 issued | Contractor Appointed |
| New Court, Portavogie | Article 11 issued | NIW Clearance required |
| Carmoon, Donaghadee | Article 11 issued | Developer to complete |
| Old Shore Road, Donaghadee | Article 11 issued | Developer to complete |
| Briar Park, Ballywalter | Article 11 issued | Contractor Appointed |
| Princeton, Portavogie | Article 11 issued | Bank/Developer to complete |
| South of Judes Crescent, Newtownards | Article 11 issued | Land issue |
| Teal Rocks, Portaferry | Article 11 issued | NIW Clearance required |
| Seahill, Donaghadee | Article 11 issued | NIW Clearance required |
| East Street Court, Newtownards | Article 11 issued | Developer to complete |
| East Street Court, Donaghadee | Article 11 issued | Recently issued |
| Ardmore Manor, Ballygowan | Article 11 issued | Recently issued |
| Thorndale Way, Castlereagh | Article 11 issued | NIW Clearance required |
| Montgomery Chase, Castlereagh | Article 11 issued | Street Lighting Certificate required |
| Cedar View, Castlereagh | Article 11 issued | Technical approval required for retaining wall |
| Church Close, Castlereagh | Article 11 issued | NIW Clearance and Street Lighting Certificate required |
| Brooke Hall, Castlereagh | Article 11 issued | Street Lighting Certificate required |
| Grace Hill, Castlereagh | Article 11 issued | Adopted 28/07/11 |
| Adara Mews, Castlereagh | Article 11 issued | Adopted 12/02/10 |
| Old Dundonald Mews, Castlereagh | Article 11 issued | Street Lighting Certificate required |
| Johnston Park, Castlereagh | Article 11 issued | Adopted 18/02/10 |

Adoption of Roads in the Strangford Constituency

Miss M McIlveen asked the Minister for Regional Development to list the roads in the Strangford constituency for which a preliminary certificate of adoption has been issued in each of the last 12 months.

(AQW 14042/11-15)

Mr Kennedy: My Department's Roads Service has advised that the roads in the Strangford constituency, for which a preliminary certificate of adoption has been issued in each of the last twelve months, are as follows:

- The Moorings, Killyleagh
- Bartleys Wood, Ballywalter
- Riverside Road, Ballynahinch
- Millreagh, Carrowreagh Road, Dundonald
- Millreagh Court, Carrowreagh Road Dundonald

Adoption of Roads in the Strangford Constituency

Miss M McIlveen asked the Minister for Regional Development, in relation to the unadopted roads in the Strangford constituency for which a preliminary certificate of adoption was issued more than 12 months ago, what steps have been, and will be, taken to resolve any outstanding issues.

(AQW 14043/11-15)

Mr Kennedy: My Department's Roads Service has advised that in cases where a preliminary certificate was issued more than 12 months ago, the sites are inspected every twelve weeks to ascertain the up-to-date position.

Officials have further advised that, in some circumstances, an Article 11 notice can be served on a developer under the Private Streets (NI) Order 1980, requesting that a road be completed to the standard necessary for adoption.

In the event that a developer has ceased to trade or failed to comply with an Article 11 notice, the developer will be served notice under the legislative procedure. Roads Service will then employ a contractor to complete the necessary works, adopt the new roads, and recoup the costs from the developer or bond surety.

Adoption of Roads in the Strangford Constituency

Miss M McIlveen asked the Minister for Regional Development to list the roads and sewers that have been adopted in the Strangford constituency in each of the last 12 months.

(AQW 14044/11-15)

Mr Kennedy: My Department's Roads Service has advised that details of the roads in the Strangford constituency, for which an adoption certificate has been issued in each of the last twelve months, are listed below:

- | | |
|--|--|
| ■ Westlands, Portavogie | ■ Turnstone, Newtownards |
| ■ Belfast Road, Comber | ■ Ashgrove Ave/Kilmia Ave, Newtownards |
| ■ 31-39 Main Street, Carrowdore | ■ The Old Mill, Killyleagh |
| ■ Rockhill, Donaghadee | ■ Lord Moira Park, Ballynahinch |
| ■ Shore Road, Ballyhalbert | ■ The Moorings, Killyleagh |
| ■ Mark Street/Thomas Street, Newtownards | ■ Riverside Road, Ballynahinch |
| ■ Mount Pleasant, Newtownards | ■ Belvoir Drive, Castlereagh |
| ■ 39/40 Bristol Park, Newtownards | ■ Castlehume Gardens, Castlereagh |
| ■ Crescent Mews, Comber | ■ Kingsway Drive, Castlereagh |
| ■ The Gables, Portaferry | ■ Drumadoon Drive, Castlereagh |
| ■ Millisle Road, Donaghadee | ■ Bailey Manor, Castlereagh |
| ■ Helensview Park, Newtownards | |

I have been advised by Northern Ireland Water (NIW) that it records developments by Council area and not by Constituency area. However, in the past twelve months, NIW has adopted 15 sewerage systems considered to be within the Strangford Constituency, the details of which are as listed below:

- | | |
|--|-------------------------------------|
| ■ Upper Crescent, Comber | ■ The Moorings Phase 2, Killyleagh |
| ■ 1 – 17 Seaview Court, Portavogie | ■ Green Gables, Green Road, Conlig |
| ■ Cornmill Phase 1, Moss Road Millisle | ■ Stonebridge Avenue, Conlig |
| ■ Albion Court Castle Meadows, Ballywalter | ■ Moatlands, Phase 2, Ballyhalbert |
| ■ Whitechurch Meadows, Ballywalter | ■ Millmount Lane, Dundonald |
| ■ Rock Hill Warren Road Donaghadee | ■ Old Dundonald Mews, Dundonald |
| ■ Hawthorn Meadows, Ballywalter | ■ Park Head Cuan Avenue, Portaferry |
| ■ Orchard Avenue, Newtownards | |

Two-year Pay Freeze for Staff at NI Railways

Mr G Robinson asked the Minister for Regional Development, in relation to the two year pay freeze for staff at NI Railways, when the £250 annual sum for coalition grades will be paid to all staff.

(AQW 14067/11-15)

Mr Kennedy: Translink advises me that it is at an advanced stage of negotiations with the unions that represent NI Railways staff within the Conciliation grades including discussion in relation to the £250. It would not be appropriate to discuss the detail of these negotiations between Translink management and unions as it would compromise the sensitive nature of the discussions.

Ecar Home and Workplace Charge Point Grant

Mr Dickson asked the Minister for Regional Development how many applications for the Ecar Home and Workplace Charge Point Grant have been received; (ii) how many have been successful and; (iii) the total amount of grant funding awarded to date. **(AQW 14112/11-15)**

Mr Kennedy: My Department has to date received 6 applications for a total of 9 charge points. All of these have been successful with a total of £9122.33 having been paid to date with a further grant of £1990.00 still proceeding through the payment process.

Illegal Posters Removed by Roads Service

Mr Weir asked the Minister for Regional Development to detail how many illegal posters have been removed by Roads Service in the North Down Borough Council area, in each of the last five years; and to list the organisations that have been fined for putting up the posters or charged for the removal of the posters. **(AQW 14142/11-15)**

Mr Kennedy: My Department's Roads Service has advised that it has removed 698 unauthorised signs within the North Down area over the last five years.

Roads Service also works in collaboration with North Down Borough Council which removes illegal signs and advertising boards in Bangor and Holywood town centres. Roads Service makes a charge for the cost of carrying out this statutory duty, and has recovered approximately £35,000 over the last five years.

As information in Roads Service's cost-recovery database is for the whole of Eastern Division, and is not classified by Council or Section area. I have provided information on the organisations which have been charged by Eastern Division which includes those within the North Down Council area.

- | | |
|-----------------------------------|-----------------------------------|
| ■ 1ST CHOICE TAXIS | ■ BALMORAL ESTATES |
| ■ 4 X 4 STORE | ■ BALMORAL TILES LTD |
| ■ A BARTON CO | ■ BANGOR LEISURE CENTRE |
| ■ AA MUSIC | ■ BASC |
| ■ ABBEY DRAINS | ■ BEATTIES CHIP SHOP |
| ■ ABBEY REAL ESTATES | ■ BELFAST AND DISTRICT MOTOR CLUB |
| ■ ABSOLUTE | ■ BELFAST CYCLE SHOP |
| ■ ADL GROUP LTD | ■ BELFAST PROPERTY AGENCY |
| ■ ADRIAN MCQUAID | ■ BELFAST TELEGRAPH |
| ■ ALAN NEWELL | ■ BELFAST TILE COMPANY |
| ■ ALFRESCO CAFE | ■ BELLS OF CROSSGAR |
| ■ ALISON GRAY RECRUITMENT | ■ BELVOIR LETTINGS |
| ■ ALL CABS | ■ BIH HOUSING ASSOCIATION |
| ■ ALLIED CARPETS | ■ BILL MCKELVEY |
| ■ ALLSTAR GYM & FITNESS | ■ BLACK PROPERTY MANAGEMENT |
| ■ ALTERNATIVE ULSTER | ■ BLUE SKY SOLAR HEATING SYSTEM |
| ■ AMB PLASTICS | ■ BODY WORX |
| ■ ANDERSONSTOWN NEWS | ■ BOLAND REILLY HOMES LTD |
| ■ ANTRIM ROAD CAB CO. | ■ BOOKENDS |
| ■ AR GRAPHICS | ■ BP SEW N KNIT |
| ■ ARDS TOURIST INFORMATION CENTRE | ■ BRED A CABS |
| ■ ARIA PROPERTY SOLUTIONS | ■ BRIAN BLAKELY CONTRACTS |
| ■ ARROW | ■ BRIAN MORTON & CO |
| ■ ATJ'S PROFESSIONAL CLEANING | ■ BRICE & CO ESTATE AGENTS |
| ■ ATTENTION 2 DETAIL | ■ BROOKE TAXIS |
| ■ AU NATURALE | ■ BRUNCHES |
| ■ AUTOCABS | ■ BTW CAIRNS |
| ■ AUTOWINDSCREENS & MOTORSPARES | ■ BTW SHIELLS |
| ■ B & Q | ■ BUDGET CARS |
| ■ B PURE BEAUTY SALON | ■ CAFE CEOL/ CLUB TAO |
| ■ BADA BING PIZZA | ■ CAIRNS OFFICE DESIGN |
| ■ BAILIE STEPHEN | ■ CAMPBELL CAIRNS |
| ■ BALLYNURE BARBERS | ■ CAMPBELL GILLIAN |

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- CAMPHILL COMMUNITY GLENCRAIG
 - CANINE DESIGN
 - CARPETRIGHT PLC
 - CARRICKFERGUS BOROUGH COUNCIL
 - CARRICKFERGUS FM
 - CASTLEREAGH CAB COMPANY
 - CCR CABS
 - CENTRA
 - CHARLY'S
 - CHERRYVALE AUCTION ROOMS
 - CHOICE FLOORING
 - CHRISTIAN BROTHERS PAST PUPILS UNION
 - CITI GOLF BELFAST
 - CITY PROPERTY SERVICES
 - CLANDEBOYE LODGE HOTEL
 - CLARION HOTEL
 - CLASSIC CARPETS
 - CLIFFORD BROWN
 - CLIFTON CABS
 - CLIFTON FUELS
 - COMMERCIAL VEHICLE AUCTIONS
 - CORDINERS KITCHENS AND BEDROOMS
 - CORRIGANS VEHICLE RENTALS
 - COUNTRY ESTATES
 - COWLEY GROVES
 - CRAWFORD CAR & COMMERCIAL
 - CREATIVE TILES
 - CRUMBS
 - CURLEYS SUPERMARKET
 - CURRYS
 - CURVES
 - CUSTOM GRAPHIX
 - DANIEL MCGEOWN & CO
 - DAVIDS CHIP SHOP
 - DEBENHAMS
 - DEBORAH YEA PARTNERSHIP
 - DECORA BLINDS
 - DELTA PACKAGING
 - DEVENISH COMPLEX
 - DIAL A DIGGER
 - DIAMOND COACHES
 - DIRTYCARSWANTED
 - DISCOUNT SALON SUPPLIES
 - DIXONS CONTRACTORS
 - DND MOTORCYCLES
 - DOGWOOD PET RESORT
 - DONARD HOMES LTD
 - DONNELLY BROS
 - DONNELLY CARS
 - DOOR STORE
 - DOORSEPS GOURMET SANDWICHES
 - DORCHESTER LIMOUSINE CO
 - DOWNEY CARS
 - DREAMS PLC
 - DUNDONALD PRIMARY SCHOOL
 - DUNELM SOFT FURNISHINGS LTD
 - DUNLOP HOMES LTD
 - DUNNES STORES LTD
 - DV8
 - EAST ANTRIM EMBROIDERY
 - EAST ANTRIM OVEN CLEANING
 - EDDIE WRAY
 - ELM PENTECOSTAL CHURCH
 - EMOVES
 - ENKALON MOTORCYCLE CLUB
 - ENTERPRISE RENT A CAR
 - ESPORTA HEALTH & FITNESS
 - EUROFLOWERS
 - EUROSPAR
 - EUROTILE
 - EXPRESS IMAGE
 - FAST CABS
 - FERNAGH CABS
 - FINEART IRELAND
 - FISHING TACKLE SHOP
 - FITNESS FIRST
 - FLAME MINISTRIES
 - FLOORING INSPIRATIONS
 - FLOORS & MORE LTD
 - FLOORS-2-GO
 - FORTWILLIAM CAR VALETING
 - FRED DALZELL
 - FURNITURE SALE
 - FURNITURE WAREHOUSE OUTLET
 - G R HOMES
 - GARDEN SHOW IRELAND
 - GARRY DAVISON
 - GASTA.COM
 - GC CARPETS
 - GENERAL GEORGE
 - GLASGIVEN CONTRACTS
 - GLITZ NITECLUB
 - GMC PROPERTIES
 - GOLDSMITH ESTATES
 - GONE FISHING
 - GRAHAM HENRY ESTATE AGENT
 - GRANT JOHN
 - GREEN CHILLI RESTAURANT
 - GREENAWAY AUTO ELECTRICS
 - GREGGS DOG GROOMING
 - H RITCHIE & SONS
 - HAGAN FLOORING LTD
 - HALIFAX ESTATE AGENTS
 - HAMPTON ESTATES
 - HARBOUR POINT BAR
 - HARRY DOUGLAS FURNITURE
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- HARVEY NORMAN
- HARVEYS
- HELEN KENNEDY PROPERTIES
- HELP COMPUTER CENTRE
- HHI BUILDING PRODUCTS
- HILDEN BREWERY
- HILLSBOROUGH ELIM PENTECOSTAL CHURCH
- HOLSTEIN UK
- HOME & AWAY PROPERTIES
- HOME BUYERS
- HOME LIVING
- HOMEBASE LTD
- HOMELINK
- HOWARD HENDERSON MOTOR WORKS
- HR DOUGLAS & SONS
- HSS HIRE
- HUNTER CAMPBELL
- HURST CHARLES
- HUSTON KERR
- INTERIOR SOLUTIONS
- INTERNATIONAL PROPERTY SALES
- IRISH LINEN COMPANY THE
- ISYS
- JACK REID CARS
- JEFF RAINE & CO
- JENNIFER KELLY
- JET-TEC
- JJB FITNESS CLUB
- JOE DELEANAY
- JOHNNYS CAR WASH & VALETING SERVICE
- JORDANSTOWN REAL ESTATES
- JOYCE ESTATE AGENTS
- JUST TILES
- KARACHA MUSIC SUPPLIES
- KIDZ CLUB
- KILLEAD LODGE
- KINGS HEAD
- KNOCKAGH LODGE
- KRYSTAL KLEEN KARS
- KYLE SUCKLING
- L G CONTRACTS & CEILINGS LTD
- LA FITNESS
- LA GNOSH
- LAGAN VALLEY LEISUREPLEX
- LAURA WOOD (CARNWOOD B&B)
- LAVELLE & MCALINDEN
- LAVERYS NIGHT CLUB
- LIAM GREENHAM
- LIDL NORTHERN IRELAND GmbH
- LIGHTING INSPIRATIONS
- LINDSAY FORD & MAZDA
- LISBURN CARAVAN CENTRE
- LISBURN CATHEDRAL
- LISBURN FREE PRESBYTERIAN CHURCH
- LOGWOOD PLANT CENTRE LTD
- LONGSTONE PROPERTY SALES
- LOUGH & QUAY
- LOVE FOR LIFE ORGANISATION
- LYNCHS FLOORING
- MAD 4 DOORS
- MAGENNIS'S BAR
- MANAGEMINT
- MANOR INTERIORS
- MARTIN & CO
- MARTIN PHILLIPS
- MATTHEWS MR
- MCAFEE LAND & NEW HOMES
- MCALPINE ESTATE AGENTS
- MCAULEYS KITCHENS
- MCCANN BILL ESTATE AGENCY
- MCCLEARY ESTATE AGENTS
- MCCLELLAND AND SALTER
- MCCOMBE PIERCE
- MCCULLAGH IAN
- MCDONALDS RESTAURANTS LTD
- MCGIMPSEY & KANE
- MCGRADY LTD
- MCGRANAGHAN ESTATE AGENTS.COM
- MCMILLAN ESTATE AGENTS
- MCQUOIDS COMMERCIAL & RESIDENTIAL PROPERTY
- MCW RESIDENTIAL
- MERCURY SECURITY MANAGEMENT
- METRO BARBERS
- MFI
- MGK BUILDERS
- MIDAS TOUCH
- MILEBUSH LANDSCAPE CENTRE
- MILLENNIUM STABLES
- MIND YOUR PAWS
- MINNIS JOHN ESTATE AGENTS
- MITCHELL PROPERTY MANAGEMENT
- MOIRA DRIVE THRU INTERNET CAFE
- MOLLOY FUELS
- MONAGHAN POST
- MOORE SIGNS
- MORRIS ESTATE AGENTS
- MORROW NORMAN
- MOVE PROPERTY
- MOVING ESTATE AGENTS
- MPLEX
- MR A & MRS C LESTER
- MR CARDWELL
- MR JOHNATHAN SMITH
- MURRAY SHEDS & FENCING
- MY TILES

- MYNT BAR
- NAISCOIL
- NAKED SUN
- NATION
- NEILL ESTATE AGENTS
- NEW LIFESTYLE FIREPLACES
- NEXT HOME
- NORTH DOWN MODEL RAILWAYS
- NORTH DOWN MOTORS
- OCEAN BLUE
- O'CONNOR GERRY
- O'CONNOR KENNEDY TURTLE
- OIL DIRECT
- OMEYA DAY SPA
- ONE STOP PROPERTY
- ONE STOP SALON
- OPTIMUM REAL ESTATES
- OREGANO RESTAURANT
- ORGINAL TILE
- OSBORNE KING
- P & R KITCHENS
- P2 KENNELS
- PAPA'S ICE-CREAM PARLOUR
- PARADISE LIMOS
- PARKVIEW LODGE B&B
- PATIO RESTAURANT
- PAVILION BAR
- PETER COYLE
- PHILIP JOHNSTON AND COMPANY
- PINKERTON MURRAY
- PINPOINT PROPERTY
- PLAYGIRL LIMOUSINES
- POOLER ESTATE AGENTS
- POOLER WATSON
- PREMIER 1 DRIVING SCHOOL
- PREMIER MEATS
- PRESTIGE PROPERTY
- PRO PEST CONTROL
- PROJECT PLANNING INTERNATIONAL
- PROPERTY DIRECTIONS
- PROPERTY LETS NI
- PROPERTY LINK (ARMAGH)
- PROPERTY ONE
- PROPERTY PEOPLE
- PYPER PROPERTY MANAGEMENT
- RE/MAX EXCEL
- RE/MAX PROPERTY SPECIALISTS
- RE/MAX SELECT PROPERTIES
- REA ESTATES
- READS
- REMAX PROPERTY SALES
- REMAX SOLUTIONS
- RENTAL COMPANY THE
- RIDE SAFE
- ROBERT A NOBLE & CO
- ROBERT WILSON ESTATE AGENTS
- ROCKLANE DAY NURSERY
- ROCKPORT SCHOOL
- ROGER BEAUMONT ESTATE AGENTS
- ROGERS PETER
- ROLF TANYA
- RON CHANDLER
- ROSS GLENN MR
- RUDOLF STEINER SCHOOL
- SALON SERVICES
- SCALES & EQUIPMENT CENTRE
- SEYMOUR DUGAN INTERIORS
- SHANES CASTLE
- SHANKS & CO ESTATE AGENTS
- SHOOTER PROPERTY SERVICES
- SIMPLY 4 LET
- SIMPSON PROPERTY
- SLEEPMASTERS
- SLEEPY HOLLOW RESTAURANT
- SLIMMING WORLD
- SMART WASH-IN
- SOAKS BATHROOMS
- SOIL-UTIONS
- SOLID BOND SCOOTER CLUB
- SPACE REAL ESTATES
- SPAR
- SQUARE YARD TILES
- STORMONT EXHAUST CENTRE
- STREAMVALE OPEN FARM
- SUBWAY SANDWICH BAR
- SUPERVALU
- SWIFT CABS
- T&G PLASTICS
- T&G PLASTICS
- T&G PLASTICS
- TEMPLETON ROBINSON
- THAMES TILE & BATHROOMS LTD
- THE AULD HOUSE
- THE BED SHED
- THE DUFFERIN CAFE
- THE FRYING SQUAD
- THE GELLIE
- THE GREEN LIVING EXPERIENCE
- THE HOPKINS PARTNERSHIP
- THE PLAY CAFE
- THE RED DOOR CAFE
- THE SALVAGE YARD
- THE SOAP BOX
- THE SPACE PLACE
- THE VAN SHOP
- THE WINDSOR

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- THOMPSONS
 - TIM MARTIN & CO
 - TMC ESTATE AGENTS
 - T-MET LTD
 - TMS HOMES
 - TOM MALLOY
 - TOPTAN
 - TRINITY METHODIST CHURCH LISBURN
 - TRINITY PARTNERSHIP
 - TURNING POINT ESTATE AGENTS
 - TWEEDIE PHILIP
 - ULSTER PROPERTY SALES
 - ULSTER TRANSPORT CLUB
 - ULTIMATE CLADDING SOLUTIONS
 - ULTRAPLUMB.COM
 - UNIQUE LOFT CONVERSIONS
 - VISION PROPERTY AGENTS
 - VIVANTE
 - WATSON PROPERTY SALES
 - WELL GEMS HOME INTERIORS LTD
 - WETHERSPOONS (THE CENTRAL BAR
 - WHOLESALE ELECTRICAL SUPPLIES
 - WHOLESALE FIREWORKS
 - WILSONS AUCTIONS
 - WINDROSE BAR & BISTRO
 - WOODEN FLOOR COMPANY
 - WOODSTOC
 - WORKOUT EXPRESS
 - Illegal Signs 2009 to 2012
 - A R GRAPHICS
 - A1 BOARDING KENNELS & CATTERY
 - ABBE ' CO
 - ABBEY KITCHENS & BATHROOMS
 - ABBEY REAL ESTATE
 - ADELBODEN CAFÉ
 - ADRENALIN KARTING
 - ADRIAN MCQUAID
 - AGAR MURDOCH & DEANE LTD
 - ALAN NEWELL
 - ALLOY WHEEL REPAIR
 - APACHE
 - ARIA PROPERTY SOLUTIONS
 - B & Q
 - BACKSTREET BISTRO
 - BENNETT & LISK
 - BODRUM PIZZAR
 - BREDA CABS
 - BROADWAY TAXIS
 - BTW CAIRNS
 - BURN RESTAURANT
 - CANNON MOTORS LIMITED
 - CARPETRIGHT PLC
 - CARRICK CAB
 - CARRICKFERGUS MOTORCYCLES
 - CBS ALLOTMENTS
 - CENTURY 21 BELFAST
 - CFC INTERIORS
 - CHARLES HURST ACCIDENT REPAIR CENTRE
 - CHOICE FLOORING
 - CLANDEBOYE LODGE HOTEL
 - CLASIC CAR WASH
 - CLASSIC CARPETS & BEDDING CO
 - CLASSIC FIREWORKS
 - CLUB 411
 - CORDINERS KITCHENS & BEDROOMS LTD
 - COUNTRY CAKES
 - COUNTRY CAKES HOME BAKERY
 - COUNTRY ESTATES
 - CURVES
 - D & G BODY REPAIR AND VALET
 - D B TILES & BATHROOMS
 - DANIEL MCGEOWN & COMPANY
 - DEBORAH YEA PARTNERSHIP
 - DECORA BLIND SYSTEMS LTD
 - DICKSONS GARDEN CENTRE
 - DIRECT FURNITURE
 - DOCSOL
 - DOUGLAS HUSTON
 - DR ELECTRICS
 - DREAMS
 - DUNNES STORES LTD
 - DV8 BELFAST
 - DW SPORTS
 - DW SPORTS FITNESS
 - ECO FRIENDLY NI
 - EDDIE ERVINE SPORTS
 - EDUCOGYM
 - FANTASIC FURNITURE
 - FAWCETT & CO
 - FERRIS BRIAN MR
 - FITNESS FIRST
 - FLOORS & MORE LTD
 - FORESTSIDE TILE & BATH
 - FRAZER KIDD
 - GLENPARK
 - GORDYS VALETING SERVICE
 - GREENAWAY AUTO ELECTRICS
 - GREENISLAND CHIPPY
 - GROW COFFEE SHOP
 - HAPPY CATZ & LITTLE PAWZ
 - HARBOUR POINT BAR & GRILL
 - HARRY DOUGLAS FURNITURE
 - HARVEY NORMAN
 - HIBERNIAN ANTIQUES FAIRS
 - HILTON TEMPLEPATRICK HOTEL & COUNTRY CLUB
 - HOMEBASE LTD
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- HUNTER CAMPBELL
 - IMAGE XPRESS
 - INDEPENDENT PROPERTY ESTATES
 - IRENE JOHNSTON
 - IVAN KERR TYRES
 - JACK REID CARS
 - JENKINS BUTCHER
 - JOHN MINNIS ESTATE AGENTS
 - JONES THE BUTCHERS
 - JONES THE BUTCHERS
 - JORDANSTOWN REAL ESTATES
 - KITCHENS DIRECT
 - KPL DEVELOPMENTS
 - LAURA ENGLISH
 - LAUTORIA BOUTIQUE
 - LIDL
 - LOUGH & QUAY
 - LPC CARAVAN & CAMPING
 - MAGGIE FASHIONS
 - MCCLEARYS ESTATE AGENTS
 - MCGIMPSEY & KANE
 - MCGRANAGHAN ESTATE AGENTS
 - MCMILLAN ESTATE AGENTS
 - McQuaid Adrian
 - MEDIA ON THE MOVE
 - MICHAEL CHANDLER PROPERTY SERVICES
 - MITCHELL PROPERTY MANAGEMENT
 - MONO BAR & RESTAURANT
 - MORTON PINPOINT
 - MOSSLEY PAVILLION
 - MOVE PROPERTY
 - MY TILES
 - MYNT BAR
 - NEILL ESTATE AGENTS
 - NETWORK 24 TAXIS
 - NI SKIPS
 - O'CONNOR KENNEDY TURTLE
 - O'KANE DEVINE LTD
 - PET SHOP
 - PETER ROGERS
 - PHILIP JOHNSTON & CO
 - PHILIP TWEEDIE
 - PLM PROMOTIONS
 - POUNDWORLD
 - PRESTIGE PROPERTY
 - PRIMEWOOD SECTIONAL BUILDINGS
 - PROPERTYHOP
 - PROTEIN PLUS
 - QUAYS PROPERTY SERVICES
 - R STANLEY LAIRD & SON
 - RAIN NIGHT CLUB
 - RDO AUTO ELECTRICS
 - REGAL FURNITURE
 - ROMAC PRESS LTD
 - RON CHANDLER
 - ROSKYLE LTD
 - ROYAL ULSTER AGRICULTURE SOCIETY
 - RUDOLF STEINER SCHOOL
 - RUSSELL'S CELLARS
 - S & R ELECTRIC LIMITED
 - SAINTFIELD NURSERY CENTRE
 - SCALLYWAGS
 - SELF BUILD IRELAND
 - SIGN SEEKER.COM
 - SIMPLY BEAUTY
 - SKI AND SPORTS LTD
 - SLEEPMASTER
 - SLEEPMASTERS
 - SMART WASH-IN
 - SPAR
 - STARPLAN
 - STEVE HEWLETT ASSOCIATES
 - SUPERIOR CAR VALETING
 - TANGLEZ HAIR & BEAUTY
 - TEMPLETON ROBINSON
 - THE APACHE TRIBE
 - THE BREAD FILLER
 - THE CENTRAL PARK
 - THE CHIPPY
 - THE GRIFFIN
 - THE GYM
 - THE LOFT COFFEE SHOP
 - THE MILL AT BALLYDUGAN
 - THE SIGN CO (NI) LTD
 - THE SPINNING WHEEL
 - THE VILLAGE STORE
 - THOMPSONS
 - TILE FACTORY OUTLET
 - TIM MARTIN & CO
 - TRANSFORM KITCHENS
 - ULSTER PROPERTY SALES
 - ULTRAVIBES
 - VICTORIA HOT SPOT
 - VICTORIA PRIMARY SCHOOL
 - VISION PROPERTY AGENTS
 - VIVO
 - W & R CONSTRUCTION LIMITED
 - WALK A PAWS
 - WEE MONKEYS DAY NURSERY
 - WINE WORLD
 - WOMANNS TOUCH
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Belfast Bike Hire Scheme

Mr Weir asked the Minister for Regional Development what investment is planned for the Belfast Bike Hire Scheme; and what consideration has been given to expanding the scheme to other areas.

(AQW 14143/11-15)

Mr Kennedy: Belfast City Council were one of four councils who were recently successful in securing funding of £4.3m for Active Travel Demonstration projects, the others being in Londonderry, Strabane and Craigavon. These projects, all of which include walking and cycling, are being put in place as part of the Department's Active Travel Strategy to demonstrate that walking and cycling are safe, healthy, inexpensive and social means of travel.

The Belfast Bike Hire scheme will receive £698,700 Capital Funding over a three year development and implementation period up to 2014/15 to provide the infrastructure for 300 bikes at 30 docking stations across the city.

Tenders will be sought by Belfast City Council to procure a modern, attractive and technologically sound scheme most suited to the City of Belfast. Ongoing operation and maintenance costs will be funded by Belfast City Council.

All of the projects will be subject to an ongoing evaluation process and, depending on the success of the schemes and the availability of resources, further consideration will be given to the provision of capital funding for other projects of this nature.

Translink: 60+ SmartPass

Mr McNarry asked the Minister for Regional Development, pursuant to AQW 13296/11-15, whether there are different charges recouped by Translink for the use of the 60 plus Belfast Central depot to (i) Ballymena; and (ii) Portrush.

(AQW 14188/11-15)

Mr Kennedy: The following are the relevant fares and charges recouped for the above two journeys:

| Bus Journey | Full adult paying Single Fare | 60+ concession value claimed by Translink |
|---------------------|-------------------------------|---|
| Belfast – Portrush | £11.00 | £7.70 |
| Belfast – Ballymena | £6.30 | £4.41 |

Bicycle Park Stands Situated in Towns

Mr Givan asked the Minister for Regional Development whether Roads Service has finalised a design for bicycle park stands situated in towns.

(AQW 14206/11-15)

Mr Kennedy: My Department's Roads Service has advised that it has not adopted a single design for cycle stands. Rather, proprietary systems are selected depending on what is best suited to the specific site characteristics and identified needs.

Privately Owned Stretch of Road

Mr Flanagan asked the Minister for Regional Development what action his Department should take when a privately owned stretch of road provides the only access to a stretch of road which is owned by his Department; and what legislation or policy currently exists on this matter.

(AQW 14212/11-15)

Mr Kennedy: My Department's Road Service understands that your query relates to a lane in Belleek which provides access to Rathmore Clinic and other landowners. Officials have confirmed that Roads Service does not own any part of the lane but that the Department of the Environment (DOE) is the registered owner of a portion of the lane, including a water storage reservoir presumed to be under the control of Northern Ireland Water (NIW). NIW has a right of way to use the lower portion for access.

I am assured that although DOE has title to this portion of land, this situation has no impact on any consideration by Roads Service in relation to its adoption as a public road. I understand that the principles applicable to the adoption process were explained to you in a letter dated 3 September 2012, from Mr Pat Doherty, Divisional Roads Manager, Western Division.

NIW has advised that there is no requirement under legislation for it to own the access to its sites and that in such instances, it relies on registered Rights of Way or Prescriptive Rights of Way, most of which date back to before 1973, when the asset was in Council ownership. NIW officials have further advised that should it be preferable for it to actually own the access to its sites it would seek to do so either by purchase by agreement with the owner(s) or compulsory purchase.

Proposed Roundabout System at Craigtantlet

Mr Easton asked the Minister for Regional Development to outline the estimated cost of the proposed new roundabout system for Craigtantlet.

(AQW 14220/11-15)

Mr Kennedy: My Department's Roads Service has advised that the proposed roundabout system at Craigtantlet is estimated to cost approximately £2.25 million. This comprises £1.89 million for construction, £290,000 for alterations to utility apparatus and £70,000 for land acquisition.

Proposed Roundabout System at Craigtantlet

Mr Easton asked the Minister for Regional Development whether his Department carried out any studies on alternatives to the proposed new roundabout system for Craigtantlet.

(AQW 14221/11-15)

Mr Kennedy: My Department's Roads Service has advised that a wide range of alternative layouts were considered for the proposed new roundabout system for Craigtantlet, prior to the identification of the preferred scheme.

Road Service officials have further advised that details of these alternative layouts have been submitted to DOE Planning, as part of the planning application for the roundabout system, along with information in support of the preferred option.

I should also advise the Member that, following concerns raised by local residents, I have asked officials to examine, in detail, an alternative proposal which has been put forward.

Application for Derogation of EU Directive 91/440

Mr Lunn asked the Minister for Regional Development whether an application for derogation of EU Directive 91/440, concerning separate operation of infrastructure and maintenance of rail services, has been made for the 2013/14 period.

(AQW 14263/11-15)

Mr Kennedy: No application has been made for a renewal of the derogations against specified elements of the First Railway Package. Derogations have always been held jointly with the authorities in the Republic Of Ireland, which have decided not to apply for renewal.

The discontinuance of the derogations does not require separate operation of infrastructure and train operations. I understand that Northern Ireland Railways are considering internal reorganisation to improve the efficiency of their operations and their linkages with Iarnród Éireann, with whom they share the Enterprise service.

Sustrans Bike It Campaign

Mr Weir asked the Minister for Regional Development which schools are taking part in the Sustrans Bike It campaign.

(AQW 14267/11-15)

Mr Kennedy: The identities and numbers of schools seeking to take part in the Sustrans Bike It campaign are set out in the table below. There are differing levels of engagement with the schools and this is distinguished in the table:-

| Bike IT Sept 2012 to June 2012 | | |
|--|--|---|
| Belfast Education and Library Board Area (20 Schools) | South Eastern Education and Library Board Area (12 Schools) | North Western Education and Library Board Area (9 Schools) |
| St Matthew's Primary | All Children's Integrated | Bunscoil Cholmcille (Steelstown/Shantallow) |
| St Joseph's College | St Luke's Primary | Drumahoe PS |
| Whiteabbey Primary | Andrews Memorial Primary | Ebrington PS |
| Grosvenor Grammar | Glencraig Integrated | Gaelscoil Eadain Mhoir (Bogside/Brandywell) |
| Strandtown Primary | Ballymacash Primary | Newbuildings Primary School |
| Gilnahirk Primary | Oakwood Integrated | Oakgrove Integrated Primary School |
| De La Salle College | Hollywood Primary | St Anne's PS |
| St John the Baptist Primary | Comber Primary | Greenhaw PS |
| St Oliver Plunkett Primary | Tonagh Primary | Drumachose PS, Limavady |
| Bunscoil Phobal Feirste | Maghaberry Primary | |
| Harding Memorial Primary | Killowen Primary | |
| Holy Child Primary | St Mary's Primary (N'castle) | |

| Bike IT Sept 2012 to June 2012 | | |
|--|--|---|
| Belfast Education and Library Board Area (20 Schools) | South Eastern Education and Library Board Area (12 Schools) | North Western Education and Library Board Area (9 Schools) |
| Lisnasharragh Primary | | |
| St Therese of Lisieux Primary | | |
| Brooklands Primary | | |
| St Vincent de Paul Primary | | |
| Cavehill Primary | | |
| St Joseph's Primary School | | |
| Our Lady's Girls' Primary | | |
| Currie Primary | | |
| Total | Intensive (26) | |
| | Supported (9) | |
| | At Distance (6) | |

Community Transport Partnerships

Mr I McCrea asked the Minister for Regional Development to detail the amount of Rural Transport Grant Aid which has been awarded to each partnership in each of the last three years, broken down by District Council area. (AQW 14281/11-15)

Mr Kennedy: The information is not available in the format requested. My department provides funding to a number of Rural Community Transport Partnerships who have operational areas across a number of district council boundaries. Statistics regarding the funding used are recorded against each Partnership rather than by council areas.

The table gives the information in regard to each Partnership based on planned structures after mergers or agreed partnership working applies. I have included the details of the council areas each Partnership would cover.

| RTF - Operational Areas | 2009-10 Funding | 2010-11 Funding | 2011-12 Funding |
|--------------------------------|------------------------|------------------------|------------------------|
| CDM | £454,144.00 | £615,061.09 | £599,983.17 |
| DDAT | £514,003.36 | £682,898.45 | £490,618.86 |
| Easilink | £392,853.00 | £539,058.82 | £549,454.68 |
| Fermanagh CT | £478,369.77 | £555,519.62 | £531,901.35 |
| Loughside | £197,678.00 | £299,500.75 | £325,511.56 |
| North Coast | £480,134.04 | £553,484.96 | £598,608.88 |
| Southern Area | £334,752.50 | £392,811.71 | £423,429.78 |
| Overall Total | £2,851,934.67 | £3,638,335.40 | £3,519,508.28 |

| RTF - Operational Areas | Council Areas Covered |
|--------------------------------|--|
| CDM | Cookstown, Dungannon, Magherafelt |
| DDAT | Ards, Down, North Down |
| Easilink | Rural Derry, Omagh, Strabane |
| FCT | Fermanagh |
| Loughside | Antrim, Carrickfergus, Rural Castlereagh, Larne, Lisburn, Newtownabbey |

| RTF - Operational Areas | Council Areas Covered |
|-------------------------|---|
| North Coast | Ballymena, Ballymoney, Coleraine, Limavady, Moyle |
| Southern Area | Armagh, Banbridge, Craigavon, Newry & Mourne |

Notes

- 1 In 2011-12 the Fermanagh & North Coast areas the Partnerships involved moved software packages mid-year and therefore it is not possible to provide separate statistical information only a combined total

Community Transport Partnerships

Mr I McCrea asked the Minister for Regional Development to detail the number of dial-a-lift trips carried out by Community Transport Partnerships in each of the last three years, broken down by District Council area.

(AQW 14282/11-15)

Mr Kennedy: The information is not available in the format requested. My department provides funding to a number of Rural Community Transport Partnerships who have operational areas across a number of district council boundaries. Statistics regarding the number of trips are recorded against each Partnership rather than by council areas.

The table gives the information in regard to each Partnership based on planned structures after mergers or agreed partnership working applies. I have included the details of the council areas each Partnership would cover. Please note that the information in respect of number of trips takes no account of the average length of the journeys involved.

| RTF - Operational Areas | 2009-10 DAL Trips | 2010-11 DAL Trips | 2011-12 DAL Trips |
|-------------------------|----------------------|----------------------|----------------------|
| CDM | 30,660 | 31,598 | 45,103 |
| DDAT | 14,160 | 18,008 | 13,731 |
| Easilink | 18,934 | 29,992 | 41,891 |
| Fermanagh CT | 24,581 | 33,634 | 37,997 |
| Loughside | 5,225 | 12,375 | 18,991 |
| North Coast | 15,412 | 24,337 | 36,230 |
| Southern Area | 17,980 | 21,048 | 33,533 |
| Overall Total | 126,952 | 170,992 | 227,476 |

| RTF - Operational Areas | Council Areas Covered |
|-------------------------|--|
| CDM | Cookstown, Dungannon, Magherafelt |
| DDAT | Ards, Down, North Down |
| Easilink | Rural Derry, Omagh, Strabane |
| FCT | Fermanagh |
| Loughside | Antrim, Carrickfergus, Rural Castlereagh, Larne, Lisburn, Newtownabbey |
| North Coast | Ballymena, Ballymoney, Coleraine, Limavady, Moyle |
| Southern Area | Armagh, Banbridge, Craigavon, Newry & Mourne |

Notes

- 1 In 2011-12 the Fermanagh & North Coast areas the Partnerships involved moved software packages mid-year and therefore it is not possible to provide separate statistical information only a combined total
- 2 The roll out of Dial-a-Lift services commenced in November 2009 therefore the full cost impact was not realised until 2010-11, which accounts for the increase in the level of support required.

Community Transport Partnerships

Mr I McCrea asked the Minister for Regional Development to detail the number of group trips carried out by Community Transport Partnerships in each of the last three years, broken down by District Council area.

(AQW 14283/11-15)

Mr Kennedy: The information is not available in the format requested. My department provides funding to a number of Rural Community Transport Partnerships who have operational areas across a number of district council boundaries. Statistics regarding the number of trips are recorded against each Partnership rather than by council areas.

The table gives the information in regard to each Partnership based on planned structures after mergers or agreed partnership working applies. I have included the details of the council areas each Partnership would cover. Please note that the information in respect of number of trips takes no account of the average length of the journeys involved.

| RTF - Operational Areas | 2009-10 Group Trips | 2010-11 Group Trips | 2011-12 Group Trips |
|-------------------------|------------------------|------------------------|------------------------|
| CDM | 61,332 | 54,307 | 52,658 |
| DDAT | 98,574 | 121,313 | 81,948 |
| Easilink | 53,399 | 42,292 | 37,205 |
| Fermanagh CT | 57,221 | 48,149 | 45,436 |
| Loughside | 53,292 | 64,705 | 60,265 |
| North Coast | 126,831 | 112,942 | 113,080 |
| Southern Area | 55,560 | 59,595 | 66,152 |
| Overall Total | 506,209 | 503,303 | 456,744 |

| RTF - Operational Areas | Council Areas Covered |
|-------------------------|--|
| CDM | Cookstown, Dungannon, Magherafelt |
| DDAT | Ards, Down, North Down |
| Easilink | Rural Derry, Omagh, Strabane |
| FCT | Fermanagh |
| Loughside | Antrim, Carrickfergus, Rural Castlereagh, Larne, Lisburn, Newtownabbey |
| North Coast | Ballymena, Ballymoney, Coleraine, Limavady, Moyle |
| Southern Area | Armagh, Banbridge, Craigavon, Newry & Mourne |

Notes

- In 2011-12 the Fermanagh & North Coast areas the Partnerships involved moved software packages mid-year and therefore it is not possible to provide separate statistical information only a combined total

Community Transport Partnerships: Unspent Grants

Mr I McCrea asked the Minister for Regional Development to detail the procedures that his Department has in place to recover grants to Community Transport Partnerships which are unspent.

(AQW 14284/11-15)

Mr Kennedy: My Department will recover grants to Community Transport Partnerships which are unspent by adjusting the following year's funding award. This is set out in the Letter of Offer which is issued before any funding and which is agreed to by the Board of Directors of that organisation.

The Board of Directors must agree in writing, via a grant acceptance form, that they agree to maintain accurate financial records throughout the period. This is to ensure that all grant is used solely for the purposes intended and in accordance with the terms and conditions of grant and will either, pay back any unused grant to the Department at the end of the period, or use it as directed by the Department.

Community Transport Partnerships: Unspent Grants

Mr I McCrea asked the Minister for Regional Development to detail (i) the amount of unspent grants his Department has recovered from Community Transport Partnerships in each of the last two years, broken down by District Council area.

(AQW 14285/11-15)

Mr Kennedy: The information is not available in the format requested. My department provides funding to a number of Rural Partnerships who have operational areas across a number of district council boundaries. There were no recorded underspends in each of the last two years.

Lennon versus the Department for Regional Development

Mr Allister asked the Minister for Regional Development to detail the outcome of his Department's discussions with the Equality Commission and the Commissioner for Public Appointments on the issues arising out of the tribunal hearing in the case of Lennon-v-DRD.

(AQW 14289/11-15)

Mr Kennedy: Discussions will be arranged with the Commissioner for Public Appointments for Northern Ireland and the Equality Commission on the findings of the Fair Employment Tribunal once the Tribunal has concluded its findings in relation to remedy.

Blue Badges

Mr Allister asked the Minister for Regional Development what action he is taking to address the National Audit Office finding that 7300 Blue Badges are being used despite the registered holder being dead.

(AQW 14325/11-15)

Mr Kennedy: My Department's Roads Service has advised that the Northern Ireland Audit Office (NIAO) findings were in relation to a data-matching exercise carried out under the National Fraud Initiative (NFI). This matched the Department's blue badge data with data from the Death Registers and data from the Department of Work and Pensions. The exercise identified 7,300 badges, where the holders were now deceased.

However, this does not mean that any of these badges were being used fraudulently. In fact, two traffic surveys carried out in the past year, in Belfast on-street parking bays, produced no evidence of misuse of any deceased person's blue badge.

In common with all the other authorities in the UK, which participated in NFI blue badge data-matching exercises, the Department has cancelled all such badges identified.

In addition to its participation in the NFI exercise, my Department uses a team of traffic attendants dedicated to enforcing the proper use of the Blue Badges scheme.

Translink Concessionary Travel Passes

Mr Allister asked the Minister for Regional Development for his Department's assessment of the number of Translink concessionary travel passes, which were not cancelled on the death of the holder; and of any resulting losses for Translink in each of the last three years.

(AQW 14326/11-15)

Mr Kennedy: My response to AQW 13399/11-15 sets out my Department's assessment on this matter. A further NFI exercise for 2012/13 will be undertaken during October 2012 and again Translink will be participating in regard to the Northern Ireland Concessionary Fares scheme.

Energy-saving Light Bulbs for Street Lighting

Mr Easton asked the Minister for Regional Development what steps his Department is taking to increase the use of energy saving light bulbs for street lighting.

(AQW 14350/11-15)

Mr Kennedy: As I advised the Member previously, my Department's Roads Service seeks to use the most suitable street lighting equipment for energy efficiency and performance.

Energy efficient lamps, such as Light Emitting Diodes (LEDs), are likely to become viable for street lighting in the near future. Roads Service is trialling a number of LED lanterns to assess their efficiency and performance, with a view to more widespread use in the future.

Original Granite Kerbstones

Ms Lo asked the Minister for Regional Development to detail what happens to original granite kerbstones which are removed and replaced by concrete as a result of road resurfacing works.

(AQW 14358/11-15)

Mr Kennedy: My Department's Roads Service has advised that when granite kerbstones are removed and replaced with concrete ones, as a result of resurfacing works, any reusable granite kerbstones are added to a stockpile for appropriate use in future resurfacing works within the Section Office area.

Road Resurfacing Works in Areas of Townscape Character

Ms Lo asked the Minister for Regional Development (i) what planning permissions should be obtained by Roads Service before undertaking road resurfacing works in Areas of Townscape Character; and (ii) whether he is aware of any instances where the appropriate permissions have not been sought.

(AQW 14359/11-15)

Mr Kennedy: My Department's Roads Service has a statutory responsibility to maintain the road network in the interests of public safety. Whilst there is no specific requirement to obtain planning permission for the maintenance of roads through resurfacing works, where it is feasible from an economic and engineering point of view, Roads Service will seek to retain features such as granite kerbs in locations that have recognition as Areas of Townscape Character.

DOE Planning is the authority responsible for matters of planning approval and I am not aware that they have raised concerns in relation to previous resurfacing works undertaken by Roads Service.

Road Improvement Schemes Planned for North Down

Mr Weir asked the Minister for Regional Development to detail the road improvement schemes planned for the North Down constituency in each of the next three years.

(AQW 14427/11-15)

Mr Kennedy: I would remind the Member that information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

http://www.drdni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils

I can advise that the detailed budget for subsequent years has not yet been finalised and it is therefore not possible to provide details of future works programmes at this time.

Notification of a Replacement Bus Service at Portrush Railway Station

Mr G Robinson asked the Minister for Regional Development to detail (i) why, on 17 September 2012, a notification of a replacement bus service was posted at Portrush Railway Station without a timetable, which resulted in passengers missing the replacement bus as it left earlier than the train; and (ii) why a timetable was only posted at the station after complaints were made to the company on the morning of 17 September 2012.

(AQW 14434/11-15)

Mr Kennedy: Translink has advised me that relevant posters in relation to the engineering works were distributed on 12 September 2012 for display at appropriate locations. This was accompanied by separate timetable information to inform those intending to use bus substitution services.

Whilst not usually staffed at weekends, staff checked on Saturday 15 September and found one poster at the University (Coleraine) area had been vandalised; this was duly replaced. Those at Portrush were still intact at that point.

Staff at Portrush station have reported that one passenger complained early on Monday (17th) morning that they were unaware of the changes to the bus substitution timetable. They were directed to the relevant timetable display.

Notification of a Replacement Bus Service at Portrush Railway Station

Mr G Robinson asked the Minister for Regional Development whether passengers who were late for work on 17 September 2012, because a replacement bus timetable was not posted at Portrush Railway Station which resulted in passengers missing their bus, will be entitled to compensation to cover the loss in salary/wages.

(AQW 14435/11-15)

Mr Kennedy: This is an operational matter for Translink. However as I disclosed in AQW 14434/11-15 Translink have advised that the relevant timetable information was available to intending passengers. Details of the terms and conditions of the Delay-Repay scheme can be found on Translink's website.

Passenger Capacity on the Enterprise

Mr Brady asked the Minister for Regional Development to detail (i) the passenger capacity on the 1pm Belfast to Dublin Enterprise train on Sunday 16 September 2012; (ii) the number of passengers that had to stand; and (iii) the health and safety implications for passengers who had to stand.

(AQW 14449/11-15)

Mr Kennedy: Translink advises me that the train to which you refer is actually the 13:00 Dublin to Belfast service and not the Belfast to Dublin service on Sunday 16 September 2012. This question is therefore answered on that basis. This train operated at its maximum capacity with 77 x 1st Plus and 280 Enterprise Class seats available. There was heavy demand for this service possibly because there had been a Lady GaGa concert in Dublin the previous evening.

Translink's records show that on departure from Dublin, Irish Rail, in conjunction with the Train Manager, stopped boarding at approximately 400 Enterprise Class passengers. There were also 59 passengers travelling 1st Plus. There would therefore have been some 120 passengers who had to stand rather than wait until the next available service. These passengers would have been spread over the 4 Enterprise Class vehicles and the catering vehicle.

As there were 18 x 1st Plus seats remaining available on departure from Dublin, any passenger wishing to do so could have upgraded and obtained a seat upon payment of the appropriate supplement (subject to availability). On departure from Newry, an additional 60 Enterprise Class and 9 x 1st Plus seats became available as passengers left the train.

Translink have advised me that this service was within the acceptable parameters for standing and that they are not aware of any Health & Safety implications for passengers who had to stand.

Translink are aware that many passengers on busy services are trying to make onward connections to flights, ferries and other trains and buses etc, and as such they try to facilitate as many passengers as possible. On this occasion, some 80/90 passengers could not be accommodated and had to wait until the next scheduled service.

On the date in question Irish Rail operated a 12:40 local service to Dundalk on which approximately 40 people travelled who would normally have used the Enterprise, which also relieved some of the pressure. In addition, at short notice Irish Rail were able to operate a relief service at 13:30 which ran as far as Newry and then connected with an NIR train which had been dispatched to assist. This train carried up to 80 passengers and effectively cleared the backlog, with the exception of any passengers who wished to wait for the next Enterprise service.

Track Relaying Work Between Coleraine and Londonderry

Mr Campbell asked the Minister for Regional Development whether he expects the track relaying work between Coleraine and Londonderry to be completed, and the line re-instated, before Easter 2013.

(AQW 14512/11-15)

Mr Kennedy: Phase 1 of the Coleraine to Londonderry Track Renewals project is scheduled to be completed in April 2013. As a result of the project being brought forward, the programme of works to be completed during the closure of the line between July 2012 and April 2013, including other works such as the refurbishment of the Bann Bridge, is very challenging. However, Translink will continually keep progress of the works under review and if there is any change to the timescales, interested parties will be notified accordingly.

Public Inquiry on the A6 Dualling and the Dungiven Bypass

Mr Ó hOisín asked the Minister for Regional Development whether the public inquiry on the A6 dualling and the Dungiven bypass is still on schedule; and when it will commence.

(AQW 14655/11-15)

Mr Kennedy: I can advise the Member that the Public Inquiry on the A6 Londonderry to Dungiven dualling scheme and the Dungiven By-Pass is on schedule.

The Public Inquiry commenced on 24 September 2012 in the Radisson Roe Park Resort Hotel, Limavady, and will end on 2 October 2012.

Department for Social Development

Housing Executive Tenants in the Foyle Constituency

Mr Durkan asked the Minister for Social Development how many Housing Executive tenants in the Foyle Constituency have reported damp and mould in their properties in the last six months.

(AQW 14048/11-15)

Mr McCausland (The Minister for Social Development): The Housing Executive has advised that since March 2012 they have received the following number of reports from tenants of damp/mould at their District Offices in relation to the Foyle constituency as follows: -

- Collon Terrace – 215
- Waterloo Place – 181
- Waterside – 224

The Information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Work Capability Assessments

Lord Morrow asked the Minister for Social Development what training on dealing with people affected by mental health issues is provided to Atos health care professional staff who carry out Work Capability Assessments; and whether the training is the same for both doctors and nurses.

(AQW 14124/11-15)

Mr McCausland: Healthcare professionals carrying out Work Capability Assessments receive training that is tailored to their particular profession; for doctors it is between 8-9 days and for nurses it is between 21-24 days. This includes specific training modules and material on dealing with people affected by mental health issues.

Window Replacement Schemes for Housing Estates in the North Down Area

Mr Easton asked the Minister for Social Development to detail the time table of window replacement schemes for housing estates in the North Down area over the next three years.

(AQW 14149/11-15)

Mr McCausland: I would refer the Member to the answer I gave him recently in response to AQW 13849/11-15.

Housing Point Uplifts

Mrs Dobson asked the Minister for Social Development what housing point uplifts are available for serving and former members of HM Armed Forces when they are applying for social housing; and what points are allocated to people who are due to finish their prison term and those who are former prisoners.

(AQW 14154/11-15)

Mr McCausland: The Housing Selection Scheme which is approved by my Department makes provision for determining the order in which prospective tenants are allocated social housing in Northern Ireland. The rules of the scheme detail the criteria used in relation to the assessment of points used to rank applicants.

Providing any applicant, including ex Service personnel or prisoners, meets the access criteria they will be assessed and awarded points in relation to their housing need. A Housing Needs Assessment is based on four categories, namely Intimidation, Insecurity of tenure, Housing conditions and a Health and Social Well Being Assessment and points may be awarded in relation to any of these categories if appropriate.

Under the rules of the scheme points may specifically be awarded to HM Armed Forces personnel in the following circumstances. All Applicants who claim to be either homeless or threatened with homelessness are firstly considered under the Housing (NI) Order 1988 to determine whether they meet statutory homeless criteria and therefore entitled to the award of Full Duty points by the Housing Executive. Where the applicant is not considered to be a Full Duty Applicant, i.e. they do not meet the legislation criteria, but is still homeless or threatened with homelessness, Designated Officers consider the award of Other Homeless points where the applicant, or a member of the applicant's household, is a serving member of the Armed Forces and is due to be discharged and is currently living in service quarters. Evidence is required to award these points and may include the applicant's discharge papers, or statement from his Commanding Officer.

In relation to the assessment of prisoners where a person makes an application from prison, their application should not be considered until four weeks prior to release. The application will be accepted provisionally with nil points but any representations from the Probation Board should be considered. Upon release, the Housing Executive carries out a housing needs assessment and points are awarded accordingly.

Applications for accommodation may be accepted from prisoners who are participating in the pre-release scheme for life sentence prisoners. They must have entered or be about to enter i.e. within one month, Phase 3 of the scheme when they will 'live out' more or less permanently, reporting to the prison at regular intervals only.

Ex-Offenders will be dealt with as normal applicants for social housing. However, where the Probation Board take the view that the applicant cannot return to the parental / marital / family home for security or other reasons, the Designated Officer would consider the applicant under the Homelessness legislation and, if this is not applicable, the applicant would be considered for the award of Other Homeless points.

Oaklee Housing Association's Newbuild Developments

Mr Copeland asked the Minister for Social Development to list the names of the contractors who prequalified for the Oaklee Housing Association's new build developments, including the named electrical and mechanical sub-contractors they proposed.

(AQW 14171/11-15)

Mr McCausland: The contractors and relevant sub-contractors who pre-qualified for Oaklee Housing Association's new build developments in the 2011/12 year are outlined in the attached tables.

| Project Title | Contractor | Mech | Elect |
|-------------------------|------------------------------------|------------------------------|--------------------|
| Coulter Carpark Belfast | Donaghmore (Dungannon) | Anderson Mechanical | Irwin Electrics |
| | TAL (Lisburn) | Anderson Mechanical Services | Emerald Electrics |
| | Glasgiven Contracts Ltd (Annalong) | White Engineering | O'Hanlon & Farrell |

| Project Title | Contractor | Mech | Elect |
|------------------------------|-----------------------------------|----------------------------------|--------------------------------|
| Coulter Carpark Belfast | Kelly Brothers (Newry) | CMK Plumbing | O'Hanlon & Farrell |
| | M J McBride (Draperstown) | Dan Mooney Plumbing & Heating | O'Hanlon & Farrell |
| | Moss Construction (Armagh) | Devlin Mechanical | O'Hanlon & Farrell |
| | T & A Kernaghan (Mallusk) | T&A Mechanical Services | W R Beckett |
| Longstone Road Annalong | Kelly Bros (Warrenpoint) | CMK plumbing | Braham Electrical |
| | Donaghmore (Dungannon) | Anderson Mechanical Services | Irwin Electrical Services |
| | Glasgiven (Annalong) | White Engineering | O'Hanlon & Farrell |
| | MSM (Portadown) | MM Building Services | James Haughey & Co |
| | Qmac (Dungannon) | Michael McGinn | O'Hanlon & Farrell |
| | Eden (Warrenpoint) | John Morrison | Murray/McEvoy |
| | O'Hanlon/Farrell (Newry) | CMK Mechanical Services | O'Hanlon & Farrell |
| | Cunningham (Newry) | S Mathews Ltd | Norlect Engineering Ltd |
| Clifton Park Ave Belfast | Qmac (Dungannon) | M Mc Ginn | O Hanlon Farrell |
| | Moss (Armagh) | Devlin Mechanical | O'Hanlon & Farrell |
| | Donaghmore (Dungannon) | Anderson Mechanical | Irwin Electrical Services |
| | Tal (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | McGurran (Derrygonnelly) | O'Kane Plumbing | James Haughey |
| | Lowry Brothers (Castleberg) | Anderson Mechanical | G R White & Son Electrical Ltd |
| | O'Hare McGovern (Newry) | McAleer & McGarrity | Braham |
| | Brendan Loughran (Carrickmore) | McAleer & McGarrity | Allison Contracts |
| Carryduff PSNI | Hugh J O Boyle (Downpatrick) | CPL Engineer | CPL Engineering |
| | Tal Limited (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | T&A Kernaghan (Mallusk) | T&A Mechanical Services | W R Beckett |
| | Moss Construction (Armagh) | Devlin Mechanical Ltd | O'Hanlon & Farrell |
| | McGurran Construction (Fermanagh) | O'Kane Plumbing & Electrical Ltd | James Haughey & Co |
| | Eden (Warrenpoint) | John Morrison | Murray/McEvoy |
| 131 Springfield Road Belfast | TO BE AWARDED | | |
| | MJ Mc Bride (Draperstown) | Dan Mooney Plumbing & Heating | O Hanlon Farrell |
| | Qmac (Dungannon) | Michael McGinn Mechanical | O'Hanlon & Farrell |
| | Moss (Seagahan) | Devlin Mechanical | O'Hanlon & Farrell |
| | Tal (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | McGurran (Derrygonnelly) | O'Kane Plumbing & Electrics | James Haughey & Co |
| | Cunninghams (Newry) | S Mathews Ltd | Norlect Engineering (UK) Ltd |

| Project Title | Contractor | Mech | Elect |
|----------------------|---------------------------|-------------------------------|---------------------|
| Glenview Rathfriland | Cunninghams (Newry) | S Matthews | Norlect Engineering |
| | Moss (Seagahan) | Devlin Mechanical | O'Hanlon & Farrell |
| | Tal (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | Qmac (Dungannon) | Michael McGinn Mechanical Ltd | O'Hanlon & Farrell |
| | Lowry Bros (Castleberg) | Anderson Mechanical | G R White & Son Ltd |
| | O'Hare & McGovern (Newry) | McAleer & McGarrity | Braham Electrics |
| | McGurran (Derrygonnelly) | O'Kane Plumbing & Electrics | James Haughey & Co |

| Project Title | Contractor | Mech | Elect |
|--------------------------------|--------------------------------------|---------------------------|------------------------|
| Peters Hill Belfast | Peters Hill Belfast | Peters Hill Belfast | Peters Hill Belfast |
| | Tal Limited (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | Moss Construction (Seagahan) | Devlin Mechanical Ltd | O'Hanlon & Farrell |
| | Glasgiven (Annalong) | White Engineering | O'Hanlon & Farrell |
| | Kelly Brothers (Warrenpoint) | CMK Plumbing | Braham Electrical |
| | MSM Contracts (Portadown) | Hanna Mechanical | James Haughey & Co |
| | Geda (Coalisland) | CMK Mechanical Services | Braham Electrical |
| 167 Andersonstown Road Belfast | Tal (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | Donaghmore Construction (Dungannon) | Anderson Mechanical | Irwin Electrical |
| | M J McBrides (Magherafelt) | Dan Mooney Plumbing | O'Hanlon & Farrell |
| | QMAC Construction (Dungannon) | Michael McGinn Mechanical | O'Hanlon & Farrell |
| | T & A Kernaghan (Newtownabbey) | T&A Mechanical | W R Beckett |
| | Brendan Loughran & Sons (Omagh) | McAleer McGarrity Ltd | Allison Contracts Ltd |
| | Moss Construction (Seagahan, Armagh) | Devlin Mechanical | O'Hanlon & Farrell |
| Lower Shankill Belfast | Lower Shankill Belfast | Lower Shankill Belfast | Lower Shankill Belfast |
| | Glasgiven (Annalong) | White Engineering | O'Hanlon & Farrell |
| | Kelly Brothers (Warrenpoint) | CMK Plumbing | Braham Electrical |
| | Donaghmore Construction (Dungannon) | Anderson Mechanical | Irwin Electrical |
| | Geda Construction (Coal island) | CMK Mechanical | Braham Electrical |
| | O'Hanlon & Farrell (Newry) | CMK Mechanical | O'Hanlon & Farrell |
| | QMAC Construction, (Donaghmore) | Michael McGinn | O'Hanlon & Farrell |
| | Brendan Loughran (Carrickmore) | McAleer McGarrity | Allison Contracts |

| Project Title | Contractor | Mech | Elect |
|------------------------------|--|-------------------------------|---------------------------|
| Rectory Close Loughgall | Rectory Close Loughgall | Rectory Close Loughgall | Rectory Close Loughgall |
| | Moss (Seaghan) | Devlin Mechanical | O'Hanlon & Farrell |
| | Tal (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | Qmac (Dungannon) | Michael McGinn Mechanical Ltd | O'Hanlon & Farrell |
| | Cunningham Contracts (Newry) | S Mathews | Norlect Engineering |
| | Lowry Bros (Castleberg) | Anderson Mechanical | G R White & Son Ltd |
| | O'Hare & McGovern (Newry) | McAleer & McGarrity | Braham Electrical |
| Mill Court Ph2 Belfast | Mill Court Ph2 Belfast | Mill Court Ph2 Belfast | Mill Court Ph2 Belfast |
| | Tal Limited (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | Glasgiven Contracts (Annalong) | White Engineering Ltd | O'Hanlon & Farrell |
| | Donaghmore Construction (Dungannon) | Anderson Mechanical Services | Irwin Electrical Services |
| | O Hare and McGovern (Newry) | McAleer & McGarrity | Braham Electrical |
| | MJ McBride (Draperstown) | Dan Mooney Plumbing & Heating | O'Hanlon & Farrell |
| | Kelly Bros (Warrenpoint) | CMK Plumbing | Braham Electrical |
| | MSM Contracts (Portadown) | Hanna Mechanical Services | James Haughey & Co |
| Donard Street Newcastle | TO BE AWARDED | | |
| | Qmac Construction (Dungannon) | Michael McGinn Mechanical | O'Hanlon & Farrell |
| | Donaghmore Construction (Dungannon) | Anderson Mechanical | Irwin Electrical |
| | Glasgiven Contracts (Annalong) | White Engineering Ltd | O'Hanlon & Farrell |
| | Kelly Bros (Warrenpoint) | CMK Plumbing | O'Hanlon & Farrell |
| | Moss Construction 54 (Seaghan) | Devlin Mechanical | O'Hanlon & Farrell |
| | Tal Ltd (Lisburn) | Anderson Mechanical | Emerald Electrics |
| | McGurran Construction (Derrygonnelly) | O'Kane Plumbing & Electrical | James Haughey & Co |
| Killynure Code 5 (Re-tender) | TO BE AWARDED | | |
| | O'Hanlon and Farrell (Newry) | CMK Mechanical Services | O'Hanlon & Farrell |
| | Moss Construction (Armagh) | Devlin Mechanical | O'Hanlon & Farrell |
| | QMAC Construction (Dungannon) and Lagan Construction (Belfast) | Michael McGinn Mechanical Ltd | O'Hanlon & Farrell |
| | Donaghmore Construction (Dungannon) | White Engineering | O'Hanlon & Farrell |

| Project Title | Contractor | Mech | Elect |
|------------------------------|--------------------------------------|--------------------------------|--------------------|
| Killynure Code 5 (Re-tender) | Geda Construction (Coalisland) | CMK Mechanical Services | Braham Electrical |
| | Glasgiven Contracts Ltd (Annalong) | White Engineering | O'Hanlon & Farrell |
| | McGurran Construction (Derrgonnelly) | O'Kane Plumbing and Electrical | James Haughey & Co |

Oaklee Housing Association's Newbuild Developments

Mr Copeland asked the Minister for Social Development, in relation to Oaklee Housing Association's new build developments, to detail (i) the circumstances in which a main contractor, who has been awarded a contract, can change a nominated electrical or mechanical sub-contractor who they had nominated at the pre-qualification stage; and (ii) when a main contractor requests to change a nominated sub-contractor, whether Oaklee confirms this with the sub-contractor directly.

(AQW 14172/11-15)

Mr McCausland:

- (i) The procurement procedures under which Housing Associations operate outline that a main contractor is only permitted to change a nominated sub-contractor in exceptional circumstances, for example if a sub-contractor enters administration, ceases trading or declares bankruptcy.

In the event that a main contractor changes a sub-contractor, it must provide robust reasoning for the change and the replacement must be assessed by the contracting Housing Association.

- (ii) As the management of sub-contractors is the responsibility of the main contractor, Oaklee Housing Association would not engage directly with the sub-contractor on these matters.

Oaklee Housing Association's Newbuild Developments

Mr Copeland asked the Minister for Social Development, in relation to Oaklee Housing Association's new build developments, to list the projects in which the main contractor has requested to change the nominated electrical or mechanical sub-contractor at pre-qualification stage, detailing (i) the name of the main contractor; (ii) which sub-contractors were nominated at pre-qualification stage; (iii) the name of the new sub-contractor; and (iv) the reason the sub-contractor was changed.

(AQW 14176/11-15)

Mr McCausland: The projects in which Oaklee Housing Association has acceded to a request from the main contractor to change the named electrical or mechanical subcontractor and the relevant details are outlined in the attached table.

| Project | Longstone Road, Annalong | Rectory Close, Loughgall | Clifton Park Ave, Belfast |
|-----------------------------------|--------------------------|--|---|
| Contractor | Kelly Brothers | McGurran Construction | Qmac |
| Named Mechanical Sub-contractor | CMK Plumbing | O'Kane Plumbing & Electrics | M McGinn |
| Named Electrical Sub-contractor | Braham Electrical | James Haughey & Co. | O'Hanlon & Farrell |
| Revised Mechanical Sub-contractor | S Mathews Ltd | CPL Antrim | O'Kane Plumbing & Electrics |
| Revised Electrical Sub-Contractor | Burden Electrical | PMK Electrical Ltd | No Change |
| Reason | Financial reasons | Named Sub-contractors were unable to carry out the works in accordance with the contractor's programme | Named Sub-contractor appeared unable to commit to the project |

Bungalows at Bloomfield Estate, Bangor

Mr Agnew asked the Minister for Social Development whether increasing the number of bedrooms in the bungalows in Bloomfield, Bangor, which may be transferred to Oakley Housing Association, would result in the tenants being deemed in 'under occupancy' under the proposed new housing benefits system.

(AQW 14184/11-15)

Mr McCausland: An analysis of the tenants in the Bloomfield bungalows indicates that a number of households could be impacted by the proposed changes to Housing Benefit being introduced in April 2013.

In light of this, the Housing Executive is currently consulting the tenants and Bloomfield Community Association on a proposal to retain the bungalows as one bedroom accommodation, while still ensuring that the dwellings are brought up to modern standards.

Work Capability Assessments

Lord Morrow asked the Minister for Social Development how many health care professionals are currently working for Atos carrying out Work Capacity Assessments; and how many are (i) doctors; and (ii) nurses.

(AQW 14203/11-15)

Mr McCausland: Atos Healthcare currently employs 99 healthcare professionals to carry out Work Capability Assessments; 62 doctors (including 14 full time doctors and 48 sessional doctors employed on a part time basis); and 37 nurses.

Universal Credit Risk Register

Mr Brady asked the Minister for Social Development whether his Department has been privy to the Department of Work and Pensions' risk register on universal credit; and whether his Department has prepared a specific universal credit risk register to take into account local conditions.

(AQW 14236/11-15)

Mr McCausland: My Department is working closely with the Department for Work and Pensions on the introduction of Universal Credit. Whilst the Department for Work and Pensions has not formally issued its risk register to my Department, Senior Officials are aware of its content due their membership of different governance fora in the Department for Work and Pensions.

In line with good programme management practices, my Department maintains a separate Universal Credit risk register for Northern Ireland. This register enables officials to identify and consider all possible risks that may occur during the development and implementation of Universal Credit.

Specific risks are assessed against their likelihood of occurring and the impact on the delivery of Universal Credit. The availability of this information facilitates the provision of comprehensive advice by officials to enable informed decisions to be made and for risks to be managed. The risk register is a living document, which is regularly reviewed and is constantly being updated and changed.

Schemes to Assist People to Insulate their Homes

Mr Easton asked the Minister for Social Development what schemes his Department offers to assist people to insulate their homes.

(AQW 14259/11-15)

Mr McCausland: The Warm Homes Scheme continues to be my Department's primary tool for improving the energy efficiency of homes. The Scheme is open to owner occupiers or those who privately rent their home who are in receipt of a qualifying benefit. The Scheme offers a range of heating and insulation measures including loft and cavity wall insulation. The Scheme continues to be hugely successful and further information is available by contacting the scheme managers on 0800 988 0559.

The Housing Executive implemented a major programme to install cavity wall insulation in the mid to late 1980s. Loft insulation has been installed through a combination of Housing Executive external cyclical maintenance and other schemes. Also as part of their programme to replace heating in their stock the Housing Executive upgrade roof space insulation in line with Building Control requirements. The Housing Executive topped up insulation in approximately 700 of their properties using NI Sustainable Energy Programme (NISEP) Funds and they are currently working on a potential scheme for a further 400 dwellings this year using the same funds.

Social Security Processing Centre in Downpatrick

Mr Hazzard asked the Minister for Social Development whether he has considered seeking additional funding in the In-year Monitoring Round to acquire financial support to proceed with the original plans for a Social Security Processing Centre in Downpatrick.

(AQW 14307/11-15)

Mr McCausland: In Spending Review 2010, my Department submitted capital bids to enable the delivery of the remaining 8 Social Security Offices of the Jobs & Benefits Project. This included a £5.8m bid in order to deliver a single Jobs & Benefits office in Downpatrick. The necessary capital funding was not secured and the Jobs and Benefits Project was subsequently closed.

On the 1 June 2012, the Agency announced the continued roll-out of the Customer First initiative across the rest of the Social Security Working Age Network.

The rollout of Customer First had dependencies on, and interfaces with, a number of Modernisation projects, including the Jobs and Benefits Project. Early decisions on the location of Benefit Processing Centres were based upon the future accommodation estate to be delivered by the Jobs and Benefits Project. Original plans were that Benefit Processing Centres would be established at Corporation Street, Downpatrick and Newtownards. However, in light of the necessary funding no longer being available, the Agency has therefore found it necessary to deviate from its original proposal and establish Benefit Processing Centres at Royston House, Falls Road and Knockbreda.

As I have said on previous occasions, I am committed to maintaining a robust front-line presence which meets the needs of customers and no offices, including Downpatrick Social Security Office, will close.

Laps Window Scheme for North Down

Mr Easton asked the Minister for Social Development what action his Department can take to ensure that the Housing Executive implements the Laps Window Scheme for North Down, given that the scheme has now been postponed on two occasions.

(AQW 14334/11-15)

Mr McCausland: I refer the member to my answer to AQW 13849/11-15 on 19 September, which advised that the need for double glazing schemes to be programmed through Local Area Priority schemes has now been superseded by the Housing Executive's adoption of double glazing as one of their investment priorities across Northern Ireland.

The position with regards to the double glazing schemes in North Down is as follows: -

- The Lisnabreen and Clanmorris scheme in Bangor went on site on 27 August 2012.
- The scheme in Whitehill, Bangor is due to be presented to the Housing Executive Board in October 2012, due to the scheme value of £972k, with an anticipated start date in November 2012.
- The Rathgill/Kilcooley/Loughview scheme is expected to commence on 1 October 2012.

All start dates within the Housing Executive's programme of planned improvement schemes are indicative and subject to change as schemes proceed through the various clearance and approval stages.

Strabane Community Pedestrian and Cycle Bridge

Ms Boyle asked Minister for Social Development, given the importance of the Strabane Community Pedestrian and Cycle Bridge project to the socio-economic regeneration of the town and given that the availability of the necessary funding from his Department is a pre-requisite to securing substantial funding from the Department for Regional Development and other potential streams of funding associated with the project, to outline his commitment to funding the project.

(AQW 14383/11-15)

Mr McCausland: My Department previously indicated that it would make available funding of up to £2.5 million for the proposed Strabane Community Pedestrian and Cycle Bridge project. Following a tender exercise, the construction costs of the bridge came in well over budget making the project unaffordable. Strabane District Council subsequently decided to abandon the original project proposal in favour of a less costly bridge design. Because the original project proposal has been abandoned, a new business case will have to be developed for the new design which will have to go through the normal approval processes within my own Department and DFP.

The Strabane Community Pedestrian and Cycle Bridge project remains within my Department's forward work plan for capital projects during the current Spending Review period. I can confirm that the Department remains committed to working with Strabane District Council to bring the project forward, subject to a suitable business case being developed and all the necessary approvals being secured.

Strabane Community Pedestrian and Cycle Bridge

Ms Boyle asked the Minister for Social Development when he will be in a position to announce a decision on the application by Strabane District Council to his Department for funding towards the Strabane Community Pedestrian and Cycle Bridge.

(AQW 14384/11-15)

Mr McCausland: Following a tender exercise, the construction costs of the Strabane Community Pedestrian and Cycle Bridge project came in well over budget making the project unaffordable. Strabane District Council subsequently decided to abandon that project in favour of a less costly bridge design. This will require Strabane District Council to make a new application for funding to the Department and a new business case to be developed. Until such time as the Department receives an application form and revised business case, I am not in a position to consider funding the Strabane Community Pedestrian and Cycle Bridge.

Public Realm Scheme: Bangor and Holywood

Mr Easton asked the Minister for Social Development to outline a timescale on public realm works in (i) Bangor; and (ii) Holywood.

(AQW 14409/11-15)

Mr McCausland: Nelson McCausland: My Department is working with North Down Borough Council on a major public realm scheme for both Bangor and Holywood. Council recently appointed an Integrated Consultancy Team to develop the concept design and complete an economic appraisal and it is expected to take 4 months to complete this stage. When completed the economic appraisal will be submitted to my Department for consideration and subject to funding being available and all necessary approvals, the scheme will commence in 2013.

Housing Executive Disabled Facilities Grant

Mrs McKeivitt asked the Minister for Social Development what financial criteria a person must meet in order to benefit from a Housing Executive Disabled Facilities Grant.

(AQW 14439/11-15)

Mr McCausland: Applicants applying for a Disabled Facilities Grant are subject to a means test to access any potential contribution they may have. However, where a Disabled Facilities Grant application is in respect of a child or young person for whom Child Benefit is paid, there is no means test and the grant payable shall be equivalent to the Housing Executive's approved cost of works, subject to the maximum Disabled Facilities Grant allowable, which is currently £25,000. The means test is governed by the Housing Renewal Grants (Reduction of Grant) Regulations (Northern Ireland) 2004 and subsequent amendments. Any grant payable is determined by offsetting any contribution arising from the means test against the Housing Executive's approved cost of works.

Where a Disabled Facilities Grant applicant is in receipt of Income Support, Income Based Job Seeker's Allowance, Employment and Support Allowance (Income Related) or Pension Credit (Guarantee Credit), the applicant shall have nothing to contribute towards their grant and shall receive a grant equivalent to the Housing Executive's approved cost of works, subject to the maximum Disabled Facilities Grant allowance.

Where the applicant is not in receipt of any of the benefits mentioned above, the means test will take account of the applicant's sources of income together with that of any spouse or partner and measure these against the personal allowance in the Regulations. Income cut-off point for such cases will vary according to the applicant's income and household composition.

St Patrick's Barracks, Ballymena

Mr Swann asked the Minister for Social Development whether St Patrick's Barracks, Ballymena has been transferred to his Department from the Office of the First Minister and deputy First Minister.

(AQW 14475/11-15)

Mr McCausland: 47 houses within the St Patricks Barrack's site are currently in the process of being transferred from the Office of the First Minister and the Deputy First Minister to my department for onward disposal to Fold Housing Association who have been appointed to develop the site for social housing.

Jobseeker's Allowance

Mr Durkan asked the Minister for Social Development what is the average length of time that Job Seeker's Allowance claimants are in receipt of the benefit.

(AQW 14494/11-15)

Mr McCausland: The most recently published Jobseekers Allowance statistics refer to May 2012. At that time there were 59,860 persons claiming Jobseekers Allowance and the average claim duration was 338.6 days.

The Information provided in this response is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by UK Statistics Authority.

Pensions Service in Carlisle House, Derry: Staff

Mr Durkan asked the Minister for Social Development what action his Department plans to take to address the shortage of staff at the Pensions Service in Carlisle House, Derry.

(AQW 14495/11-15)

Mr McCausland: Posts in the Social Security Agency are filled in accordance with the Northern Ireland Civil Service policy and processes for vacancy management.

As at 18th September there were only five vacancies in the Pension Centre in Carlisle House, Londonderry and in each case action is being taken to fill the posts.

On 19 September, following a routine bi-annual review, a number of new posts was created in the Pension Centre, bringing new jobs to Londonderry. Action is already in hand to fill those posts.

Housing Benefit

Mr Durkan asked the Minister for Social Development whether the Housing Executive requires that all tenants who are in receipt of Housing Benefit have the benefit paid directly to it as payment for rent.

(AQW 14543/11-15)

Mr McCausland: No. The law provides that, for Housing Executive tenants, Housing Benefit in respect of rent takes the form of a 'rent rebate'. This means that the tenant's rent account is credited by the amount of Housing Benefit for rent, rather than a payment being issued. In the case of tenants of other landlords (registered housing associations and private rented sector landlords), Housing Benefit in respect of rent takes the form of a 'rent allowance'. For these cases there is tenant choice as to whether Housing Benefit is paid to the tenant or the landlord, except in certain circumstances (such as the claimant being in arrears of an amount equivalent to 6 weeks' or more rent) where the benefit is normally paid to the landlord.

Housing Selection Scheme Preliminary Consultation

Mr Durkan asked the Minister for Social Development for an update on the Housing Selection Scheme preliminary consultation.

(AQW 14698/11-15)

Mr McCausland: I have considered the outcome of the preliminary consultation and am clear that a more wide-ranging review of social housing allocation policy is required. I am currently considering the form such a review might take and expect to make an announcement on the way forward in the near future.

Revised Written Answers

This section contains the revised written answers to questions tabled by Members. The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.

Revised Written Answers

Regional Development

In this Bound Volume, page WA 106, please replace AQW 14033/11-15 with:

Traffic in the Exchange Street/Hector Street Area of Belfast

Mr A Maginness asked the Minister for Regional Development what action the Roads Service is taking to reduce traffic congestion and improve the flow of traffic in the Exchange Street/Hector Street area of Belfast.

(AQW 14033/11-15)

Mr Kennedy (The Minister for Regional Development): My Department's Roads Service has advised that it has no plans, at present, to change the existing traffic management arrangements in this area. However, I understand that the proposed relocation of the University of Ulster, from its Jordanstown campus to a site in this general vicinity, may result in some changes to how these streets are used in the future.

In the shorter term, to deal with the temporary situation which has arisen due to extensive building works in the area, officials have advised me that some of the existing waiting restrictions have been removed. As a result, there has been an increase in on-street parking which has adversely impacted on local traffic movements. In order to allow enforcement of the restrictions to resume, officials have issued instructions for the necessary signs and road markings to be reinstated. I understand that this work will be completed by the end of September 2012.

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Journal of Proceedings

Minutes of Proceedings

Northern Ireland Assembly

Monday 10 September 2012

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

2.1 Royal Assent

The Speaker advised Members that Royal Assent had been signified on 20 July 2012 to the Budget (No.2) Act (Northern Ireland) 2012.

2.2 Committee Chairperson and Deputy Chairperson Nominations

The Speaker informed Members that he had received the resignations of Mr Alban Maginness as Chairperson of the Committee for Enterprise, Trade and Investment and of Mr Joe Byrne as Deputy Chairperson of the Public Accounts Committee. The Speaker had also received the nominations of Mr Patsy McGlone as Chairperson of the Committee for Enterprise, Trade and Investment and Mr John Dallat as Deputy Chairperson of the Public Accounts Committee, both with effect from Friday 7 September 2012. The Speaker confirmed the appointments.

3. Matter of the Day

3.1 Michael McKillop

Mr Alban Maginness made a statement, under Standing Order 24, in relation to Michael McKillop's award from the International Paralympic Committee. Other Members were also called to speak on the matter.

4. Assembly Business

4.1 Motion - Extension of Sitting on Monday 10 September 2012 under SO 10(3A)

Proposed:

That, in accordance with Standing Order 10(3A), the sitting on Monday 10 September 2012 be extended to no later than 7.30pm.

*Mr P Weir
Lord Morrow*

The Question being put, the Motion was **carried** without division.

4.2 Motion - Committee Membership

Proposed:

That Mr Declan McAleer replace Ms Michaela Boyle as a member of the Committee for Agriculture and Rural Development; that Ms Rosie McCorley replace Mr Pat Sheehan as a member of the Committee for Culture, Arts and Leisure; that Mr Chris Hazzard and Mr Pat Sheehan replace Mr Phil Flanagan and Mr Daithi McKay as members of the Committee for Education; that Ms Sue Ramsey replace Ms Jennifer McCann, and that Ms Maeve McLaughlin be appointed, as members of the Committee for Enterprise, Trade and Investment; that Mr Barry McElduff replace Mr Chris Hazzard as a member of the Committee for the Environment; that Ms Megan Fearon be appointed as a member of the Committee for Finance and Personnel; that Ms Maeve McLaughlin be appointed as a member of the Committee for Health, Social Services and Public Safety; that Ms Rosie McCorley replace Ms Jennifer McCann as a member of the Committee for Justice; that Ms Megan Fearon and Ms Bronwyn McGahan replace Mr Francie Molloy and Ms

Catriona Ruane as members of the Committee for the Office of the First Minister and deputy First Minister; that Mr Declan McAleer be appointed as a member of the Committee for Regional Development; that Mr Phil Flanagan be appointed as a member of the Committee for Employment and Learning; that Ms Catriona Ruane be appointed as a member of the Assembly and Executive Review Committee; that Mr Francie Molloy replace Mr Alex Maskey as a member of the Committee for Standards and Privileges; that Mr Phil Flanagan replace Ms Sue Ramsey as a member of the Committee on Procedures; that Mr Daithi McKay be appointed as a member of the Public Accounts Committee; and that Mr Gerry Kelly be appointed as a member of the Business Committee.

*Ms C Ruane
Mr R McCartney*

The Question being put, the Motion was **carried** without division.

4.3 Motion - Committee Membership

Proposed:

That Mr Sean Rogers be appointed as a member of the Public Accounts Committee; and that Mr Alban Maginness be appointed as a member of the Committee for Enterprise, Trade and Investment.

*Mr P Ramsey
Mrs K McKeivitt*

The Question being put, the Motion was **carried** without division.

5. Executive Committee Business

5.1 Statement - British-Irish Council Misuse of Drugs Sectoral meeting

The junior Minister, Mr Jonathan Bell, made a statement regarding the British-Irish Council Misuse of Drugs Sectoral meeting, held in Jersey on 29 June 2012, following which he replied to questions.

The Principal Deputy Speaker (Mr Molloy) took the Chair.

5.2 Statement - North South Ministerial Council meeting in Agriculture Sectoral Format

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the North South Ministerial Council meeting in Agriculture Sectoral Format, following which she replied to questions.

5.3 Statement - North South Ministerial Council meeting in Aquaculture and Marine Sectoral Format

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the North South Ministerial Council meeting in Aquaculture and Marine Sectoral Format, following which she replied to questions.

5.4 Statement - Draft Strategic Framework for Public Health "Fit and Well - Changing Lives 2012 - 2022"

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding the Draft Strategic Framework for Public Health "Fit and Well - Changing Lives 2012 - 2022", following which he replied to questions.

6. Private Members' Business

6.1 Motion - World Suicide Prevention Day

Proposed:

That this Assembly unites in its support for World Suicide Prevention Day; and endorses the recommendations contained in the Protect Life Strategy to develop a cross-departmental framework to assist the community and voluntary sectors in suicide prevention.

*Mr S Rogers
Ms S Ramsey
Mr J McCallister
Mr K McCarthy
Mr J Wells*

Debate ensued.

The Deputy Speaker (Mr Beggs) took the Chair.

The debate was suspended for Question Time.

7. Question Time

7.1 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

7.2 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Alex Attwood.

8. Private Members' Business (Cont'd)

8.1 Motion - World Suicide Prevention Day (Cont'd)

Debate resumed on the Motion.

The Deputy Speaker (Mr Dallat) took the Chair.

The Question being put, the Motion was **carried** without division.

9. Question for Urgent Oral Answer

9.1 Ralph's Close Care Home, Gransha

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, responded to a Question for Urgent Oral Answer, tabled by Ms Sue Ramsey, Chairperson of the Committee for Health, Social Services and Public Safety.

10. Private Members' Business (Cont'd)

10.1 Motion - VAT Rate for the Hospitality Sector

Proposed:

That this Assembly welcomes the strong commitments contained in the Programme for Government, and the Economic Strategy, that are aimed at developing tourism potential; notes the key role that the hospitality sector will play in achieving tourism targets; further notes the Republic of Ireland's reduced rate of VAT for some tourism related services; and calls on the Executive to pursue the case with HM Treasury for a reduced rate of VAT for tourism related services in Northern Ireland.

Mr S Hamilton

Mr G Campbell

Mr D McIlveen

Debate ensued.

The Question being put, the Motion was **carried** without division.

11. Adjournment

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 5.58pm.

Mr William Hay

The Speaker

10 September 2012

Northern Ireland Assembly

Papers Presented to the Assembly on 3 July 2012 - 10 September 2012

1. Acts of the Northern Ireland Assembly
 - Budget (No.2) Act (Northern Ireland) 2012
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
 - InvestNI Annual Report and Accounts 2011-2012 (DETI)
 - Labour Relations Agency Annual Report & Accounts 2011- 2012 (DEL)
 - Social Security Agency Annual Report and Accounts 2011-2012 (DSD)
 - Staff Commission for Education and Library Boards' Annual Report and Accounts for the year ended 31 March 2012 (DE)
 - Public Prosecution Service for Northern Ireland Annual Report and Resource Accounts 2011-12 (DOJ)
 - The Northern Ireland Social Care Council Accounts for the year ended 31 March 2012 (NIAO)
 - Northern Ireland Environment Agency Annual Report and Accounts for the year ended 31 March 2012 (DOE)
 - Charity Commission for Northern Ireland Annual Report and Accounts 2011-2012 (DSD)
 - The Compensation Agency Annual Report and Accounts 2011-12 (DOJ)
 - Forest Service Annual Report and Accounts for the year ended 31 March 2012 (DARD)
 - Land and Property Services Annual Report and Accounts 2011-2012 (DFP)
 - Youth Justice Agency Annual Report and Accounts 2011-2012 (DOJ)
 - Northern Ireland Housing Executive 41st Annual Report 1 April 2011 - 31 March 2012 (DSD)
 - The Management of Life and Indeterminate Sentence Prisoners in Northern Ireland (DOJ)
 - Roads Service Annual Report and Accounts 2011 -12 (DRD)
 - The Northern Ireland Practice and Education Council for Nursing and Midwifery Accounts for the year ended 31 March 2012 (DHSSPS)
 - Youth Council for Northern Ireland Annual Report and Accounts for the year ended 31 March 2012 (DE)
 - Northern Ireland Council for the Curriculum, Examinations and Assessments Annual Report and Accounts for the year ended 31 March 2012 (DE)
 - General Teaching Council for Northern Ireland Annual Report and Accounts for the year ended 31 March 2011 (DE)
 - Driver and Vehicle Agency Report and Statement of Accounts for the year ended 31 March 2012 (DOE)
 - Northern Ireland Audit Office Annual Report and Accounts (DFP)
 - Northern Ireland Ombudsman Resource Accounts (DFP)
 - Northern Ireland Authority for Utility Regulation Resource Accounts for year ended 31 March 2012 (DFP)
 - Department of Agriculture and Rural Development Resource Accounts for the year ended 31 March 2012 (DFP)

- Department of Culture, Arts and Leisure Resource Accounts for the year ended 31 March 2012 (DFP)
- Department of Education Teachers' Superannuation Annual Scheme Statements for the year ended 31 March 2012 (DFP)
- Department for Employment and Learning Resource Accounts for the year ended 31 March 2012 (DFP)
- Department of Enterprise, Trade and Investment Resource Accounts for the year ended 31 March 2012 (DFP)
- Department of the Environment Resource Accounts for the year ended 31 March 2012 (DFP)
- Department of Finance and Personnel Resource Accounts for the year ended 31 March 2012 (DFP)
- Department of Finance and Personnel Superannuation and Other Allowances Resource Accounts for the year ended 31 March 2012 (DFP)
- Department of Health, Social Services and Public Safety Resource Accounts for the year ended 31 March 2012 (DFP)
- Department of Health, Social Services and Public Safety HSC Pension Scheme Accounts for the year ended 31 March 2012 (DFP)
- Department for Regional Development Resource Accounts for the year ended 31 March 2012 (DFP)
- Department for Social Development Resource Accounts for the year ended 31 March 2012 (DFP)
- Northern Ireland Assembly Resource Accounts for the year ended 31 March 2012 (DFP)
- Department of Justice Annual Report and Resource Accounts for the year ended 31 March 2012 (DOJ)
- Organised Crime Task Force: Annual Report and Threat Assessment 2012 (DOJ)
- Northern Ireland Courts and Tribunals Service Annual Report and Accounts 2011-2012 (DOJ)
- Serious Organised Crime Agency Annual Report and Accounts 2011-12 (DOJ)
- Health and Safety Executive for Northern Ireland Annual Report and Statement of Accounts 1 April 2011 to 31 March 2012 (DHSSPS)
- Northern Ireland Prison Service Annual Report and Accounts 2011-12 (DOJ)
- Police Service of Northern Ireland Police Pension Accounts for the year ended 31 March 2012 (DOJ)
- Police Service of Northern Ireland Accounts for the Police Property Fund for the year ended 31 March 2012 (DOJ)
- Police Service of Northern Ireland Accounts for the Police Fund for the year ended 31 March 2012 (DOJ)
- Police Service of Northern Ireland Annual Report and Accounts for the year ended 31 March 2012 (DOJ)
- Northern Ireland Transport Holding Company Annual Report and Accounts 2011-12 (DRD)
- Livestock and Meat Commission for Northern Ireland Annual Report and Accounts for the year ended 31 March 2012 (DARD)
- Salmon and Inland Fisheries Annual Report 2010 (DCAL)
- National Lottery Commission Annual Report and Accounts 2011-12 (Department of Culture, Media and Sport)
- British Library Annual Report and Accounts 2011-12 (Department of Culture, Media and Sport)
- UK Statistics Authority Annual Report and Accounts 2011-12 (DFP)
- Second Programme of Law Reform (DOJ)
- The North/South Language Body Annual Report and Accounts for the year ended 31 December 2008 (DCAL)
- Census 2011 – Population and Household Estimates for Northern Ireland (DFP)
- Criminal Justice Inspection Annual Report and Accounts 2011-12 (DOJ)
- Equality Commission for Northern Ireland Annual Report and Accounts 2011-12 (OFMDFM)
- Committee on Climate Change – Annual Report and Accounts 2011-12 (DOE)
- Police Ombudsman Annual Report and Accounts for the Year ended 31 March 2012 (DOJ)

- OFMDFM Retention and Disposal Schedule (DCAL)
- Banbridge District Council Retention and Disposal Schedule (DCAL)
- Castlereagh Borough Council Retention and Disposal Schedule (DCAL)
- Dungannon and South Tyrone Borough Council Retention and Disposal Schedule (DCAL)
- Magherafelt District Council Retention and Disposal Schedule (DCAL)
- Health Protection Agency Annual Report and Accounts 2011-12 (DHSSPS)
- The General Consumer Council for Northern Ireland Accounts for the year ended 31 March 2012 (DETI)
- Education and Training Inspectorate Retention and Disposal Schedule (DCAL)
- Department of Education Disposal of Records Schedule (DCAL)
- Department of the Environment Disposal of Records Schedule (DCAL)
- Strategic Investment Board Electronic Records Retention and Disposal Policy (OFMDFM)
- Northern Ireland Water Annual Report and Accounts 2011-2012 (DRD)
- Early Youth Interventions (DOJ)
- The Regulation and Quality Improvement Authority Annual Report and Accounts 2011-12 (DHSSPS)
- The Patient and Client Council Annual Report and Accounts for the year ended 31 March 2012 (DHSSPS)
- Northern Ireland Medical and Dental Training Agency Financial Statements for the year ended 31 March 2012 (DHSSPS)
- Northern Ireland Guardian Ad Litem Agency Annual Report and Accounts for the year ended 31 March 2012 (DHSSPS)
- Northern Ireland Prison Service One Year Business Plan (2012-13)
- DFP Minute on the Direction of Accruing Resources (DFP)
- Northern Ireland Blood Transfusion Service Annual Accounts for the year ended 31 March 2012 (DHSSPS)
- Assembly Contributory Pension Fund Accounts for the year ended 31 March 2011 (NIAO)
- Members' Contributory Pension (Northern Ireland) Fund Accounts for the year ended 31 March 2011 (NIAO)
- Northern Health and Social Care Trust Annual Accounts for the year ended 31 March 2011 (DHSSPS)
- Belfast Health and Social Care Trust Annual Accounts for the year ended 31 March 2012 (DHSSPS)
- The Sports Council for Northern Ireland Annual Report and Accounts for the year ended 31 March 2011 (DCAL)
- The Consumer Council Retention and Disposal Schedule (DCAL)
- Moyle District Council Retention and Disposal Schedule (DCAL)
- North Down Borough Council Retention and Disposal Schedule (DCAL)
- Derry City Council Retention and Disposal Schedule (DCAL)
- Belfast City Council Retention and Disposal Schedule (DCAL)
- Housing Executive 41st Annual Report 1 April 2011 to 31 March 2012 (DSD)
- The Northern Ireland Policing Board Annual Report and Accounts for the Period 1 April 2011 to 31 March 2012 (DOJ)
- Labour Relations Agency Annual Report and Accounts 2011-2012 (DEL)
- Northern Ireland Law Commission Report - Bail in Criminal Proceedings (DOJ)
- Institute of Public Health in Ireland: Audited Accounts for the year ended 31 December 2011 (DHSSPS)
- The Patient and Client Council Annual Report and Accounts for the year ended 31 March 2012 (DHSSPS)

- Strategic Investment Board Annual Review and Financial Statements for the year ended 31 March 2012 (OFMDFM)
- Food Standards Agency in Northern Ireland Resource Accounts 2011-12 (DHSSPS)
- Criminal Cases Review Commission Annual Report and Accounts 2011-12 (DOJ)
- Royal Ulster Constabulary George Cross Foundation Annual Report and Accounts 2009-10 (DOJ)

5. Assembly Reports

- Report on the Marine Bill (NIA 57/11-15) (Committee for the Environment)
- Report on Safeguarding Northern Ireland's Listed Buildings (NIA 64/11-15) (Public Accounts Committee)
- Report on the School Councils Inquiry (NIA 66/11-15) (Committee for Education)

6. Statutory Rules

- (The department identified after each rule is for reference purposes only)
- S.R. 2012/264 The Social Security (Industrial Injuries) (Prescribed Diseases) (Amendment No.2) Regulations (Northern Ireland) 2012 (DSD)
- S.R. 2012/266 (C.25) The Pensions (2008 No.2 Act) (Commencement No.9) Order (Northern Ireland) 2012 (DSD)
- S.R. 2012/267 The Hybrid Schemes Quality Requirements Rules (Northern Ireland) 2012 (DSD)
- S.R. 2012/272 The Rules of the Court of Judicature (Northern Ireland) (Amendment) 2012 (DOJ)
- S.R. 2012/273 The Rules of the Court of Judicature (Northern Ireland) (Amendment No.2) 2012 (DOJ)
- S.R. 2012/274 The M3 Motorway at Titanic Quarter Railway Station, Belfast (Abandonment) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/275 The Upper Dunmurry Lane, Dunmurry (Abandonment) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/279 The Local Government (Councillors' Remuneration Panel) Regulations (Northern Ireland) (DOE)
- S.R. 2012/280 The Food Hygiene (Amendment) (No.2) Regulations (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/283 Public Interest Disclosure (Prescribed Persons) (Amendment) Order (Northern Ireland) 2012 (DEL)
- S.R. 2012/284 The Jobseeker's Allowance (Members of the Reserve Forces) Regulations (Northern Ireland) 2012 (DSD)
- S.R. 2012/285 Superannuation (Charity Commission for Northern Ireland) Order (Northern Ireland) 2012 (DFP)
- S.R. 2012/292 The Social Fund Maternity and Funeral Expenses (General) (Amendment) Regulations (Northern Ireland) 2012 (DSD)
- S.R. 2012/293 The Planning (Fees) (Amendment) Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/294 The Pensions (Financial Reporting Council) (Amendment) Regulations (Northern Ireland) 2012 (DSD)
- S.R. 2012/295 The Drumlin Road, Donaghcloney (Abandonment) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/296 The A3 Northway, Portadown (Abandonment) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/299 The Marketing of Fresh Horticulture Produce (Amendment) Regulations (Northern Ireland) 2012 (DARD)
- S.R. 2012/301 The Labour Relations Agency Arbitration Scheme Order (Northern Ireland) 2012 (DEL)
- S.R. 2012/303 The Trunk Road T3 (Western Transport Corridor) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/305 The Northern Ireland Poultry Health Assurance Scheme (Fees) Order (Northern Ireland) 2012 (DARD)
- S.R. 2012/306 The Further Education (Student Support) (Eligibility) Regulations (Northern Ireland) 2012 (DEL)
- S.R. 2012/309 The Council of the Pharmaceutical Society of Northern Ireland (Appointments and Procedure) Regulations (Northern Ireland) 2012 (DHSSPS)

- S.R. 2012/310 The Council of the Pharmaceutical Society of Northern Ireland (Statutory Committee, Scrutiny Committee and Advisers) Regulations (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/311 Council of the Pharmaceutical Society of Northern Ireland (Fitness to Practise and Disqualification) Regulations (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/312 The Council of the Pharmaceutical Society of Northern Ireland (Continuing Professional Development) Regulations (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/314 The Tuberculosis Control (Amendment) Order (Northern Ireland) 2012 (DARD)
- S.R. 2012/315 The Brucellosis Control (Amendment) Order (Northern Ireland) 2012 (DARD)
- S.R. 2012/316 The Taxi Operators Licensing Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/318 Rehabilitation of Offenders (Exceptions) (Amendment) Order (Northern Ireland) 2012 (DOJ)
- S.R. 2012/321 The Police Act 1997 (Criminal Records) (Amendment No.2) Regulations (Northern Ireland) 2012 (DOJ)
- S.R. 2012/324 The Safeguarding Board for Northern Ireland (Membership, Procedure, Functions and Committee) Regulations (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/325 The Sexual Offences Act 2003 (Prescribed Police Stations) Regulations (Northern Ireland) 2012
- S.R. 2012/328 The Goods Vehicle (Testing) (Fees) (Amendment) Regulations (Northern Ireland) 2012 (DOE)
- S.R. 2012/329 The Planning (General Development) (Amendment) Order (Northern Ireland) 2012 (DOE)
- S.R. 2012/331 The Occupational Pension Schemes (Disclosure of Information) (Amendment) Regulations (Northern Ireland) 2012 (DSD)
- S.R. 2012/332 The Employers' Duties (Implementation) (Amendment) Regulations (Northern Ireland) 2012 (DSD)
- Draft S.R. 2012 The Landlord Registration Scheme Regulations (Northern Ireland) 2012 (DSD)
- Draft S.R. 2012 The Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 (DSD)

For Information Only:

- S.R. 2012/265 (C.24) The Pensions (2012 Act) (Commencement No.2) Order (Northern Ireland) 2012 (DSD)
- S.R. 2012/276 The Parking Places on Roads (Armagh) (Amendment) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/277 The Prohibition of Right-Hand Turn (Enniskillen) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/278 The Road Races (Craigantlet Hill Climb) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/281 The Road Races (Garron Point Hill Climb) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/282 The Road Races (Spelga Hill Climb) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/287 The Waiting Restrictions (Holywood) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/288 The On-Street Parking (Amendment) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/289 The Off-Street Parking (Amendment No. 3) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/290 The Parking Places on Roads (Electric Vehicles) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/291 The Road Races (Ulster Grand Prix Bike Week) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/297 The Waiting Restrictions (Bushmills) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/298 The Taxis (Bushmills) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/300 The Road Races (Ulster Rally) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/302 The Labour Relations Agency Arbitration Scheme (Jurisdiction) Order (Northern Ireland) 2012 (DEL)
- S.R. 2012/304 The Private Accesses on the A5 Western Transport Corridor (Stopping-Up) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/307 (C.27) The Health (2006 Act) (Commencement) Order (Northern Ireland) 2012 (DHSSPS)

- S.R. 2012/313 (C.28) The Taxis (2008 Act) (Commencement No.2) Order (Northern Ireland) 2012 (DOE)
- S.R 2012/317 The Parking and Waiting Restrictions (Belfast) (Amendment No.2) Order (Northern Ireland) 2012 (DRD)
- S.R. 2012/319 The Safeguarding Vulnerable Groups (Prescribed Criteria and Miscellaneous Provisions) (Amendment) Regulations (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/320 The Safeguarding Vulnerable Groups (Miscellaneous Amendments) Order (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/322 The Safeguarding Vulnerable Groups (Miscellaneous Provisions) Order (Northern Ireland) 2012 (DHSSPS)
- S.R. 2012/323 The Safeguarding Vulnerable Groups (Miscellaneous Provisions) Regulations (Northern Ireland) 2012 (DHSSPS)
- S.R 2012/327 The On-Street Parking (Amendment No.2) Order (Northern Ireland) 2012 (DRD)
- S.R 2012/326 The Prohibition of Traffic (Rosemount Gardens, Londonderry) Order (Northern Ireland) 2012 (DRD)

7. Written Ministerial Statements

- A5 Western Transport Corridor – Publication of Notice of Intention to Proceed and Making of Statutory Orders (DRD)
- Publication of Consultation Paper 'Damages Act 1996: The Discount Rate, How should it be set?'(DOJ)
- Paediatric Congenital Cardiac Services (DHSSPS)
- Abortion Statistics in Northern Ireland: Results of Audit on 2008/09, 2009/10 and 2010/11 Data (DHSSPS)
- Removal of Individual from A Non Executive Director Post At The Health And Social Care Board And As Chair From The Northern Ireland Social Care Council (DHSSPS)

8. Consultation Documents

- Consultation on the Fundamental Review of the Regulation of Houses in Multiple Occupation in Northern Ireland (DSD)
- Urban Regeneration and Community Development Policy Framework (DSD)
- Consultation on Amending the Waste Regulations (Northern Ireland) 2011 (DOE)
- Consultation on the Draft Cattle Identification (Miscellaneous Amendments) Regulations (Northern Ireland) 2012 (DARD)
- Consultation on Changes to Standstill and Registration of Livestock Dealers (DARD)
- Consultation on the draft Code of Practice for Entry to Premises under Warrant (DARD)
- Consultation on the Implementation of Council Regulation (EC) No 1099/2009 on the Protection of Animals at the Time of Killing (DARD)
- The draft Road Traffic (Drink Driving) (Amendment) Bill and Additional Measures to Tackle Drink and Drug Driving in Northern Ireland (DOE)
- Consultation on Statutory Biosecurity Guidance for Brucellosis (DARD)
- Fit and Well – Changing Lives 2012-2022 (DHSSPS)
- Supporting Separated Families; Securing Children's Future (DSD)
- Proposed Changes to the Law Regulating the Sale and Supply of Alcohol in Northern Ireland (DSD)
- Public Consultation: Proposed New Employment Programme for Northern Ireland- Steps 2 Success (NI) (DEL)
- A Review of the Local Government Staff Commission (DOE)
- Strategy for Protecting and Enhancing the Development of the Irish Language (DCAL)
- Strategy for Ulster Scots Language, Heritage and Culture (DCAL)
- Straités Le Forbairt Na Gaeilge A Chosaint Agus A Fheabhsú (DCAL)

- Department of Agriculture and Rural Development Strategic Plan 2012-2020 (DARD)
- The Work Capability Assessment - A Call for Evidence: Year 3 Independent Review (DSD)
- The Future of the Education Maintenance Allowance Scheme (DEL)
- The Future of the Education Maintenance Allowance Scheme (DE)
- Consultation on Proposals to Amend the Appointment of Consultants (Amendment) Regulations (Northern Ireland) 2012 (DHSSPS)
- Energy Consultation on Revised Procedures for Electricity and Natural Gas Licence Modifications and Appeals Process (DETI)
- Consultation on Proposals to Extend Mental Capacity Legislation to the Criminal Justice System in Northern Ireland and Implications for Mental Health Powers (DOJ)

9. Departmental Publications

- Agriculture and Horticulture Development Board Annual Report and Accounts 2011-12 (DARD)
- Pathways to Success- Preventing Exclusion and Promoting Participation of Young People (DEL)
- Royal Ulster Constabulary George Cross Foundation Annual Report and Accounts 2009-10 (DOJ)
- Department for Social Development's Corporate Plan 2011-2015 (DSD)
- Department for Social Development's Business Plan 2012-13 (DSD)
- Department of Finance and Personnel Memorandum on the Sixth and Eighth Reports from the Public Accounts Committee Mandate 2011-2015: The Uptake of Benefits by Pensioners and The Bioscience and Technology Institute (DFP)
- Rural White Paper Action Plan (DARD)
- Statistical Bulletin: Pay Statistics for the NI Civil Service – 2012 (DFP)
- District Housing Plan and Local Housing Strategy 2012-13 (DSD)
- Department of Finance and Personnel Memorandum on the Ninth Report from the Public Accounts Committee Mandate 2011-2015 The Transfer of Former Military and Security Sites to the Northern Ireland Executive and Ilex Accounts 2010-2011 (DFP)
- Northern Ireland Assembly Contributory Pension Scheme - Report by the Government Actuary's Department as at 31 March 2010 (DFP)
- Forest Service Business Plan 2012-13 (DARD)

10. Agency Publications

- Consultation Paper and Equality Impact Assessment: Unfitness to Plead (Northern Ireland Law Commission)

11. Westminster Publications

- Big Lottery fund Annual Report and Accounts for the Financial Year ended 31 March 2012 (DCMS)
- Supply and Appropriation (Main Estimates) Act 2012 Chapter 13
- Finance Act 2012 Chapter 14
- Government Response to the Public Consultation Bereavement Benefit for the 21st Century (DWP)

12. Miscellaneous Publications

- United Kingdom Sports Council Annual Report and Accounts 2011-12
- European Priorities 2012-13

Northern Ireland Assembly

Tuesday 11 September 2012

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Executive Committee Business

2.1 Statement - "Access to Success" - The Regional Strategy for Widening Participation in Higher Education

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding "Access to Success" - The Regional Strategy for Widening Participation in Higher Education, following which he replied to questions.

2.2 Second Stage: Charities Bill (NIA 11-11/15)

The Minister for Social Development, Mr Nelson McCausland, moved the Second Stage of the Charities Bill (NIA 11/11-15).

Debate ensued.

The Deputy Speaker (Mr Beggs) took the Chair.

The Charities Bill passed Second Stage.

2.3 Motion - The Occupational and Personal Pension Schemes (Levies) (Amendment) Regulations (Northern Ireland) 2012

Proposed:

That the Occupational and Personal Pension Schemes (Levies) (Amendment) Regulations (Northern Ireland) 2012 be approved.

Minister for Social Development

Debate ensued.

The Question being put, the Motion was **carried** without division.

2.4 Motion - The Pensions (2008 Act) (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Provisions) Regulations (Northern Ireland) 2012

Proposed:

That the Pensions (2008 Act) (Abolition of Contracting-out for Defined Contribution Pension Schemes) (Consequential Provisions) Regulations (Northern Ireland) 2012 be approved.

Minister for Social Development

Debate ensued.

The Question being put, the Motion was **carried** without division.

2.5 Motion - The Pensions (2008 No. 2 Act) (Abolition of Protected Rights) (Consequential Provisions) Order (Northern Ireland) 2012

Proposed:

That the Pensions (2008 No. 2 Act) (Abolition of Protected Rights) (Consequential Provisions) Order (Northern Ireland) 2012 be approved.

Minister for Social Development

Debate ensued.

The Question being put, the Motion was **carried** without division.

The sitting was suspended at 12.20pm.

The sitting resumed at 2.00pm, with the Speaker in the Chair.

3. Question Time

3.1 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Sammy Wilson.

3.2 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Edwin Poots.

4. Executive Committee Business (Cont'd)

4.1 Motion - Draft Tobacco Advertising and Promotion (Display of Prices) Regulations (Northern Ireland) 2012

Proposed:

That the draft Tobacco Advertising and Promotion (Display of Prices) Regulations (Northern Ireland) 2012 be approved.

Minister of Health, Social Services and Public Safety

Debate ensued.

The Question being put, the Motion was **carried** without division.

5. Adjournment

Mr Robin Newton spoke to his topic on Flooding in East Belfast.

The Principal Deputy Speaker (Mr Molloy) took the Chair.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 4.14pm.

Mr William Hay

The Speaker

11 September 2012

Northern Ireland Assembly

Papers Presented to the Assembly on 11 September 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
 - First Report of the Examiner of Statutory Rules (Session 2012-13) (NIA 70/11-15)
6. Statutory Rules
 - For Information Only:**
 - S.R. 2012/333 The Off-Street Parking (Amendment No.4) Order (Northern Ireland) 2012 (DRD)
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
 - Tourism Ireland Annual Report 2011 (DETI)
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly Legislation:

Stages in Consideration of Public Bills

First Stage: Introduction of Bill.

Second Stage: General debate of the Bill with an opportunity for Members to vote on its general principles.

Committee Stage (Comm. Stage): Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

Consideration Stage (CS): Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

Further Consideration Stage (FCS): Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

Final Stage: Passing or rejecting of Bill by the Assembly, without further amendment.

Royal Assent.

Proceedings as at 11 September 2012

2011-2015 Mandate

Executive Bills

| Title & Bill Number | First Stage | Second Stage | Comm. Stage to Conclude | Report Ordered to be Printed | CS | FCS | Final Stage | Royal Assent |
|---|-------------|--------------|-------------------------|------------------------------|----|-----|-------------|--------------|
| Marine Bill NIA Bill 5/11-15 | 21.02.12 | 05.03.12 | 06.07.12 | | | | | |
| Superannuation Bill NIA Bill 6/11-15 | 12.03.12 | 26.03.12 | 28.09.12 | | | | | |
| Inquiry into Historical Institutional Abuse Bill NIA Bill 7/11-15 | 12.06.12 | 25.06.12 | 01.10.12 | | | | | |
| Business Improvement Districts Bill NIA Bill 9/11-15 | 25.06.12 | | | | | | | |
| Criminal Justice Bill NIA Bill 10/11-15 | 25.06.12 | 03.07.12 | 09.10.12 | | | | | |
| Charities Bill NIA Bill 11/11-15 | 02.07.12 | 11.09.12 | | | | | | |

**2011-2015 Mandate
Non-Executive Bills**

| Title & Bill Number | First Stage | Second Stage | Comm. Stage to Conclude | Report Ordered to be Printed | CS | FCS | Final Stage | Royal Assent |
|--|-------------|--------------|-------------------------|------------------------------|----|-----|-------------|--------------|
| Civil Service (Special Advisers) Bill 12/11-15 | 02.07.12 | | | | | | | |

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 17 September 2012

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Matter of the Day

2.1 Spence Family Tragedy

Mr Edwin Poots, made a statement, under Standing Order 24, in relation to the Spence Family tragedy. Other Members were also called to speak on the matter.

3. Assembly Business

3.1 Motion - Extension of Sitting on Monday 17 September under SO 10(3A)

Proposed:

That, in accordance with Standing Order 10(3A), the sitting on Monday 17 September 2012 be extended to no later than 8.30pm.

Ms C Ruane

Mr G Kelly

The Question being put, the Motion was **carried** without division.

3.2 Motion - Committee Membership

Proposed:

That Ms Michaela Boyle be appointed as a member of the Audit Committee.

Ms C Ruane

Mr R McCartney

The Question being put, the Motion was **carried** without division.

4. Executive Committee Business

4.1 Statement - Job Losses at FG Wilson

The Minister of Enterprise, Trade and Investment, Mrs Arlene Foster, made a statement regarding Job Losses at FG Wilson, following which she replied to questions.

The Deputy Speaker (Mr Dallat) took the Chair.

4.2 Statement - DEL Response to FG Wilson Job Losses

The Minister for Employment and Learning, Dr Stephen Farry, made a statement regarding his Department's Response to FG Wilson Job Losses, following which he replied to questions.

4.3 Statement - NSMC Meeting in Health and Food Safety Sectoral Format

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding the North South Ministerial Council meeting in Health and Food Safety Sectoral Format, following which he replied to questions.

The Speaker took the Chair.

5. Question Time

5.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the First Minister, the Rt Hon Peter Robinson. The junior Minister, Mr Bell, also answered a number of questions.

5.2 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

6. Executive Committee Business (Cont'd)

6.1 Statement - NSMC Meeting in Health and Food Safety Sectoral Format (Cont'd)

Questions resumed on the statement.

The Principal Deputy Speaker (Mr Molloy) took the Chair.

6.2 Second Stage - Business Improvement Districts Bill (NIA 9/11-15)

The Minister for Social Development, Mr Nelson McCausland, moved the Second Stage of the Business Improvement Districts Bill (NIA 9/11-15).

Debate ensued.

The Business Improvement Districts Bill passed Second Stage.

7. Committee Business

7.1 Motion - Extension of Committee Stage: Inquiry into Historical Institutional Abuse Bill (NIA 7/11-15)

Proposed:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 26 October 2012, in relation to the Committee Stage of the Inquiry into Historical Institutional Abuse Bill (NIA 7/11-15).

Chairperson, Committee for the Office of the First Minister and deputy First Minister

Debate ensued.

The Question being put, the Motion was **carried** without division.

8. Private Members' Business

8.1 Motion - Short Stay Visa Waiver Scheme

Proposed:

That this Assembly welcomes the success of the Dublin Government's Short-Stay Visa Waiver Scheme allowing visitors here, from 16 emerging tourism markets, to travel around the rest of the island without the need for an additional visa application; recognises the potential that a reciprocal approach would have in opening up our tourism industry to new markets; notes, with concern, the British Government's position of preventing the introduction of a similar scheme; and calls for the introduction of a single visa scheme for visitors to the island of Ireland.

Mr P Flanagan

Ms S Ramsey

Ms M McLaughlin

Mr D McKay

Debate ensued.

The Deputy Speaker (Mr Beggs) took the Chair.

The Question being put, the Motion was **negatived** (Division 1).

The Speaker took the Chair.

8.2 Motion - Apology from the Republic of Ireland**Proposed:**

That this Assembly welcomes the improved relations with the Republic of Ireland; further welcomes the success of the visit by Her Majesty Queen Elizabeth II to the Republic of Ireland in 2011; notes with concern the recent evidence given to the Smithwick Tribunal regarding a lack of support for the investigation of terrorist suspects; believes that relations would improve further if the current Government of the Republic of Ireland were to address the role played by the Irish Government of the day in the emergence of the Provisional IRA and the roles of past Governments regarding the pursuit of terrorists; and calls on the Prime Minister of the Republic of Ireland to issue an apology.

Mr G Campbell
Mr S Anderson
Mr S Moutray
Mr M Storey

8.3 Amendment No. 1**Proposed:**

After '2011;' insert:

'notes the apologies from the United Kingdom Government in relation to the Bloody Sunday and Claudy bombing events; further'

Mr T Elliott
Mr M Nesbitt
Mr D Kennedy

8.4 Amendment No. 2**Proposed:**

At end insert:

'; and reiterates its call for the Secretary of State alongside her counterparts in the Irish Government to convene talks between all the political parties to reach agreement on a process to comprehensively deal with the past.'

Mr S Dickson
Mr C Lyttle
Mrs J Cochrane

Debate ensued.

Amendment No. 1 being put, the Amendment was **made** (Division 2).

Amendment No. 2 being put, the Amendment **fell** without division.

The Question being put, the Motion, as amended, was **carried** (Division 3).

9. Adjournment**Proposed:**

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 8.19pm.

Mr William Hay
The Speaker

17 September 2012

Northern Ireland Assembly

17 September 2012
Division 1

Short Stay Visa Waiver Scheme - Motion

Proposed:

That this Assembly welcomes the success of the Dublin Government's Short-Stay Visa Waiver Scheme allowing visitors here, from 16 emerging tourism markets, to travel around the rest of the island without the need for an additional visa application; recognises the potential that a reciprocal approach would have in opening up our tourism industry to new markets; notes, with concern, the British Government's position of preventing the introduction of a similar scheme; and calls for the introduction of a single visa scheme for visitors to the island of Ireland.

Mr P Flanagan
Ms S Ramsey
Ms M McLaughlin
Mr D McKay

The Question was put and the Assembly divided.

Ayes: 41
Noes: 46

AYES

Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Flanagan and Mr McKay.

NOES

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Rt Hon P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Frew and Mr Irwin.

The following Member voted in both Lobbies and is therefore not counted in the result: *Mr Agnew.*

The Motion was **negatived**.

Northern Ireland Assembly

17 September 2012

Division No. 2

Apology from the Republic of Ireland - Amendment 1

Proposed:

After '2011;' insert:

'notes the apologies from the United Kingdom Government in relation to the Bloody Sunday and Claudy bombing events; further'

Mr T Elliott

Mr M Nesbitt

Mr D Kennedy

The Question was put and the Assembly divided.

Ayes: 56

Noes: 39

AYES

Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Rt Hon P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Elliott and Mr Kinahan.

NOES

Mr Attwood, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McCartney and Mr Molloy.

The Amendment was **made**.

Northern Ireland Assembly

17 September 2012
Division No. 3

Apology from the Republic of Ireland - Motion as Amended

Proposed:

That this Assembly welcomes the improved relations with the Republic of Ireland; further welcomes the success of the visit by Her Majesty Queen Elizabeth II to the Republic of Ireland in 2011; notes the apologies from the United Kingdom Government in relation to the Bloody Sunday and Claudy bombing events; further notes with concern the recent evidence given to the Smithwick tribunal regarding a lack of support for the investigation of terrorist suspects; believes that relations would improve further if the current Government of the Republic of Ireland were to address the role played by the Irish Government of the day in the emergence of the Provisional IRA and the roles of past Governments regarding the pursuit of terrorists; and calls on the Prime Minister of the Republic of Ireland to issue an apology.

The Question was put and the Assembly divided.

Ayes: 47

Noes: 46

AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Rt Hon P Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Moutray and Mr Storey.

NOES

Mr Agnew, Mr Attwood, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McCartney and Mr Molloy.

The Motion, as amended was **carried**.

Northern Ireland Assembly

Papers Presented to the Assembly on 12 - 17 September 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
 - Loughs Agency Annual Report & Accounts 2010 (DARD)
 - Royal Ulster Constabulary George Cross Foundation Annual Report and Accounts 2010-2011 (DOJ)
 - Development of Services for People with a Learning Disability or Mental Illness in Northern Ireland - Twentieth Annual Report (DHSSPS)
5. Assembly Reports
6. Statutory Rules

(The department identified after each rule is for reference purposes only)

For Information Only:
7. Written Ministerial Statements
8. Consultation Documents
 - Consultation on Proposed Amendments to the Gas (Applications for Licences and Extensions) Regulations (Northern Ireland) 1996 (DETI)
 - Priorities for Youth - Improving young people's lives through youth work (DE)
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 18 September 2012

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

The Speaker reminded Members of the standards of courtesy, good temper and moderation expected in the Chamber and that all remarks should be made through the Chair.

3. Executive Committee Business

3.1 Statement - Funding for Lending Scheme: Bank Lending to Business in Northern Ireland

The Minister of Finance and Personnel, Mr Sammy Wilson, made a statement regarding the Funding for Lending Scheme: Bank Lending to Business in Northern Ireland, following which he replied to questions.

The Deputy Speaker (Mr Dallat) took the Chair.

4. Committee Business

4.1 Motion - Amend Standing Order 49A

Proposed:

After Standing Order 49A insert –

'49B. Changes to Statutory Committees

- (1) This order applies where all Northern Ireland Ministers cease to hold office as a consequence of the application of section 18(1) of the Northern Ireland Act 1998, for example, where a new department is established or an existing one dissolved.
- (2) All statutory committees shall be dissolved.
- (3) After all Ministerial offices are subsequently filled, the procedures referred to in paragraph (4) for constituting statutory committees shall be run as they are run following the election of the Assembly.
- (4) Those procedures are the procedures set out in Standing Orders for –
 - (a) determining the number of statutory committees;
 - (b) establishing them;
 - (c) appointing chairpersons and deputy chairpersons to them; and
 - (d) allocating seats on them.'

Chairperson, Committee on Procedures

Debate ensued.

The Question being put, the Motion was **carried** with cross-community support nemine contradicente.

4.2 Motion - Amend Standing Order 57(1)**Proposed:**

Leave out Standing Order 57(1)(c) and insert –

‘to consider any matter relating to the conduct of members;’

Leave out Standing Order 57(1)(e)

In Standing Order 57(1)(f) leave out ‘Standing Orders 69B and 69C’ and insert –

‘Standing Orders 69A to 69C’

Debate ensued.

The Question being put, the Motion was **carried** with cross-community support nemine contradicente.

4.3 Motion - Amend Standing Order 69A**Proposed:**

Leave out Standing Order 69A and insert –

‘Northern Ireland Assembly Commissioner for Standards

- (1) This order supplements Part 2 of the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011.
- (2) In these Standing Orders “the Commissioner” means the Northern Ireland Assembly Commissioner for Standards established by section 16 of the Act.
- (3) The Committee on Standards and Privileges shall exercise the following functions in respect of the Commissioner –
 - (a) considering any report made by the Commissioner under section 17(1)(c) or section 26 of the Act;
 - (b) requesting and considering advice from the Commissioner under section 17(1)(d);
 - (c) directing the Commissioner under section 24 (including specifying matters under section 24(2)(b)(i) and making requirements under section 24(2)(b)(ii));
 - (d) requesting a further investigation under section 26; and
 - (e) publishing a report under section 27(3).
- (4) The consideration of a report or advice by the Committee on Standards and Privileges does not preclude its consideration by the Assembly.
- (5) The Commissioner must investigate a referral –
 - (a) made by the Committee on Standards and Privileges, that relates to –
 - (i) the conduct of members; or
 - (ii) members and Assembly privilege, including alleged breach of privilege by a member;
 - (b) made by the Clerk to the Assembly, that relates to –
 - (i) the conduct of members, and
 - (ii) the Clerk’s duties as accounting officer within the meaning of the Government Resources and Accounts Act (Northern Ireland) 2001.’

Chairperson, Committee on Procedures

The Question being put, the Motion was **carried** with cross-community support nemine contradicente.

4.4 Motion - Amend Standing Order 69C**Proposed:**

Leave out Standing Order 69C and insert –

'Members' Interests: Rectification of Minor Errors

- (1) This order applies to a failure by a member –
 - (a) to register an interest in the Register of Members' Interests,
 - (b) to declare an interest.
- (2) The Committee on Standards and Privileges may determine not to apply Standing Order 69B in respect of that failure if–
 - (a) the Commissioner recommends it;
 - (b) the failure was minor or inadvertent; and
 - (c) the member acknowledges the failure and apologises to the Assembly for it.
- (3) Where the failure is under paragraph (1)(a), the Register must also be rectified.'

Chairperson, Committee on Procedures

The Question being put, the Motion was **carried** with cross-community support nemine contradicente.

5. Private Members' Business**5.1 Motion - Centenary of the Signing of the Ulster Covenant****Proposed:**

That this Assembly recognises the signing of the Ulster Covenant on 28 September 1912, in its centenary year, as an historic and significant event in the history of Northern Ireland; notes the availability of all the digitised signatures of the Covenant via the Public Record Office of Northern Ireland website; and affirms the importance of Ulster Unionists Lord Carson and Lord Craigavon and their legacy which remains in place today.

Mr M Nesbitt

Mr R Swann

Mr M McGimpsey

Debate ensued.

The sitting was suspended at 12.32pm.

The sitting resumed at 2.00pm with the Deputy Speaker (Mr Beggs) in the Chair.

6. Question Time**6.1 Justice**

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

6.2 Social Development

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.

7. Private Members' Business (Cont'd)**7.1 Motion - Centenary of the Signing of the Ulster Covenant (Cont'd)**

Debate resumed on the Motion.

The Question being put, the Motion was **carried** without division.

The Speaker took the Chair.

7.2 Motion - Parades**Proposed:**

That this Assembly calls on the leadership of the Loyal Orders to become involved urgently in direct dialogue with residents' groups to resolve the issue of contentious parades which still affects entire communities during the summer.

Mr G Kelly
Mr M McLaughlin
Mr D McKay

7.3 Amendment No. 1**Proposed:**

Leave out all after 'Assembly' and insert:

'recognises the positive community contribution by the Loyal Orders; and calls on everyone in leadership roles within the community to ensure that their actions promote positive outcomes from all parades and other events organised by community groups that could be deemed contentious.'

Mr T Elliott
Mr M Nesbitt
Mr R Swann

7.4 Amendment No. 2**Proposed:**

Leave out all after 'Assembly' and insert:

'affirms the right to peaceful assembly, parade and protest within the rule of law; condemns violence without equivocation; believes that local dialogue offers the best way of resolving differences over parades; and recognises that the contentious nature of parades may, where necessary, require an independent process.'

Mr C Lyttle
Mrs J Cochrane
Mr K McCarthy

Debate ensued.

The Question being put, Amendment No. 1 was **made** (Division 1).

Amendment No. 2 was not put.

The Question being put, the Motion, as amended, was **carried** (Division 2).

The Principal Deputy Speaker (Mr Molloy) took the Chair.

8. Adjournment

Mr Cathal Boylan spoke to his topic on Health Provision in Armagh City and district.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 6.40pm.

Mr William Hay
The Speaker

18 September 2012

Northern Ireland Assembly

18 September 2012
Division 1

Parades - Amendment 1

Proposed:

Leave out all after 'Assembly' and insert:

'recognises the positive community contribution by the Loyal Orders; and calls on everyone in leadership roles within the community to ensure that their actions promote positive outcomes from all parades and other events organised by community groups that could be deemed contentious.'

Mr T Elliott
Mr M Nesbitt
Mr R Swann

The Question was put and the Assembly divided.

Ayes: 50
Noes: 48

AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Copeland and Mr Kennedy.

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr G Kelly and Mr Mitchel McLaughlin.

The amendment was **made**.

Northern Ireland Assembly

18 September 2012
Division 2

Parades - Motion as amended

Proposed:

That this Assembly recognises the positive community contribution by the Loyal Orders; and calls on everyone in leadership roles within the community to ensure that their actions promote positive outcomes from all parades and other events organised by community groups that could be deemed contentious.

The Question was put and the Assembly divided.

Ayes: 50

Noes: 48

AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Kennedy and Mr Nesbitt.

NOES

Mr Agnew, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr G Kelly and Mr Mitchel McLaughlin.

The Motion, as amended was **carried**.

Northern Ireland Assembly

Papers Presented to the Assembly on 18 September 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules
 - S.R. 2012/339 The Trunk Road T14 (A55 Knock Road, Belfast) Order (Northern Ireland) 2012 (DRD)
- For Information Only:**
 - S.R. 2012/340 The Private Accesses at A55 Knock Road, Belfast (Stopping-Up) Order (Northern Ireland) 2012 (DRD)
7. Written Ministerial Statements
8. Consultation Documents
 - Consultation on The Scrapie (Fees) (Amendment) Order (NI) 2013 (DARD)
 - Consultation on The Northern Ireland Poultry Health Assurance Scheme (Fees) (Amendment) Order (NI) 2013 (DARD)
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly Legislation:

Stages in Consideration of Public Bills

First Stage: Introduction of Bill.

Second Stage: General debate of the Bill with an opportunity for Members to vote on its general principles.

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Consideration Stage (CS): Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

Further Consideration Stage (FCS): Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

Final Stage: Passing or rejecting of Bill by the Assembly, without further amendment.

Royal Assent.

Proceedings as at 18 September 2012

2011-2015 Mandate

Executive Bills

| Title & Bill Number | First Stage | Second Stage | Comm. Stage to Conclude | Report Ordered to be Printed | CS | FCS | Final Stage | Royal Assent |
|--|-------------|--------------|-------------------------|------------------------------|----|-----|-------------|--------------|
| Marine Bill NIA Bill 5/11-15 | 21.02.12 | 05.03.12 | 06.07.12 | 05.07.12 | | | | |
| Superannuation Bill NIA Bill 6/11-15 | 12.03.12 | 26.03.12 | 28.09.12 | | | | | |
| Inquiry into Historical Institutional Abuse Bill NIA Bill 7/11-15 | 12.06.12 | 25.06.12 | 26.10.12 | | | | | |
| Business Improvement Districts Bill NIA Bill 9/11-15 | 25.06.12 | 17.09.12 | 05.11.12 | | | | | |
| Criminal Justice Bill NIA Bill 10/11-15 | 25.06.12 | 03.07.12 | 09.10.12 | | | | | |
| Charities Bill NIA Bill 11/11-15 | 02.07.12 | 11.09.12 | 23.10.12 | | | | | |

**2011-2015 Mandate
Non-Executive Bills**

| Title & Bill Number | First Stage | Second Stage | Comm. Stage to Conclude | Report Ordered to be Printed | CS | FCS | Final Stage | Royal Assent |
|---|----------------|-----------------|-------------------------------|---------------------------------------|----|-----|----------------|-----------------|
| Civil Service (Special Advisers) Bill 12/11-15 | 02.07.12 | | | | | | | |

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 24 September 2012

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Assembly Business

2.1 Motion - Exclusion of Minister from office under section 30 of the Northern Ireland Act 1998

Proposed:

That this Assembly, in accordance with section 30 of the Northern Ireland Act 1998, resolves that the Minister for Social Development no longer enjoys the confidence of the Assembly and that he be excluded from holding office as a Minister or junior Minister for a period of three months because he failed to observe the terms of paragraphs (cd) and (g) of the pledge of office and the sixth paragraph of the Ministerial Code of Conduct, in that he failed to promote good community relations and did not condemn actions which were contrary to the rule of law in his public response on 25th August 2012 to the sectarian behaviour of the Young Conway Volunteers flute band on 12th July 2012 and their illegal violations of a Parades Commission determination.

Dr A McDonnell

Ms C Ruane

Mrs D Kelly

Mr R McCartney

Debate ensued.

The Question being put, the Motion was **negatived** on a cross-community vote (Division).

3. Executive Committee Business

3.1 Motion - The Draft Landlord Registration Scheme Regulations (Northern Ireland) 2012

Proposed:

That the Draft Landlord Registration Scheme Regulations (Northern Ireland) 2012 be approved.

Minister for Social Development

Debate ensued.

The Deputy Speaker (Mr Dallat) took the Chair.

The Question being put, the Motion was **carried** without division.

3.2 Motion - The Draft Tenancy Deposit Schemes Regulations (Northern Ireland) 2012

Proposed:

That the Draft Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 be approved.

Minister for Social Development

Debate ensued.

The debate was suspended for Question Time.

4. Question Time

4.1 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

4.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd, on behalf of the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

5. Executive Committee Business (Cont'd)

5.1 Motion - The Draft Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 (Cont'd)

Debate resumed on the Motion.

The Deputy Speaker (Mr Beggs) took the Chair.

The Question being put, the Motion was **carried** without division.

6. Committee Business

6.1 Motion - Extension of Committee Stage: The Criminal Justice Bill (NIA Bill 10/11-15)

Proposed:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 14 December 2012, in relation to the Committee Stage of the Criminal Justice Bill (NIA Bill 10/11-15).

Chairperson, Committee for Justice

Debate ensued.

The Question being put, the Motion was **carried** without division.

7. Private Members' Business

7.1 Motion - Payment of Housing Benefit

Proposed:

That this Assembly calls on the Minister for Social Development to retain the direct payment of Housing Benefit to social landlords, following the anticipated introduction of Universal Credit, to avoid rent defaults and potential homelessness.

Mr M Durkan

Mr P McGlone

7.2 Amendment

Proposed:

Leave out all after 'Development' and insert:

'to secure, with the Department for Work and Pensions, the IT functionality to allow the choice to make direct payment of Housing Benefit to both social and private landlords following the introduction of Universal Credit, thereby helping vulnerable people to avoid rent defaults and potential homelessness.'

Ms P Bradley

Mr A Easton

Ms P Brown

Debate ensued.

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

7.3 Motion - Animal Cruelty

Proposed:

That this Assembly calls on the Minister of Agriculture and Rural Development to extend the sentences available for deliberate and severe animal cruelty to include longer periods of imprisonment to ensure that perpetrators receive a punishment that fits the crime.

Mr G Robinson

Mr T Buchanan

Ms P Bradley

Mr J Wells

7.4 Amendment

Proposed:

Leave out 'extend the' and insert:

'support the full use of the extended'

Mr O McMullan

Mr C Hazzard

Mr D McAleer

Debate ensued.

The Principal Deputy Speaker (Mr Molloy) took the Chair.

The Question being put, the Amendment **fell** without division.

The Question being put, the Motion was **carried** without division.

8. Adjournment

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 6.18pm.

Mr William Hay

The Speaker

24 September 2012

Northern Ireland Assembly

24 September 2012

Division

Exclusion of Minister from office under section 30 of the Northern Ireland Act 1998 - Motion

Proposed:

That this Assembly, in accordance with section 30 of the Northern Ireland Act 1998, resolves that the Minister for Social Development no longer enjoys the confidence of the Assembly and that he be excluded from holding office as a Minister or junior Minister for a period of three months because he failed to observe the terms of paragraphs (cd) and (g) of the pledge of office and the sixth paragraph of the Ministerial Code of Conduct, in that he failed to promote good community relations and did not condemn actions which were contrary to the rule of law in his public response on 25th August 2012 to the sectarian behaviour of the Young Conway Volunteers flute band on 12th July 2012 and their illegal violations of a Parades Commission determination.

Dr A McDonnell

Ms C Ruane

Mrs D Kelly

Mr R McCartney

The Question was put and the Assembly divided.

Ayes: 47

Noes: 49

AYES

Nationalist

Mr Attwood, Mr Boylan, Mr D Bradley, Mr Brady, Mr Byrne, Mr Dallat, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr McClarty.

Other

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Lynch and Mrs McKeivitt.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Rt Hon P Robinson, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Ms P Bradley and Mr Humphrey.

| | | | | |
|-------------------|----|------------------|----|-----------|
| Total votes | 96 | Total Ayes | 47 | [49.0%] |
| Nationalist Votes | 37 | Nationalist Ayes | 37 | [100%%] |
| Unionist Votes | 50 | Unionist Ayes | 1 | [2.0%] |
| Other Votes | 9 | Other Ayes | 9 | [100.0%] |

The Motion was **negatived** on a cross-community vote.

Northern Ireland Assembly

Papers Presented to the Assembly on 19 - 24 September 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
 - Census 2011 - Population and Household Estimates by Local Government District for Northern Ireland Report (DFP)
5. Assembly Reports
 - Report on a complaint by Mr Jason Johnston against Mr David McIlveen MLA (NIA 63/11-15) (Committee on Standards and Privileges)
 - Second Report of the Examiner of Statutory Rules (Session 2012-13) (NIA 72/11-15)
6. Statutory Rules

(The department identified after each rule is for reference purposes only)

 - S.R. 2012/335 The Alien and Locally Absent Species in Aquaculture Regulations (Northern Ireland) 2012 (DARD)
 - S.R. 2012/354 The Motor Vehicles (Driving Licences) (Fees) (Amendment) Regulations (Northern Ireland) 2012 (DOE)

For Information Only:

 - S.R. 2012/334 (C.30) The Assembly Members (Independent Financial Review and Standards) (2011 Act) (Commencement) Order (Northern Ireland) 2012 (Assembly Commission)
 - S.R. 2012/337 The Road Traffic (2007 Order) (Commencement No.5) (Amendment) Order (Northern Ireland) 2012 (DOE)
 - S.R. 2012/342 The Cycle Routes (Amendment No.4) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/343 The Waiting Restrictions (John Street, Castlederg) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/344 The Waiting Restrictions (Springfield Road, Belfast) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/345 The Roads (Speed Limit) (No.3) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/346 The Parking Places and Loading Bays on Roads (Londonderry) (Amendment No.2) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/348 The On-Street Parking (Amendment No.3) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/347 The Parking Places (Disabled Persons' Vehicles) (Amendment No.5) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/350 The Waiting Restrictions (Dundonald) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/351 The Waiting Restrictions (Dungannon) (Amendment) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/352 The Waiting Restrictions (Londonderry) (Amendment No.2) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/353 The Cycle Routes (Amendment No.5) Order (Northern Ireland) 2012 (DRD)

7. Written Ministerial Statements

8. Consultation Documents

- Who Cares? The Future of Adult Care and Support in Northern Ireland (DHSSPS)

9. Departmental Publications

- Statistics of Scientific Procedures on Living Animals Northern Ireland 2011 (DHSSPS)
- Department of Finance and Personnel - Collaborative Procurement and Aggregated Demand (NIAO)
- Legislative Consent Memorandum for Enterprise and Regulatory Reform Bill (DETI)
- Legislative Consent Memorandum for the Mental Health (Discrimination) (No.2) Bill 2012 (DETI)

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 25 September 2012

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Executive Committee Business

2.1 Statement - British-Irish Council in Environment Sectoral meeting

The Minister of the Environment, Mr Alex Attwood, made a statement regarding the British-Irish Council in Environmental Sectoral meeting, held in Midlothian on 2 September 2012, following which he replied to questions.

The Deputy Speaker (Mr Beggs) took the Chair.

3. Committee Business

3.1 Motion - Paediatric Congenital Cardiac Services

Proposed:

That this Assembly calls on the Minister of Health, Social Services and Public Safety to reassure parents that the future service model for Paediatric Congenital Cardiac Services will prioritise the needs of their children; and further calls on the Minister to explore fully an all-island solution with his counterpart Dr James Reilly.

Chairperson, Committee for Health, Social Services and Public Safety

Debate ensued.

The Question being put, the Motion was **carried** without division.

The sitting was suspended at 12.44pm.

The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr Molloy) in the Chair.

4. Question Time

4.1 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

4.2 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

The Speaker took the Chair.

5. Private Members' Business

5.1 Second Stage - Civil Service (Special Advisers) Bill (NIA 12/11-15)

Mr Jim Allister moved the Second Stage of the Civil Service (Special Advisers) Bill (NIA 12/11-15).

Debate ensued.

The Deputy Speaker (Mr Dallat) took the Chair.

The Civil Service (Special Advisers) Bill passed Second Stage (Division).

6. Adjournment

Mr Alex Easton spoke to his topic on the proposed roundabout and dual carriageway for Craigantlet Hills.

The Principal Deputy Speaker (Mr Molloy) took the Chair.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 6.56pm.

Mr William Hay

The Speaker

25 September 2012

Northern Ireland Assembly

25 September 2012

Division

Second Stage: Civil Services (Special Advisers) Bill (NIA 12/11-15)

The Question was put and the Assembly divided.

Ayes: 62

Noes: 32

AYES

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Byrne, Mr Campbell, Mr Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Eastwood, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McDevitt, Dr McDonnell, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McNarry, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Ayes: Mr Allister and Mr Wells.

NOES

Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mrs Cochrane, Mr Dickson, Dr Farry, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr Lyttle, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Mr Ó hOisín, Mr O'Dowd, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Mr McCartney and Ms Ruane.

The Second Stage was **agreed**.

Northern Ireland Assembly

Papers Presented to the Assembly on 25 September 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules
 - For Information Only:
 - S.R. 201/356 The Parking and Waiting Restrictions (Newtownards) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/358 The Parking Places on Roads (Kilkeel) (No.2) Order (Northern Ireland) 2012 (DRD)
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
 - Equality Statistics for the Northern Ireland Civil Service Based on Staff in Post at 1 January 2012 (DFP)
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly Legislation:

Stages in Consideration of Public Bills

First Stage: Introduction of Bill.

Second Stage: General debate of the Bill with an opportunity for Members to vote on its general principles.

Committee Stage (Comm. Stage): Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

Consideration Stage (CS): Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

Further Consideration Stage (FCS): Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

Final Stage: Passing or rejecting of Bill by the Assembly, without further amendment.

Royal Assent.

Proceedings as at 25 September 2012

2011-2015 Mandate

Executive Bills

| Title & Bill Number | First Stage | Second Stage | Comm. Stage to Conclude | Report Ordered to be Printed | CS | FCS | Final Stage | Royal Assent |
|--|-------------|--------------|-------------------------|------------------------------|----|-----|-------------|--------------|
| Marine Bill NIA Bill 5/11-15 | 21.02.12 | 05.03.12 | 06.07.12 | 05.07.12 | | | | |
| Superannuation Bill NIA Bill 6/11-15 | 12.03.12 | 26.03.12 | 28.09.12 | | | | | |
| Inquiry into Historical Institutional Abuse Bill NIA Bill 7/11-15 | 12.06.12 | 25.06.12 | 26.10.12 | | | | | |
| Business Improvement Districts Bill NIA Bill 9/11-15 | 25.06.12 | 17.09.12 | 05.11.12 | | | | | |
| Criminal Justice Bill NIA Bill 10/11-15 | 25.06.12 | 03.07.12 | 14.12.12 | | | | | |
| Charities Bill NIA Bill 11/11-15 | 02.07.12 | 11.09.12 | 23.10.12 | | | | | |

**2011-2015 Mandate
Non-Executive Bills**

| Title & Bill Number | First Stage | Second Stage | Comm. Stage to Conclude | Report Ordered to be Printed | CS | FCS | Final Stage | Royal Assent |
|---|------------------------|-------------------------|--|---|-----------|------------|------------------------|-------------------------|
| Civil Service (Special Advisers) Bill 12/11-15 | 02.07.12 | 25.09.12 | 13.11.12 | | | | | |

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

Northern Ireland Assembly

Monday 1 October 2012

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Assembly Business

2.1 Motion - Committee Membership

Proposed:

That Mr Stephen Moutray, Mrs Brenda Hale and Mr Paul Givan replace Mr William Humphrey, Mr Trevor Clarke and Mr Tom Buchanan as members of the Committee for the Office of the First Minister and deputy First Minister; that Mr William Humphrey replace Mrs Brenda Hale as a member of the Committee for Culture, Arts and Leisure; that Mr Alastair Ross replace Mr Gregory Campbell as a member of the Committee for the Environment; that Mr Peter Weir and Mr David McIlveen replace Mr William Humphrey and Mr David Hilditch as members of the Committee for Finance and Personnel; that Mr William Humphrey and Mr Alex Easton replace Mr Peter Weir and Mr Sydney Anderson as members of the Committee for Justice; that Mr Gregory Campbell and Mr Sammy Douglas replace Mr Alex Easton and Mr Alastair Ross as members of the Committee for Social Development; that Mr Alex Easton replace Mr Stephen Moutray as a member of the Committee for Regional Development; that Mr David Hilditch and Mr Sydney Anderson replace Mr Sammy Douglas and Mr David McIlveen as members of the Committee for Employment and Learning; and that Mr Trevor Clarke replace Mr Alex Easton as a member of the Public Accounts Committee.

*Mr P Weir
Lord Morrow*

The Question being put, the Motion was **carried** without division.

3. Executive Committee Business

3.1 Statement – Public Consultation on the Reform of Adult Care and Support

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding the Public Consultation on the reform of Adult Care and Support, following which he replied to questions.

The Deputy Speaker (Mr Dallat) took the Chair.

3.2 Statement - Review of GCSE and A Level Qualifications

The Minister of Education, Mr John O'Dowd, made a statement regarding a review of GCSE and A Level qualifications, following which he replied to questions.

3.3 First Stage - Welfare Reform Bill (NIA 13/11-15)

The Minister for Social Development, Mr Nelson McCausland, introduced a Bill to make provision for universal credit and personal independence payment; to make other provision about social security; to make provision about child support maintenance and the use of jobcentres; and for connected purposes.

Bill passed First Stage and ordered to be printed.

4. Private Members' Business

4.1 Motion - Marriage Equality

A valid Petition of Concern was presented in relation to this motion under Standing Order 28, on Friday 28 September (Appendix 1).

Proposed:

That this Assembly believes that all couples, including those of the same sex, should have the right to marry in the eyes of the State and that, while the rights of religious institutions to define, observe and practise marriage within their beliefs should be given legal protection, all married couples, including those of the same sex, should have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage; calls on the Minister of Finance and Personnel to introduce legislation to guarantee that couples of any sex or gender identity receive equal benefit; and further calls on the First Minister and deputy First Minister to ensure that all legislation adheres to the Government's commitments to protect equality for all.

*Mr S Agnew
Ms B McGahan
Ms C Ruane*

Debate ensued.

The Speaker took the Chair.

The debate was suspended for Question Time.

5. Question Time

5.1 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Alex Attwood.

5.2 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

6. Private Members' Business (Cont'd)

6.1 Motion - Marriage Equality (Cont'd)

Debate resumed on the Motion.

The Question being put, the Motion was **negatived** on a cross-community vote (Division 1).

6.2 Motion - GCSE Changes

Proposed:

That this Assembly notes the decision by the Secretary of State for Education to replace the GCSE with the English Baccalaureate Certificate; is concerned about the possible implications of this for students in Northern Ireland; and calls on the Minister of Education to work with his English and Welsh counterparts to ensure that students from Northern Ireland are not disadvantaged by these changes.

*Mr M Storey
Miss M McIlveen*

6.3 Amendment No.1

Proposed:

Leave out 'English and Welsh counterparts' and insert:

'counterparts across these isles'

*Mr C Hazzard
Ms M Boyle
Mr P Sheehan*

6.4 Amendment No.2**Proposed:**

At end insert:

‘; and further calls on the Minister to consider using this as an opportunity to fundamentally review the effectiveness of GCSEs in Northern Ireland and their ability to improve literacy and numeracy and tackle educational inequality.’

Mr D Kinahan

Mrs J Dobson

Debate ensued.

The Principal Deputy Speaker (Mr Molloy) took the Chair.

The Question being put, Amendment No.1 **fell** (Division 2).

The Question being put, Amendment No.2 was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

7. Adjournment**Proposed:**

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 5.24pm.

Mr William Hay

The Speaker

1 October 2012

Northern Ireland Assembly

The undersigned Members of the Northern Ireland Assembly presented a petition of concern, in accordance with Standing Order 28, on Friday 28 September in relation to the following motion.

Marriage Equality

That this Assembly believes that all couples, including those of the same sex, should have the right to marry in the eyes of the State and that, while the rights of religious institutions to define, observe and practise marriage within their beliefs should be given legal protection, all married couples, including those of the same sex, should have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage; calls on the Minister of Finance and Personnel to introduce legislation to guarantee that couples of any sex or gender identity receive equal benefit; and further calls on the First Minister and deputy First Minister to ensure that all legislation adheres to the Government's commitments to protect equality for all.

- Mr Sydney Anderson
- Ms Paula Bradley
- Ms Pam Brown
- Mr Thomas Buchanan
- Mr Gregory Campbell
- Mr Trevor Clarke
- Mr Jonathan Craig
- Mr Sammy Douglas
- Mr Gordon Dunne
- Mr Alex Easton
- Mr Paul Frew
- Mr Paul Girvan
- Mr Paul Givan
- Mrs Brenda Hale
- Mr Simon Hamilton
- Mr David Hilditch
- Mr William Humphrey
- Mr William Irwin
- Mr Ian Mccrea
- Mr David Mcilveen
- Miss Michelle Mcilveen
- Mr Adrian Mcquillan
- Lord Morrow
- Mr Stephen Moutray
- Mr Robin Newton
- Mr George Robinson
- Mr Alastair Ross
- Mr Jimmy Spratt
- Mr Mervyn Storey
- Mr Peter Weir
- Mr Jim Wells

Northern Ireland Assembly

1 October 2012

Division 1

Marriage Equality - Motion

Proposed:

That this Assembly believes that all couples, including those of the same sex, should have the right to marry in the eyes of the State and that, while the rights of religious institutions to define, observe and practise marriage within their beliefs should be given legal protection, all married couples, including those of the same sex, should have the same legal entitlement to the protections, responsibilities, rights, obligations and benefits afforded by the legal institution of marriage; calls on the Minister of Finance and Personnel to introduce legislation to guarantee that couples of any sex or gender identity receive equal benefit; and further calls on the First Minister and deputy First Minister to ensure that all legislation adheres to the Government's commitments to protect equality for all.

*Mr S Agnew
Ms B McGahan
Ms C Ruane*

The Question was put and the Assembly divided.

Ayes: 45

Noes: 50

AYES

Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Durkan, Mr Eastwood, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Ms S Ramsey, Ms Ruane, Mr Sheehan.

Unionist

Mr Copeland, Mr Kinahan, Mr B McCrea.

Other

Mr Agnew, Mr Dickson, Dr Farry, Mr Ford, Ms Lo.

Tellers for the Ayes: Mr Agnew and Ms Ruane.

NOES

Unionist

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr McClarty, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Rt Hon P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Other

Mr Lunn.

Tellers for the Noes: Mr Givan and Mr D McIlveen.

| | | | | |
|-------------------|----|------------------|----|---------|
| Total votes | 95 | Total Ayes | 45 | [47.4%] |
| Nationalist Votes | 37 | Nationalist Ayes | 37 | [100%] |
| Unionist Votes | 52 | Unionist Ayes | 3 | [5.8%] |
| Other Votes | 6 | Other Ayes | 5 | [83.3%] |

The following Member voted in both Lobbies and is therefore not counted in the result:

Mr A Maginness.

The Motion was **negatived** on a cross-community vote.

Northern Ireland Assembly

1 October 2012
Division 2

GCSE Changes - Amendment 1

Proposed:

Leave out 'English and Welsh counterparts' and insert:

'counterparts across these isles'

Mr C Hazzard

Ms M Boyle

Mr P Sheehan

The Question was put and the Assembly divided.

Ayes: 45

Noes: 47

AYES

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Mr Eastwood, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr Hazzard, Mrs D Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr McDevitt, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Hazzard and Ms Ruane.

NOES

Mr Agnew, Mr Allister, Mr Anderson, Mr Beggs, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mrs Overend, Mr Poots, Mr G Robinson, Rt Hon P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Mr Kinahan and Mr G Robinson.

The amendment **fell**.

Northern Ireland Assembly

Papers Presented to the Assembly on 26 September - 01 October 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
 - Safefood 2011 Annual Report (DHSSPS)
 - The Charity Commission for Northern Ireland Disposal and Retention Schedule (PRONI)
 - Department of Education Resource Accounts for the year ended 31 March 2012 (DFP)
 - Public Income and Expenditure Account for the year ended 31 March 2012 (DFP)
 - The Ulster Supported Employment Ltd Retention and Disposal Schedule (PRONI)
 - Intertradelreland - Annual Review of Activities and Annual Accounts 2011 (DETI)
5. Assembly Reports
 - Report on the Superannuation Bill (NIA 73/11-15) (Committee for Finance and Personnel)
6. Statutory Rules

(The department identified after each rule is for reference purposes only)

 - S.R. 2012/359 The Tullynacross Road, Lisburn (Abandonment) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/360 The Templemore Street, Belfast (Abandonment) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/361 The C156 (Unnamed road), Moyraverty, Craigavon (Abandonment) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/365 The Scheme for Construction Contracts in Northern Ireland (Amendment) Regulations (Northern Ireland) 2012 (DFP)

For Information Only:

 - S.R. 2012/336 (C.31) The Foyle and Carlingford Fisheries (2007 Order) (Commencement No.2) Order (Northern Ireland) 2012
 - S.R. 2012/349 (C.33) The Mental Health (1986 Order) (Commencement No.5) Order (Northern Ireland) 2012 (DHSSPS)
 - S.R. 2012/355 The Motor Vehicles (Driving Licences) (Amendment No.2) Regulations (Northern Ireland) 2012 (DOE)
 - S.R. 2012/357 The Loading Bays on Roads (Amendment No.3) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/362 The Waiting Restrictions (Lisburn) (No.2) Order (Northern Ireland) 2012 (DRD)
 - S.R. 2012/363 The Loading Bays on Roads (Amendment No.4) Order (Northern Ireland) 2012 (DRD)
7. Written Ministerial Statements

8. Consultation Documents

- Consultation on the draft Northern Ireland Marine Litter Strategy (DOE)

9. Departmental Publications

10. Agency Publications

11. Westminster Publications

12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 2 October 2012

The Assembly met at 10.30am, the Principal Deputy Speaker (Mr Molloy) in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Executive Committee Business

2.1 First Stage - Education Bill (NIA 14/11-15)

The Minister of Education, Mr John O'Dowd, introduced a Bill to provide for the establishment and functions of the Education and Skills Authority; to make further provision about education, educational services and youth services; and for connected purposes.

Bill **passed** First Stage and ordered to be printed.

2.2 Motion - Authority to make appointments to the NI Judicial Appointments Commission

Proposed:

That, pursuant to paragraph 2 of Schedule 6 to the Northern Ireland Act 2009, sub-paragraph (1) of that paragraph is not to apply.

First Minister and deputy First Minister

Debate ensued.

The Question being put, the Motion was **carried** without division by parallel consent.

3. Private Members' Business

3.1 Motion - Opportunities for Businesses to Access New Markets and Finance

Proposed:

That this Assembly notes the recent action taken by the European Central Bank and the US Federal Reserve to help stabilise the global economy, and the opportunities that this presents for Northern Ireland companies to expand and to increase exports; recognises the continuing problems of small and medium-sized enterprises accessing bank lending; further notes the availability of several significant sources of business finance; and calls on the Executive to use its influence to ensure that businesses are connected efficiently to these funding sources and that their use is maximised.

Mrs J Cochrane

Mr S Dickson

Mr C Lyttle

Debate ensued.

The Deputy Speaker (Mr Dallat) took the Chair.

The sitting was suspended at 12.26pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.

4. Question Time

4.1 Office of the First Minister and deputy First Minister

Questions were put to, and answered by, the deputy First Minister, Mr Martin McGuinness.

4.2 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Sammy Wilson.

5. Questions for Urgent Oral Answer

5.1 Education advertisements in Irish only

The Minister of Education, Mr John O'Dowd, responded to a Question for Urgent Oral Answer, tabled by Mr Gregory Campbell.

5.2 Job losses at JJB Sports

The Minister for Employment and Learning, Dr Stephen Farry, responded to a Question for Urgent Oral Answer, tabled by Mr Phil Flanagan.

The Principal Deputy Speaker (Mr Molloy) took the Chair.

6. Private Members' Business (Cont'd)

6.1 Motion - Opportunities for Businesses to Access New Markets and Finance (Cont'd)

Debate resumed on the Motion.

The Question being put, the Motion was **carried** without division.

6.2 Motion - Levels of Absenteeism in Schools

Proposed:

That this Assembly recognises that the Office of the First Minister and deputy First Minister is responsible for co-ordinating the work of the Executive and for children and young people's issues; notes the high levels of pupil absenteeism in primary and post-primary schools in many communities, and in particular, the high levels in areas identified by the Northern Ireland Statistics and Research Agency as being predominant Protestant; and calls on the First Minister and deputy First Minister to ensure that an integrated approach to identifying the causes of absenteeism is adopted by all relevant Departments and appropriate action is taken, in conjunction with parents or guardians, to enable more young people to reach their full potential.

Mr R Beggs [R]

Mr M Nesbitt

Mr D Kinahan

Debate ensued.

The Deputy Speaker (Mr Dallat) took the Chair.

The Question being put, the Motion was **carried** without division.

7. Adjournment

Mr Roy Beggs spoke to his topic on Health and Social Care provision in East Antrim.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 5.51pm.

Mr William Hay

The Speaker

2 October 2012

Northern Ireland Assembly

Papers Presented to the Assembly on 02 October 2012

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
 - Welfare Reform Bill (NIA 13/11-15)
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
 - Northern Ireland Local Government Officers' Superannuation Committee Annual Report 2011-12 (DOE)
5. Assembly Reports
6. Statutory Rules

(The department identified after each rule is for reference purposes only)

 - S.R. 2012/366 The Construction Contracts Exclusion Order (Northern Ireland) 2012 (DFP)
 - S.R. 2012/368 The Conservation (Natural Habitats, etc.) (Amendment) Regulations (Northern Ireland) 2012 (DOE)
7. Written Ministerial Statements
8. Consultation Documents
 - Draft Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2013 (DOE)
9. Departmental Publications
 - Anti-Social Behaviour - An inspection of the criminal justice system's approach to addressing anti-social behaviour in Northern Ireland (DOJ)
 - The Police Service of Northern Ireland: Use of Agency Staff (NIAO)
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly Legislation:

Stages in Consideration of Public Bills

First Stage: Introduction of Bill.

Second Stage: General debate of the Bill with an opportunity for Members to vote on its general principles.

Committee Stage (Comm. Stage): Detailed investigation by a Committee which concludes with the publication of a report for consideration by the Assembly.

Consideration Stage (CS): Consideration by the Assembly of, and an opportunity for Members to vote on, the details of the Bill including amendments proposed to the Bill.

Further Consideration Stage (FCS): Consideration by the Assembly of, and an opportunity for Members to vote on, further amendments to the Bill.

Final Stage: Passing or rejecting of Bill by the Assembly, without further amendment.

Royal Assent.

Proceedings as at 2 October 2012

2011-2015 Mandate

Executive Bills

| Title & Bill Number | First Stage | Second Stage | Comm. Stage to Conclude | Report Ordered to be Printed | CS | FCS | Final Stage | Royal Assent |
|--|-------------|--------------|-------------------------|------------------------------|----|-----|-------------|--------------|
| Marine Bill NIA Bill 5/11-15 | 21.02.12 | 05.03.12 | 06.07.12 | 05.07.12 | | | | |
| Superannuation Bill NIA Bill 6/11-15 | 12.03.12 | 26.03.12 | 28.09.12 | 26.09.12 | | | | |
| Inquiry into Historical Institutional Abuse Bill NIA Bill 7/11-15 | 12.06.12 | 25.06.12 | 26.10.12 | | | | | |
| Business Improvement Districts Bill NIA Bill 9/11-15 | 25.06.12 | 17.09.12 | 05.11.12 | | | | | |
| Criminal Justice Bill NIA Bill 10/11-15 | 25.06.12 | 03.07.12 | 14.12.12 | | | | | |
| Charities Bill NIA Bill 11/11-15 | 02.07.12 | 11.09.12 | 23.10.12 | | | | | |
| Welfare Reform Bill NIA Bill 13/11-15 | 01.10.12 | | | | | | | |
| Education Bill NIA Bill 14/11-15 | 02.10.12 | | | | | | | |

**2011-2015 Mandate
Non-Executive Bills**

| Title & Bill Number | First Stage | Second Stage | Comm. Stage to Conclude | Report Ordered to be Printed | CS | FCS | Final Stage | Royal Assent |
|---|------------------------|-------------------------|--|---|-----------|------------|------------------------|-------------------------|
| Civil Service (Special Advisers) Bill 12/11-15 | 02.07.12 | 25.09.12 | 13.11.12 | | | | | |

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

