

# Official Report (Hansard)

Monday 26 September 2011  
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# Northern Ireland Assembly

Monday 26 September 2011

*The Assembly met at 12.00 noon (Mr Deputy Speaker [Mr Beggs] in the Chair).*

*Members observed two minutes' silence.*

## Ministerial Statements

### **North/South Ministerial Council: Aquaculture and Marine**

**Mr Deputy Speaker:** Order. The Minister of Agriculture and Rural Development wishes to make a statement to the House.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat a LeasCheann Comhairle. Tá fáilte romaibh. With your permission, Mr Deputy Speaker, I wish to make a statement, in compliance with section 52 of the NI Act 1998, regarding the recent meeting of the North/South Ministerial Council (NSMC) in aquaculture and marine sectoral format. The meeting was held in the NSMC joint secretariat offices in Armagh on Monday 4 July 2011. Nelson McCausland and I represented the Executive, and the Dublin Government were represented by the Minister for Communications, Energy and Natural Resources, Pat Rabbitte TD. The statement has been agreed with Minister McCausland, and I make it on behalf of us both.

The Council welcomed a progress report on the work of the Loughs Agency, which was presented by its chairperson, Tarlach O Crosain, and its chief executive, Derick Anderson. In response to the report, Ministers at the meeting welcomed the view that the agency's regulation of fishing activity was having a positive impact on the stock profile of native Lough Foyle oysters, with more representation of larger oysters in the fishery. They also welcomed the opening of an agency office in Greencastle in County Donegal in partnership with the local community association; the completion of new aquaria in the agency's visitor centre, Riverwatch, funded jointly with the Tourist Board; and the completion of amenity sites at Mill Bay and Narrow Water, which, again, was supported by

the Tourist Board as part of the wider Mourne coastal route.

We noted the approval and progress of the agency's INTERREG projects at Meadowbank to provide a ship pontoon and cruise ship quay, as well as the importance of the promise of those facilities in attracting the Clipper round-the-world challenge to Lough Foyle next year. We also noted the completion of the strategic environmental assessment on the introduction of a licensing regime to the Foyle and Carlingford areas for aquaculture and wild shellfisheries, in compliance with the relevant EU directive. We had hoped to have a paper on the Loughs Agency's corporate plan for 2011-13 and its business plan for 2011 for consideration at the meeting, but that did not prove possible. We did, however, have a discussion on progress on the development of those plans, which were subsequently approved by the NSMC at the meeting in agriculture sectoral format on 26 July.

Ministers noted the Loughs Agency's annual report, which detailed the agency's activities and achievements against its agreed 2010 targets. We also noted the draft financial statement for 2010, which, together with the annual report, will be laid before the Assembly and the Oireachtas once the financial statements have been certified by the respective Comptrollers and Auditors General.

The Council welcomed progress on the delivery of the agency's legislation implementation plan and approved two sets of regulations: the Foyle Area (Angling Permits) Regulations 2011, and the Foyle Area and Carlingford Area (Prohibition of Unlicensed Fishing) (Prescribed Species) Regulations 2011. We also noted that further Foyle, Carlingford and Irish Lights Commission regulations will require NSMC approval during 2011 and 2012.

The Council approved for a further year, to July 2012, a procedure to support the Loughs Agency in dealing, through regulations, with emergencies such as pollution incidents. The procedure would allow for approval of emergency regulations outside the scheduled programme of meetings of the NSMC where the agency's immediate intervention is necessary. We were happy to hear that the Loughs Agency has not had to operate that procedure, which was first approved by the NSMC on 20 July 2009.

Ministers agreed that the agency should initiate a process for the appointment of the third Foyle and Carlingford Advisory Forum, in line with best practice and ensuring best value for money. It was reported to us that the term of the current advisory forum, which has 48 representatives from the local areas and local interest groups, was due to end in September this year. Although it had proved an important tool for communicating with the stakeholders in the Foyle and Carlingford catchment areas, there is an opportunity to refresh and refocus the forum with new membership.

Ministers approved the arrangements for the payment of financial assistance through a small grants scheme. The sustainable development fund will be part of the Loughs Agency's implementation of the marine tourism development strategy. Through that scheme, the agency will encourage applications from the public, private, community and voluntary sectors to support angling development, conservation and protection of the fisheries and marine tourism in the Foyle and Carlingford catchment areas. Finally, we agreed that the next meeting in the aquaculture and marine sectoral format will take place in October or November 2011.

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I thank the Minister for her statement. She mentioned that a strategic environmental assessment relating to the introduction of a licensing regime for aquaculture and wild shell-fisheries had been carried out. Will she give us more detail about what the assessment revealed and what the next steps are?

**Mrs O'Neill:** Go raibh maith agat. As the Loughs Agency reported at the meeting, the strategic and environmental assessment on the introduction of the licensing regime to the Foyle and Carlingford areas for aquaculture and wild shell-fisheries is in compliance with the EU directive. It was

completed by AECOM on behalf of the Loughs Agency. The environmental report has been completed and publicly consulted on, with 33 formal responses recorded. Those have all been considered, and the final environmental statement was completed around Christmas 2010.

In addition to the work that has been done on the strategic assessments, the agency, in tandem with the strategic environmental assessment, has been engaged in the development of an overall strategy specifically for regulation and development of aquaculture and shell-fisheries, and proposed mechanisms to bring forward an environmentally sustainable system of management. In addition, appropriate assessments, in accordance with article 6 of the habitats directive, have been undertaken. Hopefully, that updates the Chairperson of the Committee on the position.

**Mr Murphy:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. The Minister will be well aware of the importance of tourism in trying to sustain some economic growth and, in particular, the exploitation of our natural resources for tourism and the beauty of our landscape. In that context, I ask her for some more detail on the amenity sites at Mill Bay that are part of the Mourne coastal route, which was discussed at the meeting. Will she give us some more detail on those sites, how it is intended to use them, how much it will cost and whether that programme will roll on to other sites as well?

**Mrs O'Neill:** Go raibh maith agat, a LeasCheann Comhairle. The agency reported at the meeting that the projects at Mill Bay and Narrow Water have now been completed. The Member will be aware that those projects included landscaping, replanting, and the renewal of furniture, bins and fencing. In addition to those projects, we heard about some others with which the agency is involved. Those include the development of two marine canoe trails and the establishment of a recognised training centre on the River Foyle. The agency has also initiated and funded a Sail in the City project as part of Foyle Days, a Derry City Council festival that gave visitors to the city and locals the opportunity to sail on the River Foyle and learn something about the sport of sailing. Those are just some practical examples of what the agency is doing. We have a marine tourism development strategy. We hope to follow that through, keep it under review and renew it when necessary.

**Mrs Dobson:** I thank the Minister for her statement. I welcome the fact that savings are to be found in the appointment of the Foyle and Carlingford Advisory Forum. Will she give us some detail on how she intends to ensure value for money?

**Mrs O'Neill:** Like many other organisations, the agency is subject to 3% efficiency savings. It has been successful in achieving £143,000 in efficiency savings, which shows that it is working towards value for money in everything that it does.

**Mrs D Kelly:** I also thank the Minister for her statement. I am sure that she will agree that the work on marine matters, given that there is no border across the waters, is money well spent and that we could do a lot more collaboratively. Are there any other project applications outstanding, other than those INTERREG projects that have already been funded, on which decisions have yet to be made? Is she aware of any difficulties about match funding that may hold up applications?

**Mrs O'Neill:** As the Member will be aware, the INTERREG application for the ship pontoon and cruise ship quay project at Meadowbank on the River Foyle underwent its economic appraisal and has been signed off. The agency has since advised us that the tendering process for that project has been completed. The promise of those facilities was critical in attracting the Clipper Round the World yacht race in 2012, which will be a major attraction for the Foyle area, and we are delighted that that has been achieved. The agency has also advised us that the value-for-money assessments for other INTERREG projects are nearing finalisation. Those include an angling project at Mellon beat, a visitor centre at Malin Head, and a water-based leisure project at Gribben Quay on the River Foyle. Further value-for-money assessments are also being drafted for three more projects: a visitors' service at Benone beach, an angling project on the River Foyle and visiting boat facilities on a remote Donegal island. I will have to make enquiries about match funding, but I will be happy to come back to the Member on that issue.

**Mr McCarthy:** I thank the Minister for her statement. Will she tell the Assembly exactly what part the local community association will play in successfully operating the new agency office in Greencastle?

**Mrs O'Neill:** The office in Greencastle was established in response to stakeholders' requests that the Loughs Agency should identify a small regional office. It was established in partnership with the community association in the Greencastle area of Inishowen and took up tenancy in November 2010. A significant number of the agency's customers are based in that area. Therefore, the aim of the Greencastle office is to improve access for stakeholders. The agency believes that that will enable it to build and improve on its relationships in Inishowen. The association is vital to all that, and the establishment of the office was its idea. That will be the key to its success.

**Mr Irwin:** My question touches on a similar theme to that expressed by the Member for Upper Bann. When will the small grants scheme be open for applications, and is there a limit on the amount of money available through that scheme?

**Mrs O'Neill:** The total value of the scheme is £361,458 over three years. Funding for the scheme is contained in the Loughs Agency approved budget for 2011 and the indicative budgets for 2012 and 2013. We hope to encourage applications from public, private, community and voluntary sectors to support angling development, conservation and protection of the fisheries, and marine tourism in the Foyle and Carlingford catchments. The scheme will contribute to the protection and conservation of the Foyle and Carlingford area's shell and fin fish stocks at sustainable levels, the growth of marine tourism and the development of the catchment areas for angling and other marine tourism. I will be happy to ensure that the Member receives a copy of the details of the scheme and maximum limits for individual applications.

### 12.15 pm

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. Will the Minister update us on attacks on Loughs Agency staff?

**Mrs O'Neill:** Go raibh maith agat. Thank you for the question. It is a relevant issue. At the NSMC meeting, it was reported that there had been six attacks on agency staff up to that point. Since July, however, you will be aware from media coverage that there have been a number of attacks. It is something that I wholeheartedly condemn. I encourage anybody with information to bring it to the PSNI.

We have been successful in taking cases against those who have been involved in attacks on our staff. There have been a number of prosecutions, and I hope that that will act as a deterrent. There is a black market for salmon, and prices are high. I am sure that that is what attracts people to poaching. I condemn wholeheartedly any attacks on our staff. I will visit staff in the near future, and I want to take a delegation to meet Matt Baggott and the Justice Minister to discuss what we can do to make sure that everything is being done. Staff should be able to do their job without fear of being attacked.

**Mr T Clarke:** I join with other Members in thanking the Minister for her statement. You said that you hoped to view the Loughs Agency's corporate plan for 2011-13 and the business plan for 2011, but that it was not possible to view them at the time. What was the reason for that given that it was July and that we were some time into the 2011 year?

**Mrs O'Neill:** I am sorry. To clarify; were you asking me why it was not agreed at the NSMC meeting?

**Mr T Clarke:** You said in your statement that it was not possible to consider the corporate plan or business plan at the meeting. Given that it was July and that all business plans should probably have been ready by April, was any reason given as to why they were not available?

**Mrs O'Neill:** The agency's corporate and business plans were originally on the agenda for that meeting, and they required the approval of the two Finance Ministers. Unfortunately, that approval was not achieved before the meeting, so we had to put the matter back until the agriculture sectoral format meeting, which was a number of weeks later.

**Mr Swann:** I thank the Minister for her statement. Is there any provision in the small grant scheme to allow disability and action groups to make use of it to open fishing and angling to them?

**Mrs O'Neill:** The scheme is open to everybody who wants to get involved and has ideas about things to take forward. It would be fantastic if people came forward to make sure that we make fishing and other water-based activities fully accessible. I welcome anybody who wants to come forward with proposals. I am not 100% sure about whether there have been

any applications to date, but I will be happy to provide that information to the Member.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. I also thank the Minister for her statement. Aquaculture is very important in my constituency of South Down. I see a great potential for economic growth in that sector. Will you give us an update on the current oyster fishing season?

**Mrs O'Neill:** Go raibh maith agat. Thanks for the question. The 2010-11 native oyster fishing season began on Monday 20 September 2010. Forty six vessels received licences to operate this year. That is an increase from the 2009-2010 year, which saw only 36 licences. Reported landings for the season are in the region of 112 tons, and the agency has received 58 applications for the 2011-12 season, which opened on Monday 19 September 2011.

**Mr Buchanan:** I also thank the Minister for her statement to the House today. My question focuses on the INTERREG projects. The Minister mentioned the importance of the promise of facilities at Lough Foyle for attracting the Clipper challenge next year, but will she inform the House of whether that will happen? It is all right to make a promise, but, when it comes to next year, will that promise become a reality and the facilities be in place for the Clipper round-the-world challenge?

**Mrs O'Neill:** I hope that it will be realised, and the Members for Foyle will share that hope. I thank the Member for raising that point. We need to look more seriously at marine tourism. We have a marine tourism strategy, which we need to build on and implement. Attracting that big yacht festival is key to that, and I hope that it will become a reality.

**Mr Allister:** Has the Loughs Agency issued any aquacultural licences for Lough Foyle? If not, is that because of a jurisdictional dispute? Does the Minister accept that the Crown Estate owns the foreshore and seabed around Northern Ireland to a distance of 12 nautical miles?

**Mrs O'Neill:** I thank the Member for his question. There is a dispute, and it is one that I hope to iron out and resolve with my counterpart in the Twenty-six Counties, Minister Simon Coveney. I have spoken to him about it, and I will ensure that I make it a priority to ensure that we are able to regulate fully across that area. I hope that that answers the Member's question.

## **North/South Ministerial Council: Agriculture**

**Mr Deputy Speaker:** The Minister has indicated that she wishes to make a second statement.

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. With your permission, Mr Deputy Speaker, I wish to make a statement, in compliance with section 52 of the NI Act 1998, regarding the fifteenth meeting of the North/South Ministerial Council in agriculture sectoral format. The meeting was held at the Loughry campus of the College of Agriculture, Food and Rural Enterprise (CAFRE) on Tuesday 26 July. Minister Edwin Poots MLA and I represented the Executive. The Irish Government were represented by Simon Coveney TD, Minister for Agriculture, Marine and Food. The statement has been agreed with Mr Poots, and I am making it on behalf of us both.

The Council noted developments on the common agricultural policy (CAP) reform process, including publication by the EU Commission of its communication on the future of the CAP and its proposals for the next multi-annual financial framework. CAP reform will be an extremely important issue for both Departments over the next two years, as decisions will be made on the future level and shape of direct payments. I will do everything possible to get the best possible deal, and I discussed with Minister Coveney the possibility of an all-island event on CAP reform after the EU Commission publishes the CAP reform legislative proposals on 12 October.

Ministers noted that, owing to lack of progress on the World Trade Organization's Doha round of trade talks, attempts are being made to conclude a deal on a limited range of issues by the end of 2011. However, it has since become clear that even a limited deal is not achievable. Trade negotiations with the Mercosur group of South American countries continue.

The council welcomed a presentation by the two Agriculture Departments on greenhouse gas research and co-operation and on other collaborative work on research. The presentation covered trends in greenhouse gas emissions from 1990 to the present; greenhouse gas inventory development; mitigation strategies; and our involvement in the work of the Global Research Alliance (GRA), which was initiated by New Zealand and includes more than 30 member

countries. Ministers also discussed the possibility of a future all-island event on climate change.

The Council welcomed progress on the delivery of the all-island animal health and welfare strategy action plan for 2010-11, which includes joint co-operation to ensure that the strategy's aims are considered in Commission discussions on the proposals for a new EU animal health law and agreement on a methodology for future information sharing on Aujeszky's disease programmes.

Ministers noted the strategy action plan for 2011-12, including plans to scope the potential for co-operation between official laboratories in carrying out research, surveillance and testing. Ministers looked forward to receiving further updates on delivery of the strategy and emphasised their commitment to ensuring that officials progress the strategy with urgency.

The plant health and pesticides group made a presentation on its work programme, which was approved by the council. The work programme aims to develop a vision for a strategic approach to protecting plant health on the island from the risks that plant pests and diseases pose to the environment and the economy. The Council also noted ongoing co-operation in dealing with a number of outbreaks of *Phytophthora ramorum* in Japanese larch forests, and the action taken to control those outbreaks was welcomed.

The Council also approved the Loughs Agency corporate plan 2011-13 and its business plan for 2011. It recommended the budget provision for 2011 of £4-5387 million and noted indicative budgets of £4-3957 million. The key objectives for the Loughs Agency in 2011-13 will be to conserve and protect the fisheries; license and develop aquaculture; develop marine tourism and angling; and effectively and efficiently deliver on its statutory mandate and responsibilities in the Foyle and Carlingford areas.

Although rural development is a mandated topic for Council meetings, it was not discussed at our July meeting because Phil Hogan TD, Minister of the Environment, Community and Local Government was unavailable. However, looking ahead, I anticipate that we will be able to discuss a number of rural issues at the next proposed sectoral meeting, including the benefits for rural communities arising from our Departments' co-operation on the INTERREG and rural development programmes. It was

agreed that the next meeting in agriculture sectoral format will be in October 2011.

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I thank the Minister for her statement to the House, in which she made specific reference to the reform of CAP. She will know that the Committee recently published its position on that extremely important issue. She will also know that Committee members took the opportunity to make representations to the politicians in the Republic at the ploughing championship in County Kildare last week, and that we have written to our sister Committees in Wales, Scotland and Westminster.

We are aware that the Minister is working with Minister Simon Coveney in the Republic on the issue. Articulating Northern Ireland's case as widely and as frequently as possible across all the bodies and people of influence is absolutely critical. However, can the Minister give the House and me a reassurance that she will make every effort to lobby her ministerial counterparts in Wales, Scotland and, in particular, Westminster, where this battle will be fought? Will she also elaborate on her plans for the all-Ireland event to which she referred, and will she give a guarantee that she will keep the Committee fully informed on both matters?

**Mrs O'Neill:** Go raibh maith agat. I thank the Chair of the Committee for that question. The ploughing championship, which some Committee members were able to come to, was a fantastic event and was very successful for those Northern-based exhibitors that took part in that three-day event. I have talked to them and they thought it was great, and the trade that they did and the links that they built were fantastic.

Minister Simon Coveney will be a key person to work with in the time ahead. However, likewise, we need to work with our colleagues in the Department for Environment, Food and Rural Affairs (DEFRA) and in the Scottish and Welsh Assemblies. My officials are in daily contact with DEFRA. I asked for a meeting with Caroline Spelman, the Minister with overall responsibility, before recess but, unfortunately, that was not able to happen as it did not suit her diary. However, I will go to London to meet her on 25 October because it is vital that we use every avenue and every door that is open to us to make sure that we make a strong case for the best possible CAP at the negotiations. I have

met the Scottish Minister, and I will meet the Welsh Minister in the future.

I want to mention the MEPs' event. We decided that, given that we now have co-decision-making in Europe, MEPs will be critical in the time ahead as the CAP reform goes through the European Parliament. We thought that, after 12 October, when we have concrete EU proposals on the table, we should use all our 15 MEPs across the island to make sure that we have a co-ordinated response to CAP and that we are all out in Europe fighting the same battle, which is to get the strongest possible CAP.

**Mr Murphy:** Go raibh maith agat, a LeasCheann Comhairle. Arís, gabhaim buíochas leis an Aire. I commend the Minister on her approach to CAP, which is to seek the broadest possible engagement and support right across these islands, rather than adopt the very narrow focus that some parties seem to wish her to adopt. That would be detrimental to the farming community here.

I want to ask about the animal health strategy. She said in her statement that both Ministers have urged officials to proceed —

**Mr Deputy Speaker:** Could we have a question please?

**Mr Murphy:** This is the question, Cheann Comhairle. They have urged officials to proceed quickly with that. Can she outline what progress has been made by officials since the NSMC meeting?

**Mrs O'Neill:** Go raibh maith agat. Following agreement of the strategy at the end of March 2010, stakeholders from across the island took part in a very successful event for animal health and welfare to discuss the roll-out of the strategy, at which EU Commissioner John Dalli was a keynote speaker. Since then, my officials have continued to work with their Dublin counterparts to progress the activities detailed in the strategy so that we can develop broadly similar animal health and welfare policies on the island.

### 12.30 pm

Delivery of the action plan will help us to move towards the ultimate aim of our strategy: to secure the free movement of animals across the island. The action plans for the delivery of that strategy set out the activities that are under way this year and the milestones by which they will be completed.

A practical example of co-operation is the ongoing liaison on and testing of contingency systems for disease control. If we were to have an outbreak of an epizootic disease, such as foot and mouth, one of the first actions would be the creation and publication of a map displaying affected zones. That map serves a number of key purposes, including that of providing a clear indication to the public and other stakeholders, and is, therefore, key to helping to stop the spread of disease. Such a map must be clear and consistent, irrespective of whether the territory of the two member states is affected. Therefore, as part of the contingency planning arrangements, my officials have signed a memorandum of understanding with their counterparts in the South to facilitate the production of maps of disease control zones, so that, in the event of an outbreak, we have a single, consistent map being used.

The two Departments agree that cognisance must continue to be taken of the views of stakeholders in the delivery of the strategy. So I welcome the fact that, as a direct result of agreement on the strategy, the Departments have worked closely on the development of their negotiating positions for discussions on the new EU animal health law. DAFF officials have actively raised the strategy and its aims at EU working group level.

**Mrs Dobson:** I thank the Minister for her statement. I note the plan for laboratories to co-operate on research, surveillance and testing and the potential that that co-operation has for financial savings. Will she give us an estimate of the savings that her Department could make as a result of that co-operation?

**Mrs O'Neill:** I do not have those figures in my briefing for today, but I am happy to provide them to the Member. There are obvious benefits to co-operation on all that type of work. At the ploughing championships, we launched our disease surveillance report, which is an all-island report on animal disease. There are obvious benefits to be achieved from co-operation, and I will happily provide the Member with the actual figures.

**Mrs D Kelly:** I thank the Minister for her statement and draw her attention to point 8 in it. Will she outline further actions in relation to the strategy action plan for 2011-12? Will the Minister inform us whether, in scoping the potential for co-operation between official laboratories in

carrying out research, surveillance and testing, the terms of reference will include the use of universities on the island of Ireland for research and surveillance? Are there any proposals for efficiency savings in that regard?

**Mrs O'Neill:** All areas are subject to efficiency savings and to getting the best value for money, and I am sure that this is no different. However, we need to be careful not to compromise any disease control measures. We must make sure that we have the best possible systems and procedures in place.

We work right across the board and the island with our universities. That is key because they often have the resource, technology and expertise. So we must continue to collaborate to make sure that we have the best systems possible because disease control is obviously key to the future of our industry.

**Mr McCarthy:** The Minister referred in her statement to a presentation on greenhouse gas research and co-operation. Is the Minister satisfied that enough progress is being made on greenhouse gas, which is a serious issue across Northern Ireland and in the Republic?

**Mrs O'Neill:** I thank the Member for his question. Yes, it is a serious issue. As we, in our respective Departments, work to grow our agrifood sector, we need to be mindful of the effects and impacts of climate change on that sector. We need to be aware of the challenges that reducing greenhouse gas emissions will present to our sector and of the amount produced by farming. We had a useful presentation from our Department and Simon Coveney's on climate change and the contribution of the agriculture sector. As I said, given that our plans are ambitious, we need to be mindful that that is factored into any strategic direction that we take for agrifood. So, climate change will have to be a key part of the strategic plan up to 2020 that I develop for agrifood.

**Mr Irwin:** I thank the Minister for her statement. Given that she made much ado about the all-island approach to an animal health welfare strategy and given that the Irish Republic has eradicated brucellosis, have the Minister and her Department learned of and looked at ways that we can eradicate brucellosis in Northern Ireland?

**Mrs O'Neill:** Absolutely; we are always keen to look to anybody who has good practice and has

been able to eradicate disease. We hope to be brucellosis-free by 2014, and I am happy to keep the Member and the Committee informed on that. The Member will be aware of proposals on compensation arrangements, and officials will update the Committee on that matter tomorrow.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her statement. Will she provide us with more detail on all-Ireland rural development issues?

**Mrs O'Neill:** I thank the Member for his question. As I said in my statement, Minister Hogan was unable to attend the meeting; therefore, I cannot update the Member on any specific discussions that we had on that topic. However, I hope to discuss a number of rural issues with Minister Hogan at the next meeting, which is proposed for October. Through our Departments' co-operation, I understand that six projects have been awarded funding from the rural development measure of the INTERREG programme and that they will deliver support for rural tourism and enterprise initiatives in some of our most deprived rural communities. The co-operation aspect of the rural development programme has moved on considerably, with several local action groups actively involved in various co-operation projects. Those programmes offer very real opportunities to improve the economic and social infrastructure of rural areas, and I look forward to discussing with Minister Hogan how we can work together to deliver them.

**Mr T Clarke:** I thank the Minister for her statement. She referred to greenhouse gas research and various aspects relating to greenhouse gases. However, the disposal of poultry litter, which is a really live issue and an area in which her Department has failed, was not mentioned in the statement. Has the Department made any progress on the disposal of poultry litter?

**Mrs O'Neill:** The Member will be aware that responsibility for the disposal of poultry litter sits with the Department of the Environment and not directly with my Department. I have an interest, given that the poultry sector comes under DARD. We await the Minister of the Environment's position on the way forward. I met the poultry sector a number of weeks ago, and I continue to talk and work with it as there is an Executive responsibility to meet the EU directive.

**Mr Swann:** I thank the Minister for her statement, in which she referred to phytophthora ramorum.

Will she detail the work that is being taken to control the outbreaks, and will she supply details on the number and location of the outbreaks that were discussed at the meeting?

**Mrs O'Neill:** It is important to do all that we can to minimise the risk of phytophthora ramorum and minimise the risk of it further establishing itself in our woodlands. We have taken appropriate steps to contain the disease, which have been based on the scientific advice that we receive. Japanese larch on public and private land has been felled, and that is the best method for controlling the disease and preventing further damage. Biosecurity precautions are also in place in the infected areas to prevent further spread. During the harvesting of infected areas of Japanese larch, forest operators follow further plant health control arrangements to minimise the risk of spreading the disease from infected sites through footwear or clothing. Forest visitors are also asked to observe any signage indicating the actions that they can take to prevent the spread of the disease. Those actions include keeping to forest roads, keeping dogs on a lead and removing soil and mud from shoes before visiting other woodlands so that there is no cross-contamination.

Forest Service, in conjunction with DARD quality assurance branch, has stepped up surveillance of its forests on a countrywide basis and, as a precautionary response, has included aerial surveillance, where helicopters can clearly identify the affected areas, and ground work. Together, we need to continue to look at all those. However, the Member will be aware that a number of areas in the public and private sector have been affected, including Tollymore forest and Ballyboley forest. I am happy to provide him with a list of the individual forests.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's approach in garnering support from the Irish Government and her efforts to garner support from the Welsh and Scottish legislators to get the best deal for farmers on CAP reform. What plans does the Minister have to secure the free movement of animals within the island of Ireland?

**Mrs O'Neill:** I thank the Member for his question. Full co-operation on animal health issues on the island has the potential to reduce and prevent the spread of animal diseases, facilitate trade and improve the sustainability of farming in the North. The ultimate objective of the all-island

animal health and welfare strategy is, therefore, to facilitate trade through the free movement of animals right across the island. It also works to optimise the animal health status of the island through the alignment of policies to control animal disease. I believe that the island of Ireland should be recognised internationally as a separate unit for disease control purposes and for ensuring effective traceability of livestock, in the event of a disease outbreak. Building on the work that our predecessors did in achieving the agreement of the strategy by the NSMC Ministers, I look forward to having discussions, taking that work forward and ensuring that we can secure recognition from London and Brussels.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an ráitis sin. I noticed that, in her concluding remarks, the Minister referred to working with Phil Hogan, presumably at the next meeting, on issues of mutual concern around rural development. May I suggest that included in those issues is the poor take-up or, perhaps, poor implementation of rural development projects? Will the Department also look at innovative and more creative ways of ensuring that we are not left with a situation in which funding, especially EU funding, that has been given for projects in the community is underspent?

**Mrs O'Neill:** I thank the Member for his question. I have no intention of handing any money back to Europe. That is not any Department's aim. We are constantly looking at the rural development programme and at how we can improve things and listening to people who are involved in delivering the projects. I have been to many very successful projects, and we need to promote those so that other people can see what type of work can be funded. As I said, I have no intention of handing any money back to Europe. I want to keep it under review continually. If you have any ideas around how improvements can be made to the rural development programme, bring them forward. Go raibh maith agat.

**Mr Buchanan:** I want to focus on the same issue as the previous Member: INTERREG funding and rural development programmes. I know that the Minister said that she has no intention of handing money back to Europe, but can she inform the House of what she is doing to make the process much less bureaucratic and more attractive to groups out there?

**Mrs O'Neill:** That issue was not discussed at NSMC, but we are continually looking at the bureaucracy and the issues around match funding and planning delays. We are continually trying to improve a number of issues. The Department has made improvements to reduce the bureaucracy, and, through speaking to local groups, I know that they recognise that. My aim is to make sure that we can spend the money, and that seems to be on target, if we can reduce the bureaucracy and any delays in the process. They are constantly under review. I hope that that clarifies the situation.

## Education

**Mr Deputy Speaker:** Order. The Minister of Education has indicated that he wishes to make a statement.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom ráiteas a dhéanamh leis an Tionól ar na pleananna agus na chéad chéimeanna eile atá agam le hoideachas a sholáthar don phobal ar a bhfreastálaíonn muid. *[Interruption.]* It appears that education is needed not only in our schools but among some of our Members.

I would like to make a statement to the Assembly on my plans to deliver the next steps in education to the community we serve. As Education Minister, my clear priority is to create an education service that ensures that all our people receive a high-quality education that enriches their lives and grows the economy respectively. The plan of action that I am setting out is framed with that and only that in mind. Since my appointment, I have reviewed where we are against that vision. I have asked a number of key questions. Is our focus right? Are our policies right? Do we deploy our resources effectively in support of these policies? Are we moving fast enough? I have posed those questions in the context of the most challenging Budget settlement in modern education history.

### 12.45 pm

The focus that was introduced by my predecessor was on children and young people and on promoting equality, fulfilling potential and enriching life chances through education. That focus remains absolutely the right one. We must prioritise the needs of children over institutions and make sure that it is the needs of all our young people that are to the fore.

In focusing on the needs of all children, we must start by laying the right foundations for learning in those all-important early years, and we must make sure that we support children with special educational needs (SEN). Once my Department has finalised the SEN and early years strategies, I am satisfied that we will have in place a radical and coherent set of policies that are designed to improve educational outcomes for young people and to address the root causes whenever pupils are not achieving to their full potential. With those strategies in place we will not need any new policies; rather, I intend to step up the pace of implementation

and delivery of existing policies. In particular, I want to ensure that our planning, financing and investment arrangements are aligned to support that delivery. Some of those issues should have been taken forward to ESA, and I remain optimistic that we can and will, through the political process, make progress with ESA. My conclusion, however, is that, given the scale of the challenges that are facing the education system, I need to move ahead now within existing structures to secure the necessary traction, pace and commitment to drive change.

At the core of that challenge is how we plan our provision. The Bain report of 2006 spelled out unambiguously that we have inherited a pattern of provision that is now both educationally and financially unsustainable. We have in place a sustainable schools policy, but the necessary drive and authority has not been applied to the rigorous framework that it sets out. We have too many schools that do not have the capacity to give children the broad and rich educational experience that they deserve — schools that, in some cases, have lost the confidence of the parents, pupils and communities that they were built to serve.

Our latest enrolment figures show that our schools have almost 85,000 spare places, which is equivalent to more than 150 empty schools. One third of our 863 primary schools have fewer than 100 children enrolled, one fifth of our 217 post-primary schools have fewer than 400 pupils, and 50 of our 172 sixth forms have fewer than 100 pupils enrolled. However, the sustainable schools policy is not simply a numbers game, and schools will be measured against the six principles of that policy.

Without a determination to deliver change, we set those schools an impossible task in the delivery of a curriculum that is fit for the 21st century. That is no longer acceptable or affordable, and provision of that nature limits opportunities for young people and dissipates scarce resources. I am resolved that we will move and move urgently to reshape our estate to support our policies and guarantee high-quality education to all our young people. That will involve difficult, sometimes unpopular but necessary decisions. However, politics is about making a positive difference and not about seeking short-term popularity, and I, for one, will not be deterred from the course of action that I set out today.

I also want to make sure that, in planning our provision, we future-proof it as much as possible. *[Interruption.]*

**Mr Deputy Speaker:** I ask Members to be quiet whenever statements are being made or whenever another Member has the Floor.

**Mr O'Dowd:** We have a duty to plan and invest to meet the needs of our children, not the demand of the institutions that we have inherited.

I want to set out an urgent programme of actions to ensure that, in future, we have in place a pattern of education provision that will deliver the high-quality education that future generations deserve; that is, a system that delivers educational excellence for all. First, I am asking the managing authorities to conduct an immediate viability audit to identify clearly schools that are currently evidencing stress in remaining educationally viable. Key criteria will be enrolments, standards and financial viability. I have asked for that to be submitted before the end of the year, along with short-term and long-term proposals to safeguard the education of the children who currently attend those schools.

Secondly, in the absence of the ESA, it is clear that we can no longer delay the strategic planning of the schools estate. We cannot continue to drive up standards without an effective, planned, sustainable and affordable pattern of schools. Without such a pattern, we cannot provide a broad and balanced curriculum. The five education and library boards already have a statutory duty to secure sufficient school places to meet the needs of children in their area. Therefore, I am commissioning the boards to work in close conjunction with the Council for Catholic Maintained Schools (CCMS), which has a statutory responsibility in relation to planning Catholic maintained schools, to co-ordinate a strategic exercise, based on each board area, to shape the future pattern of education delivery. As part of that process, there will be close consultation with the other sectors. That exercise will be fundamentally based on the sustainable schools policy and steered by detailed guidance from my Department. It is a critical exercise; I expect it to be based on partnership and to keep the needs of children and young people paramount.

In commissioning that work, I recognise that we are not starting from scratch. Boards have put much thinking and work into this. The Catholic sector has the fruits of its post-primary

review to input. It is important, however, that a comprehensive strategic approach which covers the needs of all children is adopted within the financial parameters that flow from the Budget. I want to see the first phase of that work completed within six months of its formal commission by my Department. The work will have an early focus on post-primary provision.

I have talked about schools that are too small or too empty, but I am conscious that many oversubscribed schools enjoy the confidence of parents, pupils and communities. The guidance from my Department will make it clear that plans should allow for popular, oversubscribed schools to grow further. However, that will be on the basis that the schools involved accept the responsibility to provide a curriculum that meets the needs of all the pupils whom they accept. That should be self-evident, but it is not always the case. Sadly, I hear too often about pupils who are politely asked to leave a school because they do not meet its needs. That is an untenable situation: schools must meet the needs of pupils, not the other way round. In future, the pattern of provision and investment must and will be dictated by the needs of education in the 21st century and an economy that requires a diverse, educated workforce with an array of skills.

Through the guidance, I will particularly seek to enable popular post-primary schools to accommodate their own pupils as well as those who seek to transfer from 11-16 schools. I will allow flexibility on both counts and will ask the inspectorate to closely monitor retention rates and what schools are doing to meet the needs of every child and to be vigilant for any differential approach.

As young people move through school, it is critical that they are able to access a choice of courses that meets their needs, interests and career aspirations. Therefore, I intend to move quickly to trigger the legislation to put the entitlement framework on a statutory basis. The provisions relating to Key Stage 4 and post-16 education will be commenced by my Department by 16 December to take effect from September 2013. That is the timescale that schools have been expecting and that many have been working to meet. I recognise, however, that progress with the entitlement framework must be set in the reality of the Budget settlement. I have decided, therefore, to introduce a phased implementation of the full

entitlement framework, which will remain at the original level of 24 courses at Key Stage 4 and 27 at post-16. I see the case for specifying a slightly lower minimum on both fronts to start with, and, therefore, I intend to specify an 18- and 21-course requirement in 2013, rising to 21 and 24 respectively in 2014 and to 24 and 27 respectively in 2015. I also recognise the need to give greater clarity to schools on what constitutes general and applied courses, so that schools can discharge their obligations to offer pupils a wide and balanced entitlement with at least one third of their courses general and one third applied. My Department will address that urgently. It is important that all schools involved are left in no doubt that this is not about ticking boxes but about putting the needs and aspirations of pupils first. The underlying presumption is that courses offered reflect quality and coherence, and, again, the inspectorate will monitor that closely as a priority task.

Next, I want to move from planning for sustainability to how we ensure that we invest for sustainability. The common funding scheme dictates how funds are allocated to schools. I am not satisfied that the scheme adequately supports and is consistent with our policy objectives. That relates to primary and post-primary funding. I do not believe that the current system sufficiently takes account of TSN in our drive for sustainable schools. Therefore, I am commissioning a major review of the scheme, with a brief to ensure that it is fit for purpose in our drive for a sustainable estate. This is a major exercise, which I want to see completed to allow for consultation and implementation of eventual decisions for the 2013-14 school year. In taking it forward, I am making it clear that I want schools to continue to be able to decide how best to use the funding they receive, but I also want schools to be more accountable for the outcomes that their pupils achieve.

The other leg of investment is capital. It is clear that the approach to capital investment in education in the past lacked the necessary strategic dimension, and that was recognised by my predecessor, who began to change that. I have stated previously — indeed, I think it has been repeated by all parties — that we have too many schools and the current pattern of provision is neither educationally viable nor financially sustainable going forward. Action is needed to restructure our schools estate to ensure that it is capable of meeting the needs

of our children in the future, that it is affordable and that it represents the best and most effective use of taxpayers' money.

I must be certain that we are investing our resources in the right schools. It is my intention to set out clear criteria for access to capital investment in the near future. Those criteria will be founded on the sustainable schools policy and the requirement that any proposal is founded in an area plan agreed by the sectors and approved by my Department. Linked to that, I will put in place a new, explicit process for capital planning. Any projects involved will have a full understanding at any time of their status, and progress on all proposals for newbuild capital investment projects will have to be tested through that process.

In taking forward that new approach, I have given careful consideration to how to deal with the remaining projects in the investment delivery plan (IDP). I need to be assured that the projects are consistent with the overall plans for the area that they are situated in. Indeed, looking at the projects that were in the initial IDP, it is worth noting that two of the primary schools originally proposed have actually closed and a further 12 have seen their enrolment fall well below the minimum set in the sustainable schools policy. Nine of the 34 post-primary schools on the IDP list have also seen their enrolment fall below the minimum recommended. That reinforces my belief that, if we are to have confidence in future priorities for capital investment, those projects must be critically assessed as part of the area planning exercise. They can, of course, come forward again, if, after testing against the new processes being established, they remain the highest priority in the context of the area plan and against the new criteria. In addition to the remaining projects in the investment delivery plan, the further 100 or so projects that have been logged with the Department by school managing authorities will be tested as part of the area planning exercise.

I assure the Assembly that this has not been an easy decision, but I am convinced that it is the right decision. Only by doing this can I be assured that limited resources are invested in the highest-priority projects, which will ensure that we are building the right type of schools, in the right place and of the right size to meet the future needs of children and young people.

It will be a matter for the boards and the CCMS to work with other sectors to develop area plans and to consider all potential proposals in the context of the vision for education provision in the area. They will need to ensure that any project coming forward to my Department has a contribution to make to future provision in the area, that projects are appropriately sized and located and that they are viable and sustainable in the long term. In addition, it is clear that we simply do not have the resources to look to a newbuild solution on every occasion. We need to look more at the existing estate for innovative solutions. I am not ruling out newbuilds in the future, but we need a more imaginative and flexible approach.

### 1.00 pm

The core objective of my Department is to raise education standards. We have made progress with our school improvement policy. Its formal intervention process has enabled schools that are falling short to address their failings and to respond with improvement. The focus, however, must be on children and young people. There will be cases where, despite the goodwill of all, there is no capacity to improve, and as a result, parents and pupils are already voting with their feet. Linked to the initial viability audits that I have commissioned, I will amend the formal intervention process to incorporate an immediate viability assessment where provision in a school is found to be unsatisfactory. That will ensure that in cases where a school is no longer viable, quick action can be taken to find satisfactory alternative provision for its pupils. In addition, I propose additional measures to strengthen the leadership and governance of schools.

We have some 11,000 school governors who voluntarily take on significant responsibility. I recognise their contribution and take this opportunity to pay tribute to them. From talking to many of them, I know that they regard the role that they play in shaping children's education as a real privilege. That role is pivotal. We know that schools that are effectively led and well managed are, generally, also providing excellent teaching and learning in the classroom. So, I will support governors who set high standards for themselves and their schools, who are not afraid to challenge and who put the interests and education of their pupils first. I will challenge, however, those whose focus is elsewhere. I will examine how we can broaden and strengthen

the existing inspection process to enable the effectiveness of boards of governors to be assessed so that governors can have feedback on how they are doing and good practice can be identified and shared.

I have announced a series of actions today to raise standards, to promote sustainable and financial viability, and to enable us to begin to plan a pattern of provision fit for the future. However, I recognise that our greatest asset is our workforce, and it is clear that the change flowing from more strategic planning of provision will require a more flexible school workforce. I will put together a programme of work to address that after discussions with trade unions and others, and I will return to the Assembly on that subject on another day.

Finally, I want to say a few brief words about how we value education as a society. Education is fundamental to all our futures. Across the Assembly and in every community, we need to have an interest in how well every part of our education system is performing. We need to recognise the strengths of our system and to make sure that we are not complacent about the weaknesses. Those of us with influence have a particular responsibility to champion education in areas and communities where there are still too few champions. That is a theme that I want to return to in the Assembly. I want to have a wider debate about how we can work together — across the floor of the Assembly, in Committees and with business and community leaders — to send out a clear signal in every community about the importance of education and of ensuring that every school can be not just a good school but a brilliant school.

Today, I have set out a comprehensive and ambitious work programme for the months ahead. It is a work programme that I am committed to seeing through and one that should command the support of the Assembly. The Education Committee will have a particular and important role to play in scrutinising. I shall meet the Committee tomorrow to discuss those proposals in greater detail, and I look forward to that engagement.

I have responded to those who have challenged me to take swifter action to deliver a more sustainable and strategically planned schools estate. I have also responded to those who have encouraged me to provide certainty about the entitlement framework, and I have set out a

clear course of action that is designed to deliver results. The next year will be a year of change in education — change designed to bring greater certainty for schools, parents and, most of all, the young people that the education service is here to serve. Go raibh míle maith agat.

**Mr Storey (The Chairperson of the Committee for Education):** I thank the Minister for his statement to the House today. On behalf of the Committee, I also thank him for briefing me and the Deputy Chair this morning and for agreeing to attend a special Committee meeting tomorrow. That is welcome, and I thank the Minister for ensuring that that will take place as soon as possible.

In his opening comments, the Minister posed, and endeavoured to answer, four questions. First, is our focus right? If you read the statement that has been given to the House, you would find that the answer is “maybe” and “in some areas”. Secondly, are our policies right? The answer, according to the statement, is that some are right, but not all. We see that clearly with regard to special educational needs (SEN) and early years policies, to which reference is limited in the statement. The third question asks: are we developing resources effectively? Clearly, I think that we would all agree that they are not. Fourthly, are we moving fast enough? The answer to that is that, clearly, we are definitely not moving fast enough when we see in the statement the reversal of the decision on the entitlement framework.

Is the Minister satisfied that, in implementing the sustainable schools policy and in bringing forward area planning on the basis that he has outlined in his statement, all sectors — I emphasise all sectors — are equally well prepared and resourced to participate meaningfully in that exercise, which is challenging, given the six-month proposal that he set out? Will he ensure that no sector will be given an advantage over another because of its claim to ownership?

**Mr O’Dowd:** I will take those questions in reverse order. I assure the Chairperson of the Education Committee that all sectors will be treated equally and that, in fairness to them, all sectors have already been involved in the preparatory work. In my engagement with the boards, CCMS and others, I emphasised the need for a step change in how to deal with unsustainable schools. Therefore, although the detail of the message may be news to them,

certainly the parameters in which I want to work are not.

As I sat down in the Chamber and as we speak, my senior management team in the Department of Education was and is briefing the boards and the CCMS on their future role in the plan. I am confident that we have legislative cover for the work that we have asked for. Indeed, I am confident that we will have the co-operation of all the managing authorities, because the centre of their focus is also the educational well-being of young people.

There was no reversal on the entitlement framework in my speech. No one should send out that message. It is crystal clear that the entitlement framework will commence in 2013. The commencement Order will be signed in December. The reason why there is a slightly longer time frame is because we face a very difficult budgetary process. I would have been criticised, quite rightly, if I had not given it a slightly longer time frame. I think that it is right and proper that schools are given a chance to work towards that.

Is our focus right? I believe that it is right, and I believe that the policies that have been introduced over the past number of years are the right ones. The focus now is on ensuring that those policies are implemented. I did not want to pre-empt the eventual SEN and early years policies, because a number of processes still have to be gone through in those areas. However, I assure the Member and the House that the focus will now be on ensuring that policies for SEN and early years come through as part of a delivery package in the plan.

Are our resources properly funded? No, they are not, hence the reason I am making this statement. We are redirecting our resources correctly. However, whether it is capital or resource spending, the review of the common funding formula is as much in response to demands from various sectors, such as the trade union movement, that believe that the Department is not properly focused on it. It is a review in which I will be open to options and positions. I have no fixed mindset about how to move forward with the common funding formula; I am open to persuasion on that matter.

I assure the Member that, from today, there will be a step change in how we deliver across the sustainable schools policy and Every School a Good School and in how we deliver our capital

build programme. Education will change from this moment on.

**Mr Deputy Speaker:** Before we move on to the next question, I remind Members that, although Committee Chairpersons have some latitude when asking their questions, I will look for questions only from other Members.

**Mr McKay:** Thanks for that, a LeasCheann Comhairle.

I very much welcome the Minister's statement. He outlined a decisive, but flexible, way forward for education. He also outlined that he is up to the challenge of addressing the issue of 150 empty schools that the taxpayer is funding. Obviously, the Minister would agree that we have a significant number of high quality schools in rural communities that consistently excel in meeting the needs of their pupils. How can small, high quality schools in acutely rural areas be deemed sustainable under the present policies?

**Mr O'Dowd:** I thank the Member for that question. He is quite right: rural communities present different challenges and opportunities for education. The reason for the six core principles in the sustainable schools policy — quality educational experience; stable enrolment trends; sound financial position; strong leadership and management; accessibility; and strong links with the community — is that we did not want to be involving ourselves in a simple numbers game.

This is not about looking at the enrolment numbers in a school over one or two years and saying that we are going to take action against it. The sustainable schools policy is not about closing schools; it is about challenging schools that are beginning to fall below the six criteria and supporting them. We will reach stages in some schools, and quite rightly so, where the best option for the education of the young people involved is to close the school. However, the sustainable schools policy, which was drawn up in conjunction with a number of rural advocates, is fit for purpose and will protect educational outcomes for young people in rural communities.

**Mr McNarry:** The Minister asked in his introduction whether our policies were right, whether our focus was right and whether we were moving fast enough. However, he is the third Sinn Féin Education Minister in succession to follow those policies, 13 years of which have, up to

now, given cover to the schools that he now threatens. What will be the consequence of deserting pupils in those schools? How many pupils is he targeting?

**Mr O'Dowd:** Mr McNarry is using colourful language. I assure him that I am not threatening any school or targeting any pupil, certainly not in a negative way. However, I am targeting schools that are failing their pupils, and I make no apology for that whatsoever. Any school that is failing to provide proper education to young people deserves to be challenged. If, through the challenge process of Every School a Good School, a school cannot turn the corner, it is only right and proper to close it, and I make no apologies for that.

The Member is correct that I am the third successive Sinn Féin Education Minister. In that time, through the implementation of our policies, we have seen a turnaround in the educational attainment of young people, particularly in disadvantaged communities. How have we done that in the face of opposition from some in this Chamber? We have done it by laying out a suite of policies, which, over time, will result in a dramatic change in the educational attainment of young people.

I have said today that we are going to have a step change in the implementation of a number of those policies. There will be a decision for every Member when approached by a school that has been identified as failing: are you going to back the institution, or are you going to back the young people in the school? I will be backing the young people in the school.

**Mr McDevitt:** In his statement, the Minister described this as a year of change, but, if you read the statement clearly, it will be a year of closures. According to the statement, 287 primary schools and 93 post-primary schools will close. A total of 380 schools face the axe.

If this is a comprehensive and ambitious work programme, where is ESA, where are the cutbacks at central level, where are the efficiencies in administration and when will he come forward with the radical reform that is really needed to reform education around here instead of targeting students, parents and communities with 380 school closures?

**Mr O'Dowd:** I know that the Member's mind is focused elsewhere, but —

**Mr McDevitt:** I am focused on children, Minister.

**Mr O'Dowd:** Well, you have been a member of the Education Committee for five months. I suggest that you go away and read the policies.

**Mr Deputy Speaker:** I ask that all comments be made through the Chair.

**Mr O'Dowd:** I suggest that the Member goes away and reads the policies. This statement has not identified a single school for closure. It is irresponsible of the Member to simply use a figures-based analysis to decide that schools will close, because I can assure him that, although that may be the way that he works, it is not the way that I work.

There is a sustainable schools policy. Go away and read it, go away and rehearse it, and you will find that the schools you are talking about will not all be targeted for closure. However — I say this to Mr McNarry — if Mr McDevitt, as possibly the next leader of the SDLP, wants to stand in defence of substandard education, he can stand in defence of that. I will not be standing beside him.

### 1.15 pm

**Mr Lunn:** There have been many references to closure recently. I note in the statement the constant mention of sustainability, viability, 85,000 empty desks and the need for co-operation across sectors and between boards and CCMS. In his statement the Minister said that he will not shirk difficult decisions. Therefore, will he accept that there may be a need for amalgamations of controlled and maintained schools? If that is the best solution for a particular area, can I assume that he will not shirk that decision?

**Mr O'Dowd:** I thank the Member for the question. Let me once again go through how the process will work. I have tasked the education and library boards, along with CCMS, to, after their investigation — not my investigation, their investigation — based on the policies that have been around for several years and the Bain report, which every party in the Chamber endorsed in one way or another and challenged me and my predecessors to implement, come back and tell us which schools are educationally unsound and what plans they have for the children in those schools. If CCMS and the boards come back with a proposal to amalgamate a controlled school and a maintained school, I assure the Member that I will not be turning that proposal away.

**Mr Deputy Speaker:** I have been advised that an additional 18 Members wish to ask a question, so with your help we will try to get through it. I ask Members and, indeed, the Minister to be concise.

**Mr Craig:** I listened with interest to what the Minister said to the Committee Chairperson with regard to equality of treatment across all sectors when it comes to closures. Will the Minister give the House clear assurances that there will be equality of treatment across all sectors? I ask with a selfish interest, because the board went to consultation on the closure of a controlled school in my sector this weekend. However, I looked through the figures and found eight schools in the maintained sector with smaller enrolment figures, some of them half the number, yet they are not marked for closure.

**Mr O'Dowd:** I thank the Member for his comment. One reason why I brought CCMS and the boards together is to ensure that we have a concise policy across the board. I assure the Member that I will insist that there is equality across the board, because we are talking about equality of educational provision for young people, regardless of the sector they attend.

Although I cannot comment on any individual development proposal coming before me, I assure the Member that the last thing I will be looking for in a development proposal is what sector it comes from. I will be looking to ensure that the development proposal is based on my policies and the needs of the young people involved. I also assure the Member that CCMS and the boards are acutely aware of my views on this subject and of how we should move forward.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the statement. Although any type of change in education can be seen as a threat, the post-primary sector in Strabane has already led the way on this, through the establishment of Holy Cross College and Strabane Academy. That process was completed with great success and is a good template.

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

**Ms Boyle:** Could that template be replicated across the region and the boards?

**Mr O'Dowd:** Yes, is the simple answer. There are fine examples across the North of schools that have amalgamated. Unfortunately, in that

case, it was only within sectors, but we have examples in the controlled and maintained sectors of an issue being identified and schools moving to correct the issue. Other areas are at different stages of planning down that road. I am also aware that the boards and CCMS have draft plans for other areas, which, I believe, will use the same template.

**Miss M McIlveen:** The majority of Members represent rural constituencies. Will consideration be given to rural schools, which are small by their nature?

**Mr O'Dowd:** Yes. As I said to one of my colleagues, the sustainable schools policy is designed to ensure that we look at the needs of the rural community, particularly in the primary sector, given the age of the children involved and the distances that primary-school children may be asked to travel. There are a number of smaller rural schools that you do not necessarily have in an urban setting. That is only correct and proper, and I have no doubt that that sort of delivery will continue. The post-primary sector throws up different scenarios in that you are dealing with older children and young adults and how far they can or should travel. I am satisfied that the sustainable schools policy allows us to look at the rural community and to address the unique challenges and opportunities presented in that setting.

**Mrs Dobson:** I refer the Minister to his comments near the end of his statement:

*"I want to have a wider debate about how we can work together — across the Floor of the Assembly".*

Will the Minister assure the House that he will be a cross-party Minister and ensure that all shades of opinion are heard before decisions are taken and presented to the Executive?

**Mr O'Dowd:** Any plans that come forward from the joint work of the boards and the CCMS will have to go out to public consultation. Any proposal to change the nature of a school, including a closure, has to go through the development proposal process, which also involves consultation.

I would like an open and frank debate about the future of education and exactly why we, as a society, quite rightly provide 12 years of free education and what we want to achieve through that education. I sense that, in some homes, communities and areas, we have lost the rationale

for it, which is what I am emphasising in the debate. We need to regain and grasp the gift that is 12 years of free education. As a society, we need to move forward with that in mind. We need to continue to analyse why we provide that education. One of the reasons why we do it is to add value to the individual child and person; that is lost in the debate sometimes.

**Mr P Ramsey:** I welcome the Minister's statement, and I wish him well in delivering on it. The Minister's challenge to a lot of Members was to be champions for education. I want to be a champion for education in the north-west, particularly in my constituency. There has been huge investment, and the Minister met Foyle and Londonderry College and Ebrington Primary School over the summer recess. What hope or comfort can he give to those two schools, which meet all the criteria that the Minister has laid out in relation to numbers, viability and financial sustainability?

**Mr O'Dowd:** I will not comment on any individual project; that would be wrong. We have a number of pieces of work to complete, and each school will be dealt with on its own merits. On the broader principle, I will say that, if those schools that were on the investment delivery plan (IDP) list and have been waiting a considerable time for newbuilds to begin remain viable and come through the new process that I will set out in relation to area planning, sustainability and educational entitlement going into the future, they will be priorities. However, I will not debate individual projects on the Floor of the Assembly before the work that I have commissioned is complete.

**Mrs Hale:** Will flexibility stretch to transferring money from capital budgets into minor works so that a school such as Dromore Central Primary School in my constituency, which has been waiting a long time for a newbuild, will at least get the toilet blocks that it so desperately needs?

**Mr O'Dowd:** The Member touches on an interesting point. Part of my programme of work going forward is that we need to use our minor works scheme in a more strategic way and in conjunction with the series of works that I have set out. Once the boards and the CCMS come back with their plans on viable schools, we may have to build a new wing onto a school or to make improvements to an existing school to allow pupils to transfer to it. I am not going to

comment on the individual application, but it may be the case that we have to carry out major improvements to schools that were once on the capital build list or are still on that list. That will mean a more strategic use of the minor works programme.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Mar bhall den Choiste Oldeachais, cuirim fáilte roimh an ráiteas seo. Given that schools adjacent to the border are primarily smaller and more rural than those in urban areas, has the Minister considered sharing resources with nearby schools in the Twenty-six Counties and other such measures, which would prevent the duplication of services along the border region, therefore enabling children to go to schools closer to their homes and saving significant money for both educational systems?

**Mr O'Dowd:** One thing that we will have to look at is how we provide education for the mutual benefit of communities straddling both sides of the border. The subject was touched on at the recent North/South Ministerial Council meeting in education sectoral format, and I will be making a full statement to the Assembly in the coming weeks. Minister Quinn and I had a discussion around the subject, and one idea we floated was that, if children are travelling back and forth across the border, it is quite simple that each Administration can bill the other for the service being delivered, regardless of what side of the border it is on. However, when you look at rural communities, particularly those straddling the border, you will see that one option should be how we use facilities, regardless of which side of the border they are on, to the mutual benefit of the communities on either side of the border.

**Mr Campbell:** In talking about capital investment, the Minister outlined the issue regarding the clear criteria for access. He said that he would put in place a new explicit process for capital planning, but he also said that he will not answer specific questions about newbuild. Will he outline to the House, and to those schools that are waiting a long, long time — schools that are in need of newbuild and have passed all the criteria — the timing of when he expects the issues outlined in his statement to finish, so that those schools will know the outcome of the process?

**Mr O'Dowd:** I have asked for area plans and so on to be back with me within this school year.

If the boards and the CCMS can work quicker on individual areas, I am more than happy to receive those plans, as long as they are based on the principles that I have set out.

The main terms of reference for the new building criteria will be based on area planning and sustainable schools and the assurance that, wherever we build a school and for whatever sector, that school can provide the entire curriculum either on its own or in conjunction with schools around it. I also want to be assured that, when proposals are coming forward to me, they not only serve the needs of the sector but that the question has been asked of the sector surrounding the school as to how facilities can be shared or built that will meet its needs as well.

I understand the disappointment and continuing frustration of schools on the IDP list and, indeed, other lists. However, I am sure the Member will agree that, given the changing economic climate I am working in — £400 million has been wiped off the capital build budget — whatever schools I build in the future, we have to make sure that the Education Minister coming behind me or the one after that is not closing them and that they stay open for at least a couple of generations.

**Mr Lyttle:** I thank the Minister for his statement. I noticed this morning that the First Minister seems to have stolen a march on the statement to some extent. I ask the Minister how many times the First Minister has submitted specific proposals to him with regards to educational reform? How will this plan deliver more schools with a shared and integrated ethos, which many people recognise are needed to solve the problem we have of empty school places?

**Mr O'Dowd:** The First Minister has made his views on education known before. He is perfectly entitled to do so, as is any Member of the House. That is the nature of politics, and I have no difficulty with that. I have discussed education with the First Minister in my current role as Education Minister and my temporary role as Acting deputy First Minister. I hope to have further discussions with him and other ministerial colleagues.

### 1.30 pm

The Member asked about integrated schools. The integrated sector will be closely involved in discussions with the boards and CCMS, as will Comhairle na Gaelscolaíochta and other sectors. If the boards and CCMS bring me new

and imaginative proposals or plans, whether for integrated schools, shared schools or campuses or cross-sectoral amalgamations, I assure you that I will look on them favourably.

**Mrs Overend:** My East Londonderry colleague got in ahead of me by asking about the time frame. The Minister stated that schools should meet the needs of students and local communities, but he was cautious on the subject of newbuilds. My original question was about the time frame involved in assessing schools, such as Rainey Endowed in Magherafelt, which deliver a high standard of education and enjoy the confidence of the community, yet are housed in buildings that are certainly not from the 21st century and have already been waiting for a newbuild for years. Does the Minister foresee all the boards working together within that time frame or some being ahead of others?

**Mr O'Dowd:** The Member will understand that, as I said to other Members during Question Time, I will not go into specific applications for new buildings or schools. However, I assure her and all Members that any school that currently provides or has the capacity to provide the full entitlement framework and is sustainable, financially viable, has links with its community and shows strong leadership in the classroom and throughout the school will, in my opinion, meet the new criteria and move forward.

The next and most difficult question is, of course, where we find the money to build those new schools. We have to set priorities for the future. I intend this work to be completed as quickly as possible. The first stage of identifying viable schools will be completed within six months. As I said, if boards working with CCMS come forward with plans earlier, I will accept them. The end of June 2012 is the deadline for area plans. Again, if the boards and CCMS come forward with plans earlier, I will accept those.

**Mr Moutray:** Will the Minister explain how his proposed changes to the entitlement framework will secure and enhance schools in the Dickson plan system?

**Mr O'Dowd:** They will enhance and secure schools in any system, because the entitlement framework is about offering a broader range of subjects to individual pupils to create a broader workforce for the future. The entitlement framework should not pose a threat to any sector; it should be seen as a challenge. That is why I extended the time frame slightly. Although

all policies will have their critics, my view is that the entitlement framework is a policy that has more people advocating it than speaking against it. Whether it is the Dickson plan in Craigavon or unique plans in other areas, I am satisfied that the basis of the entitlement framework is such that it will enhance education services across the North.

**Mrs D Kelly:** I thank the Minister for his statement. I refer you to page 3 of your statement, Minister. Do you now regret putting through the letterbox of every house in Upper Bann a newsletter with a picture of you beside a poster saying, "Stop the Cuts", given that today's statement is nothing more than a smokescreen and a cover-up for the worst education budget ever — ever — and a failure —

**Mr Deputy Speaker:** Order. Question, please.

**Mrs D Kelly:** It speaks more to the failure of Sinn Féin and the DUP to agree an Education and Skills Authority —

**Mr Deputy Speaker:** Order.

**Mrs D Kelly:** — and demanding from schools actions on which you have failed to give the lead —

**Mr Deputy Speaker:** Order. Will the Member take her seat, please?

**Mr O'Dowd:** I suspect that some households in Upper Bann regretted seeing my picture come through their letterbox. Other than that, however, I have no regrets. Should the Member care to examine the policies that I advocate today, she will realise that the majority were brought forward in much friendlier economic circumstances than those that we are dealing with currently. The policies announced today are a planned way forward for education. The Budget settlement may have expedited our approach and focused us more on the need to implement the policies, but I assure Mrs Kelly that they are not a panicked response to the education budget, and they are certainly not a panicked response to the cuts. Mrs Kelly may choose to forget that those cuts were imposed on this Administration by the British Government.

Mrs Kelly and her colleagues may be focusing on who will be leader and who will be deputy leader of their party; that may be the current focus at their Members' meetings on a Monday morning. However, I assure her that, since I came into the post, my focus has been and is on how we plan the way forward — not on panic.

**Mr S Anderson:** I thank the Minister. Perhaps I will tone things down a little bit on behalf of Upper Bann. The Minister said that he does not want to discuss specific issues, but I am sure he will forgive me for taking this opportunity to make an effort. In light of his statement —

**Mr Deputy Speaker:** Could we have a question, please?

**Mr S Anderson:** Does the Minister have any assessment of the implications for new capital builds such as those at Portadown and Lurgan colleges in my constituency, Upper Bann?

**Mr O'Dowd:** No, and I think it would be wrong for me to do so. There is no point in tasking the boards and CCMS to do work, only for me to stand here and say five minutes later what will or will not commence in the future.

I understand the frustration and, indeed, anger surrounding some of the projects involved, but I, as a Minister, and we, as an Assembly, must ensure that the moneys we use are used appropriately. It is worth noting that one of my first tasks as Minister of Education was to close a primary school in north Antrim. That school had been built approximately six years previously. Approximately £2 million of public funds had been spent on it, and it is now closed. I do not want Ministers coming into my post after I have left it and having to close recently built schools that were planned to last for 40 or 50 years. Let us ensure that our limited budget is spent properly.

**Mr I McCrea:** My colleague from Mid Ulster has spoken of Rainey Endowed School, so I will not go into too much detail on that. However, the fact is that the PPP project for that school was originally in, along with Ballymoney High School. The criteria were changed, so —

**Mr Deputy Speaker:** Could we have a question, please?

**Mr I McCrea:** Does the Minister intend to use the current criterion — either fully, partially or not compliant — in relation to capital build works?

**Mr O'Dowd:** The review carried out by my predecessor was done so in more favourable financial circumstances and did not involve area planning. The new criteria that will be in place will involve area planning. I want to ensure that, instead of looking at the needs of school A, we look at the needs of schools B, C and D around school A. It might include schools from different

sectors as well. So, that will be the new criteria in moving forward. We should not build schools that do not comply with the broadening curriculum or are not sustainable or financially viable. That would be an unsound decision, both educationally and financially. The step change is that the needs of individual schools will not be paramount; the defining criteria will be the needs of the sector and sectors around the school.

**Mr Allister:** If there is so much that needs to be fixed in education, who was responsible for education for all these years and got us into this mess? The Minister assures that he will be even-handed when it comes to closures: is that the same even-handedness that we have seen over the past three years, with the closing of 14 controlled schools and the opening of 14 Irish-medium schools?

**Mr O'Dowd:** The Member asks who was responsible for the state of our education system in the past. Given that a recent workforce survey showed that 25% of workers between the ages of 16 and 64 did not have the necessary numeracy or literacy skills, how far back do you want me to go?

**Mr Allister:** Just deal with Sinn Féin.

**Mr O'Dowd:** The Member is one of those who defends all that is good in our education system and ignores all that is bad. I, as Education Minister, will praise all that is good in our education system, but I will certainly challenge all that is bad in it. I am not prepared to turn a blind eye to failing schools or to schools that send pupils out into the world with no added value or exam qualifications. People such as Jim Allister and others might simply ignore that and say that that is where those children go, so let us forget about that because we have a great school over there. The system that I am setting out today will meet the requirements of all our schoolchildren, regardless of their socio-economic or religious background. I can assure the Member of that.

**Mr F McCann:** Go raibh míle maith agat, a LeasCheann Comhairle. I also welcome the Minister's statement. Has he looked at the possibility of harmonising school holidays?

**Mr O'Dowd:** Not at this stage. It is certainly something that many parents would appreciate. However, it is still the case that boards of governors have autonomy in their own school

to set various holidays, although I understand that the education boards and CCMS have been working closely with schools, particularly in geographical areas, to try to match up the school holidays. However, there are no immediate plans to carry out any further work on that matter at this stage.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom buíochas a ghabháil leis an Aire as an ráiteas a d'fhógair sé inniu agus ceist a thógáil faoin phlean infheistíochta caipitil. I thank the Minister for his statement. I notice that he intends to review projects on the investment delivery plan. Does he not remember that that exercise was undertaken just over a year ago by his predecessor? Is it not highly frustrating for schools, such as St Clare's Primary School in Newry, that have already been waiting for years for projects to be realised? Surely, at this stage, the Minister —

**Mr Deputy Speaker:** The Member has posed his question.

**Mr D Bradley:** Surely, at this stage, the Minister and his Department should know which projects are needed and where they are needed.

**Mr O'Dowd:** The Member will also be aware that, since the previous review was carried out, £400 million has been cut from our capital programme by the British Government. I can proceed with my head in the sand and ignore that fact, or I can plan and move forward with that reality in the back of my mind. However, the Member is correct in one sense: the assessment is not starting off with a blank piece of paper. The boards and CCMS will go into their discussions well informed and well briefed, with a considerable amount of background material from which to work. It is not starting from a blank sheet of paper.

I think that the Member will agree that, whether in his constituency or other constituencies, we want to ensure that we build the right school in the right place for the right number of pupils. That is how we will move forward with the building programme. We will no longer be concentrating on the needs of school A; the schools around it will also be brought into the equation.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. Like others, I welcome the Minister's statement and its focus on young people as being paramount. I remind Members that some

of our schools are still failing children. We have a lot of kids leaving school without basic essential skills. We should not run away from that fact either. As I said, I welcome the focus. Will the Minister give us a bit more detail on the SEN and early years strategies, as well as a possible time frame for when the strategies will kick in?

**Mr O'Dowd:** I thank the Member for her question. The consultations on SEN and early years have understandably seen great interest from the public, politicians and the sectors, with a great deal of information coming back into my Department. Examination of the consultation process is nearly complete. I will be moving on to the next phases for how we implement or determine which policies to move forward. I can assure the Member that, now that that work is being implemented and moving forward, my focus will be on bringing SEN and early years to the table and to conclusion very quickly. It is the other leg of the stool in moving education forward, and, as such, it is a vital component of our education services. I can assure the Member that my focus will be on those two policies in the weeks and months ahead.

#### 1.45 pm

**Mr B McCrea:** The Minister has, rightly, declined to get involved in discussions about individual school projects. However, he said that "sometimes unpopular but necessary decisions" will be required and that:

*"politics is about making a positive difference and not about seeking short-term popularity".*

Can he explain how democratically elected representatives will be able to take part in that decision-making process?

**Mr O'Dowd:** As Minister, I am accountable to the Assembly and to the Committee for Education. As I said in my statement, I will appear before the Committee tomorrow when it will further scrutinise the statement and the programmes of work outlined in it. The area plans will go out to public consultation, as will any development proposal for the future of a school, whether that is amalgamation or closure, and the newbuild programme will be open to scrutiny. It depends on the kind of democratic accountability you are referring to. This institution is democratically accountable; I am elected from it to be the Minister of Education. I am tasked by the electorate and the legislation that governs the

Assembly to make decisions, and, therefore, I will make those decisions. At times, it may be quite convenient to hide behind a collective view on something, but Ministers sometimes have to make decisions, and I will make them.

## Youth Justice Review

**Mr Ford (The Minister of Justice):** With your permission, Mr Deputy Speaker, I wish to make a statement on the review of the youth justice system in Northern Ireland.

**Mr Deputy Speaker:** Members who wish to leave the Chamber should do so quietly.

**Mr Ford:** As the House will recall, in line with the Hillsborough Castle Agreement, last November I commissioned an independent team of experts to review the youth justice system in Northern Ireland. I have now received the report, which I am publishing today. I will begin by expressing my gratitude to the review team — John Graham, Stella Perrott and Kathleen Marshall — for its work. I recall that, when I commissioned the team to undertake the review, I set an initial timescale that, in hindsight, was too challenging. I was happy to listen to the words of the Committee for Justice and to take the team's advice then and throughout the exercise that more time was required to do justice to the final product.

Now that I have the report, I can appreciate the scope and breadth of the review and the thoroughness and care with which the team approached its task. It is evident to me that, in delivering on their terms of reference, the team members not only consulted widely but brought to bear their own expertise and experience and lessons from research. I am particularly pleased that, in a very balanced way, they have highlighted what is good about youth justice in Northern Ireland and where there is scope for improvement. They have acknowledged the extent to which we have embraced and developed restorative approaches, which have translated into inclusive, practical and effective arrangements within which victims can participate and young offenders can be held accountable for their actions. It is reassuring to know how highly that process is regarded. They have praised the way in which policing has been transformed and the extent to which a fundamental understanding around rights, mutual respect and equality is underpinning all that we do. They report on outstanding examples of professionalism and commitment and have singled out for particular praise the way in which the Woodlands Juvenile Justice Centre is operated. However, the review also clearly identifies aspects that are less good.

The team says that our overall strategic arrangements are weak and that leadership and working together at the highest level are matters that need serious attention. It argues, with good cause, for a greater focus on a more joined-up approach to early intervention and on not letting vulnerable young people slip through important safety nets. It also calls for changes in the way the criminal justice system processes cases because of, for example, the impact of delay on victims and offenders and on confidence in the system itself. The team wants us to speed up the work that is already in hand on removing under-18-year-olds from Hydebank Wood young offenders centre, as was also recommended by the prison review and the Criminal Justice Inspection (CJI).

The team's analysis and thoughtful conclusions present us with an impressive piece of work that will help to shape our responses to youth crime and associated issues. Taken together with other initiatives, such as the recent publication of the access to justice report, the development of a new community safety strategy and the prison review, it underlines my commitment to an ambitious programme of reform of the criminal justice system.

I have considered how best to take forward the report and have concluded that I should subject it, in its entirety, to a full public consultation. I had considered consulting on only those aspects that evidently require it, but I decided that a selective or piecemeal approach would undermine the integrated and holistic nature of the report and generate unproductive debate on what should or should not be included.

I appreciate that a public consultation exercise will take time, but it will allow for the fullest consideration of the detailed analysis and recommendations in the report and will rightly give the widest possible audience an opportunity to comment on a fundamentally important matter. It is right to reach sound conclusions and a balanced consensus on the basis of a well-informed debate. It will also give me and my Executive colleagues the opportunity to reflect on the implications for our working arrangements. I have already shared the report with them. The Minister for Employment and Learning and the Minister for Social Development have responded by welcoming, in particular, the emphasis in the report on early intervention and prevention. I look forward to receiving comments from other Ministers soon.

I do not, therefore, propose to comment in detail on all the recommendations in the report, other than to say that some are likely to secure universal agreement while others are more challenging. For example, I cannot see anyone objecting to joined-up working at all levels with a greater emphasis on early intervention and prevention. Nor can I see many objections to promoting the issue of parental responsibility or to finding ways of operating more efficiently in the interests of offenders, victims and justice. How we achieve those ends will be the real challenge. However, any proposal to increase the age of criminal responsibility is likely to evoke strongly held and entirely legitimate but polarised views on the subject. Indeed, the notion that the rights of offenders of whatever age need to be considered will be anathema to some, given the harm that they have caused. It is because those matters go to the very heart of our values and beliefs about children and how they should be nurtured that we need to have the widest consultation and the fullest possible debate.

I also want to say something about some of the overarching themes that emerge from the report. I am pleased that the review team has highlighted the absolute requirement for a strategic cross-governmental approach to youth crime and has noted that the issues that are associated with children and offending extend well beyond the boundaries of the Department of Justice. Tackling youth crime and the harm that it causes is not a matter for my Department alone. We are already working in partnership with others through initiatives such as collaborative working in disadvantaged areas, but we can do more.

The team has reinforced the importance of early intervention and the value of ensuring that young people, particularly those at risk, continue to have full access to universal services, including education and health. I think that all of us can intuitively and on the basis of sound evidence identify with those views. The team has also reminded us that the vast majority of young people make a positive contribution to society and do not engage in crime and that those who do should not be regarded as lost causes, with the lifetime's loss of potential and cost to society that that entails. Rather, it is by demonstrating to those young people that they can have a positive future that we will have the greatest chance of helping them to turn their life around.

The review team has emphasised the need to have concern for victims and has praised, with good cause, the development here of restorative approaches that engage the victim and enable a young offender to take responsibility and make amends for their behaviour. Supporting victims during their engagement with the criminal justice system is also a priority for me. We plan to consult on a new strategy for victims and witnesses of crime early next year to ensure the ongoing strategic delivery of improved services to victims and witnesses, and I am pleased that the Committee for Justice has decided to undertake its own work in that area. We will work closely with it as it does so.

The review points to the need for greater efficiency in the criminal justice system to ensure that justice is delivered effectively for victims and young offenders alike. That is already the focus of the access to justice review and the speeding up justice programme, which seeks to build on the work that is already in hand to tackle delay. Along with greater efficiency, it emphasises the importance of having systems that are transparent, responsive, proportionate and fair.

Finally, the team reminds us why it is important to live up to our international obligations in relation to children. We do it not out of slavish ideology but because it builds in them a respect for the rights of others and protects them as they develop from the many negative influences to which they may be subjected.

I look forward to having a detailed debate on these and related issues over the coming months. In the meantime, I am pleased to begin that process with the publication of the report today.

**Mr Givan (The Chairperson of the Committee for Justice):** I thank the Minister for the report and his statement. I agree that young people need to get an opportunity in life, and it is important that systems are put in place to allow that to happen. Many of them come from a broken home and need to have that support at an early stage. Therefore, I welcome the report's inclusion of early intervention, which should be developed on a cross-departmental basis. However, I am concerned that the element relating to increasing the age of criminal responsibility from 10 to 12 will distract from all the other issues that are highlighted in the report. We should not pursue the United Nations' agenda on the rights of the child, because it does not have the right way to deal with it.

The "hug a hoody" approach will not solve the problem, and the Minister should remove that from the consultation. If the Minister is going to consult on the age of criminal responsibility, will he look at proposals that will lower the age of criminal responsibility from 10? I agree with the report where it says that prosecution should be reserved for cases where it is necessary because of their nature. Indeed, more young people are now diverted rather than prosecuted, but to lift the age from 10 to 12 would remove individuals such as those who killed Jamie Bulger, who were only 10 years of age. That would be a retrograde step and will distract from all of this work. I ask the Minister to reflect on that.

**Mr Ford:** I thank the Committee Chair for his positive remarks about early intervention. However, it is deeply unfortunate that the substantive point that he raised is about one of the 31 recommendations. It is also deeply disappointing that that particular issue was leaked to the BBC, when it was released in confidence to the members of the Committee on Friday afternoon.

I fear that the very fact that that was the first question to be asked distracts attention, as the Chair highlighted, from the key issues in the report about reforming the justice system in a meaningful way. The practical reality is that, if the age of criminal responsibility were to be increased from 10 to 12, it would remove something like 2.5% of the young people who are involved in the criminal justice system. It would take out 27 court cases in the past year, so we are talking about tiny numbers of 10- and 11-year-olds. When young people of that age come into contact with the criminal justice system, they are almost inevitably dealt with more by care processes than by criminal justice processes. To suggest that it is somehow a key issue in the report distracts from the real issues that we need to address as a society. Having said that I am putting the whole report out for consultation, I am putting the whole report out for consultation. I am entirely aware, if I was not already, that one particular contentious item should not distract from the work that needs to be done.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I also welcome the Minister's statement on the report. Early intervention and prevention are key issues. One of the report's recommendations is that all under-18s should be removed from detention in Hydebanks Wood.

Does the Minister have a time frame for putting that in place?

**Mr Ford:** I thank Ms McCann for her positive remarks about early intervention. Significant work is being done to reduce the number of 17-year-olds in Hydebank Wood. At this stage, we are not at the point where we can say that there are none in Hydebank Wood, but there is a much higher proportion in Woodlands than was the case even a year ago. The report makes recommendations about reducing the number of young people remanded to the juvenile justice centre to free up some space, which would make it possible for some of the Woodlands staff to take on a greater number of 17-year-olds. At this stage, I cannot give Ms McCann a specific timescale, but I can say that, in that sense, the report is entirely in line with what is being said by the prison review team and a number of NGOs and with the direction in which the Department is seeking to move.

## 2.00 pm

**Mr B McCrea:** Does the Minister accept that, following the riots in London, there is a danger that some might think that this report is a little bit too skewed towards the defendant rather than the victim? Does he accept that the United Nations Convention on the Rights of the Child is a legally binding commitment for the United Kingdom? Therefore, will he explain why Woodlands should not be used as a remand centre but for the purpose for which it was originally intended?

**Mr Ford:** I am not quite sure of the relevance of the London riots to our work on long-term reforms to the justice system in general and, in the context of today, particularly the effects of the justice system on young people. Woodlands is designed to provide custody for those who require it before or after trial. The key point centres around an issue that has been discussed in this Assembly on numerous occasions: speeding up the justice system. There is no doubt that it is much more difficult for the staff of Woodlands to work with young people when they are in custody for short periods before trial. They sometimes go in, are released by the courts, and have to go back into the centre again. All that is disruptive to the good long-term work that is being done with those who are there because of sentencing. Speeding up the justice system is really needed for young people as opposed to adults.

**Mr Eastwood:** I echo Ms McCann's words about the Hydebank young offenders centre and ask you for a definite answer and definite timetable for when under-18s will be removed from that centre. It is important, Minister, that you show leadership on this issue today and give us a definite time frame.

**Mr Ford:** I assure the Member that, if I could give a definite time frame, I would be very happy to. The reality is that, on the back of a report that is out for consultation, it is a bit difficult. However, I will repeat what I said to Ms McCann: that is the Department's intention and direction of travel. However, there are issues with the way in which the court system affects the numbers of young people in Woodlands. There are issues with the resources that are needed to enable Woodlands to deal with, as the report highlights, the two or three extremely difficult-to-manage young people who would potentially be there at any one time if Hydebank were not available. I cannot give a definite time frame on those issues, but the direction of travel over the 18 months that I have had responsibility for the issue shows the direction in which we are seeking to move.

**Mr Dickson:** Minister, thank you for your statement. The report gives particular praise to the way in which Woodlands Juvenile Justice Centre is operated. Given that praise, and appreciating that the Minister will not give us a timeline — perhaps like the Minister who spoke to the Chamber previously — will you give serious consideration to that recommendation?

**Mr Ford:** Given the contents of the prison review team report, the representations made by a number of NGOs and the contents of this report, it is absolutely clear that we need to look to manage the needs of young people as efficiently as possible. It is clear that Woodlands is the centre that is providing appropriate services for the great majority of under-18s who need to be in custody, but it is also clear that we need to do further work on developing the skills and expertise there to deal with, perhaps, some building issues that might be required to manage a small number of particularly difficult offenders. I am also well aware, even from my personal experience, of the problems that exist at Hydebank Wood and why it is so beneficial that we seek a direction of travel that will make better and more efficient use of Woodlands. So, the commitment and necessity are there,

but that does not mean that it can be done tomorrow.

**Mr Weir:** The Minister has rightly highlighted that there will be no consensus on some aspects of this, such as the age of criminal responsibility, and we will vigorously oppose the potential changes to that. However, I want to ask the Minister about one area on which there should be greater consensus. The report highlights the concern that I am sure all of us have with delays in the system and quotes, for instance, the aim to reduce the 260-day period to a 120-day period. Has the Department any initial thoughts on how it can reduce the delays in the system?

**Mr Ford:** I thank Mr Weir for that question, which highlights the serious issue of ensuring that young offenders go through the criminal justice system within a period in which, frankly, they can remember what the offence was. I have highlighted in the Chamber before that we have seen extremely good work done in the past year or so by the police and the Public Prosecution Service in improving their liaison and speeding up the timescale in which cases get to court.

The report raises the issue of whether there should be formal statutory time limits. In truth, we are not at a stage where we could have that because there would be sufficient difficulty in meeting such time limits at present. However, the report also points out — as did the team during private conversation — that it might be necessary to insert specific statutory time limits some distance ahead to provide the impetus to see that those necessary reforms happen. That is the kind of issue about which it will be interesting to see the consultation responses.

**Mr Lynch:** Go raibh maith agat, a chara. I thank the Minister for his statement. He said that the public consultation will take time: how long does the Minister think it should take?

**Mr Ford:** I thank Mr Lynch for what is possibly the most straightforward question that I have had today. We have set a three-month consultation period to 31 December, so it is slightly longer than the standard 12 weeks. I am sure that those who wish to take the New Year's Day bank holiday to finalise their reports will see that they are still well received on 2 or 3 January.

**Mr Wells:** Does the Minister accept that one proposal in the report will cause great controversy? Many in the community and, indeed, Members

on this side of the House will have enormous difficulties with the proposal in the report to increase the age of criminal responsibility. Will he confirm that if, after consultation, he believes that to be the way forward, such a change will require legislation and that legislation will require cross-community support?

**Mr Ford:** It is my understanding that such proposals would require legislation. It is not my understanding that any legislation in this place requires cross-community support unless the appropriate mechanisms are engaged. However, we should not concentrate on that issue today. We should be looking at the wider issues in the report and the necessity of getting the appropriate reforms so that young offenders and their victims get better treatment from society.

**Mr Copeland:** I, too, thank the Minister for his statement and for commissioning the report from which it flowed.

Justice is traditionally portrayed as blindfolded. She carries the sword of retribution and a set of scales to represent balance. I accept and share the concerns about increasing the age of criminal responsibility. In the interest of balance, if we remove criminal responsibility for another two years, we must be mindful that there are people who will take advantage of that. We cannot do that without examining the current deterrents and, perhaps, bringing forward new legislation to create new offences of encouraging, promoting or causing someone below the age of criminal responsibility to commit a criminal act, because that will happen.

**Mr Ford:** I have no intention of talking any more about that specific recommendation. No doubt, the Member and others will wish to comment during the consultation.

**Mr McDevitt:** I am sure that the Minister agrees that, over the next 12 weeks or so, an informed debate is needed and not one based on hysteria. With that in mind, does the Minister think that it is a cause for serious misgiving that the report makes no apparent reference to the work that was commissioned by Mr Basil McCrea, in his time as Chair of the human rights and professional standards committee of the Policing Board, into children and young people's interface with policing and criminal justice in Northern Ireland? Will the Minister give a commitment to the House that that work will be addressed during the consultation period and

in his Department during his reflection on the outcome of the consultation?

**Mr Ford:** I thank Mr McDevitt for that point. I am not sure that his presumption is right just because the specific report of the board is not mentioned. I understand that Alyson Kilpatrick, the board's human rights adviser, who had a hand in helping to write that report — Mr McCrea may or may not nod in agreement — was closely engaged with the work of the review team. There is absolutely no doubt that she, along with officials and members of the board, will have a comment now. It is certainly something that I expect the Department to take strong note of, because the Policing Board has a significant function in that area.

**Mr S Anderson:** I thank the Minister for his statement. Although the report praises the improvements in policing in recent years, it is also unduly critical of the police. Does the Minister agree that we need to see policing that is not only fair but robust against youth crime?

**Mr Ford:** We need to see policing that is robust and fair in all respects. However, we also need to ensure that we do not unnecessarily criminalise young people if there are alternative and more informal ways of diverting them from the path of crime.

**Lord Morrow:** In his statement, the Minister said of the review team that:

*"They have praised the way in which policing has been transformed and the extent to which a fundamental understanding around rights, mutual respect and equality is underpinning all we do."*

Is it true that that has more to do with a box-ticking exercise and very little to do with curbing crime? Will he explain to the House how he will instil the confidence of the law-abiding community when he comes forward with proposals that have very little to do with looking after the rights of victims but more to do with the criminal?

**Mr Ford:** I remind Lord Morrow that it is an independent report that I commissioned: it is not a statement of departmental objectives by the Minister. However, the manner in which the review team addressed its responsibilities has taken account of a wide range of issues, including the best method by which we protect society by encouraging young people not to get involved in crime at all or to desist from crime if they are engaged in it. We need to look at the matter in a holistic way and not in a knee-jerk

way where we look at small areas of the report. I trust that when Members have seen the report in full detail they will recognise its value as a whole.

**Mr Spratt:** In his statement, the Minister said that tackling youth crime and its causes is not a matter for his Department alone and that his Department is already working in partnership with others through initiatives such as collaborative working in disadvantaged areas. Will he give the House more detail on the work in the disadvantaged areas referred to in the report?

**Mr Ford:** I am happy to go into whatever detail the House wants at an appropriate stage. As Mr Spratt correctly stated, the report merely highlights the fact that it is not a matter for the Department of Justice (DOJ) alone. For example, the collaborative working in disadvantaged areas project has involved the Department of Justice, the police, the Department for Social Development as regards neighbourhood renewal, Belfast City Council at local authority level and some other agencies looking at how resources are spent, how they best address the problems of disadvantaged areas, and how co-ordination ensures that there is not a multiplicity of resources in one area while other aspects of life in that community are neglected. It is simply getting good value for money by ensuring that each Department knows what other Departments are doing and ensuring that they work together to achieve those objectives. From what I have seen over the past year, very positive results have come through to ensure that we get best value for money and the joined-up approach that we talk a lot about in the Chamber but rarely see on the ground.

**Mr Byrne:** I welcome the Minister's statement on youth justice. Is it hoped that more resources will go into youth counselling and the probationary service to ensure that fewer young people are convicted of crime? The emphasis on diversion is welcome.

## 2.15 pm

**Mr Ford:** I am tempted not to say that I thank the Member for the question, because the issue of resources is clearly going to be a difficult one for us. I have just talked, with regard to collaborative working, about making best use of the resources that we have. However, there is no doubt that it will not be possible to do all that we will hope to do, given the financial pressures that we are under. Having said that, I am happy

that this year's DOJ budget has protected front line services across the Department and its agencies, regardless of who delivers them. We have been encouraging that level of collaboration. Such bodies as the Criminal Justice Board have ensured a better joining up between the different agencies, and such measures as speeding up justice have helped to provide more resources to go into the front line diversionary activities. However, it is an ongoing challenge of which we have to be very conscious.

**Mr Allister:** The Minister may well be right that the issue of increasing the age of criminal responsibility might overshadow other worthwhile parts of this report, but is he not the author of his own misfortune by the folly of including that in the terms of reference? He must have known that there would be huge opposition to it, in light of something that happened in the living memory of us all — the horrendous murder of James Bulger by Thompson and Venables, two 10-year-old boys who showed criminal craft way beyond their years. Is it something the Minister should have appreciated would never command the support necessary? Therefore, will he now withdraw that absurd and wrong proposition?

**Mr Ford:** I am not sure how I can be the author of my own misfortune when the issue of the review of the youth justice system was a specific agreement at Hillsborough Castle in February last year. Although I had some input into the work of that agreement, I was not party to its final stages. Similarly, the age of criminal responsibility was not an issue that was a specific matter of terms of reference; it was to be a wide-ranging review of the youth justice system. It is, perhaps, therefore inevitable that the age of criminal responsibility was included in that review. However, when Members look at the report, I trust that they will see how limited an amount of it dwells on that issue.

**Mr Agnew:** I welcome the Minister's statement. Given the amount of evidence that shows that locking up our children is not an effective form of preventing crime or of providing good outcomes with regard to reoffending, I welcome the proposal to review the age of criminal responsibility. I am disturbed by the Committee Chairman's hang-a-hoody approach.

**Mr Deputy Speaker:** Will the Member come to his question, please?

**Mr Agnew:** The Minister referred to the efficient use of resources. Given that most of the actions that can be taken to prevent offending are outside the Minister's remit, what work is he undertaking with the Health Department and the Department of Education to address early intervention and early education strategies? Has the Minister considered pooled budgets with those Departments?

**Mr Ford:** I am not sure which of the eight questions to answer. I cannot find a quick, slick phrase, but my policy is neither hug a hoody nor hang a hoody; my policy is reform a hoody. If somebody could give me a short word beginning with "h" that means reform, I will happily adopt it.

Mr Agnew rightly raises resources and collaborative working between different Departments. The report has been circulated to other Ministers so that they can look at how it works. There are other fora, such as the Executive's subcommittee on children and young people, which enable some of that collaborative working to be done. Mr Agnew is right: if we are going to deter young people from the path of crime, it is not going to be done by the Department of Justice and its agencies when they get to the point of crime. We need much closer involvement and engagement with the Department of Health, Social Services and Public Safety and the Department of Education, in particular.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement, and I welcome the report. I look forward to the appearance of the review team before the Committee.

The Minister said that there are 31 recommendations and that there is a 12-week consultation. Will the Department be working on any of the recommendations as the consultation progresses so that we will be in a better position to meet the many challenges that the Minister has outlined when we reach the end of the consultation process?

**Mr Ford:** I take the point that the Deputy Chairperson of the Committee has made. There are issues in the report on which the Department can engage. Indeed, the Department is already engaged on some of those issues, and I highlighted the issue of seeking to remove young people from Hydebank Wood. The Department will certainly not be sitting back

until early January and doing nothing. We will not take decisions that are clearly the subject of the main areas of consultation. However, we will continue to work on a number of reforms on things like speeding up justice and the best ways in which young people can be looked after at Woodlands. That work will ensure that the general thrust of the report can be carried through as fast as possible.

**Mr Kinahan:** I also thank the Minister for his statement. The report notes that, although there are many youth strategies, there is no early intervention strategy, nor is there a children's strategy. The authors of the report also noted that they were "impressed" by David Trimble's announcement of a children's strategy in 2001. When does the Minister expect to see such a strategy in place? Is he talking to the other Departments and Ministers to get a strategy in place as soon as possible?

**Mr Ford:** I tried to make it clear in my statement that the report has been circulated to other Departments, and I also highlighted that the youth justice system cannot be dealt with by the Department of Justice alone. We have done our best in the DOJ to promote co-operative and collaborative working, as I highlighted when I referred to some of the work that we are doing in disadvantaged areas. We cannot write the children's strategy for the Office of the First Minister and deputy First Minister, but we can ensure that we have the best joined-up working on the issues of youth offending and the reform of youth offenders.

**Mr Deputy Speaker:** That brings to an end questions to the Minister of Justice on his statement.

**Mr Wells:** On a point of order, Mr Deputy Speaker. During his response to my question, the Minister of Justice seemed to indicate that — I am sure that he did not mean to — any legislation that he may bring to the House to raise the age of legal responsibility would not require cross-community support. Point me in the right direction if I am wrong, Mr Deputy Speaker, but it is my understanding that all legislation that comes before the House can be subject to a petition of concern, which automatically triggers the requirement for cross-community support. Therefore, the Minister has, technically, slightly misled the House in stating that that is not the case.

**Mr Deputy Speaker:** The Member is correct that cross-community votes can be triggered in a certain way. However, I am not sure that the Minister has misled the House in any way, and if anyone has any doubt about that, they can check with the Speaker. As Members will know, there is a mechanism through which a petition of concern can be entered and, as a result, cross-community support would be required.

**Mr Ford:** Further to that point of order, Mr Deputy Speaker, I believe that my response was that not all legislation required a cross-community vote, but that it was possible for particular mechanisms to be triggered. That seems to be, more or less, what you have just told the House.

**Mr Deputy Speaker:** I concur with that, but I am not sure that it is a point of order. We have reached the end of the questions to the Minister of Justice on his statement. I ask Members to take their ease for a few moments before Question Time commences at 2.30 pm.

2.30 pm

*(Mr Speaker in the Chair)*

## Assembly Business

**Mr Speaker:** Members may be aware of today's visit to Parliament Buildings by the Presiding Officer of the National Assembly for Wales, Rosemary Butler, and the Presiding Officer of the Scottish Parliament, Tricia Marwick, and their guests. Both Presiding Officers are welcome in the Gallery and in the Assembly. I extend my warmest welcome to you.

## Oral Answers to Questions

### Office of the First Minister and deputy First Minister

**Mr Speaker:** I advise Members that questions 1, 7 and 9 have been withdrawn.

#### **Barroso Task Force**

2. **Mr Sheehan** asked the First Minister and deputy First Minister when they will visit Brussels to advance the work of the Barroso task force.

(AQO 368/11-15)

#### **Mr O'Dowd (The Acting deputy First Minister):**

Before I call on the junior Minister to answer the question, I also extend my welcome to our Scottish and Welsh visitors and extend condolences to Mark H Durkan on his family bereavement.

#### **Ms M Anderson (Junior Minister, Office of the First Minister and deputy First Minister):**

The First Minister and deputy First Minister opened the Executive's new Brussels office in December 2010, and they were joined by the president of the European Commission, President Barroso. At that time, the president firmly renewed his support for the Barroso task force and announced a follow-on visit by his senior officials to Belfast. That marked the start of renewed engagement with the EU at both ministerial and official level, commencing with a successful inward visit by the Commission to Belfast in March. Since then, the Executive have agreed and published their European priorities in the 'Winning in Europe' document, and the First Minister and deputy First Minister presented those to Commissioner Hahn when he visited the peace bridge in Derry in June.

The Commissioner's presence and commitment during the event to support a further Peace programme — Peace IV — were clear examples of the assistance that President Barroso had in mind. The task force will be a key resource on which we can draw support in delivering our European priorities. To reinforce those efforts, junior Minister Bell and I will review progress in Brussels in discussions with Commission officials in the autumn. We will also engage with a range of European officials on further discussions that will benefit the North, and we plan to meet the Commission's task force

chairperson to continue discussions on enhancing that work.

I know that the First Minister and deputy First Minister greatly valued their most recent visit to Brussels in December 2010, and, while there are no immediate plans for them to visit again, junior Minister Bell and I will travel to Brussels next month. When we come back, we will report to the First Minister and deputy First Minister. After that, we foresee that a return visit by the First Minister and deputy First Minister will be desirable to build on the positive relations established to date with senior EU leaders.

**Mr Speaker:** I remind Ministers of the two-minute time limit on answering questions.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Can the Minister give us an update on the peace-building and conflict resolution centre at the Long Kesh site?

**Ms M Anderson:** As the Member will know, the proposed peace-building and conflict resolution centre will focus on promoting and encouraging peace-building across the globe. A £20 million European Peace III application was submitted to the Special EU Programmes Body (SEUPB) on 14 January 2011, and a decision is expected in November. If that is successful, it is intended that the centre will be built and operational by 2015.

**Mr Humphrey:** Very recently, officials from the Department and the SEUPB appeared before the Committee for the Office of the First Minister and deputy First Minister. Is the Minister confident that there will be a Peace IV programme for Northern Ireland?

**Ms M Anderson:** I had the privilege of attending the meeting that was held when Commissioner Hahn was in Derry with the First Minister and the deputy First Minister. During that meeting, they spoke to him about the need for a Peace IV programme. I am definitely confident that we have the support of European Commissioners and the Irish Taoiseach, who also attended the meeting. I accompanied Minister Sammy Wilson to the SEUPB meeting, which was held at the North/South Ministerial Council meeting in sectoral format, and, again, the issue was raised there. So, there certainly is a lot of work being done on Peace IV, and the First Minister and the deputy First Minister are driving that forward.

**Mr McCallister:** Given that the Minister is confident that there is a commitment to Peace IV, does she think that it will be in place by the time Peace III runs out in 2013?

**Ms M Anderson:** One would imagine that that is the intention. The First Minister and the deputy First Minister are also engaging with the British Government to secure support from them. Minister Bell and I are the Ministers who go to the JMC in Europe, and, at our meeting there a few months ago, we raised the issue of Peace IV. There certainly is a lot of work to do, and further work needs to be done by the First Minister and deputy First Minister to secure the British Government's support for Peace IV.

**Mr Byrne:** Does the Minister accept that formal negotiations with the British Government are crucial in trying to ensure that we have a follow on to Peace III? Can those negotiations be sped up to reach a conclusion more quickly?

**Ms M Anderson:** Without doubt, that is the case. I hope that my previous answers have given the Member some assurance that the First Minister and the deputy First Minister are working very hard to secure Peace IV. They have had a number of meetings, have engaged with the Commission and the JMC in Europe — through Jonathan Bell and me, as junior Ministers — and have been working with the Irish Taoiseach. So, they are working very hard to secure Peace IV. I hope that Members will get some comfort from the Office of the First Minister and deputy First Minister's actions and activities in that regard.

## Social Investment Fund

3. **Mrs Hale** asked the First Minister and deputy First Minister for an update on the social investment fund. (AQO 369/11-15)

**Mr O'Dowd:** On 22 March 2011, the Executive agreed the establishment of a social investment fund aimed at reducing poverty and unemployment. The fund recognises that deprivation occurs across a number of areas, and eight possible investment zones have been identified. It is recognised that the government response to issues of economic and social disadvantage needs to break from a silo approach in order to have a long-term impact. Therefore, OFMDFM will still co-ordinate an interdisciplinary approach across all Departments.

We have finalised proposals for the social investment fund, and those will be issued for public consultation in the coming days. It is anticipated that the fund will be based on agreed strategic plans developed by local communities themselves. The communities will be facilitated in developing strategies where necessary, and intervention will focus on joint support of community-based expertise and the strategic and financial input of government. It is proposed that funding totalling £80 million will be allocated to the fund across the Budget period. As has been said before at OFMDFM Question Time, our Department is seeking to address poverty and disadvantage, and, in doing so, we have ensured a budget for not just the social investment fund but the social protection fund and a pilot child poverty reduction study.

**Mrs Hale:** I thank the Minister for his answer. How does he believe the fund will benefit local communities?

**Mr O'Dowd:** The fund's scope and priority is to assist local communities. The consultation process will be a valuable time for communities to come forward and tell the Executive and OFMDFM how they believe the fund can be best used. The investment in community infrastructure and local communities is substantial, with £80 million over four years. I think that communities facing disadvantage and pressures will welcome that development. Over the next period of time, the key is to encourage communities to become involved in the consultation and, indeed, elected representatives to bring forward ideas.

**Mr Lyttle:** Given that a recent survey has shown that one in four older people is spending 15 hours a day or more on their own, will the social investment fund attempt to tackle that type of social poverty?

**Mr O'Dowd:** Clearly, the social investment fund can be used by older people's groups. I believe that what the Member refers to is, ideally, the social protection fund, which is more individually based. I am aware that OFMDFM is looking at measures that it can implement to individually assist older people who suffer from fuel poverty and other privations. It is important that it is recognised that measures are in place in the Executive to assist not only groups but individuals in communities.

**Mr B McCrea:** Will the Minister explain how that fund, which some people might consider a slush fund, will be administered and what the eligibility criteria will be?

**Mr O'Dowd:** One way to turn communities off applying for a fund is to put political tags on it and to criticise it from the outset: therefore, let us not do that. Let us ensure that all communities have the right and the ability to access that fund. The fund will be used to invest in communities and community infrastructure. It will go out for consultation. It was presented to the Executive last Thursday and will be launched this week. From that exercise, the fund's priorities will be established through the consultation process. I say with respect to the Member, let us not start to attack the fund, which, in the light of a difficult Budget, has set aside £80 million for the most disadvantaged communities. For once, the Assembly can have one voice to welcome an initiative rather than to criticise it before it gets off the ground.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I ask the Minister for an update on the earnings disregard programme.

**Mr O'Dowd:** OFMDFM officials have been working with other Departments on a child poverty reduction pilot study. The study was planned in advance of announcements in the welfare reform programme that those who work and are on benefits will be able to retain more of their income. Currently, people who are on benefits and in work are allowed to retain a fraction of their income before their benefits are cut on a pound-for-pound basis. Our pilot programme will allow us to assess the difficulties that parents on a low income face in seeking to access the labour market. The lessons that are learned will help us to ensure that we have the necessary infrastructure in place to allow those from low-income families to take up the opportunity of part-time work and, in doing so, help to tackle the number of families and children in poverty. The study aims to measure the reduction in child poverty in low-income families that could result from engagement in a few hours' work without losing benefits. Participants in the programme will receive a modest payment. Departments are co-operating fully. It is expected that the pilot programme will be operational later in 2011.

### **Maze/Long Kesh: Peace-building and Conflict Resolution Centre**

4. **Mr McNarry** asked the First Minister and deputy First Minister to outline any research which has been carried out by their office to assess public

opinion in relation to the construction of the proposed peace-building and conflict resolution centre. (AQO 370/11-15)

**Mr O'Dowd:** In September 2010, independent consultants were commissioned to develop a business plan and to assess and quantify the market demand for the proposed peace-building and conflict resolution centre. In August 2011, that was further enhanced by the employment of Colliers International to undertake hard market research, which included a survey to test local demand and research to estimate demand from out-of-state visitors. That work is under way, and the results will be known by mid-October.

**Mr McNarry:** I thank the Minister for his answer. Will he provide an update on the current funding application to the Special EU Programmes Body for the conflict resolution centre at the Maze and confirm that the application will be made available to MLAs?

**Mr O'Dowd:** I understand that, on completion of consideration of the economic appraisal, it is hoped that the outcome of the Peace III funding application to the SEUPB will be known by mid-November. On 14 January, a €20 million Peace III funding application was submitted to the SEUPB. As I said, it should be available in November. As regards whether it will be made available to MLAs, I do not have that specific information in front of me. I will ask that my officials forward that information to the Member. I am not aware of the legalities of the issue, so I do not want to make any further comment at this stage.

**Mr Campbell:** In trying to determine the public mood towards such a centre, does the Minister agree that, although it is important that particular groups — prison officers, police officers, UDR officers or others who have suffered as a result of terror — approve of that centre, the wider community in whose area it would be based also needs to give it its overall approval?

## 2.45 pm

**Mr O'Dowd:** Surely the purpose of a peace-building and conflict resolution centre is to ensure that members of our wider community are comfortable with the project. Clearly, there are challenges for us all in recognising the past and in determining how we move beyond the past. However, this project is as much about the future as the past; it is about us building our way out of conflict.

The benefit to us will not only be local; there will be benefits internationally, which will not only be financial but will come from our input in the global peace process and many societies where there is conflict. This centre allows us to share our experiences with other societies.

It is clear that the wider community will have to be comfortable on the way forward.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin.

I thank the Minister for his answers. I welcome the fact that the application has been made and hope that it is successful. The Minister gave some outline of the proposed development. Can he give some indication that this will be something that everyone in Ireland and beyond will want to use?

**Mr O'Dowd:** Yes, and the interest of the EU in this matter indicates that it has a international impact as well as a local one. The centre, which has EU support, will have a clear and distinct remit and will focus on promoting and encouraging peace-building both here in Ireland and across the globe. The peace-building and conflict resolution centre will be a unique facility in promoting international exchange. It will house research study on economic activities, develop a modern archiving facility and be a place for reflection as well as being a shared space for visitors across performance events and exhibitions.

**Mr Eastwood:** Has the Department sought the advice and expertise of those involved in peace and conflict studies, such as INCORE in Derry, on this matter?

**Mr O'Dowd:** There has been widespread consultation, both locally and internationally, on how best to develop this facility. If the Member has any suggestions or believes that there is information or practice in his locality and wants to share that with OFMDFM or the consultants, that would be worthwhile.

## Child Poverty Strategy

5. **Mr G Kelly** asked the First Minister and deputy First Minister for an update on the development of the child poverty strategy action plan.

(AQO 371/11-15)

**Mr O'Dowd:** With your permission, a Cheann Comhairle, I ask junior Minister Anderson to answer that question.

**Ms M Anderson:** Go raibh míle maith agat.

The child poverty strategy was published on 24 March 2011 and set out the actions proposed by the Executive to address child poverty here. Since the publication of the strategy, junior Minister Bell and I have met representatives of the poverty and social inclusion stakeholder forum and other Departments to discuss possible actions. Our officials are also working with colleagues in other Departments to develop an associated development plan that will detail key initiatives and signature projects to progress the priorities identified in the strategy.

There have also been discussions with key stakeholders about the identification of appropriate actions. Work has been continuing with statisticians and economic colleagues in our Department and other Departments to develop an outcome-based model to monitor progress of the delivery plan towards eradicating child poverty. That was a constant theme that junior Minister Bell and I heard when we were at meetings with stakeholders: they want an outcome-based model.

It is intended that, when the delivery plan has been developed and has gone through the formal approval process, including initial approval by the ministerially led poverty and social inclusion stakeholder forum, it will be issued for public consultation. Junior Minister Bell and I anticipate convening a meeting of the forum in October.

**Mr G Kelly:** Go raibh maith agat. Gabhaim buíochas leis an Aire as a freagra.

Thank you for the answer. Will the Minister give an update on the last meeting of the poverty and social inclusion stakeholder forum and tell us where that is going now?

**Ms M Anderson:** The Executive subcommittee on poverty and social inclusion is advised by a ministerially led poverty and social inclusion stakeholder forum, which brings together officials from across Departments and sectoral stakeholders. The forum in full session last met when the Member who asked the question was junior Minister. There was a briefing then with all the members on the child poverty strategy delivery plan. As part of the development of the

delivery plan, junior Minister Bell and I met the non-departmental members of the ministerially led poverty and social inclusion stakeholder forum on 25 July 2011 to seek their views on what they would like to see in the draft child poverty action plan. We then met departmental members of the forum on 18 August to discuss their respective input to the draft plan. It is intended that, when fully developed, the draft delivery plan will be formally presented for approval to the ministerially led poverty and social inclusion forum. Once agreed, it will be issued for consultation, but the views of the OFMDFM Committee will be sought at that time.

**Mr Kinahan:** Will the Minister give a commitment that the action plan will adequately address high levels of social exclusion and the lack of service provision in rural areas?

**Ms M Anderson:** That was one of the areas discussed when we met the two groups: the non-departmental members of the stakeholders' forum and its departmental members. They are acutely aware of people's needs, particularly of those in the rural community, and that will be a feature of our discussions.

**Mr Agnew:** The largest complaint that I hear from the children's sector concerns the failure of Departments to work together on the planning and delivery of children's services. What consideration is being given to a statutory duty to co-operate and, therefore, pool budgets among Departments to deliver children's services?

**Ms M Anderson:** I am not too sure about the need for a statutory duty to co-operate. What I can tell you is that junior Minister Bell and I are working very hard to make sure that we get the collaborative and co-operative approach that is needed. We recognise that a few Departments are not working in that way. I suggest that you get a sense from your own ministerial colleagues of their input and commitment, because the work that is being done on the ministerial subgroup is cross-party, across all parties on the Executive. If Departments are not working collaboratively, that needs to be brought to your own ministerial colleagues to make sure that they challenge those responsible in their Department to make sure that collaboration happens. We will take on board the need to drive that forward.

**Mr McDevitt:** Is the junior Minister concerned that some of the many thousands of children in poverty, which the strategy is meant to address, will be adults in poverty by the time that she,

her colleague and the myriad civil servants get around to having fewer meetings about meetings and instead do something about this?

**Ms M Anderson:** That question does not surprise me. The Member should engage with his own party colleagues on the type of collaborative and cross-cutting work that is going on across Departments. As I said in my earlier answer, which, I hope, you heard and listened to, we are working very hard to develop an outcome model to monitor progress on the delivery plan. People do not want this to be process-based. They want it to be outcome-based, and they want to make sure that the outcome model is tested in a way that demonstrates that we are having an impact. We are working very hard towards that goal.

I suggest that the Member listens to what is said in the Chamber on this matter and perhaps encourages his colleagues to do the same. Perhaps he will be a Minister himself and be able to do that in the Department if he wins. If that is the case, he will be able to work with us to make sure that we get the outcomes for those who need them most: children who might have gone to school today without proper shoes on their feet, a proper coat on their back and even without a proper breakfast. This is too serious an issue for the Member to make such a swiping comment.

## Programme for Government

6. **Mr Dickson** asked the First Minister and deputy First Minister for an update on discussions on the Programme for Government. (AQO 372/11-15)

**Mr O'Dowd:** The draft Programme for Government has been discussed in the Chamber and in the Executive in the past few days. Although the timing of the document has been preoccupying Members, I again stress that the Executive's priority is to produce a Programme for Government that reflects the parameters of the budgetary settlement while simultaneously being capable of progressing and ultimately delivering real and lasting positive change to people here.

It would be remiss of us, as politicians, to produce a Programme for Government that was not in concert with a Budget and disregarded the financial constraints that we face. The First Minister and I are pleased to have brought a draft of the Programme for Government to the point of being able to share it with Ministers and party leaders. That draft is the result of several

months of work behind the scenes by Ministers and officials, who have canvassed the views and listened to the opinions of a wide range of stakeholders and sectoral representatives. However, the First Minister and I are of the view that much more work is needed to improve the current draft. That is why we also wanted to share it with party leaders, who, we hope, will bring it to their respective parties and come back to us with their own ideas. The document has also been circulated to Departments for further comment and input.

We intend to bring a revised copy of the PFG to the Executive meeting on 6 October with a view to issuing it for public consultation as soon as possible thereafter. Of course, our capacity to do that is determined to a great extent by the co-operation shown by Departments, Ministers and political parties in producing and agreeing a final draft for public consultation. The final Programme for Government must be characterised as delivery focused with an emphasis on partnership, collaboration and common purpose in progressing our priorities. Those priorities, which are at the heart of what we do, are growing the sustainable economy, tackling disadvantage, creating opportunities, improving health and well-being and protecting our people and environment.

**Mr Dickson:** I thank the Minister for his answer but regret that he has not mentioned the social cost of division. Can we be assured, Minister, that you will seriously commit to tackling the social cost of division in this community in the Programme for Government?

**Mr O'Dowd:** The fact that the First Minister and I are standing here today and sharing these posts, that we are in the Assembly today and that we have a political process today is tackling social division. The Programme for Government has been shared with all Ministers and leaders of political parties, so there is an opportunity for the Member to respond to it.

The cohesion, sharing and integration strategy is also moving forward. The parties will come together again tomorrow to discuss that initiative. A programme of work on all these matters is being rolled out. The Programme for Government is clearly overarching, but work is ongoing on several elements that I believe will reach the goal that the Member wants.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an LeasChéad

Aire chuig a chéad Tráth na gCeist. Maith thú. We have heard reports in the media that the direct air link to the United States may be under threat. The impact on the economy would be drastic. Will you inform us what we have done on that?

**Mr O'Dowd:** I thank the Member for her question and kind comments. A lot of work has been done on that matter. The discontinuation of the direct air link to the United States would be damaging to the economy here and would have a negative impact on future investment from the United States. US companies play a vital role in the economy of the North and have created many jobs over the past number of years. We are confident that more investment will come from the US in the years ahead. Some of those companies have expressed concern at the reported loss of our direct link to New York and at how that would have a negative impact on our business.

As we know, the concern over the direct route centres on the high rate of air passenger duty being absorbed by the airline that operates the route. Over recent months, we have made a concerted effort to ensure that the issue of the direct air route and the negative impact on the air passenger duty has been raised with the British Treasury and the Prime Minister. We have put forward the case for devolving air passenger duty, and our campaign has been supported widely by public representatives both here and in the United States. I understand that, as a result of the substantial work carried out by the First Minister and Martin McGuinness on their recent trip to America and of the other work that has been done since then, we await a statement from the Treasury, hopefully later today. We hope and expect that that statement will be positive.

**Mr Swann:** Given the deputy First Minister's current dual roles, can he indicate whether a revised Programme for Government will give any direction on shared education?

**Mr O'Dowd:** The Programme for Government is up for grabs in that sense, as it is with all issues. As I said, the draft is with Ministers and party leaders. Any party or individual Member who wishes to come back with commentary on education or any other matter is perfectly free to do so.

The Programme for Government awaits agreement. The quicker the parties, the Ministers and

the Executive work at that, the quicker that agreement will be achieved.

### 3.00 pm

**Mr D Bradley:** Gabhaim buíochas leis an LeasChéad Aire as an fhreagra a thug sé. It is my clear impression that the draft Programme for Government is largely couched in generalities and in phrases such as “to promote”, “to seek to find new innovative ways”, — *[Interruption.]*

**Mr Speaker:** Order.

**Mr D Bradley:** — “to seek to address the challenges”, and so on.

**Mr Speaker:** The Member should ask a question.

**Mr D Bradley:** My question is this: can we hope, in the final version of the Programme for Government, to see more specific aims matched to the resources available?

**Mr Speaker:** The Member must bring his remarks to a close.

**Mr O'Dowd:** Your destiny, in that sense, Mr Bradley, lies in your own hands. As I said in my original answer, the First Minister and I are of the view that much more work is need to improve the current draft. Hence, we have circulated the draft document to party leaders and all Ministers. Anyone wishing to come forward with radical, workable proposals will, I am sure, not be turned away from the Executive table.

## Social Development

### Mortgage Rescue Scheme

1. **Ms Ruane** asked the Minister for Social Development for an update on the provision of a mortgage relief scheme. (AQO 382/11-15)

**Mr McCausland (The Minister for Social Development):** I am pleased to report that I was able to launch a contracted mortgage debt advice service during the summer. The contract can operate until March 2015 at the latest. The service is helping those experiencing difficulty making their mortgage payments from undergoing the distressing prospect of court action and possible repossession of their homes. By providing homeowners with appropriate debt advice and supporting them in discussions with their lenders, the mortgage debt advice service is helping them to remain in home ownership

and retain financial independence and capacity during a difficult time, thereby preventing further pressures on an already strained public purse.

The additional funding, amounting to over £500,000 over the contract, has increased the level of service available, making it easier and more convenient for homeowners struggling with debt to access advice. Extended contact hours are in place on Tuesdays and Thursdays and a new online adviser facility is now available.

**Mr Speaker:** Just to alert the House; question 15 has been withdrawn.

**Ms Ruane:** Go raibh maith agat as an cheist sin. Does the Minister not agree that more and more people are set to lose their homes due to the savage cuts in welfare reform legislation being imposed by the coalition Government in Britain? The longer we delay implementing a scheme to help in some way, the more people will end up homeless. The question I am really asking is this: what is the Minister doing about the delay in setting up the scheme?

**Mr McCausland:** I explained in my initial answer about our mortgage debt advice service, which is clearly designed to help people in very difficult situations.

The Member also makes reference to a mortgage rescue scheme. The fact is that from June 2008 to June 2011 monitoring rounds have taken place and my Department has consistently bid for between £4 million and £5 million funding in respect of a mortgage rescue scheme. However, it is important to note that introducing the intervention element of a mortgage rescue scheme would assist only a relatively small number of people and would cost several million pounds to operate. For example, if we did get £4,250,000 a year, that would accommodate approximately 72 rescues.

I am conscious that there is a limited pot of money for Northern Ireland. As such, money for mortgage rescue would therefore mean, for example, that health and education projects could not proceed.

I make two points in response to the question. First, we have bid for the money but it has not been available to the Department, even though bids have been made consistently. Secondly, if we did get the money, it would have a very modest impact indeed, with perhaps only 72 rescues out of the hundreds of people who find

themselves in difficult circumstances. The vast majority would not be accommodated. If the money were available, it would be coming from health, education and other important sectors.

**Ms Lewis:** What impact did the additional resources for providing specialist advice through the mortgage debt advice service have on preventing repossessions?

**Mr McCausland:** I thank the Member for her question. I am pleased to report that the advice service is bringing significant benefits to people in financial difficulty. Quite often, interventions are made at a late stage, when people are already in front of the courts, so the advice is critical. Interim analysis indicates that, over the past five months, the service has provided help to 434 clients and directly prevented the homelessness of 108. When an intervention worked, it brought huge benefit to individual families. I suggest that anyone who thinks that they are in danger of losing their home ensure that they take immediate action. They should contact their lender to discuss the position and seek independent advice, such as that offered by the mortgage debt advice service.

**Mr Byrne:** Will the Minister provide an update on the state of the co-ownership scheme? What level of funding is being allocated to it to help potential applicants?

**Mr McCausland:** Over the past number of weeks, I have had conversations with the Co-ownership Housing Association, not simply about direct co-ownership but also about other programmes that we might consider taking forward together. The association's budget has been secured for the coming year, and we are discussing with it a potential extension of the interventions that might be possible. I hope to move on that, and there should be an announcement very soon.

## Neighbourhood Renewal

2. **Mr Easton** asked the Minister for Social Development for his assessment of the success of neighbourhood renewal. (AQO 383/11-15)

**Mr McCausland:** I thank the Member for his question. The neighbourhood renewal programme has been successful on a number of levels. It has brought communities and government together to develop and deliver agreed action plans that seek to tackle the causes of deprivation in 36 of our most disadvantaged areas. Since the 10-year strategy was launched

in 2003, it has delivered significant additional services and facilities in those most deprived areas, thereby enhancing the quality of life of those living there. One notable success of the programme is, I suggest, that it has gained support across all political parties, as was the case in the Chamber last November.

The recent review of neighbourhood renewal detailed improvements in the 36 areas since the beginning of the programme. However, it also highlighted weaknesses and indicated that much still needed to be done, particularly in response to the current economic downturn. A particular area of concern has been that efforts by a number of statutory bodies to address various aspects of deprivation have not been as well integrated as they could and should be. Therefore, there has not been sufficient focus on changing the economic prospects of those areas. There have also been recurrent difficulties with some statutory organisations genuinely engaging in delivering change through neighbourhood renewal. I will ensure that at least all parts of the Department for Social Development (DSD) family, including the Northern Ireland Housing Executive, work together to ensure integrated delivery, and I will raise the wider issue with Executive colleagues. The next round of funding of projects under neighbourhood renewal will focus on delivering effective services in the most efficient way possible. DSD will also reflect on the key lessons from neighbourhood renewal as we restart work on a new urban regeneration and community development framework destined for implementation in 2014.

Since the 2003 launch of the programme, 36 partnerships have been formed, neighbourhood plans agreed and actions implemented. The mid-term review detailed a narrowing of the gap between neighbourhood renewal areas and the rest of Northern Ireland. During a debate on 30 November, neighbourhood renewal also received support from all political parties, and the programme was allocated £20 million revenue per annum under the current comprehensive spending review period. Projects that receive funding for DSD must demonstrate that they address a need in an efficacious manner. The recurrent problems that some statutory bodies in some areas have engaging with neighbourhood partnerships and supporting integrated delivery will be addressed.

**Mr Easton:** Will the Minister outline what difficulties he sees with the neighbourhood renewal programme? It would be remiss of me not to mention the Kilcooley estate in Bangor.

**Mr McCausland:** I would be deeply disappointed — traumatised, even — if the Member did not mention the Kilcooley estate in Bangor. Although neighbourhood renewal has achieved much and there are examples of excellent practice, there are weaknesses that I wish to see addressed in the current programme so we can build the results into successor programmes.

The weaknesses include too much money being expended in supporting the core costs of organisations rather than on their delivery, and not enough emphasis on changing the economic fundamentals of the area, as one of the keys to addressing deprivation is to encourage and support people into employment. There are weaknesses in relation to the ability and willingness of some neighbourhood renewal partnerships to create radical and deliverable plans, and there is quite a variation across the neighbourhood renewal areas in the quality and content of the plans.

Other weaknesses include patchy participation of some key statutory agencies in some local areas; the need to improve alignment in some areas with other initiatives that impact on poor health, educational attainment, worklessness and economic vitality; and a lack of broad, local political engagement. That happens in some areas and not in others, and I want to look at that as we move forward with neighbourhood renewal.

I believe that the more involvement there is with the whole community — the community sector, statutory agencies, the business and political communities — the more successful programmes such as this will be. I know the Member has particular concerns about the Kilcooley estate. He has raised issues with me about Kilcooley Women's Centre, and I will write to him on those points.

**Mr Nesbitt:** I thank the Minister for pointing out that this 10-year scheme is drawing to a close with weaknesses that might be summarised as an emphasis on process over outcomes. What is the Minister doing to effect the cultural change in the statutory bodies that will put the focus back on outcomes?

**Mr McCausland:** I point out to the Member that the difficulties are not simply with the statutory agencies. If he listened carefully, he would have heard me be very specific about that. There are weaknesses with regard to statutory agencies, but there are weaknesses in other areas of the programme. The issue, for example, of having a coherent, holistic and imaginative plan for each area is the kind of thing that I am talking about.

I visited areas in different constituencies to talk to neighbourhood renewal partnerships and saw quite a variation. For example, in some areas, delivery of projects for young people is quite strong and in other areas it is quite weak. In some areas the programmes are extensive, really imaginative and exciting, and in other areas they are quite conservative. There is a need to work with statutory agencies, but there is also a need to work with and support local communities. That is why we carried out a mid-term review and that is why we are looking at the shaping of neighbourhood renewal in the future. An announcement will be made about that in due course.

**Mr F McCann:** Go raibh míle maith agat, a Cheann Comhairle. I remind the Minister that the Committee for Social Development carried out an inquiry into neighbourhood renewal and made quite a number of suggestions, none of which was taken up by the Department. Does he agree that the biggest single failure on the development of neighbourhood renewal —

**Mr Speaker:** I ask the Member to come to his question.

**Mr F McCann:** The failure of the development of neighbourhood renewal lay with Departments not playing their part. In fact, there was a lack of leadership in his Department in the past, and from a departmental point of view —

**Mr Speaker:** The Minister has got the gist of the question.

**Mr McCausland:** I am sure that many people will have comments on how this programme has been delivered under previous Ministers. I do not want to dwell on the past; we want to look forward on this, as I am sure the Member does. The mid-term review that I spoke about sits alongside the Committee for Social Development's report. We are looking at both; it is not as if the Committee's report has been cast aside. Others may not have paid the same attention, but I am determined to do so.

The reports will be considered together and we have a number of recommendations that will form a comprehensive programme for improving neighbourhood renewal. Those recommendations include: developing better links with agencies and with other policies operating on a broader spatial scale, particularly in regard to economic development; stronger emphasis on reducing worklessness; and developing new models of delivery that bring together regeneration resources and mainstream spending in a more complementary way. Projects that do not display the ability to contribute to agreed outcomes should not continue to be supported.

More effective methods of achieving outcomes should be found, and the focus must be on delivery for the local community. Finally, the success of regeneration should be measured by the outcomes that it delivers, not the activities that are carried out, with a primary focus on improving economic outcomes.

### 3.15 pm

**Mr Eastwood:** Will the Minister give an assessment of how other Departments have participated in neighbourhood renewal?

**Mr McCausland:** One of the real tests in such things is putting your money on the table. Bear in mind that neighbourhood renewal was initially an Executive initiative. It is led by DSD, but it is a cross-departmental initiative. We need to see other Departments looking at how they can skew resources and put in additional support in a complementary, coherent way right across the Departments.

I do not want to pick out particular Departments and say that A has done really well and B has done badly. I will not go down that road, but I will simply say that all Departments should be looking at neighbourhood renewal as something in which they have a role to play, whether it is in the areas of education, further education, health, or whatever it is. What can we do right across all the Departments, including the Department for Regional Development and the Department of Enterprise, Trade and Investment and so on? All the Departments have something that they can contribute.

**Mr Speaker:** Question 3 has been withdrawn.

## Social Housing: Lower Newtownards Road, Belfast

4. **Mr Douglas** asked the Minister for Social Development what steps his Department has taken to address the social housing issues that are being faced by residents in the lower Newtownards Road area of Belfast as a result of the 2011 summer disturbances. (AQO 385/11-15)

**Mr McCausland:** I visited the lower Newtownards Road area in the aftermath of the recent disturbances and saw for myself the damage caused and the problems for the residents living in that area. I wholeheartedly condemn the violence that occurred, and I take this opportunity to pay tribute to the Member and others working on both sides of the interface in an effort to reduce tensions.

This is primarily a community safety issue, and my Department is working closely with the Department of Justice and the interface residents initiative in an effort to identify what more needs to be done to protect tenants living in the area. A great deal of work has been done already, such as the replacement of broken roof tiles and windows, and oil-fired heating systems have been replaced with gas in five properties where it was deemed that the oil tanks caused a potential risk. Smoke detectors have been fitted in the roofs of a number of properties, and a thorough clean-up of the area has taken place. Further work is planned, such as the replacement of roof tiles on some properties with metal tiles and the fitting of window grilles. I was pleased to hear the local community commend the response of the Housing Executive and Habinteg housing association to the issues that residents faced in recent times.

**Mr Douglas:** I thank the Minister for his answer. Some of those local communities that he talked about are very frustrated at the moment, because, although there is an acknowledgement that much progress has been made, there has been slow action from some of the other housing providers. What action does the Minister propose to take to ensure that progress is made and made quickly?

**Mr McCausland:** I thank the Member for his supplementary question. I referred to the positive feedback from the local community on the efforts that the Housing Executive and Habinteg housing association have made in that

area. I believe that they have set the benchmark that all housing providers must follow, and nothing less than that will be accepted.

Senior officials have met with various housing providers and have written to each of them setting out how I expect them to respond to the issues that residents face. Habinteg housing association has already carried out over £17,000 of work on its properties in Duke Street. In conclusion, tenants' safety must be its top priority. I am keeping its response to the situation under very close review.

**Mr Copeland:** I echo the sentiments of my colleague on my left. Is it possible at this stage to estimate, in money terms, the total amount of damage occasioned during those occurrences and where the money to effect repairs is actually coming from? Will it come from the resources of the Housing Executive or, perhaps, the housing associations? If so, does that not act against the other people who have an expectation that that money might be spent on other things during the course of a year? Is it the intention of his Department to assist any of those people?

**Mr McCausland:** The Member will be well aware that I am not in a position to invent money or conjure it out of thin air. Any money that is taken by the Housing Executive or a housing association to deal with a particular issue must come from the budgets of the relevant organisations. Since there is a finite amount of money, the result is that it is taken away from something else. I am sure that the Member would not question that. I can comment only on the cost of the work that has been carried out so far. The final figures have not yet been established, but to date, our social landlords have spent in the region of £30,000 to secure residents' homes. The further work that is planned is estimated to cost £60,000, and will include the provision of metallic roofs on some properties on the Newtownards Road and Thistle Court, and the replacement of Lexan glass in Cluan Place.

**Mr McDevitt:** I echo colleagues' concerns about the inaction of a small but significant number of agencies. What specific duty does the Minister feel that he and the Housing Executive have to promote community safety in that part of our city? What steps will his Department take between now and next year to try to avert a repetition of this summer's activities?

**Mr McCausland:** The issues on that particular interface are long standing and go back long before the summer to the period when my predecessor, Alex Attwood, and his predecessor, Margaret Ritchie, were in the Department. The situation is nothing new. I am sure that the Member would agree. We need to look back at what has been done by my predecessors, what we are doing at the moment and what we will do. In addition, we need to take note of the fact that, as the Member said, this is a community safety issue. A number of Departments, including the Department of Justice, have a role in addressing community safety. My Department has a contributory role, and we need to move forward in a cross-departmental way. As is the case with neighbourhood renewal, there are many issues in Northern Ireland, because of the nature of our Executive system, that are cross-departmental. I want to see things being taken forward in that way. There is a role for the Office of the First Minister and deputy First Minister (OFMDFM) in improving community relationships through funding for the Community Relations Council, and so on. There is a whole range of initiatives that need to be taken forward together in a coherent and collaborative way.

### Cancer Patients: Fuel Payments

5. **Ms Boyle** asked the Minister for Social Development whether he has had any discussions with his Executive colleagues regarding funding that might be available under the social protection fund which would enable fuel payments to be made to people receiving cancer treatments.

(AQO 386/11-15)

**Mr McCausland:** The Member will be aware that the social protection fund is an OFMDFM-led scheme that is designed to assist those most in need in the wider community. I am, nonetheless, engaging with Executive colleagues to determine how best to use the social protection fund to target those householders who are most affected by the recent gas and electricity price rises. I am conscious that the announcements by Power NI and Firmus Energy will place added pressure on people struggling with household budgets. I expect to announce plans for the funding available under the social protection fund in the very near future.

**Ms Boyle:** I thank the Minister for his answer. What action does he intend to take to ensure that those who are entitled to payment receive

it in time and do not have to go through the rigours of red tape and bureaucracy?

**Mr McCausland:** Beyond Santa Claus handing out gifts without any red tape or forms to fill in, it is not the normal situation with governments that we just hand money out willy-nilly. There has to be a process, and the Member will recognise that. However, we want to keep the process as simple as possible, and, when the initiative is announced for the expenditure under the social protection fund, I am sure that the Member will be reassured that, indeed, we have kept it as simple and accessible as possible. The other thing is to ensure that people are well informed about what is being made available. Information and simplicity are key.

**Mr Campbell:** Will the Minister assure the House that, as the process of the social protection fund unfolds, he will, in so far as is possible, target those who are most in need so that maximum protection is offered to them?

**Mr McCausland:** Getting the money to the people who need it most has to be our priority. We currently face a difficult time in regard to fuel poverty. I want to do all that I can, but the social protection fund is not the be-all and end-all. For example, I am considering bidding for additional funding in the October monitoring round to enable the Housing Executive to replace single-glazed windows in a number of its properties with double glazing and additional insulation measures to ensure warmth. I expect the Housing Executive to step up to the mark and ensure that as many of its properties as possible are double-glazed over the coming winter and in subsequent years.

The energy efficiency of homes is related to fuel poverty. Double glazing is an excellent way to deal with that. I understand that only 40% of the Housing Executive's stock of 90,000 are double-glazed. Sixty per cent of its properties are single-glazed, and, in some areas, up to 70% of its properties are single-glazed. I intend to bid for that money, and I will meet the Housing Executive to see what we can do to get the maximum delivery on the ground and the maximum amount of money out there to get double glazing in those homes. We can take forward that major development, with additional insulation measures, to ensure warmth in homes and cut fuel costs and fuel poverty.

**Mr Allister:** Does the Minister agree that delivery would be far more efficient if the social

protection fund lay in his Department, where it rightly belongs, rather than under the aegis of OFMDFM? Is that one of the reasons why, six months into the financial year, there has been no spend under that fund?

**Mr McCausland:** There are some folk who, with the best will in the world, can always find the most negative thing in anything. The Member certainly excels himself in that regard. It is vital to make sure that we get the best outcome and delivery. We are in September, so we are coming to the period of the year in which the issue of fuel poverty comes to the fore because of the cold weather. The announcement will be made very soon and will, therefore, be in place for the period of the year when the need is greatest. It is not particularly an issue over the summer or sunny months, although it is not particularly sunny in Northern Ireland; the problem arises over the winter months. The measure will be in place for that period, so nothing will be lost in that regard.

**Mrs Overend:** I thank the Minister for his answers so far. Will he detail whether the Executive have identified any additional revenue streams to resource the social protection fund after 2011-12?

**Mr McCausland:** The Member seems to focus very much on the issue of the social protection fund. The danger is that the central issue will become putting money into people's pockets to pay for fuel. That is important, but the bigger issue is trying to address energy efficiency. I have recently visited homes in a number of places, and I was up in Carnlough the other day. There are newly built homes there that have energy efficiency such that the fuel bills are cut by around half. That is much better because it lasts year on year; you do not have to go back with a grant year on year. If we can keep the focus much more on how we address energy efficiency, we will have a better outcome for people who suffer from fuel poverty at this time.

### Housing Executive: Contractors

6. **Mr S Anderson** asked the Minister for Social Development what quality assurance arrangements are in place to monitor and evaluate the work that is carried out on social housing by contractors employed by the Housing Executive. (AQO 387/11-15)

**Mr McCausland:** The quality of work that is carried out by Housing Executive contractors

is very important for its tenants and for the taxpayers of this country.

In recent weeks, I have asked my officials to carry out a forensic investigation of a sample of Housing Executive response maintenance contracts to provide me with assurance that contractors are carrying out their work to a quality standard.

### 3.30 pm

The Housing Executive has in place a number of quality control systems to monitor and evaluate all work that is carried out on response, planned maintenance and heating installations. Those include pre- and post-inspections, key performance indicators, tenants' surveys and audits of work completed by contractors. However, as the issue around one particular contractor earlier in the year highlighted, there are major shortcomings in the outworking of that, and the forensic audit will bring to light a number of issues that we will then be able to address. That is why I have asked for that to be carried out.

From speaking to Members, I know that, in many cases, issues around housing and the Housing Executive, including repairs and allocation, form a major part of the work that comes into an average constituency office. I am sure that the Member will share that experience. Therefore, we need to ensure that the systems that are in place are fit for purpose, that, organisationally, we are fit for purpose, and that we are delivering a good standard and a good service to all Housing Executive tenants.

**Mr Speaker:** That ends Question Time. I ask the House to take its ease before we move to the next item of business.

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

## Executive Committee Business

### Protection of Freedoms Bill: Legislative Consent

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** I beg to move

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions dealing with freedom of information contained in Part 6 of the Protection of Freedoms Bill as amended in Committee in the House of Commons.*

The Protection of Freedoms Bill was introduced to the House of Commons on 11 February 2011 and contains two chief provisions in Part 6 that require a legislative consent motion if they are to extend to Northern Ireland. The first builds on the requirement for public authorities to maintain publication schemes under the Freedom of Information Act 2000 by introducing a right to request data sets. The second extends amendments made to the Freedom of Information Act by the Constitutional Reform and Governance Act 2010 regarding the reduction of the 30-year rule to 20 years. Greater transparency is at the heart of both provisions, which commit the Executive to open themselves up to greater scrutiny and allow the public to hold public authorities to account.

There are other incentives. Freedom of information legislation is being expanded to ensure that public authorities publish data sets for reuse and do so in a reusable format, whether in response to a request or through their publication schemes. That will help to deliver better value for money in public spending and bring economic benefits by enabling businesses and individuals to exploit government data sets for commercial and social purposes. The key principle at the heart of the right to data provision is that the taxpayer has paid for the collection of the data and should not have to pay again. Therefore, public authorities are expected to make the information freely available or at minimal cost in a reusable format, where reasonably practicable.

Moreover, authorities are encouraged to publish regularly requested data sets proactively via publication schemes in order to reduce the

administrative costs associated with processing requests. That said, public authorities, which are required to operate in a commercial manner in order to cover their costs, may continue to use existing statutory powers to charge, and, to accommodate future needs and circumstances, a power to make new regulations to enable charging is provided for in the Bill.

The availability of official information is to be extended through another route. Most official records are made available to the public by the time they are 30 years old. That has been the case in Northern Ireland since 1976 when the rule was introduced here by the then Secretary of State Merlyn Rees. However, in recent years, there has been much discussion and consultation about whether historical records can be made available for public inspection substantially sooner. The need to look again at current arrangements has been driven by the irony that information available on requests relating to current events and current decisions is still withheld as a matter of course for similar events and similar occasions that happened decades ago.

The Constitutional Reform and Governance Act 2010 instituted the amendments to facilitate the reduction of what is commonly known as the 30-year rule to 20 years. However, the amendments applied only to England and Wales as there was not sufficient time to obtain a legislative consent motion before the general election of 2010. The Protection of Freedoms Bill, which is being managed by the Home Office, presents a legislative opportunity for the provisions reducing the point at which official records are released publicly to extend to Northern Ireland, as they have yet to be commenced. If extended to Northern Ireland, the provisions would reduce the lifespan of a number of exemptions in the Freedom of Information Act 2000 from 30 to 20 years. For example, records concerning investigations conducted by public authorities or those concerning the formulation of government policy would be released after 20 years instead of 30.

One exception is being made to the rule so as to afford a greater measure of protection for official records that contain information that is particularly sensitive. That is information that would impact negatively on the continuing political process here if disclosed. Therefore, if information is deemed to be of the type that, if released, would prejudice the effective

conduct of public affairs in Northern Ireland or the work of the Executive, the bar on release would remain at 30 years. Under section 36 of the Freedom of Information Act 2000, that judgement is made by the qualified person, who is the Minister in charge of the Department that holds the information in question or, in the case of a Whitehall Department of State, any Minister of the Crown.

The reduction of the time span within which information and historical records can be exempt from release to 20 years would not require any complementary amendment to the Public Records Act (Northern Ireland) 1923, as that legislation already provides for the transfer of official records to the Public Record Office of Northern Ireland at the 20-year point.

There will be some resource implications for the Public Record Office of Northern Ireland and the Departments. To offset them, the freedom of information provisions in the Constitutional Reform and Governance Act 2010 provide for the phased introduction of the 20-year rule over a 10-year period commencing in 2013. In practice, that will mean that two years' worth of records are brought forward each year for sensitivity review until the 20-year rule is implemented fully by 2023. Additional costs that arise will form part of the Executive's budget and will be absorbed. Careful management, including the introduction of new procedures governing official records, will ensure that standards are maintained while greater volumes of information are processed in a cost-effective manner.

A legislative consent motion is required in relation to clauses 98, 99, 100, 101(5), 103(3) and 103(4) in Part 6 of the Protection of Freedoms Bill.

Clause 98 enables the release and publication of datasets. Clause 100 repeals those parts of the Constitutional Reform and Governance Act 2010 that exclude Northern Ireland public authorities from the freedom of information provisions relating to the disclosure of historical records and communications with the Royal Family.

There are other, less substantial freedom of information provisions in the Bill that require a legislative consent motion. Clause 99 amends the definition of "publicly-owned company" in section 6 of the Freedom of Information Act 2000 so that it extends to companies wholly owned by more than one public authority.

Clause 101(5) repeals spent provisions in the Freedom of Information Act about the period of office of the Data Collection Commissioner as the first Information Commissioner.

Finally, clause 103(3) and (4) amend section 47 of the Freedom of Information Act, which concerns the general functions of the Information Commissioner.

United Kingdom Government Ministers have consulted fully with the First Minister and the deputy First Minister about the proposed amendments to the Freedom of Information Act, and, as the provisions are of cross-departmental interest, the First Minister and the deputy First Minister consulted all Executive Ministers before the summer recess and received their endorsement. The support of the Committee for the Office of the First Minister and deputy First Minister (OFMDFM) was also sought and received.

In conclusion, I hope that I have outlined sufficiently the nature and scope of the provisions that require the consent of the Assembly, and I now commend the legislative consent motion to the House.

**Mr Elliott (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I will be brief. At its meeting on Wednesday 29 June, the Committee of the Office of the First Minister and deputy First Minister received a briefing from departmental officials on the legislative consent motion. Members were content for the legislative consent motion to proceed, and, as no issues were raised, there was no obvious need for the creation of a Committee report on the matter. Therefore, the Committee supported the legislative consent motion.

**Mr Eastwood:** I, too, will speak briefly in support of the motion. However, the Bill raises one glaring difficulty that we have in information-sharing between our two police forces on this island. There is no legislative framework to allow for so-called soft intelligence to be passed between an Garda Síochána and the PSNI. Therefore, the potential exists for a serious criminal from, for example, Lifford to live in Strabane, yet no information could be passed from the gardaí to the PSNI. I ask the Minister to bring that matter to his Executive colleagues to do something about it. There are talks in the South about that issue, but no timescale is involved. I encourage the Minister to bring —

**Mr Elliott:** I thank the Member for giving way. Does he accept that it does not take legislation to do that? Quite often, the PSNI and the gardai co-operate between their two jurisdictions in a practical manner, and that is probably more beneficial than simply having legislative proposals.

**Mr Eastwood:** I accept that, but it is important to have that enshrined in legislation. We know that there are serious difficulties. It is a small country. People can cross the border easily. I think that it is important that, for example, known paedophiles, if they operate across the border, be known to the police in Northern Ireland. I just encourage the Minister to work with his Executive and Dáil Éireann colleagues to ensure that that gap is plugged.

**Mr Allister:** The one area of concern that I have is with why Northern Ireland is a special exception from the 30-/20-year rule, because that will not apply elsewhere. Therefore, whose blushes are we trying to spare over the coming years over how these institutions were established and operate? Are they the blushes of Sinn Féin over its past? Or are they the blushes of the DUP over, for example, the bogus suggestion that there was a plan B, when anyone with any wit knows that there was no plan B? Is that what we are trying to protect from getting into the public domain until some of the players responsible for that deception are long off the political scene?

There is scant or no justification for the special exception on political grounds for Northern Ireland to maintain the 30-year rule when it becomes a 20-year rule everywhere else.

### 3.45 pm

**Mr Bell:** I will endeavour to deal with those points in turn. As Executive Ministers, our thanks go to the OFMDFM Committee for its prompt consideration of the issue and for its co-operation in helping us to get a piece of good law. It was said earlier that there are those who can scent poison in everything; however, this is a piece of good news. It allows for government to be more open and transparent, and it allows information to be passed out directly in reusable formats that will benefit the public and wider society in their interactions with government, and that is what I want. I thank the members of the OFMDFM Committee for considering the matter and giving us the prompt response that has

allowed us to bring the work together and to bring the legislative consent motion here today.

Valid points were raised by Mr Eastwood. While addressing the SDLP Benches, the sympathy and prayers of many on the DUP Benches and of us all go to Mr Durkan and his family at this time. Mr Eastwood raised points on co-operation. I am not sure whether they are specific to this legislation, but they are valid points that can be taken up by colleagues on the Policing Board. I congratulate the Garda Síochána and the Police Service of Northern Ireland for co-operating fully on the work that I saw being done for a considerable period last year. As a result, that proactive work has put a stop to bombs and weaponry that could have led to the death or injury of our people. Anything that can be done between the police force here and the guards should be done, and I will endeavour to have that raised directly with the Minister of Justice and the Policing Board. From my experience on the Policing Board, co-operation between the guards and the police has been at a significantly high level, and that was verified by the Chief Constable. I am confident that that will continue for the protection of us all.

Mr Allister made a number of points, some which might even have been relevant. However, that will be for the Ministers and the public authorities in England and Wales to determine.

In conclusion, the freedom of information provisions in the Protection of Freedoms Bill seek to promote greater transparency and economic and social gains through the release of official data and through the reduction from 30 to 20 years when complete records are released into the public domain. The aim is to strike a better balance between openness, affordability and the protection of information. With Members' support, a consistent approach across the United Kingdom to the release of information and the equality of information rights to its citizens is achievable. Therefore, I commend the motion to the Assembly.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions dealing with freedom of information contained in Part 6 of the Protection of Freedoms Bill as amended in Committee in the House of Commons.*

## Committee Business

### Committee Membership

**Mr Deputy Speaker:** As with similar motions, the motion on Statutory Committee membership will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

*That Mr Mike Nesbitt replace Mrs Sandra Overend as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Michael Copeland replace Mr Mike Nesbitt as a member of the Committee for Regional Development; that Mrs Sandra Overend replace Mr Mike Nesbitt as a member of the Assembly and Executive Review Committee; and that Mrs Sandra Overend replace Mr Michael Copeland as a member of the Committee on Standards and Privileges. — [Mr McCallister.]*

## Private Members' Business

### Energy Prices

**Mr Deputy Speaker:** The next item of business on the Order Paper is the motion on energy prices. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes in which to propose the motion 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 the amendment and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Flanagan:** I beg to move

*That this Assembly recognises the severe financial pressure on families and small businesses from the recent increase in energy prices; and calls on the Minister of Enterprise, Trade and Investment to liaise with the Utility Regulator and the large energy companies to ensure fair and affordable pricing for energy.*

Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom an rún seo a mholadh, agus tá áthas orm é a chur faoi bhráid an Tionóil. I note that an amendment has been tabled. We are willing to accept that amendment in order to avoid dividing the House. This is such an important issue, it is vital that we present a unified voice to the community.

The motion speaks of the severe financial pressures that are facing families and small businesses. Many are often left with a choice of whether to heat or eat. That is a choice that I have had to make, and many's an evening I have been forced to use a Superser in my house to try to heat it, as a fill of oil was completely out of my reach. In fact, being an MLA who takes home only the average industrial wage, I am not that far above it at the minute. That is the reality for many in our community, and many of those points were well made in last week's debate on fuel poverty.

Spiralling energy prices need to be addressed as a matter of urgency. The motion calls for the Minister of Enterprise, Trade and Investment to liaise with the Utility Regulator in order to ensure fair and affordable pricing for energy. That is not too much for any member of our community to ask. That is why they have elected

us to this place; they want us to ensure that everything that can be done on these key issues is done.

In recent weeks, consumers have faced a barrage of announcements on price rises. Phoenix has put its prices up by 40%; Firmus is putting its prices up by one third; electricity is going up by 18.6%; and coal is going up by 10%. The only good news for people in rural areas is that the price of turf is not going up, but, unfortunately, thanks to diesel price rises, it may as well be.

There is a huge amount of profiteering and greed within the energy industry. Recent newspaper coverage, for instance, revealed that the chief executive of Firmus Energy earns an annual salary of over £700,000. I am sure that he does not worry too much about whether to put on the heating for an extra hour, whether to light a fire or whether to get a steak dinner. Likewise, AES, the company that owns Kilroot and Ballylumford power stations, makes an annual profit of some £50 million on a turnover of £156 million. That is a profit ratio of some 32%, which is a massive return on any company's investment. How the energy regulator or the Enterprise Minister have failed to tackle that issue is beyond me, and I am interested to hear her thoughts on that at the end of the discussion.

In these challenging economic times, most small business owners would be happy enough not to make a loss and to be able to draw a decent wage out of their business, let alone make such huge profits compared with their annual turnover. Recession or not, all energy suppliers continue to post increasing profits, when, all the while, the most vulnerable people in our society suffer.

It is clear that we are dealing with a situation in which there is complete over-reliance on fossil fuels to meet our ever-growing energy needs, and that reliance is particularly focused on oil in many rural areas. As we are all well aware, there is no regulation in the oil industry locally. People need oil, so they have to pay the going rate. Many people are prepared to shop around, but there is often such a minimal difference in the price between competing firms that it makes little or no difference who your supplier is.

The Department of Enterprise, Trade and Investment often talks about the benefits of competition in the electricity market, but the simple fact of the matter is that when the choice is between two extortionate suppliers,

it is not much benefit to consumers or small businesses. At a recent Enterprise Committee meeting, the Utility Regulator informed us that Power NI has plans to add a further 12% to our electricity bills to fund a further £1.4 billion infrastructural investment.

What they failed to tell us was that there was also provision in those plans to plug a £50 million hole in the company's pension deficit. It is a ridiculous proposal, and the Minister and the regulator need to ensure that such plans are rejected in their current form. Consumers cannot afford yet another hike in electricity prices.

The current consultation on the renewable heat incentive by the Department of Enterprise, Trade and Investment (DETI) is a major disappointment. A sum of £25 million was awarded to the Executive by the British Government to enable us to generate more of our heat energy from renewable sources. However, the Department will not allow any of that money to be used in areas where there is an existing gas network. I cannot see the logic of such a move, and I would appreciate some clarification from the Minister on the reasons behind that. The determination by the Department to protect the existing gas industry is a major problem, and I would like to see it addressed. In the Assembly and the Executive, it is well rehearsed that the Minister for Social Development takes the lead on fuel poverty. However, given its responsibility for energy policy, much more could and should be done by the Department of Enterprise, Trade and Investment to deliver real change for the people whom we represent.

I want to take this opportunity to pay tribute to the excellent work that the Consumer Council does as an advocate for consumers and in providing a voice for people. I also recognise and congratulate groups such as the Fuel Poverty Coalition and Age NI for their efforts to eradicate fuel poverty from our society, particularly for our most vulnerable people.

The most recent figures reveal that it costs on average £1,085 more to heat a home with oil than it does with gas. That has a much greater impact on those who live in rural areas. The planned expansion of the gas network is to be welcomed. It will be beneficial to many people, but it will not help those who live in many parts of my constituency. It will not solve any of our problems if we simply continue to monitor global

fuel prices and use excuses such as an ongoing war in the Middle East or a tsunami in Japan to prevent measures being put in place to help to alleviate this growing problem.

Across our society there are many who are very passionate about tackling fuel poverty. Many of those people are active in my own constituency, and they work on a voluntary basis to try to come up with solutions to a very difficult problem.

I also want to bring to the Minister's attention the ongoing concern among many in County Fermanagh about her decision to award an exploratory licence to Tamboran to use a process known as fracking in 750 sq km of the county, much of which is an area of special scientific interest. As the Minister is well aware, there may be tens of trillions of cubic feet of shale gas underneath Fermanagh. However, what concerns people is the method that the companies will use to extract it, injecting some 600 different types of chemicals into the ground with the potential for devastating consequences for the entire county. In previous responses that the Minister has given to me about fracking, it is clear where she stands on the issue. However, I would like some clarification from the Minister on how places like Fermanagh will benefit as regards energy security, given that there is no natural gas network in the county.

Ever-rising energy prices coupled with reductions in take-home pay, job losses, redundancies, benefit cuts and cuts to winter fuel payments mean that action must be taken to address this issue. Unlike the rest of Ireland or Britain, energy suppliers here do not provide cheaper tariffs for those most in need. Although the cost of all forms of energy here greatly exceeds those in the rest of these islands, our household incomes are much lower.

Those are many of the reasons why much more work needs to be done by the Assembly, the Executive, the Minister and the Utility Regulator to try to tackle growing energy prices. I look forward to hearing the debate that follows.

**Mr Moutray:** I beg to move the following amendment: Leave out "and the large energy companies".

The rise in energy prices is on everyone's mind as we approach what we are told will be a similar winter to last year — if not a worse winter — weather-wise, and as the financial pain caused by the economic downturn continues for many

consumers. The words "fuel poverty," "energy price rise" or "price hike" are all too common, and it is time that all Departments, not just DETI, work together for those constituents who are struggling with this huge burden.

The debate is timely, particularly in the aftermath of numerous price rises. We have only to think back over the past month and the announcement by Firmus Energy of its price increase in the 10 towns in which it operates. On 25 August, we also learned that Power NI is increasing electricity prices by 18.6% from 1 October, with consumers seeing the increase in their January 2012 bills.

#### 4.00 pm

Additionally, we have witnessed an increase in the price of coal, which is a blow to consumers who use only coal to heat their home or coal fires as a means of complementing central heating systems. People are concerned about the affordability of energy and about where the money will come from if prices continue to rise. Indeed, I believe that the recent hikes in prices are a blow that could result in an increase in deaths, sickness, failing health and reduced educational success. That is because people will just not have enough money to fuel and heat their home, travel the required distance to work or, for young people, travel to places of education.

The price increases afflict the most vulnerable groups in society, such as pensioners and single parents. Around half the people who are in fuel poverty are aged 60 and over, and 40% of households in fuel poverty have children. It is well documented that erratic energy costs and low incomes are major contributing factors to this situation. It is notable that in the area covered by Armagh, Banbridge and Craigavon district councils, much of which lies in my constituency, the percentage of homes suffering fuel poverty reached 46.3% in 2009, which is the fourth highest figure in Northern Ireland. As the economic situation has worsened, I am sure that that figure has increased significantly. Furthermore, small businesses are struggling for survival. The Federation of Small Businesses notes that a rise in fuel duty is stifling eight out of 10 small firms, and it is particularly concerned for the manufacturing, construction and transport industries.

Those statistics are alarming, to say the least. I, for one, want to see the energy companies,

however large or small, have fair and affordable pricing for all. My party's amendment is best placed to ensure that, because, unfortunately, Minister Foster does not have the powers to deal directly with private energy companies or to assist in setting the prices that they charge. Her role in the process is to negotiate with the Utility Regulator to ensure that its scrutiny of energy providers is to a high and transparent standard.

I commend the Minister for her efforts to negotiate and curtail energy prices, for her ongoing discussions with the Utility Regulator and for bringing forward the strategic framework as published in 2010. That new strategic energy framework gives a firm signal of commitment. It is aimed at ensuring future access to secure, competitively priced and sustainable energy for all in Northern Ireland. It lays out the Department's commitment to deliver an energy policy for Northern Ireland that will support a prosperous and sustainable future for all consumers, and it seeks to maximise the economic opportunities and benefit for Northern Ireland. It recognises that the opportunities from energy policy issues are pivotal to future economic growth in Northern Ireland and that the Department and Invest NI will work closely with the business community to ensure that we, as an Assembly, are well placed to meet the energy challenges ahead.

As stated, the Minister does not have a direct role in setting electricity and natural gas tariffs. However, I commend her and her officials for working closely with the Utility Regulator and the energy industry to establish, where possible, measures to put downward pressure on prices. Those measures include having gas supply competition in the greater Belfast area and in the electricity supply market across Northern Ireland. Since its creation in 2007, the single electricity market has provided greater transparency and increased the number of suppliers, thereby improving competition. Additionally, we have seen the mutualisation of energy assets, such as the Scotland to Northern Ireland gas pipeline, the Moyle electricity interconnector and the Belfast gas transmission pipeline. The Minister's commitment to renewable energy is also notable, as is the fact that the strategic framework sets a target of 40%, which, in the longer term, should provide greater price stability for energy consumers.

It is time that the Assembly worked together to address this escalating problem, which does not lie solely at the feet of the Enterprise, Trade

and Investment Minister. Indeed, we need a joined-up approach. We require additional schemes, such as the warm homes scheme, the boiler scrappage scheme and the NIHE heating scheme, which Minister McCausland has been proactively progressing. We also need all our Departments to use the government estate's huge energy purchasing power to negotiate lower prices for consumers and for the home heating oil industry to do more to support vulnerable households and those in fuel poverty. The amendment more accurately reflects the Minister's responsibilities in that regard. I thank the proposer of the substantive motion for not dividing the House and accepting the amendment.

**Mr Nesbitt:** I will address the first half of the motion, which asks us to recognise the financial pressures on families and businesses, and I do. At the beginning of the previous Assembly, 36% of families were in fuel poverty, and, at the beginning of this Assembly, that percentage had risen to 44%. That figure has since gone up further because of the price rises that Mr Moutray and others mentioned. I will not labour the point because I believe that my colleague Mr Copeland will return to that issue later in the debate.

As for small businesses, it seems to me that energy prices are part of a poisonous cocktail that is choking the ambition of the House and the Executive to put the economy at the heart of our Programme for Government. I do not ask you to take my word for it, Mr Deputy Speaker. I will quote from a representative of the Federation of Small Businesses, who recently said:

*"The local economy is already facing a barrage of obstacles with increasing unemployment, dwindling private sector action and the highest energy costs in the United Kingdom."*

He went on to say:

*"costs are only serving to further compound and complicate this already undesirable situation."*

The FSB knows that its members need electricity more than any other source of energy. Indeed, in its survey, the next source, at 43% of users, was oil. That could lead us to ask once again why we are going for a 40% target by 2020 for renewable energy. Desirable as that might be on paper, in practice the Committee for Enterprise, Trade and Investment was told recently that to get from 0% to 20% would cost some £80

million, but to get from 20% to 40% would cost a further £800 million. That cost will be borne by families and small businesses. As Mr Flanagan said, renewing our infrastructure and investing in renewables has been estimated as costing a further rise of up to 12.5% in electricity prices next year. Although, to be fair to the regulator, I must say that he has not yet determined whether he will allow any of the proposed rises, never mind the full 12.5%.

The second half of the motion calls on the Minister to liaise with the regulator. I must ask why we would want the Minister to do that. When we examine the Utility Regulator's objectives, we see that the first is to protect the short- and long-term interests of electricity, gas, water and sewerage customers with regard to price and quality of service. If the Minister needs to speak to the regulator, can we assume that either the regulator is not doing his job or that the job does not work properly? For an answer to that question, perhaps we should look at the regulator's third objective, which is to promote competition, where appropriate, in the generation, transmission and supply of electricity.

That brings me to a question that I have been asking publicly and privately: is the consumer any better off 20 years after privatisation? In public, the best answer that I have received is that the consumer is better off because we have better security of supply, but I wonder whether that is exclusively down to privatisation or whether the renewal and upkeep of the grid and the introduction of new technologies would have achieved that objective anyway. When I have asked the question privately, sometimes the answer is greeted by a nervous laugh and the expression, "That is a good question". I draw my own inferences from that. As Mr Moutray said, the Minister has no direct role in setting tariffs, so, although we have introduced competition and choice, I question what choice we have introduced. For gas users, that means choosing between a company that wants to increase its prices by 35% and its rival, which wants to increase its prices by 39%. Is that good for the consumer? Again, I draw my own inferences.

We have a regulator who has an operating budget of £7 million. However, what does the regulator do that the energy division of the Department of Enterprise, Trade and Investment could not do? If the Minister is to liaise —

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

**Mr Nesbitt:** — perhaps she should liaise with her Government colleagues to make sure that energy becomes part of an economic enterprise zone that will drive the economy and is put at the heart of the next Programme for Government.

**Dr McDonnell:** I support the motion. Other Members who spoke highlighted the severe problem of fuel poverty, and I endorse their comments. A recent Citizens Advice Bureau survey found that one in three of its elderly clients was living in fuel poverty. It is widely thought that the problem could affect even more people, and the previous Member who spoke highlighted some of the facts around that. As many as half the households in Northern Ireland could be living in fuel poverty. Indeed, I noted a recent survey that suggested that the percentage of people in fuel poverty could be as high as 80% in some pockets of deprivation. That is frightening. As that is happening, energy prices, be it for electricity, home heating oil or gas — with a 40% price hike from Phoenix Natural Gas and a 35% price hike from Firmus Energy for its Belfast customers — continue to spiral. The problem can only escalate.

As I said, I welcome the motion, but it is important to note that it focuses on only one factor that leads and contributes to fuel poverty: pricing. Alongside high energy prices, the climate, lower household incomes and poor energy efficiency are all contributing factors. If we are serious about tackling fuel poverty, we must be mindful of all those factors and take all necessary cross-departmental action to address them.

I was heartened yesterday when I heard reports that the Minister for Social Development was to engage with colleagues in the Department of Enterprise, Trade and Investment and the Department of Health, Social Services and Public Safety to look at ways of tackling fuel poverty. For me, the time for talking is over. We need action as we approach another potentially bitterly cold winter. I have voiced concerns about the mechanism employed to set energy prices. There is a distinct lack of consumer confidence over whether energy prices are set in a fair, open and transparent way, so steps must be taken to address that. The Utility Regulator is doing a good job, but it is a difficult job. Fuel poverty is escalating to a point at which more

action is needed from fuel companies, as well as from energy officials in setting energy policy.

Certain inroads have been made in the renewable energy sector, but we are nowhere near where we could be or need to be. I know that it is probably expensive to push beyond the 20% level, but we must develop a new sustainable energy model that puts the needs of local consumers, rather than those of producers, first. We need an energy model with the lowest economic and environmental cost for our people. Getting that model and policy will involve close liaison between the Minister, the regulator and, if possible, the large companies on pricing. However, it has to be much wider than that. It requires identifying the action necessary for the creation of a stable energy framework and the greater promotion of energy efficiency and small-scale renewable energy businesses. That, in turn, will involve examining further the potential of and benefits from greater strategic energy policy between Northern Ireland and the Irish Republic in lowering energy costs on the island. It will involve identifying the action necessary to realise our indigenous renewable potential. That cannot and will not happen if it is left solely to market forces. Realising the indigenous renewable potential and removing barriers to its development are key weapons in the fight against rising and crippling fuel prices. Other Members pointed out that we cannot continue to rely on importing so much of our energy. It is not safe or sustainable. It is not in the best interests of all people. There is absolutely no good reason why production of electricity from wind, sun, sea and organic sources, at an efficient and affordable price, should not increase significantly.

**4.15 pm**

**Mr Deputy Speaker:** The Member must draw his remarks to a close.

**Dr McDonnell:** An abundance of indigenous renewable resources is waiting to be tapped into here. The Executive must create the necessary climate for confidence in local businesses to grow the renewables industry.

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

**Ms Lo:** Since the dramatic price increases in 2008, many families and businesses have struggled to pay their fuel bills. With recent energy price rises, they will face an even more difficult task to pay for heating and electricity.

The fact that price increases affect nearly all forms of energy, such as gas, oil, coal and electricity, shows the immediate need for action to be taken.

It is imperative that the Minister makes every effort to work with the Utility Regulator and the energy industry to ensure that consumers get a fair deal. I understand that the Minister has no power to determine prices for the private sector. Surely, it is not unreasonable to expect large companies to have a conscience and the social responsibility to refrain from making huge profits out of people's misery. Therefore, my party supports the motion but not the amendment.

It is shameful that many elderly citizens have faced the decision between heating and eating because they simply cannot afford both. With another winter due that is predicted to be as cold as last year's, we must ensure that no person faces that dilemma. It is not just the elderly who experience problems in paying for their heating. As has been highlighted by previous Members to speak in the debate, various recent estimates are that almost half of households are in fuel poverty.

Actions in the short term and long term are needed to tackle that issue. In the short term, the Assembly should continue to offer the winter fuel payment. That should help the elderly, who suffer most from fuel poverty. For elderly people, the consequences of not being able to heat their home could be preventable health problems — unnecessary expenditure for the NHS — and, in some cases, even death. However, the winter fuel payment alone will not solve the problem. A Citizens Advice Bureau report stated that, of the 500,000 households that use oil, around 400,000 use an inefficient boiler. The Assembly needs to ensure that there is higher energy efficiency in the public sector, improve home insulation and use efficient heating systems to become more effective in the use of energy and help cut energy costs. It would have the added bonus of providing employment in the hard-pressed construction industry.

Unfortunately, these short-term methods are just sticking plasters. A long-term goal is needed that will improve our fuel independence and security. We actually import 99% of our primary energy fuel needs. That figure is completely unsustainable, which is why we must take renewable energy seriously. I know that it would

not make any large-scale difference in the short term. However, in the long term, it could ensure price stability. Although we would have to invest, it would be worth it in the end. Look at Scotland, which leads the way in this field after it designated most of its coastal waters as a renewable energy enterprise zone. We could do the same and reap the benefits from creating jobs, attracting foreign investment and helping to reduce prices.

**Mr Dunne:** I support the amendment. This is a very important issue that affects every section of society in Northern Ireland.

Rising energy prices have become an all-too-common feature on our television screens and in our newspapers. We all have constituents who are in regular contact to tell us of their daily battle to afford to heat their home and pay their bills. Unfortunately, rising energy prices are increasingly becoming an issue, one that we must all try to address.

We all recognise the severe financial pressure on families and small businesses due to the recent energy price increases. The most recent announcement from Power NI about its intention to increase the cost of electricity by 18.6% from 1 October will put a particular burden on householders. The timing of that announcement, as we approach the winter months, is very regrettable.

Businesses also suffer in several ways from energy price increases, because hard-working families do not have the extra cash to support their local businesses. Local businesses increasingly cite rising energy prices as a barrier to competitiveness, and it is yet another barrier they face as they battle to keep their doors open in today's tough economic conditions. It is regrettable that Power NI's 55,000 business customers will also be subject to this latest price increase.

The Utility Regulator has an important role to play in trying to protect consumers as much as possible from ever-increasing energy costs. The forecast figures that were recently presented to the ETI Committee indicated that NIE's price control submission for the next five years may see major increases. The Utility Regulator admitted that there has to be significant investment in upgrading the grid to replace old and substandard sections and provide connection to it for the increased renewable generation that is required to meet the target of having 40% of

our electricity consumption from renewables by 2020. Such demands for major capital investment must be fully justified, as it would be wrong to pass on such costs directly to consumers, both commercial and domestic. It is imperative that the Utility Regulator does its job effectively and tries to minimise the impact on consumers.

One of the most effective policies to reduce the impact of rising energy prices is to encourage and exploit more practical efficiency measures, which can help to ease the burden on those who are struggling to survive. Power NI's recently launched free cavity wall insulation scheme for households with lower incomes is an excellent measure, and we would like to see more like it. Energy efficiency is something that we can all play a part in as we try to reduce the amount of energy consumed and, in turn, try to lower utility bills. The DSD's warm homes and boiler replacement schemes are other examples of worthwhile, realistic and practical measures.

Competition is another area that can help to keep down household bills. That is an area that my colleague Minister Arlene Foster is keen to promote and develop. I am aware of ongoing work designed to attract greater competition across the realm of energy, which is to be welcomed. I trust that we will begin to see new and greater competition in the energy sector in the near future. The more that other companies come in, the more competitive prices will become.

**Mr Weir:** I thank the Member for giving way. The Member mentioned the key importance of competition. Does he agree that one of the problems is that we have firms in Northern Ireland that do not cover all of Northern Ireland? In some parts of Northern Ireland, such as the Ards peninsula, there is a restriction on the number of firms that operate. Some firms have not yet expanded into those areas, but the more we can get firms that are based in Northern Ireland to cover all of Northern Ireland, the more there can be direct competition, which would hopefully act as a driver towards reducing prices.

**Mr Dunne:** I support the gas pipeline being extended down the Ards peninsula.

Renewable energy can play a part in easing the financial pressure on energy consumers. I know of constituents who introduced forms of renewable energy generation and have benefited from being able to generate energy

from measures such as wind turbines. However, renewable energy can be an expensive measure, particularly in the short term.

Energy prices and fuel poverty are interconnected, and I know that there is ongoing work involving the Minister of Enterprise, Trade and Investment and the Minister for Social Development. I welcome that co-operation. A joined-up approach is the only way in which we can try to minimise the impact of this worldwide problem for energy consumers in Northern Ireland.

**Ms S Ramsey:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak, and I welcome the Minister being here to listen. It has been an interesting, mature debate thus far — until I spoke. I had to say that before somebody else did. I apologise to the Minister, as I may have to leave before the end of the debate, but I will make a point of reading Hansard tomorrow.

Our motion recognises the fact that people are in severe financial difficulty, and some will be faced with severe financial difficulty coming into the winter months, depending on the weather forecast. We are supposed to have a heatwave this week and then snow over the next couple of weeks. We should turn the energy off in here and save a bit of money.

We are all consumers and are all faced with having to access energy, whether it is gas, electricity or oil. So it affects Members as much as the people we represent. However, I am a bit confused. On the one hand, we are told that prices have to increase because of international developments and world events and that it is the world economic crisis. On the other hand, we are told that floods, earthquakes, tsunamis and wars are the main reasons for the increases in energy prices. In April, the Utility Regulator said:

*“rising international wholesale fuel costs are the reason for the 39.1 increase in gas prices”.*

He linked the increase with international developments, and it is good for him to give us that information. On 16 June, the Committee for Enterprise, Trade and Investment heard not only from the regulator but from NIE about its plans to increase electricity prices to help to fill a gap in its pension fund. So is it international events, or is it a pension fund? As consumers and people who act as a conduit between this place and what is happening in government and in our communities, we are entitled to find out some

of those details. Our communities are not daft. If the reason is international developments, our people could accept that and know what is going on, but do not come along and tell us that there is an issue with pensions so we need to increase energy prices.

The fuel poverty issue was covered by other Members' contributions, so I do not intend to go into that. Phil Flanagan highlighted some of those issues when he moved the motion, including the impact that energy price increases will have on those faced with fuel poverty and the work that is going on with other Departments. It is important that the Executive look at the matter collectively and take a holistic approach to energy prices.

Mike Nesbitt raised two points about the Federation of Small Businesses. The economy was at the heart of the previous Programme for Government, and, importantly, I think that it will be a big player in this Programme for Government, which we have yet to see. The Federation of Small Businesses stated:

*“increasing energy costs are yet another barrier to economic recovery ... so the Regulator has a key role to play in long term energy supply.”*

Given that we rely on many small and medium-sized businesses, increased energy prices will affect not only families and communities but economic recovery.

A substantial number of our private companies are small and medium-sized enterprises. When they are saying that, we need to take on board the impact of the situation.

#### 4.30 pm

Mike Nesbitt made another valid point. The reason that the motion calls on the Minister to liaise with the Utility Regulator is that we believe that if the regulator needs more power, we should give him more power. If he needs a nudge in the right direction, there is no one better than Minister Foster to nudge him in the right direction. It is important that the Minister talks to the regulator and that we deal with the extortionate prices being announced rather than just regulating.

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

**Ms S Ramsey:** The motion is important, and it has been a mature debate.

**Mr Deputy Speaker:** Time is up.

**Ms S Ramsey:** I do not see anyone losing too much energy over it, and I welcome the fact that the House will not divide.

**Mr Douglas:** I thank the Members who tabled the amendment. I want to address two issues. First, families and businesses face many financial pressures. At a time of economic recession, rising unemployment and cuts in welfare expenditure, many people are finding it increasingly difficult to meet their energy costs. We envisage that those costs will go up and up, which is very serious for us all.

As some Members said, Northern Ireland has the highest levels of fuel poverty in the United Kingdom. Some 44% of all households struggle to heat their homes, and the figure is growing. Rising energy prices continue to make it more difficult and could push more households into the fuel poverty bracket during the bleak winter that is expected. We all remember what last winter was like, and no one wants to go through that again. However, many families, and particularly elderly people, are facing a similar situation this winter.

It costs £1,095 more a year to heat a home with oil than with gas. That is problematic, as Northern Ireland is hugely dependent on oil as a form of energy — 68% of households here use oil. We have higher levels of fuel poverty than is the case in the rest of the United Kingdom. It is estimated that three times as many older people live in fuel poverty in Northern Ireland as in England. Some Members highlighted the fact that there were more than 700 deaths linked to the cold weather last winter. For me, that is more than 700 deaths linked to high energy prices. That is the reality and seriousness of the situation.

Secondly, we need more competition in the Northern Ireland electricity market. I welcome Minister Foster's recent statement on the need for an integrated market strategy, not just between us and the Republic of Ireland but across the British Isles and even with France. We also need to invest in Northern Ireland's infrastructure to improve competitiveness in the energy market and examine opportunities for economies of scale.

I am encouraged that the Minister continues to work with the Utility Regulator and the energy industry to put downward pressure on retail

electricity costs and through initiatives such as the new electricity interconnection for us, Great Britain and the Republic of Ireland. We need greater convergence of electricity prices, in line with EU policy as greater market integration occurs. The opportunities for economies of scale are important. I welcome the potential for the green new deal, carbon reduction and renewable technologies.

Mr Deputy Speaker, I refer you to a report that was presented to the Social Development Committee just last week. It was by Eleanor Murphy from the Assembly Research and Information Service and it concerned fuel poverty. It is an excellent report and I recommend it to Members. As far as opportunities are concerned, there is a growing community and voluntary sector that could avail itself of energy brokering. The report gives examples of villages, particularly in rural areas of England, Scotland and Wales, that are setting up oil co-operatives and syndicates that barter with home heating oil companies. Some groups provide support and advice as local not-for-profit energy organisations. A minimum order of 500 litres per household is usually required. Some groups have teamed up with local credit unions that offer one-to-one advice on loans or savings arrangements.

**Mr Deputy Speaker:** Please bring your remarks to a close.

**Mr Douglas:** The average saving is said to be around 10%. Tomorrow, we will have a debate on the community and voluntary sector. Perhaps that is another area that we need to look at as an alternative when we are thinking about reducing costs.

**Mr Copeland:** I join others in thanking the Members who tabled the motion. I speak in support of the motion as amended. We have all heard much about the frightening escalation in energy prices over the past few days. In the past six weeks, there seems to have been a series of Tyson Fury-like body blows inflicted on those least able to withstand them. The motion talks about recognising the severe financial consequences of the increase of the cost of energy on families and small businesses. However, it does not end there. It is equally important that we remember the elderly, the single dweller and those living in communal situations. Increases in energy prices will affect everyone in society.

High energy prices are one of the primary causes of fuel poverty. As we have heard recently, the other two are low household incomes and poor energy household efficiencies. Households in Northern Ireland are exposed to increases in energy prices. More than 70% of households here heat their homes using oil. Even now, people living in Northern Ireland are paying substantially more than those in the rest of the United Kingdom. We pay £25.70 a week, compared with £20.40 in Wales, £20 in Scotland and £18.70 in England. That differential, as we all know, is taxed. So, not only do we pay more, but we pay more tax.

There is a multitude of hurdles at every turn. The number of people in Northern Ireland who are out of work has soared to 64,000. For those fortunate to have a job, they have one that is without any sense of complete job security.

Of course, it is important that winter is taken into consideration when we look at the planned increases that are due to come into effect. Winter is the very time when people are least able to cope with the increases. There is the added expense of Christmas, which will not be merry for some, and the new year, which will not be prosperous for some, coupled with the cold weather. During the winter, some people have a stark option: they can heat their home, or freeze. What will they do if there is a repeat of last year's winter conditions? Will we let them stay home and struggle? Will we let the number of winter deaths exceed 1,000? This is not conjecture: it is a prediction, based on fact, of what lies in front of us.

The natural gas market in Northern Ireland is largely a Belfast gas market. There are 110,000 consumers supplied by Phoenix and Firmus. I fear that their best selling points are no longer that they deliver the best value for money, but that they provide gas slightly cheaper than the cost of alternatives.

Serious questions must be asked of the Utility Regulator. The office states that its central vision is to:

*"make a difference for consumers by listening, innovating and leading."*

Well, it is about time that it did what it preaches. Consumers are being hit hard at every turn, and I, therefore, support the motion as amended.

An interesting figure that was uncovered recently perhaps gives some clue to a possible avenue for exploration. In the past four years, the growth in revenue derived from fuel duties in Great Britain has risen by 5.6%; in Northern Ireland, it has risen by 18.2%. The truth is that, today, when all is said and done, we face a real danger that people will die because of what we in the Chamber might elect not to do. Personally, I consider that a matter of some shame.

**Mr Brady (The Deputy Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. I rise to inform the House of the information that the Committee received on the recent increase in energy prices here, leading to severe financial pressure on vulnerable families. The Committee heard the concerns of a joint delegation from the Fuel Poverty Coalition and National Energy Action on fuel poverty, and it received several papers on the subject from the Consumer Council after its meeting with the Chairperson. A key question is that of what steps the Department for Social Development (DSD) and the Department of Enterprise, Trade and Investment (DETI) have taken and will take to reduce the impact on vulnerable families of the high cost of, and dependence on, home heating oil here. Some 68% of homes use home heating oil, and that figure rises to 82% in rural areas.

In the medium term, at least, prices are likely to continue rising, as oil prices are projected to remain high or increase as world demand recovers. As oil prices here respond to fluctuating wholesale prices set internationally outside the control of government, many question the benefits of regulation of the sector. I understand that DETI works closely with the Utility Regulator and the energy industry to establish, where possible, measures to put downward pressure on prices. The Committee encourages such work and the ongoing investigation by the Office of Fair Trading of anti-competitive agreements in the energy sector. Other measures, such as voluntary energy service agreements to develop voluntary codes of conduct with the oil industry or representative trade bodies must also be encouraged.

The Committee considers that additional measures must be explored and put in place by all relevant Departments to address the worsening fuel poverty situation as we enter the cold winter months. Measures brought to the Committee's attention to date include energy

brokering schemes under a preferred supplier arrangement, bulk aggregated energy buying through groups or co-operatives, and social tariffs and energy rebate schemes. Belfast City Council is one of several already to have piloted a fuel stamps scheme. Finally, Departments could link their energy purchasing to leveraging a better deal for suitable domestic consumers. The Committee is anxious to ensure that all possible measures are taken across Departments to address the important issue of fuel poverty.

Speaking as a Sinn Féin representative, I ask the Minister to give her views on some of the energy brokering schemes mentioned. As Members around the House have said, 756 elderly people died here last winter from cold-related illnesses. That should always be at the top of our agenda. Go raibh míle maith agat.

**Mr Byrne:** I support the motion and the amendment. Today's debate is timely, and I remember the same sort of debate taking place 12 years ago. The question now is whether the Assembly can have any impact on energy costs. Energy prices are largely determined by the private sector. We have a problem in Northern Ireland. When NIE was privatised 20 years ago, contracts were drawn up with the four generating companies. We were told then that lucrative contracts had to be enacted to protect the excess capacity of Ballylumford power station and others. Now that we are 20 years into those contracts, will the Department revisit them? It was government officials, primarily, who determined the parameters and contents of those contracts. I believe that the Northern Ireland consumer has been ripped off by privatisation. We now have a semblance of competition, but let us not forget that we have the generator companies, the grid owned by another company and two electricity suppliers. However, we have an inbuilt monopoly that was largely determined by those contracts.

In the past, Ministers here have balked at revisiting the contracts and changing them in the interests of the consumer. I ask the Minister, Mrs Foster, to be brave enough to face up to the fact that generator companies have indulged in what is a greatly expensive luxury for the rest of us. Enormous dividends have been paid every year for 20 years at the expense of the consumer.

#### 4.45 pm

Secondly, there is the role of the regulator. I am not so sure that the regulator is operating in the best interests of the consumer. Mr Copeland, Mr Nesbitt and others have mentioned it. I agree that there is something wrong with the way that the regulator's office works. Is the regulator handicapped by legislation? Is that the problem? Does the regulator not have a free hand to determine in the interests of the consumer? We are told that the regulator's main public responsibility is to act in the interests of the consumer. If he is not acting in the interests of the consumer — that is the general perception — the question is whether he is handicapped by the legislation. If that is the problem, the Assembly and DETI need to face up to that responsibility and change it. That is where the challenge lies.

People who live in the western parts of Northern Ireland and drive 20,000 miles a year pay an extra £1,200 a year in taxation compared with people who may live in the greater Belfast area and drive only 8,000 miles a year. That is a handicap for small businesses and people living in western areas who have to use car transport.

Anybody who knows anything about the Northern Ireland road haulage industry knows that it is being decimated. The price of diesel, at £6.30 a gallon, is killing what was a very viable industry in Northern Ireland for many years. Talk to the people in Montgomery Transport, McCullough Transport or any other transport company, and they will tell you how difficult it is to keep roadworthy vehicles on the road. We used to have an extensive road haulage industry in Northern Ireland; it has been decimated. What is worse is that the industry is being undercut by other companies, and we have reached the stage where the Northern Ireland haulage industry is so small that we will pay the price of higher charges later.

I support the motion, but I call on the Minister to visit the Assembly's responsibility in tackling the parameters of the regulator and the residual contracts that were given out so generously in the interests of the shareholders of the then-privatised NIE.

**Mr Deputy Speaker:** I call Mr Peter Weir, who will have three minutes.

**Mr Weir:** You offer a fresh challenge, Mr Deputy Speaker. As time is short, I will keep my remarks

relatively brief. I welcome this opportunity and congratulate the proposers of the motion in tabling it. As other Members indicated, it is timely, because we are on the approach to winter. The matter is vital, as announcements of energy price rises have recently been made and we face a potentially severe winter ahead. My party tabled a small amendment, because the original wording of the motion took it slightly outside the Minister's remit. I thank all those who have embraced the motion. I believe that, although the House has made a range of diverse points in the debate, there has been an emerging consensus as to the seriousness of the issue. I think that there is a unity of purpose across the Chamber in relation to the motion.

My colleague Sammy Douglas stated that there had been 700 deaths as a result of cold weather in Northern Ireland. We often talk of things being a matter of life and death; this is clearly such a matter. Michael Copeland indicated that those deaths are unnecessary, and the fear is that we could be looking at an even higher death toll as energy prices increase this winter. This is vital, whether it affects families or the elderly, in particular, who are most vulnerable to cold.

I was shocked by a recent presentation by the Housing Executive in my council area about the sheer extent of fuel poverty in Northern Ireland. Even in the supposedly affluent area of north Down, the rate has been put at about 40%. In some parts of the Province, such as Strabane, it potentially has to re-examine its fuel policy to try to cope with the situation. That shows the seriousness of the matter.

I take a slight exception to what the Member who previously spoke said. There are many of us in the east of the Province who will be driving considerably more than 8,000 miles, and, indeed, a lot of businesses will be faced with that. Across Northern Ireland there is a crippling debt and weight of finance caused by high energy prices. That heavily plays into our industry and competitiveness, so it is vital that things are done.

A number of things have been raised in the debate that we could look at. We could look at trying to ensure that there is a higher level of competitiveness, which should hopefully act as a driver down. There have been indications from the Social Development Committee, Mickey Brady and Sammy Douglas that energy brokering

is something that we need to look at. There are a lot of things that lie outside of our control. To a certain extent, some of the world factors will affect energy prices, and we cannot simply pretend that they do not exist. However, more pressure can be brought to bear on the energy companies, via the correct route of the Utility Regulator. I look forward to the remainder of the debate.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I welcome the debate and the opportunity to respond to the motion. There are no doubts in the House or outside it that the recent increases in energy prices present a real challenge to homes and businesses across Northern Ireland. Although we have mostly looked at homes here this afternoon, it is right that we should remember that a lot of small businesses have seen their overheads increase radically in the past month.

The challenge is more pressing in the current economic climate, when families and businesses are already facing real difficulties in making ends meet. As economy Minister, I know the unemployment statistics only too well. Of those in work, many have seen their wages frozen, and I recognise that energy prices are a real issue for those on low incomes. Any increase in energy costs at this time is therefore disappointing and hugely unwelcome.

Although I have a long speech on policy that I could go through this afternoon, it would be more beneficial if I answered some of the queries that were raised during the debate. I will go through the various Members and the issues that they raised.

Mr Flanagan seems to think that I do not know very much about County Fermanagh, but I would like to tell him that I know quite a bit about it. He set his cards firmly on the table at the start of the debate by saying that there was a lot of profiteering and greed in the energy companies. We saw how the nationalisation or privatisation debate took place in the 1980s. Indeed, Mr Nesbitt made various points about that in August; he continues to make those points about whether it was right to move to privatisation at that time. It is rather strange, I have to say, coming from a man who stood for the Conservative and Unionist Party at the last election. However, the point that he wants to make is that he is not convinced by the privatisation argument.

Mr Flanagan mentioned the payments that are made to company executives. He mentioned a number of executives in AES. He also mentioned Firmus, but I am not sure whether he meant Firmus or Phoenix, because I think that it was a Phoenix director rather than a Firmus director who was in the news most. Such payments are largely a matter for the private companies; they will include them in their annual reports, and then we can judge them by their competition. The firms are privatised now, and we have to realise that that is where we are.

The regulator was set up as independent of government to provide the function of regulating those companies. There have been a lot of comments about whether the regulator has enough power. He has statutory powers of course. Some people believe that the regulator sits under DETI's remit, but of course he does not. He has nothing to do with DETI; he is a non-ministerial government department on his own. He is independent, and, if you check your Budget debates, you will see that he gets his finance from the Department of Finance and Personnel separately. Therefore, although I will of course continue to meet and debate with the regulator about all the issues related to energy policy, he is his own man and has been during my time in office. He will tell us that on occasion, and I have been told that on occasion too.

Mr Flanagan said that there was a great over-reliance on fossil fuels, and he took exception to the fact that there is no regulation of the oil industry in Northern Ireland. He probably well knows that heating oil is not regulated in Great Britain or in Northern Ireland because a significant number of suppliers are operating in a competitive supply market. Independent figures show that local customers have been able to buy their oil more cheaply than consumers in Great Britain and, indeed, in the Republic of Ireland. Notwithstanding that, I accept that we have an over-reliance on heating oil in Northern Ireland, particularly in the west of the country.

I welcome the ongoing investigation of the Office of Fair Trading (OFT), which was mentioned by Mickey Brady. The OFT is conducting a market study of the supply of energy to consumers not connected to the main gas grid across the United Kingdom, including Northern Ireland. I look forward to the conclusions of that study, which will come to us next month and will feed into our proposals to bring gas to other areas, which Members know about.

That is out for consultation at the moment and the consultation period closes at the end of September. I make no apology for the fact that I want to bring gas to the west. I want a gas network in the west of the Province, and I believe in the consultation that we have issued on that. I hope that we can find a way to bring gas to the west so that we can introduce more competition among companies in the west.

I know that the Committee for Enterprise, Trade and Investment was briefed by the Utility Regulator on possible future price rises. Much was made of the figure of 12.5% that has been mentioned. Mr Nesbitt recognised that that increase will occur only if everything that Power NI asks for is given to it. Indeed, it does not take into account the efficiencies that would occur if we were to have the new North/South interconnector in place. We all know that the absence of the interconnector is costing us in the region of £18 million a year. Although I listened to the Sinn Féin Members, I did not hear anything about the North/South interconnector, which was disappointing. That is the sort of infrastructure that we need to have in place to help bring efficiencies into the energy market in Northern Ireland. All those issues are addressed in the strategic energy framework. We have to deal with a lot of competing interests. That is something that I want to come back to in response to Dr McDonnell, who raised some very interesting issues to do with our choices for energy policy moving forward.

Mention was also made of the £50 million NIE pension deficit. Ms Ramsey said that, although we are told that energy prices is a global issue, she did not believe that it was totally global and that it was more to do with the pension deficit that is still hanging around as a legacy of what happened in the 1980s. The pension deficit relates to the NIE networks business. Power NI, as Mr Byrne rightly pointed out, is a separate entity, and although network and other costs are passed to customers, the higher Power NI tariffs have been driven by increases in wholesale fuel costs.

The Utility Regulator expects NIE to manage its pension costs within the allowance provided for it in the current price control, and has made no decision about whether, in light of the forthcoming price control fifth five-year regulatory period (RP5), he will permit any allowance in respect of the pension deficit. It would be wrong to say that the huge increases that we have seen are

wholly because of a pension deficit that remains as a legacy issue. Some of the increases may be passed through in transmission costs, but we have to remember that there are different parts of the energy infrastructure and we must realise that the increases have been managed through the current price control.

Mr Flanagan said that he wished that I would put more emphasis on fuel poverty. It has been well rehearsed in the Chamber today that DSD leads on that issue.

However, we obviously work very closely with DSD on all its fuel poverty initiatives. Indeed, Minister McCausland and I hope to make some announcements in the next couple of weeks in connection with some ways in which we can help to mitigate price rises and help those who are in most need.

### 5.00 pm

I come to the House where I am told that something must be done about the issues that face us, that we must find new ways of dealing with some matters and that we must bring about all those things. Then, when somebody asks for an exploration licence to look into fracking, that is obviously wrong, because there must be no exploration anywhere in Northern Ireland. I have to say that the amount of scaremongering that has gone on about fracking is quite shameful, because we need to find new ways of delivering efficiencies in our energy policy. There will be gas infrastructure in the west to link the system up, because, if there were shale gas in County Fermanagh, that infrastructure may come more quickly than I hope. Before anything more can happen on the ground with fracking and the whole issue of deep exploration, a number of permits are needed. The company has to come back to DETI, and it has to go to the Planning Service, the Environment Agency and the Health and Safety Executive. Therefore, to say that fracking will occur in Fermanagh is not just premature, it is downright scaremongering. It is shameful that a Fermanagh man should not be looking for job opportunities for his county in a way that may come about.

Stephen Moutray proposed the amendment and pointed out that there were many Departments that should help to tackle the whole issue of rising energy costs. I am pleased to tell him that that matter was raised by the First Minister and deputy first Minister at the first Executive meeting after we came back from the summer

break. They hope to meet the regulator in the near future, and I also hope to attend that meeting. It is about joined-up government and about everybody playing their part and dealing with all those issues.

As well as talking about nationalisation and privatisation, Mr Nesbitt said that the competition did not really seem to be working. Airtricity came into the market only last year, and it is providing an alternative. What I find quite amazing is how few people are moving to take advantage of the difference between the two providers. People in Northern Ireland are very conservative by nature, which has been shown by the fact that not very many people are moving in that regard.

Mr McDonnell mentioned poor energy efficiency. I think that that is a critical point, because we can talk about energy costs and what causes them and all that sort of thing. However, what are we going to do to mitigate those energy costs? That is where energy efficiency really becomes very important. I encourage any consumers who have concerns about their energy bills to make use of the range of advice and support that is available to them. The Department for Social Development's warm homes scheme offers insulation and heating measures to households on qualifying benefits, and energy suppliers can offer advice to their customers about saving energy and payment options.

Mr McDonnell told me that we need action and that we need to be transparent and open, and he will know that we have asked the regulator to do that. Indeed, he said that when talking about the increases that large business owners faced last year.

One of the difficulties with energy policy and its working out is that we have so many choices to make. The House tells me that it wants more renewables, sustainability and security of supply but that it wants it all done at a lower cost. It wants more competition and more infrastructure. We will have to make choices, and the House has to grow up about the choices that are made. We cannot have our cake and eat it. We have to make choices about energy policy. Whether that is looking at the consumers of today versus the consumers of tomorrow, we are going to have to make those choices. All those issues have to be dealt with. We particularly need to look at a place that is

wider than Northern Ireland, which is a point that Mr McDonnell made.

The European Union has an objective of having a wider wholesale electricity and gas market by 2020, and it is pushing member states to move in that direction with regulation. We are looking at a regulatory system that includes not only Northern Ireland and the Republic of Ireland but the entirety of the British Isles and France so that we will have a cross-border mandatory pool of energy. That will bring better competition, and accessing energy from a wider pool than we have been able to access heretofore is the way forward. That will bring great benefit to Northern Ireland, and I am pushing that.

Anna Lo said that Scotland has moved ahead on renewables. I would like to do the same, but it is a matter of choice. The Member will know that, when we come to put up wind farms in certain areas, we face objections —

**Mr Deputy Speaker:** Minister, bring your remarks to a close, please.

**Mrs Foster:** We have choices to make in all those areas. I thank all Members who contributed to the debate. I am sorry that I did not get to answer all their questions, but I am happy to write to them if any of them want me to take up those issues.

**Mr D McIlveen:** I thank the Members who moved the motion and welcome the opportunity to wind on the amendment. I also thank the Members who have indicated already that they will support the amendment.

It is clear to everyone that growing energy prices are a real problem in this country. Last week, Mr Paul Frew and I tabled a motion on fuel poverty. At that time, we noted that everyone, especially the most vulnerable, are finding it increasingly challenging to pay their fuel bills. As I said during that motion, it is vital that we support our most vulnerable constituents and our local businesses when they are dealing with such unexpected and unprecedented energy prices. However, having listened to the Minister, we have to accept that the wholesale market is a global one. Much as I would like to tell everyone that Northern Ireland is the centre of the universe, outside factors have a knock-on effect on what we experience here. Therefore, despite my genuine concern for the difficulties associated with increasing prices, we cannot forget that those pressures are global and that

we have to work within the confines of a global market.

In addition, we need to be realistic about what the Minister can do about energy prices. Legally, DETI has limited control over large companies, and certain things are outside the Department's control. For that reason, we felt that the words "and large energy companies" should be removed from the motion. Again, I thank the Members who supported that.

Some significant accusations were levelled at the Utility Regulator. I am certainly not here to defend the Utility Regulator. One issue that I would like the Minister to consider is the fact that 61% of the regulator's funding goes on staffing costs. That is in the region of £4.35 million, and that needs to be looked at to ensure value for money and efficiency in the office of the regulator. Calls were made for increased regulation of the market, especially the oil market. However, although I support robust regulation when it makes sense — for example, when there is a market failure — regulation for regulation's sake is not a useful tool. Unnecessary regulation will only put off companies from coming here, and it could run the risk of damaging consumer confidence.

Social tariffs could also negatively affect consumer confidence. Although I wholeheartedly support protecting the most vulnerable from the increases, the question remains of who pays for the introduction of a social tariff. Ultimately, those on the brink of fuel poverty and businesses will have to pay the price, and we could simply end up with more people in fuel poverty as an unintended consequence of that move.

So what can government do to alleviate the impact of the crisis?

There are, of course, several things that we can do in the long term to protect ourselves from energy price increases and to minimise the impact of any future rise in global pricing. Work can be done on renewables, such as improving energy efficiency and extending the gas network, both of which the Minister has discussed. However, it is vital that we balance the cost to the consumer with the security of supply and environmental issues. Renewables will be good for the environment and help security of supply, but they come at a cost to the consumer. However, through these measures, we can regain more stability over long-term fuel

prices as we will be less reliant on a volatile oil market.

The crisis that we are facing is directly due to the increase in global energy prices. As an extremely small country, we are especially challenged by the practical realities of such a struggle in the global market. As discussed, in the future, it is possible that we may be able to develop more internal solutions to deal with our energy needs, such as by means of investing in renewables. However, in the immediate future, as we have all discussed today, a pragmatic approach must be taken to minimise the long-term impact that such a rise in energy prices can have on families and businesses and on the economic situation in Northern Ireland. Therefore, I support the motion and commend the amendment to the House.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I rise to support the motion, and I very much welcome the debate that we have had today, although there is a sense of being resigned to the fact that there are a lot of limitations on what we can do. So, after today's debate, we need to explore the options and come back with solutions as soon as possible, because there are not enough solutions on the table at present.

I went on to the Consumer Council website last night, and it contains a very useful tool to compare the prices of oil and fuel prices across different parts of the North. When looking through its archives from the past two years, you realise the effect of the prices. We can say that gas prices have gone up one third and that electricity prices have gone up 30%, but what does that mean in real terms? For example, the average price for 900 litres of heating oil on 22 September was £533 62. This time last year it was £396 68, and two years ago it was £339 56. So, that is an increase of £200 over two years for a fill of oil. Those are the kinds of figures that households are facing. Of course, as many Members have said, people from rural areas not only pay for oil but for a fill of fuel to go to work in Belfast every day. Some people come from west Tyrone and some come from north Antrim, and the price of fuel has shot through the roof in the past year.

In the past two years, we have been living in a period of the worst winters, certainly in my living memory, and that exacerbates the problems that we face. Of course, indicators from some

sources in Roads Service suggest that this year will be worse again. So, not only will we have problems with our transport system, but that will add to the excess winter deaths that the Deputy Chair of the Social Development Committee referred to earlier. So, people need help and support, and we need to provide some solutions to those problems.

The Deputy Chair of the Social Development Committee, Mickey Brady, referred to a number of proposals that were presented to that Committee, one of which was energy brokering. A feasibility study has been carried out by the Housing Executive, the Consumer Council and Bryson Charitable Group, and it recommended that, by using local and central government procurement bodies to use their energy purchasing power as a base load, we could leverage a better deal for domestic consumers under one contractual tariff arrangement. So, the state, as opposed to a private company, could act as a broker on a cost-neutral, not-for-profit basis. That would increase savings to the consumers further. The report was based on the success of a Dutch initiative called Met de Stroom Mee, which sought the registration of 10,000 households that agreed to let it negotiate on their behalf directly with the energy companies. That is one alternative that we should look at.

### 5.15 pm

Phil Flanagan opened the debate and made the important point that we should try to ensure that the House is undivided on this issue. I am glad that that is the case and that we have had a constructive debate. He referred to the fact that the chief executives of some energy companies are paid exorbitant salaries: £700,000, in one example. It is absolutely ridiculous that anybody earns that sort of money, given the pressures that ordinary people face and the fact that the worst off in society are in their worst position in some time.

He also raised the issue of Power NI proposals to plug the gap in pension shortages and the rural impact of energy prices, because oil is more expensive than gas, and, as Mickey Brady also said, 82% of homes use oil. That needs to be addressed. The Minister also referred to that when she said that we need to extend the gas network to ensure that people have more choice over what sort of energy they use.

Mr Flanagan also has a habit of using the F-word in debates these days: fracking, to which the

Minister also referred. I do not know the details of that particular issue, but I am sure that there will be many more arguments about it.

Stephen Moutray proposed the amendment. He outlined that the Minister cannot set prices, and that is recognised. He also said that the construction and transport sectors are affected, so this is not only an issue of household prices, it affects how many jobs there are in the economy and causes us to lose more jobs than necessary. Mike Nesbitt also referred to the increasing levels of fuel poverty.

South Belfast Member Alasdair McDonnell emphasised that inroads had been made in regard to renewables and used the key word “sustainable”, which leads me to a major part of the problem. When he appeared before the Committee, the Utility Regulator referred to the fact that we are totally over-reliant on fossil fuels. Anna Lo made the pertinent point that Scotland is moving ahead in that regard. If we all get our heads together, there is absolutely no reason why we should not be in the same position, because we have the same potential. Look at Strangford and the coastline between Rathlin and Ballycastle; we should be a world leader in developing tidal energy technologies and using our natural resources.

Anna Lo referred to long-term sustainability and the fact that 99% of our energy needs are met through imported fuel. The Minister also said that difficult choices have to be made about renewables. I am sure that the Minister faces a lot of concerns in her constituency, as I do in North Antrim, where a lot of applications are made for wind turbines. The natural reaction from many constituents is, “Not in my backyard”. Therefore, we will sometimes face difficult choices. In his statement to the House earlier, the Education Minister said that sometimes we will have to make difficult decisions that will not be popular, but we need to have a long-sighted approach on energy if we are to ensure that we deliver in people’s best interests, particularly those in fuel poverty.

Sue Ramsey outlined the reasons put forward for price rises, including natural disasters, conflicts and more domestic issues, such as pension funds. She also said that absolute clarity and transparency are important when it comes to price rises, and you cannot disagree with that.

Mickey Brady, as Deputy Chairperson of the Social Development Committee, said that other

measures must be explored by the Minister for Social Development and the Enterprise Minister. He outlined energy brokering and social tariffs. I suppose that the most pertinent point he made was that 756 older people died of cold-related illness last year.

Sometimes during debates, we look at the statistics and forget about the reality behind them. As Michael Copeland said earlier, it is shameful that the situation continues. I welcome the fact that the Minister said that she will make a joint statement with the Minister for Social Development with regard to moving the issue forward and dealing with fuel poverty. However, it needs to be something substantial. If it is not, she needs to look at the alternatives that are available; for example, at what they are doing in Holland and Britain with regard to social tariffs. If those cases prove to be successful, we need to apply them here.

Most importantly, we must not sit back and do nothing. We can tinker around the edges and put in place minor schemes to mitigate the impacts. However, we need radical policies in place if we are to deal with the real problem here, which is the statistics relating to those who are dying as the result of fuel poverty.

*Question, That the amendment be made, put and agreed to.*

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly recognises the severe financial pressure on families and small businesses from the recent increase in energy prices; and calls on the Minister of Enterprise, Trade and Investment to liaise with the Utility Regulator to ensure fair and affordable pricing for energy.*

*Adjourned at 5.21 pm.*





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