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Northern Ireland Assembly

Tuesday 12 March 2013

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

Members observed two minutes' silence.

Speaker's Business

Mr Speaker: Before we move to today's business, I want to return to issues that arose during last Monday's debate on the Northern Ireland (Miscellaneous Provisions) Bill. I have to say that I was very disappointed to read in Hansard the comments of some Members, which fell well short of the standards of good temper and moderation that I expect in the Chamber. Debate can be robust, but it is not acceptable for the tone or nature of remarks in any debate to come closer to discourtesy or disorder.

The Deputy Speaker dealt with many of the issues last week and made clear that Members should be careful about the tone and nature of remarks that they make about other parties. However, he referred me to comments made from a sedentary position by Jim Allister, who is in the Chamber this morning, in which he made unsubstantiated allegations against Mr Sheehan. Let me say that they almost bordered on criminal allegations. Members will know that it would not be allowed in any other institution for a Member to make from a sedentary position or even when rising in their place such serious allegations against any Member of this House. All Members know that it is not in order to make unsubstantiated allegations against other Members in the Chamber. Such attacks on other Members fall well below the standards that I expect, and I will not hesitate to impose sanctions if Members refuse to fulfil these standards. I now invite Mr Allister to clarify or withdraw his remarks, and I say to the Member that he should do so simply and briefly.

Mr Allister: Mr Speaker, I interjected with this question:

"How much of the £26 million did you get?"
— [Official Report, Vol 82, No 7, p49, col 2].

I was referring to the collective "you" of Sinn Féin. Given the inextricable link between Sinn Féin and the IRA, whose members robbed the

Northern Bank, I was asking, "How much of the £26 million did Sinn Féin get?"

Mr Speaker: Order. I asked the Member to be brief.

Mr Allister: I thought I was being brief. I was asking, "How much of the £26 million did Sinn Féin get?", which was and is, I believe, a legitimate question. I am happy to clarify that that was what I was asking.

Mr Speaker: So, is the Member clarifying by making it absolutely clear that he was not identifying Mr Sheehan? Is that what the Member is saying?

Mr Allister: Yes. When I said "you", I was referring to the collective "you" of Sinn Féin, asking how much of the £26 million Sinn Féin got.

Mr Speaker: The Member needs to be very careful in his words and what he is saying. To get clarity on the issue, is the Member generally referring to a political party rather than to an individual Member? Let us get this on the record and get it clarified.

Mr Allister: For the third time, Mr Speaker, I was asking, "How much of the £26 million stolen from the Northern Bank by the IRA did Sinn Féin get?"

Mr Speaker: Order. The Member has certainly made it clear that he is not making an allegation against an individual Member; he is making a general allegation against a political party. That is a different issue. However, I have to say to the Member — the Deputy Speaker made it clear during the debate — that I have already underlined today that the nature and tone of remarks made against parties can also fall far short of standards that I expect in the Chamber.

I am speaking directly to the Member because the Member continually raises issues knowing fine well it can create many, many problems in the Chamber and certainly falls well short of the

standards of debate in not only this Chamber but in any other elected institution. The Member has made his position clear, but the Member needs in future to be very careful of the language and how he conducts himself in debates in the Chamber.

Let me hope that I do not have to revisit this particular issue, especially from the Member's point of view, Mr Allister. Let us move on. I warn the Member: should it happen again, I will deal with the Member a lot more strongly, a lot more strongly. Let us move on from this debate and, as I say, I hope that I will not have to revisit this issue.

Ms Ruane: On a point of order, Mr Speaker. The Member was given an opportunity on three or four occasions to clarify. What, it appears to me, he did was actually make it worse and then multiply it by 29 because there are 29 Sinn Féin MLAs in the Chamber. I would ask that the Member withdraw the comments that he made in relation to each one of us.

Mr Speaker: Order. As I said yesterday, these can be complex issues. These are not black-and-white issues. They can be complex. I have made my ruling. I am now going to move on, and I remind Members of what I said yesterday: the Speaker's ruling is final on all these issues. Let us move on.

Ministerial Statement

North/South Ministerial Council: Education

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a Cheann Comhairle. With your permission I wish to make a statement in compliance with section 52 of the NI Act 1998, regarding a meeting of the North/South Ministerial Council in education format. The meeting was held in Armagh on 27 February 2013. I represented the Executive, as Minister of Education, along with the Minister for Social Development, Nelson McCausland. Bhí an tAire Oideachais agus Scileanna, Ruairí Quinn TD, ionadaíoch ar Rialtas na hÉireann. The Irish Government was represented by Ruairí Quinn TD, Minister for Education and Skills.

Tá an ráiteas seo aontaithe le an Aire McCausland, agus tá sé á dhéanamh thar ceann na beirte againn. This statement has been agreed with Minister McCausland and is made on behalf of both of us. I will now summarise the main points from the meeting, ranging across all the agreed areas of education co-operation.

With regard to special educational needs, I remain committed to the expansion of services at the Middletown Centre for Autism, and I am pleased that progress remains on target to allow the centre to commence that expansion from April 2013. I am pleased to report that the necessary business case approval has been provided by my Department for the expansion over the period as planned. Subsequently, the minor refurbishment works and staff recruitment processes are under way. The expansion of services in the North will enable a larger number of children to receive direct support from the centre, and that will be invaluable to some of our most vulnerable children with complex autism.

Minister Quinn and I reported that both inspectorates are progressing work on a report focusing on best practice guidelines in literacy provision at post-primary level. It is anticipated that a similar report on numeracy will be ready for publication in late 2014. We welcomed the support given by the Education Departments in 2012 for the recommendations of the educational underachievement working group to all-island initiatives promoting literacy and numeracy and noted the group's commendation of the Department of Education's advertising campaign to promote the value of education; agreement to consider the potential for further joint departmental co-operation through the

medium of web-based linkages; and agreement to explore the use of information by both Departments for policy formulation and targeted interventions, in order to develop best practice in addressing educational underachievement. It was also noted that current research on school attendance will provide the opportunity to share best practice on school attendance guidance and strategies in the North and South.

Many of the challenges facing policymakers in the education sector are common to both jurisdictions. Part 1 of the study of North/South co-operation in the education sector has been completed and approved by both Ministers. The Departments are ready to move to part 2. Part 2 of the study will be underpinned by enhanced and continuing structured high-level official engagement between both Departments. That will further enable new opportunities for the development of specific cross-border co-operation projects designed to produce practical, tangible outcomes. A further update will be given following the next NSMC meeting.

The Council noted the ongoing work to implement the recommendations contained in the joint evaluation report on the Dissolving Boundaries programme produced by the Education and Training Inspectorate and the Department of Education and Skills inspectorate. In particular, the Council noted the focus on ensuring greater self-evaluation of school projects.

The Council also welcomed the recent production of a DVD featuring teachers and pupils from North and South involved in the Dissolving Boundaries programme. Minister Quinn and I participated in the DVD, which aims to show how information and communication technology can assist in community cohesion. The DVD also featured a case study set in Israel in which teachers from different faith schools help young people to work together based on the Dissolving Boundaries programme.

Ministers agreed that the North/South Ministerial Council in education format should meet again on 23 October 2013.

Mr Storey (The Chairperson of the Committee for Education): In rising to comment on the statement by the Minister, I think that there are a number of issues that the Committee will, undoubtedly, want to pursue further with regard to the detail. For example, reference is made in the statement to North/South co-operation in the education sector with regard to the production of best practice guidelines for literacy provision at post-

primary level and the sharing of best practice on school attendance strategies. They are issues of concern and ultimate importance to our schools in Northern Ireland.

The statement is more about what is not in it than what is in it. I remind the Minister of what he said in answer to one of his colleagues in the House on 28 January 2013. In answer to a question regarding the North/South ministerial survey on cross-border education, he informed us that officials from the respective Departments were working towards a joint analysis of the data and a report was to be presented to the next North/South Ministerial Council meeting in education. Can the Minister confirm that that issue was raised? Can he confirm that the reason why it was not referred to in this briefing today is that little interest was shown in the issue? Can he clarify what really is going on with regard to the North/South ministerial survey on the issue?

Mr O'Dowd: I thank the Member for his question. I welcome the participation of the Education Committee in the North/South Ministerial Council work, and I acknowledge the work being done by that body when any inquiry is being carried out. The Member will find that issues affecting education on this side of the border, the other side of the border or, indeed, our nearest islands are very similar. We have a lot to learn from each other if we want to achieve the goal of ensuring that all our young people have access to high-quality education. The problems that face communities and young people are very similar, whether they are in Belfast, Dublin, Liverpool or Cardiff. Let us learn from all of them. We should not be so narrow-minded that we would not learn from them.

With regard to the report on the North/South cross-border survey, I understand that concerns were expressed that the paperwork was delivered late and that parties wanted further time to study it. I have no difficulty with that. There is nothing to hide in any of the paperwork. If parties want a longer time to study that paperwork, so be it. I am hopeful that it will be presented to the next North/South ministerial meeting in education format in the near future.

10.45 am

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I welcome the Minister's statement to the House, especially the progress update on the expansion of services at Middletown Centre for

Autism. Can he detail how such an expansion of services will benefit parents and families, as well as children with autism, in the North?

Mr O'Dowd: That has been a piece of work that, I think, has delivered great benefit to communities on both sides of the border. The expansion of the Middletown Centre for Autism will see real, meaningful benefits for families of young people with autism. For instance, if we look at the work that will be produced on behalf of the North's Administration, we see that, over the next two years, upwards of 80 more children will benefit from the work of the centre than would have done previously. An additional 15 posts will be achieved in the centre. All those posts will focus on the needs and well-being of young people with autism. More research will be carried out into autism and the services required for young people with autism and their families. Therefore, it is a real piece of work that has flowed from the North/South Ministerial Council. It is physical in nature in the sense that the centre will be expanded physically, and, in terms of provision of services from the centre, additional services will be delivered to young people.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra ar na ceisteanna go dtí seo. Tugaim faoi deara nach bhfuil aon tagairt sa ráiteas don Ghaelscolaíocht. Ceapaim féin gur ábhar iontach oiriúnach í an Ghaelscolaíocht don chomhoibriú Thuaidh/Theas. Dá bhrí sin, ba mhaith liom a fhiafraí den Aire an bhfuil aon rud ar siúl ar thaobh comhoibríthe Thuaidh/Theas de ar an Ghaelscolaíocht.

I noticed that the statement made no reference to Irish-medium education. I would have thought that Irish-medium education is an excellent area of North/South co-operation. Why is it omitted from the statement? Is any worthwhile work taking place on that issue?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. There is ongoing, continuous work from the North/South Ministerial Council in relation to the Irish language and co-operation between my Department and Minister Quinn's Department on the provision of Irish-medium education. I have reported to the House previously. For instance, the Marino Institute of Education in Dublin and the University of Ulster have reached agreement on a proposal that will, from 2013-14, allow students to avail themselves of preparatory courses for the Irish language requirement — an Scrúdú le hAghaidh

Cáilíochta sa Ghaeilge — delivered here in the North. The preparatory course will be delivered through the University of Ulster's diploma in Irish language. Under the agreement, the University of Ulster will have access to all course material for the Irish language qualification. St Mary's University College is still considering a proposal to develop all elements of the qualification. That is one example of ongoing work on Irish-medium education. There is also work between the two inspectorates on how Irish-medium education should be inspected etc. I am satisfied that a healthy stream of work is taking place through the North/South Ministerial Council on Irish language provision.

Mr Kinahan: I thank the Minister for his statement and welcome any work that is being done on underachievement, attendance and autism.

In his statement, the Minister said:

"Many of the challenges facing policymakers in the education sector are common to both jurisdictions."

The spirit of the Belfast Agreement is that we should try to find an agreed way forward. It seems that the Minister is more happy to discuss with colleagues in Ireland than with us all of the issues that matter. Will the Minister sit down and come up with an agreed way forward so that we can all have proper input into the future?

Mr O'Dowd: I am not sure what the Member means by that. I pride myself on being accessible to all MLAs and political parties. I have had discussions with several political parties. I had discussions with your predecessor, who is now a member of a different political party. I am not aware of any requests from your good self to discuss educational matters with me. If you make a request, I will be happy to facilitate that. If you want to make that through the North/South Ministerial Council, feel free to do so. Just send me a letter, and I will be more than happy to meet you.

Mr Lunn: I welcome the planned expansion of services at Middletown, which, I understand, will increase its capacity from roughly 10 children to about 60 children a year. I also understand that they will all be from the North. Can the Minister give us any idea of the anticipated expansion of Middletown to allow the South's input to develop as well? I

understand that a pilot project may be planned there in the longer term.

Mr O'Dowd: There are two streams of work going on for mutual benefit at the Middletown centre. We in the North have different needs from those in the South. That is why the centre has worked quite well. It is based on the needs of each jurisdiction rather than just having a single programme of work. So we have two programmes of work going on, and those on both sides of the border will benefit from that. On the northern side, we have decided that we want direct interventions with children, whereas our Southern colleagues are more focused on research at this time, but we will benefit from both. So there is a research programme going on. Both jurisdictions are paying for the physical expansion of the centre as well. So this is jointly funded, and there are two different pieces of work going on for mutual benefit.

Miss M McIlveen: I note that DE's advertising campaign to promote the value of education was commended. That commendation clearly did not take into consideration the complaints that were received and the offence that was caused in respect of the ads that were exclusively in Irish. What was the cost of the entire campaign? Are any similar campaigns planned? How can the value of such a campaign be quantified?

Mr O'Dowd: I am not aware of any complaints being received, and I am not aware of any offence being caused by advertisements in the Irish language. There may be people who set out to be offended. Did you ever hear that one? *[Interruption.]*

Mr Speaker: Order.

Mr O'Dowd: There may be people who are so totally opposed to the Irish language that, regardless of how it is managed or how it is dealt with, they will be offended. I note from recent media coverage that there is a healthy Irish language class taking place in east Belfast, of all places. That is a good thing. The Irish language does not belong to me; it does not belong to my party; and it does not belong to the nationalist/republican community. It belongs to the people of the island of Ireland.

Mr Givan: You just hijacked it.

Mr Speaker: Order.

Mr O'Dowd: When you embrace the Irish language, you will realise that it is no threat to anyone.

I have no record of that, but I will check with my Department to find out how many people were offended or took offence from it, though I suspect that I could name them from where I am standing.

I previously informed your colleague from East Derry how much the Irish language campaign cost additionally.

Mr Campbell: There is no "colleague from East Derry".

Mr Speaker: Order.

Mr O'Dowd: If you and Miss McIlveen have fallen out, it is not my fault.

Mr Speaker: Order. Let us not have a debate across the Chamber.

Mr O'Dowd: I think that it was around £4,000, and I think that that was £4,000 well invested. I do not have the figures in front of me for the overall cost of the advertising campaign, but it runs into several hundred thousand pounds.

How will it be evaluated? The plan is to run the advertising campaign for three years — in English and Irish — and it will be evaluated at the end of that three-year period. It will then be decided how the campaign should continue. Even the most recent evaluations of the campaign are quite good. Our Southern counterparts have identified it as being worthwhile, and they are interested in following up on that.

I was recently at the Education World Forum listening to one of the Education Ministers from one of the provinces of Canada. They have not done this because we are doing it, but they have also started a public advertising campaign about the benefits of education. So we are not the only Administration to do this. Others are doing it because they see the value of that medium of advertising. The advertising campaign will continue. It will be evaluated after a three-year period, which is reckoned to be the best period to evaluate any project such as this. Given that the initial evaluations are quite good, we should learn from that and continue to do this.

Ms Boyle: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. I welcome the agreement to consider the potential for further joint departmental co-operation across the island. In addressing educational underachievement and developing best practice, have both Ministers

considered models of international best practice in other countries such as China and Sweden, which seem to be leading the way in addressing educational underachievement?

Mr O'Dowd: We have. The policy documents that my party currently adheres to are based on international best practice. I attended the Education World Forum recently to listen to Ministers from around 50 nations, provinces and states from across the world talking about their educational experience, the needs of their education system and how they were learning from across the world. I want to be in a position in which other nations look towards this island and say, "That is the best way to do education". Our recent Trends in International Mathematics and Science Study (TIMSS) and Progress in International Reading Literacy Study (PIRLS) results have sparked international interest in how we deliver education here. I hope that that will continue.

I also hope that our participation in the Organisation for Economic Co-operation and Development (OECD) international report — delegates from the OECD were with us last week and have now gone away to prepare the report — will flag up areas in which the international community can learn from us and best practice from other nations that we can learn from as well. We scan the globe, in a sense, to ensure that our educational practices learn from the best. We want others to learn from us as well.

Mr Byrne: In relation to the joint evaluation report on the Dissolving Boundaries programme, can I ask the Minister about the issue of very successful A-level students in Northern Ireland not being offered places in universities in the Republic, particularly students who want to study veterinary science and cannot do a veterinary science degree in the North? Some of them have got five A*s but no offer. Can he offer any enlightenment?

Mr O'Dowd: The Dissolving Boundaries programme of work is school-based and community-based. The issue that the Member raised has been raised at ministerial level and at the North/South Ministerial Council meeting by both Ministers. In fairness to Minister Quinn, I believe that he wants the issue resolved. However, the universities board in the South is an independent body; it sets its own entrance criteria. I understand that individual universities are also now expressing concerns about how our A-level students and those who achieve A*s are treated in admissions criteria. There is an internal lobby going on now to have that

process changed. We have political support, and we have the support of a number of universities in the South that want to see that system changed. I will continue to lobby all relevant bodies to ensure that the system is changed so that the value of our examinations is recognised.

Mr Campbell: Over a period of time, people have become used to the Minister and his party dressing up North/South Ministerial Councils as something that they are not. Will he reassure the House that the Dissolving Boundaries programme that he has just alluded to is, in fact, a Dissolving Boundaries programme and that he would not like to turn it into a "Dissolving Borders" programme?

Mr O'Dowd: To be perfectly frank with you, I would like to turn it into a "Dissolving Borders" programme. I am an Irish republican. It may have escaped your attention that I believe that the best way forward for the people of the island of Ireland is reunification.

The work is what it says on the tin: it is about dissolving boundaries. It is about greater understanding among the people who live on the island of Ireland, whether they be unionist, nationalist, republican, non-aligned or whatever they may be. It is school-based. It is young people from Galway talking to young people in Armagh, and young people from Belfast talking to young people in Cork. It is a great project, because they are beginning to learn from one another. We have other projects in which young people learn about the experiences of young people living in Scotland, England and Wales as well. I have no difficulty with those, because my mind is not so narrow that I fear learning from anyone else.

Mrs Dobson: I also thank the Minister for his statement. Will he give the House his assessment of the level of continued commitment of the Government of the Republic towards the Middletown autism centre, given that, last February, the president of Ireland opened a centre for autism at Galway university? I ask the Minister to outline whether he thinks that that signals a shift of emphasis by the Republic.

11.00 am

Mr O'Dowd: As I said to, I think, Mr Lunn when I spoke about what services are being delivered through the centre and why, the Southern Administration have different needs from us, and they have expressed different requirements from the Middletown centre. They seek

research etc from the centre. That is their provision, and I accept that.

We want to have a more hands-on approach with more contact between young people and autism experts, and that will happen. The lessons learned from that will benefit the Southern side of the equation, and the lessons learned from the studies being carried out by the Southern side of the equation will benefit us.

The physical expansion of the centre is being paid for equally by the Department of Education here and the Department of Education and Skills in the South. The different needs are being managed by the Middletown centre. Minister Quinn has different provision needs across his jurisdiction. He is managing those, and that is a matter for him. However, I believe that the Middletown centre is delivering services that will be of real benefit to young people with autism and their families across the island of Ireland.

Mr Beggs: I recently met a number of parents of children and young people who suffer from autism, and they explained the difficulties that they face in sometimes having to educate teachers on how to deal with their autistic children. Will the Minister advise why he continues to prioritise expenditure for a relatively small number of young people, who are being taken out of the comfort of their normal settings and routines? Why is he doing that rather than investing in helping children in their normal settings and helping the teachers who teach them daily?

Mr O'Dowd: If the Member has details of parents who are concerned about the provision that young people are receiving, I am happy for him to write to or contact me, and I will assist them in any way that I can.

I thought that we had passed the phase of political rather than educational objections to the Middletown centre. I suspect that the Member's objection is political because the Education Committee, after its most recent visit to the centre, was quite happy with the provision of service delivered there and felt that it met the needs of the young people involved. No one will be forced to go to the Middletown centre. If a family or young person does not wish to avail themselves of its services, they will not be forced to go.

I have not prioritised funding for the centre. This is not a case of one or the other. I have ring-fenced special educational needs funding for our young people, and it is not subject to

any of the cuts imposed on us by the British Government. I have made money available to the Middletown centre — in universal terms, it is a small amount — to assist young people with autism and their families. The service is expanding from one that catered for 10 children per annum to one that caters for almost 60 children per annum. The number of people on the ground who assist families who have children with autism is increasing from 14 to nearly 30. So it is not a case of either/or; it is both. Provision is being made at a local level and through the Middletown centre.

Executive Committee Business

Criminal Justice Bill: Further Consideration Stage

Mr Speaker: Before we move to the Bill, I want to warn all sides of the House. I know that this is a very sensitive and emotive issue, and I certainly do not want Members rising in their place to personalise the debate. I know that there are many different views across the Chamber, but, if Members cross that line, I will deal with them, ask them to take their seats and move on. I expect a good standard of debate and moderation of language in the Chamber. Let us move on.

I call on the Minister of Justice, Mr David Ford, to move Further Consideration Stage of the Criminal Justice Bill.

Moved. — [Mr Ford (The Minister of Justice).]

Mr Speaker: Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in my provisional grouping of amendments selected list.

There are three groups of amendments, and we will debate the amendments in each group in turn. The first debate will be on amendment No 1, which deals with restricting lawful abortions to National Health Service premises, except in cases of urgency when access to NHS premises is not possible and where no fee is paid. The second debate will be on amendment Nos 2, 3 and 7, which deal with allowing magistrates' courts to operate on Sundays in exceptional circumstances. The third debate will be on amendment Nos 4, 5 and 6. Amendment No 5 seeks to ensure that an order governing the procedures of the commissioner for biometric material will be subject to affirmative resolution by the Assembly. Amendment Nos 4 and 6 are technical amendments. Once the debate on each group is completed, any further amendments in that group will be moved formally as we go through the Bill, and the Question on each will be put without further debate. If that is clear, we shall proceed.

New Clause

Mr Speaker: Amendment No 1 is the only amendment in the first group of amendments for debate. As a petition of concern has been

tabled in respect of amendment No 1, the Question will require cross-community support.

Mr Givan: I beg to move amendment No 1:

After clause 11 insert

"Ending the life of an unborn child

Ending the life of an unborn child

11A.—(1) Without prejudice to section 58 and section 59 of the Offences Against the Person Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945 and subject to subsection (2) any person who ends the life of an unborn child at any stage of that child's development shall be guilty of an offence and liable on conviction on indictment to a period of not more than ten years' imprisonment and a fine.

(2) It shall be a defence for any person charged with an offence under this section to show—

(a) that the act or acts ending the life of an unborn child were lawfully performed at premises operated by a Health and Social Care Trust, or

(b) that the act or acts ending the life of the unborn child were lawfully performed without fee or reward in circumstances of urgency when access to premises operated by a Health and Social Care Trust was not possible.

(3) For the purposes of this section a person ends the life of an unborn child if that person does any act, or causes or permits any act, with the intention of bringing about the end of the life of an unborn child, and, by reason of any such act, the life of that unborn child is ended.

(4) For the purposes of this section 'lawfully' in subsection (2) means in accordance with any defence or exception under section 58 and section 59 of the Offences Against the Person Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945."

I bring forward the amendment with the support of my colleagues Mr Alban Maginness MLA and Tom Elliott MLA. I pay tribute to them for their support and work undertaken in the Justice Committee when we examined this issue. I extend that remark to my party colleagues and to Patsy McGlone, who, with Alban Maginness from the outset, showed strong determination on this issue in the Committee. I also thank other members of the Justice Committee who

were perhaps less enthusiastic but whose scrutiny ensured that the amendment brought to the House is well thought out to achieve a clear objective.

In bringing forward the amendment, I have been humbled and immensely gratified by the support that it has received from across the political and religious spectrums in Northern Ireland and in the Republic of Ireland. The protection of vulnerable women and unborn children is an issue that transcends normal politics and religious boundaries. Although I and colleagues in the House have disagreed on other matters, many of us have found unity of purpose on this issue. That applies not just in this jurisdiction. Only last week, in the Dáil, I briefed TDs and Senators, including Fianna Fáil leader Michael Martin and his colleague Éamon Ó Cuív and Fine Gael members about this matter. I was encouraged by the support from many of those who took time to meet me and my colleague Diane Dodds MEP.

Across the island of Ireland, we share a common bond in seeking to protect and provide the best care for mothers and unborn children. We are recognised globally as one of the premier providers of maternal care. That this common political bond has been replicated across our religious communities is demonstrated by support from the Church of Ireland, the Presbyterian Church in Ireland and the Catholic Church. People ask what a shared future looks like, and I point to this moment of an SDLP, DUP and Ulster Unionist bringing forward proposed legislation related to the most basic of human rights; the right to life.

Unfortunately, Sinn Féin and the Alliance Party have already determined their position. To Sinn Féin, I say that I support what the deputy First Minister said on 'Inside Politics', when the Marie Stopes clinic first opened. Last October, he said:

"Well it's a private institution, and I suppose some of us who know Dawn Purvis for a long time are a bit surprised that someone who would be a very strong advocate for the health service is now into effectively a private position within an institution that is setting itself up as something which is, if you like, a competitor to what's happening within the health service".

I do not say that to embarrass him or Sinn Féin but to demonstrate that we should be as one on the point that the NHS is where vulnerable women and their unborn children should be cared for, not a private clinic making financial gain.

Mrs Foster: Will the Member give way?

Mr Givan: I will indeed.

Mrs Foster: Does he agree that with the petition of concern we are today witnessing the ideological meltdown of Sinn Féin. We expect woolly thinking from members of the Alliance Party and the Green Party, but Sinn Féin is avowedly socialist — some would even say Marxist — in its policies. Yet, today we have them supporting an institution that is not only privately run but unregulated. When I look at Sinn Féin's economic policy on its website, I find that the party:

"called for the end to the misuse of taxpayers money in supporting private healthcare".

It may be OK to ask your friends to pay for private healthcare, but, in this case, it is obviously an ideological point that they cannot run away from. We have known for some time that Sinn Féin is morally bankrupt in everything that it has been involved in over the past 40 years. However, I know that the Member will agree with me that what we have here today is an example of its ideological bankruptcy.

Mr Speaker: Order. I warn the whole House that we must try, as far as possible, to make sure that we do not totally and absolutely step outside the debate.

Mr Givan: I thank the Member for her intervention. Sinn Féin, as a party, needs to justify why it has disagreed with Martin McGuinness to support the unregulated privatisation of abortion and, in the face of cross-party and cross-community support for the amendment, acted to block this effort.

The issue of abortion is one that generates high emotions on both sides of the argument, whether that be pro-life or pro-choice, but it is important that Members consider what is actually in the amendment and not what some in the media or some politicians have portrayed it to be. The amendment does not change the law on the terms of the grounds upon which an abortion is carried out. What it does do is prevent unregulated, unaccountable private clinics making financial gain from vulnerable women and their unborn children. It ensures that, in terrible, life-threatening circumstances, the best care is provided free at the point of need in the NHS.

I regret that Minister Ford has sought to undermine the normal parliamentary

procedures that exist in this Assembly for Members to bring forward amendments. It is for Assembly Members, who are elected to represent the people, to legislate on issues of public interest. When the Marie Stopes clinic opened last year, there was public outcry and calls for action, which I know many Members in this House heard very clearly. As responsible legislators, we examined the issue in the Justice Committee. Today is the culmination of much work, done in a timely manner, and shows to the public that this Assembly does actually listen and has relevance.

Mr Lyttle: Will the Member give way?

Mr Givan: Let me make some progress, and I will give way when I finish the point.

On the principle of requiring public consultation, the amendment is no different from the amendment that abolishes the scandalising of the court, or the Minister's amendment, which will be considered later, in respect of Sunday court openings; neither of which had public consultation. Unlike his amendment, we have had public debate on this amendment for almost two weeks. I believe that the public's voice has been heard. Again, I regret that at no point did the Minister seek to meet me, despite, on Friday of last week, me making repeated phone calls and leaving messages asking for the Minister to speak with me. Instead, he took to writing letters to Members and to broadcasting on the airwaves unnecessary confusion and alarm to cynically manufacture opposition to the amendment.

I welcome the Health Minister's statement that the morning-after pill, the fitting of an intrauterine device (IUD) and the dispensing of the progesterone-only contraceptive pill would be unaffected by the amendment. The most basic reading of the amendment makes it clear that proof is required that life has been ended. In each of those instances, there is no proof that life ever began in either fertilisation or implantation.

The Alliance Party and David Ford have acted in an underhand and duplicitous manner. I will respect someone who is upfront and honest, even when I do not agree with them. I regret, however, the tactics that have been deployed in opposing the amendment. The consequences of this action will have a lasting effect. To the public, I say: beware of wolves in sheep's clothing.

Turning to the detail in the amendment, subsection (1) of new clause 11A makes clear that existing legislation will remain in place and

be available for the prosecution to bring forward a charge based upon those provisions. The amendment uses modern, simple, clear language, and provides an additional option for the Public Prosecution Service (PPS) to consider in the event of taking a case forward. The prosecutor could consider, based upon the circumstances, what charge to bring using the particular legislation that is most appropriate. That may be to seek life imprisonment or up to 10 years in prison with a fine. It will be for the prosecution to decide.

Subsection 2(a) would, in summary, prevent private clinics ending the life of an unborn child. Should they do that, there would be no defence available for breaking the law, as that would be available only on premises operated by a health and social care trust, which must be satisfied that other defences that may justify an abortion would be met. The Health Minister's guidance will certainly assist clinicians in the NHS on that issue.

11.15 am

Miss M McIlveen: I thank the Member for giving way. I support the amendment. My concern is for women who are vulnerable and find themselves in life-threatening circumstances. Would a woman who finds herself in such a situation and who has attended a private clinic, such as Marie Stopes, receive the care required if a procedure were to result in a life-threatening complication? Would she have to pay for that care? If the answers to those questions are that her care cannot be met and that she would have to pay, does the Member agree that those who oppose the amendment are actually failing to protect vulnerable women?

Mr Givan: The Member makes a very powerful contribution, and I hope that Members opposite who oppose this amendment will reflect on those comments.

Subsection (2)(b) makes provision for circumstances that cannot be envisaged. However, clearly, in the cases of urgency when a trust facility is not available, a defence can be made for ending the life of an unborn child. I cannot imagine circumstances where this would happen, but it is prudent for legislators to make such provision, as, obviously, nobody would seek to criminalise someone in this circumstance, bearing in mind that an assessment would need to be made that a defence exists for such an action.

Subsection (3) is self-explanatory for Members, and subsection (4) makes it clear that when referring to the term "lawfully" in subsection (2), this relates to any defence or exception that may exist under existing legislation.

Members need to ask themselves this: is the present criminal law on abortion effective in its protection of unborn children? Is there a way to tackle an increased risk of abortion under circumstances outside the law? Is it acceptable for an activity regulated only by the criminal law upon which a clinician seeks an exception or a defence for a fee to be paid to avail themselves of such an exception or defence? Can the health and life of mothers be as effectively safeguarded in a Marie Stopes clinic as in a hospital? I will seek to answer these questions, and, in doing so, I will address the question of the legislative competence of the Assembly to pass this amendment.

The Justice Committee considered this issue, and Members will be aware that a provision is outside the legislative competence of the Assembly if it is incompatible with any of the rights protected by the European Convention on Human Rights or is incompatible with European law. Abortion in Northern Ireland is a matter regulated by criminal law, primarily by two statutes: sections 58 and 59 of the Offences Against the Person Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945. Although some may point to the years in which these laws were enacted as a basis to criticise and to justify their calls for the Abortion Act 1967 to be extended to Northern Ireland, the legislation reflects, to this very day, the values of our society, which is a society that upholds the sanctity of human life and affirms the most basic, fundamental human right of all — the right to life.

Those who challenge these laws, as has been the case in recent days, seek a different debate to what this amendment is about. They want different laws. I will have that debate, and we can take our positions. But that is not what today's decision is about. This amendment ensures that our values, affirmed by previous Assemblies that voted against extending the 1967 Act, are not undermined.

Members will, rightly, ask whether it is compatible with European law. The answer is, most assuredly, yes, it is. In the event that a medical termination of a pregnancy is regarded as a service within the meaning of the 'Treaty on the Functioning of the European Union', is it, therefore, subject to the European rules on free movement related in these circumstances to article 57(d) "activities of the professions", and

as such, is the amendment at variance with European law? On this issue, the Grogan case is cited, but it concerned abortions carried out in Great Britain, where abortion is explicitly provided for in statute. In Northern Ireland, abortion is governed solely by criminal law, and there is no pathway to an abortion, and, therefore, termination of pregnancy could not be defined as a service for the purposes of European law.

Mr P Ramsey: Will the Member give way?

Mr Givan: I will, indeed.

Mr P Ramsey: Does the Member accept that Marie Stopes does not shy away from acknowledging that it carries out illegal abortions all over the world? I have no doubt that it will do the same here in Northern Ireland.

Mr Givan: I do agree. Members who have an interest in this subject will know that, at conferences, leading Marie Stopes people have said that their objective is to get into a country and carry out illegal abortions to liberalise the law through the back door. Members need to be cognisant of what organisation they are supporting today. Furthermore, the discussion around European law should focus on the treaty provisions, rather than the services directive, as article 2(2)(f) of the services directive of 2006 states that the directive shall not apply to:

"healthcare services whether or not they are provided via healthcare facilities, and regardless of the ways in which they are organised and financed at national level or whether they are public or private".

Therefore, even if a medical termination of a pregnancy is to be regarded as a service under the treaty, it does not fall within the remit of the services directive, as abortion would for EU purposes. I point out to Members that the directive was made after the Grogan case, which was in 1991.

Justification is another issue that Members need to consider. It could be argued that termination of a pregnancy is a service, and therefore a justification for the amendment would be required to over-ride the treaty, which is allowable in European law. European case law demonstrates why the amendment would undoubtedly be permissible as a restrictive measure. The amendment is concerned with ensuring the effectiveness of the criminal law, and the European Court of Justice, drawing on the approach to combat the negative effects of gambling, gave discretion to the legislature in

Germany that took state control over gambling. It noted the moral, religious and cultural factors that the state might take to that service, which was challenged by Ladbrokes.

The House of Lords, in finding the fox hunting ban compatible with EU law, noted that the prevention of cruelty to animals was a fundamental interest of the nation, and it was within Parliament's margin of discretion to address the concerns, despite the impact on freedom to provide services, upon which the Countryside Alliance brought the case. How much more important is the protection of our mothers and unborn children as opposed to animals?

The values of our society are reflected in the criminal law that regulates abortion. The amendment has been supported across the religious community, with the Catholic Church, Presbyterian denominations, the Church of Ireland, the Presbyterian Church of Ireland and the Reformed Presbyterian Church all calling on Members to vote in favour of the amendment.

In accordance with article 4(2) of the Treaty on the European Union, the EU is to respect the national identities of its member states:

"inherent in their fundamental structures, political and constitutional, inclusive of regional and local self-government."

Recent European Court of Justice case law provides a useful overview of the approach that the court is likely to take to justification of any restriction. Stanleybet International Ltd and others brought a case against a member state, and the European Court said in its ruling that:

"A Member State seeking to ensure a particularly high level of protection may consequently, as the Court has acknowledged in its case-law, be entitled to take the view that it is only by granting exclusive rights to a single entity which is subject to strict control by the public authorities that it can tackle the risks connected with the betting and gaming sector and pursue the objective of preventing incitement to squander money on gambling and combating addiction to gambling with sufficient effectiveness ... the national public authorities may indeed legitimately consider that the fact that, in their capacity as overseer of the body holding the monopoly, they will have additional means of influencing the latter's conduct outside the statutory regulating and monitoring mechanisms is likely to secure for them a better command over the supply

of games of chance and better guarantees that implementation of their policy will be effective than in the case where those activities are carried on by private operators in a situation of competition, even if the latter are subject to a system of authorisation and a regime of supervision and penalties".

That is the way in which the German legislature has approached the issue of gambling. How much more important is ensuring the effectiveness of our law in protecting the unborn child and vulnerable women?

In the case taken by Omega against German authorities that prohibited a laser game that involved human targets — playing at killing people — the European Court of Justice said in its ruling that:

"in accordance with the conception prevailing in public opinion, the commercial exploitation of games involving the simulated killing of human beings infringed a fundamental value enshrined in the national constitution, namely human dignity."

This is virtual killing that we are talking about. Paragraph 35 of the Omega judgement says:

"Since both the Community and its Member States are required to respect fundamental rights, the protection of those rights is a legitimate interest which, in principle, justifies a restriction of the obligations imposed by Community law, even under a fundamental freedom guaranteed by the Treaty such as the freedom to provide services".

I make all these points because these issues were discussed by the Committee for Justice and were dealt with comprehensively. Yet today, Members are going to put those issues up as a smokescreen to oppose amendment No 1.

Mr McNarry: There is a suggestion, and in some cases an allegation, that in a male-dominated Assembly, men — that is, those of us here who are men — are unable to decide on this issue. I have my own view on that, and it is a view that I have shared with women in my family, who dominate my family, and women outside my family. Does the Chairperson of the Committee have an opinion on that which may help allay any fears that anyone may have outside or inside this Assembly that men are inadequate in making a decision on this issue?

Mr Speaker: Just before the Member rises in his place, I wish to clarify that, at this time, he is not speaking as the Chairperson of the Committee for Justice.

Mr Givan: Thank you, Mr Speaker. The Member makes a valid point and it has been put out there for those who oppose amendment No 1. The thousands of women who voted for me in Lagan Valley knew that I was a man when they did so and knew that I would represent the views that they hold very dearly.

I will be voting on amendment No 1, and I will expect those who take the view that a man should not be talking about this particular issue, and want to put that forward as a reason why I should not be doing it, to abstain in the vote. That would be the consistent and logical thing to do. It would be hypocrisy for men who are opposed to amendment No 1 on the basis that it is a women-only issue to vote against it. I will wait with interest to see how those male colleagues decide to vote in this particular interest.

Ms Lo: Will the Member give way?

Mr Givan: I am going to move on and make progress.

The other issue around justification for a restrictive measure is its proportionality. A particularly interesting case, the European Commission versus Italy, provides another example. It involved an Italian prohibition on motorcycles towing trailers specially designed for them.

The trailers were lawfully produced and marketed in other member states, but their prohibition was regarded as justified by reasons that related to the protection of road safety. The court said:

"the fact that one Member State imposes less strict rules than another Member State does not mean that the latter's rules are disproportionate".

In respect of Italy demonstrating other forms of regulation to regulate trailers and motorcycles in terms of danger to road safety, the court said:

"burden of proof cannot be so extensive as to require the Member State to prove, positively, that no other conceivable measure could enable that objective to be attained under the same conditions ... Although it is possible, in the present case, to envisage that measures other than ...

prohibition ... could guarantee a certain level of road safety ... Member States cannot be denied the possibility of attaining an objective such as road safety by the introduction of general and simple rules which will be easily understood and applied by drivers and easily managed and supervised by the competent authorities."

So, Italy acted in respect of road safety because they could not be certain of the standards that would be applied outside state control. I refer Members to the Hansard record of the evidence session attended by the representatives of Marie Stopes International (MSI), which even resulted in the 'Belfast Telegraph' saying that the delegation did themselves no favours by being evasive in many of their answers.

During that session, the MSI representatives did not say how many unborn children have lost their lives, nor did they share information about the clinical assessments that are used to determine compliance with the criminal law. Should we not act to protect human life, or do we believe that unregulated private clinics that operate for financial gain based on nothing else but their word will comply with the law?

11.30 am

Mr Lyttle: Will the Member give way?

Mr Givan: I am going to make progress. The Member will have opportunity to make his point later.

The Justice Minister, in his letter that seeks to undermine the due process of the Assembly, says there is no urgency on the issue. That may be true on his part. Only when individual Members addressed the matter, after nearly six months when these serious gaps in the law were identified, has he sought to act, and he has done so in a way to frustrate those proposing this amendment. I do not recall the Minister of Justice commenting on the opening of an unregulated and unaccountable clinic by an organisation whose aim, as expressed at the Justice Committee, is children by choice not chance.

Mr Ford (The Minister of Justice): Will the Member give way?

Mr Givan: I will give way to the Minister.

Mr Ford: Perhaps the Member will tell us what the Minister of Health has done to follow up on

his intention of introducing regulation, which he stated in the Chamber on 26 November.

Mr Givan: Once again, the Minister of Justice, Pontius Pilate-like, seeks to wash his hands of one of the most serious issues facing our Province. The Health Minister has published that guidance. However, the Justice Minister again fails to recognise that that guidance is applicable only to the NHS. That is the very reason why this amendment needs to be made.

Mr Ford: Will the Member give way?

Mr Givan: The Minister will have his opportunity to dig his hole further later on.

The Justice Minister has, today, again laid responsibility on the Health Minister, who has acted by producing guidance. He has circulated that guidance within the Executive for the NHS. However, it is for the criminal law — *[Interruption.]*

Mr Speaker: Order. Let us not have a debate across the Chamber. Allow the Member to continue.

Mr Givan: It is for the criminal law and justice agencies to deal with abortion in private clinics, which the Justice Minister has responsibility for. Due to his ambivalence, the Justice Committee and individual Members of the House have had to do what he should have been doing.

My next point deals with the point made in the Minister's letter that MLAs should take time over this issue. In addressing the issue of urgency, the European Grand Chamber, in the case of an Italian ruling that prevented non-pharmacists from being involved or investing in retail pharmacy, said:

"It is important that, where there is uncertainty as to the existence or extent of risks to human health, a Member State should be able to take protective measures without having to wait until the reality of those risks becomes fully apparent."

I say to Members, in the face of what even the Justice Minister regards as unregulated and unaccountable private clinics that require attention — albeit belated, six months later — we cannot and should not, when dealing with the matter of human life, take the risk of allowing the reality of those risks to become fully apparent. It is much too grave a matter to play fast and loose politics with it.

My final point on proportionality, which is particularly relevant in the present context, concerns the finding of Lord Hope in the fox hunting case when considering EU law:

"the extent of the restriction has a part to play in the assessment of proportionality."

He noted that the fox hunting ban was aimed at activities in the UK and that interference with the free movement of goods and services was "purely incidental".

It is only by creating this specific modernised offence that the criminal law, which encapsulates the values of our society, can be made most effective through the National Health Service, which requires that trust boards have appropriate governance arrangements in place to ensure ongoing compliance with the law that governs termination of pregnancy in Northern Ireland through robust systems of internal control, ensuring that policies and procedures for the day-to-day activities of the trust are implemented and followed.

Even in the event of some form of state regulation of abortion in private clinics — should that even be possible, which is entirely questionable — the very nature of the private clinic, which charges for abortion, presents an insurmountable challenge to effective regulation. Some Members will argue for that here today. Members should consider that, given the interests of both the willing seller of the abortion and the willing buyer, easily obtaining information to identify compliance with the criminal law and protection of the unborn child will be difficult, if not impossible. The actual or potential victim in this case — the unborn child protected by the criminal law — is not in a position to alert the authorities to any actual or anticipated breach of the criminal law. Even if an abortion were not criminal under the law of Northern Ireland and there was a positive legal pathway for it to take place in NHS facilities, exchanging money for ending the life of an unborn child should cause us all a serious moral dilemma. For many of us in the House, it is morally abhorrent that vulnerable women and their children, who are in grave physical and mental danger, should pay a private clinic in circumstances in which a life is to be ended. Financial gain from such misery should cause dismay to all of us.

We also have an obligation under article 2 to protect the life of all our citizens, including pregnant women. The discharge of that duty can be carried out only in institutions over which we have direct control in the context of an abortion, which is known to carry risk for the

expectant mother, and when it will almost inevitably be the state that has to bear the responsibility for treating any adverse medical consequences to vulnerable women that arise from any private sector termination of a pregnancy. My colleague Michelle McIlveen made that point earlier.

The high value that the criminal law of Northern Ireland assigns to the life of the unborn child, with no fewer than three legislative provisions seeking to protect unborn life, is a powerful factor against simply taking a wait-and-see approach or exploring the possibility of increased regulation. Regulation would inevitably act only if evidence emerged of the possible commission of a criminal offence. Both the willing seller and the willing buyer are highly incentivised to avoid generating evidence of any offence. The unborn child has no voice to alert the authorities that an offence may be taking place.

That is particularly relevant in our context, in light of the known ideological position of Marie Stopes International, whose vision is — Members should listen to this — "Children by choice not chance." It opposes our criminal law, which protects our children, whether it is by choice or chance. It seeks and wants the extension of the 1967 Abortion Act to Northern Ireland.

I support the amendment, but, shamefully, the vote in the Assembly has already been predetermined by the blocking mechanism deployed by Sinn Féin and the Alliance Party. I appeal to Members to send a very clear message that we support vulnerable women and unborn children and call on the Justice Minister, who after six months has belatedly accepted that he has responsibility to act, to act quickly. That course of action is contained in the amendment.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Níl Sinn Féin i bhfách le ginmhilleadh. Vótáil Sinn Féin i gcoinne Acht 1967 a leathnú go dtí an Tuaisceart nuair a moladh sin sa Tionól. Creideann Sinn Féin gur chóir don ghinmhilleadh a bheith ar fáil i gcás éignithe, droch-úsáide gnéasaí, col, nó i gcás ina bhfuil beatha mná torraí i mbaol.

I begin by setting out the Sinn Féin position on abortion. Sinn Féin is not in favour of abortion. We opposed and voted against the extension of the 1967 Act to the North of Ireland when it was proposed in the Assembly. That remains our position. Sinn Féin believes that, in the case of rape, sexual abuse or incest or when a pregnant woman's life is in danger, the option of

termination should be available. That has been our position for some time, and it remains our position. Sinn Féin also believes that the issue should be addressed in a comprehensive manner, involving a multiagency response that develops effective services for sexual health and sex education, fuller access to child support provision and specific support for single parents.

In our party, there is a wide range of views on the issue, as you would expect, as there is on many issues. Over the past number of days, I have spoken with many members of my party. Many people have differing issues and concerns, which I respect. What struck me at our latest discussion was the sense of camaraderie and respect for other people's opinions. It is on days like this that I am proud to be a member of Sinn Féin.

When this issue has arisen in the past, I have listened carefully to contributions from individuals in other parties. Most recently, some of those individuals have conceded that they, too, support the need for a woman to have the option of a termination when her life is at risk. Two of the signatories to today's amendment — Paul Givan of the DUP and Alban Maginness of the SDLP — confirmed on radio that they supported termination when a mother's life is in danger. The leader of the Ulster Unionist Party, Mike Nesbitt, has indicated that he will vote against the amendment, and comments from the DUP leader, Peter Robinson, in the 'Belfast Telegraph' last year suggest that he, too, is of a similar mind. So, it is not unreasonable to pose this question: why was the amendment tabled?

The amendment represents the wishes and views of a few. It is a clear attempt to restrict the ability of a woman whose life is at risk to seek a termination that would save her life. It runs contrary to the European Convention on Human Rights, and those who tabled it should be ashamed of themselves. Their underlying intention has been concealed in legal speak, mixed messaging and attempts to sow confusion. They have even sought to exploit this important issue for cheap electoral gains in the recent Mid Ulster by-election. They have come up with one red herring after another and one excuse after another. When we strip away their excuses, the weak rationale for their position is absolutely exposed. I very much look forward to hearing and seeing how people — men and women — across the House vote on this. *[Interruption.]*

Mr Speaker: Order. Allow the Member to continue.

Ms Ruane: Excuse number one: it is an issue of private healthcare versus public healthcare. In Sinn Féin's view, in an ideal world all aspects of health would be dealt with in the National Health Service. I would have more respect for the position of the DUP and Alban Maginness if they were consistent on this, but they are not. They maybe should have led the demand for the publication of the guidance from the Health Minister, for which we have all been waiting so patiently for a long period. They maybe should have waited until that guidance was published, analysed, debated and made fit for purpose. They maybe should have taken actions to ensure that, in the traumatic circumstances in which a woman might find herself pregnant and her life at risk, the National Health Service would be there for her. Maybe then we could listen to their argument about emergency procedures — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: — outside the National Health Service. Of course, the reality is that the National Health Service is heavily dependent on private health referrals from NHS to private clinics for a wide range of treatments. Currently, a significant number of National Health Service operations are carried out in private health clinics funded by the taxpayer. The failure of the Health Minister to have guidance in place to give clinicians the legal assurance required to allow them to intervene in life-threatening circumstances at the request of the mother — *[Interruption.]*

Mr Speaker: Order.

Ms Ruane: — represents gross negligence on his behalf. In the absence of proper guidance, there can be no other conclusion but that the amendment is aimed at ensuring that no other avenue will be open to a woman in a life-threatening situation to opt for a termination. Where a termination might or might not take place is not the issue. The important thing is that it happens within the law. Any institution that provides for termination, whether in the National Health Service or the private healthcare domain, must, of course, be regulated. However, the amendment is not about medical emergencies or ensuring that women get the best treatment in those difficult circumstances; it is about limiting women's right to have that treatment.

Excuse number two: we are not really changing the law. I nearly fell off my chair when I heard Alban Maginness yesterday getting himself further entangled on the hook in an interview.

He said something like "It is not really changing the law". This is the Criminal Justice Bill. If it does not change the law, what does it do? It is an amendment to the law. If it were supported today, the law would change. That is the whole point of legislation. We have a letter from the Minister of Justice to every MLA outlining his concerns about what it might mean.

[Interruption.]

Mr Speaker: Order.

11.45 am

Ms Ruane: The Health Minister, Mr Poots, has not bathed himself in glory, spending his energy on having a public legal spat with the Minister of Justice instead of doing the job that he is supposed to be doing. We await his guidelines with interest. If reports of them are anything to go by, he has missed an opportunity to introduce guidelines that comprehensively deal with this important issue.

Excuse number three is that Marie Stopes —

Mr McCarthy: I thank the Member for giving way. The Member mentioned the document produced by the Health Minister. Does the Member agree that it was rather discourteous, to say the least, that that document was released to Mark Carruthers of the BBC on Sunday in a TV programme rather than being distributed at least to the members of the Health Committee?

Ms Ruane: I was not aware of how it was circulated, but, on this matter, the Health Minister has many questions to answer.

Excuse number three is that the Marie Stopes clinic is not regulated. I listened carefully to what the representatives from Marie Stopes had to say about regulation and the law. They at all times stated that they wanted to work within the law. It is strange, though, that the same Paul Givan and Alban Maginness did not seem to be concerned about the regulation of other clinics. Each time they took a position, they landed themselves in another mess.

Tabling this amendment is perhaps the worst example that we have seen to date in the Assembly of stroke politics. The amendment is about trying to close down the Marie Stopes clinic, and, as a result, limiting the opportunity for a woman to exercise the option of a termination when her life is in danger. The Members who tabled the amendment should have the courage to say so. This was an attempt to bring us back instead of forward. It

was an attempt to criminalise women in vulnerable situations, and it is unacceptable. The criminal justice arena is not the place to deal with a sensitive healthcare issue such as this.

It is ironic that Paul Givan has described the use of a petition of concern to block the amendment that he and the SDLP — I should say, some members of the SDLP — have tabled as cynical. In the past two years, the petition of concern has been used on just over a dozen occasions: seven times by the DUP on its own; three times by the UUP and DUP together, presumably at the instigation of the Ulster Unionist Party, who needed DUP support; and the remainder by Sinn Féin and the SDLP together. So, on a majority of occasions, the petition of concern has been used by a single party — the DUP — as a means of blocking motions in the Assembly. The petition of concern is a safeguard to ensure that critical decisions are made on a cross-community basis. If ever there was a need to use one, it is now, to stop the introduction of draconian legislation.

I thank Steven Agnew from the Green Party and Anna Lo from the Alliance Party. I also thank the other 28 Members from Sinn Féin, who, along with me, signed the petition of concern. It contrasts with the failure of leadership in how we deal with these issues on this island. In the South, the failure to legislate is nothing short of disgraceful. Despite Supreme Court and European Court of Human Rights rulings, the X case of a 13-year-old girl who became pregnant after rape and the most recent tragic death of a young woman, Savita Halappanavar in Galway, we still do not have legislation. What happened to that young woman should not be allowed to happen again
[Interruption.]

Mr Speaker: Order. Let us not have debate across the Chamber.

Ms Ruane: The absence of legislative implementation of these judgements has created very dangerous grey areas in which, as we all now know too well, women can die. Five successive Governments in the South of Ireland have failed to legislate.

Mr Clarke: On a point of order, Mr Speaker. I know that we have a wide-ranging view on this in Northern Ireland, but is it in order for the Member to cite cases from the Republic of Ireland and suggest that they have not brought about powers to change the laws? We are here —

Mr Speaker: Order.

Mr Clarke: — to legislate for this part of the United Kingdom.

Mr Speaker: Order. It is not a point of order. Let us move on.

Mr Clarke: We do not want to hear about Paddy —

Mr Speaker: Order.

Ms Ruane: Sometimes, Members believe that our position North and South is different. Let me reassure the House that our position is exactly the same North and South.
[Interruption.]

Mr Speaker: Order.

Ms Ruane: In the North, the track record of the authorities is little better than it has been in the South: the withdrawal of guidance needed to bring the clarity that ensures that medical practitioners in the health service have the assurance and support of the law to allow them to carry out their work and, when required, act to save lives.

Statistics tell us that restriction of access does not prevent women from procuring terminations. That is evidenced by the estimated — I stress "estimated" — 7,000 Irish women who travel to other jurisdictions every year to access terminations. If we further restrict the ability of women to access services to which they are legally entitled, we will add further and unnecessary risk by forcing those women to procure abortifacient medications from the internet in the absence of medical supervision.

The amendment is clearly an attempt to restrict the right of a woman to obtain a termination in life-threatening circumstances. It is an attempt to further compound our trauma by marginalising women at a time in our life when we are most vulnerable. Are we to wait until we have a repeat of the Savita Halappanavar case before we are shaken to our senses?
[Interruption.]

Mr Speaker: Order.

Ms Ruane: Are we to wait for another tragedy before those who tabled the amendment cease to play with the lives of women? Are we to continue to foment confusion, or are we to bring clarity and certainty to the need for the rights of a woman in this particularly difficult situation?

Tagging this amendment on to the Further Consideration Stage of a miscellaneous provisions Criminal Justice Bill does a grave disservice to the issue and insults women who have undergone the termination of a much-wanted pregnancy that threatened their life. The use of an amendment in this instance bypasses the need for public consultation and disenfranchises the public from having their say on this important and sensitive issue. It is bizarre that we would publicly consult for a minimum of 12 weeks on the High Hedges Act, but we did not seek the views of the public and medical practitioners on this.

Mr Speaker: Order.

Ms Ruane: Protecting the lives of pregnant women is not a difficult choice. It is the only choice. The need for this protection will not simply go away.

Mr McGlone: Go raibh maith agat, a Cheann Comhairle. I speak as an individual and as party spokesperson on behalf of the SDLP, which has consistently and always been a pro-life party, be it in the defence of life for adults or the most vulnerable — the unborn. I speak out of compassion for the mother and, similarly, out of compassion for her child, particularly those most vulnerable — the unborn.

I have just left a group of people who have been very active in delivering a petition, signed by a quarter of a million people, to the Assembly, and they are deeply concerned about what is happening here today. They are concerned about the defence of the most vulnerable in our society — the unborn child.

Mr Speaker, I support the amendment proposed by the cross-party and cross-community group of Members. It reflects the widespread support for strict regulation of abortion here in the North and across the island of Ireland. Any private organisation in the North offering to abort the life of an unborn child would currently do so outside the remit of regulatory bodies. That being the case, there would be insufficient oversight of those private organisations in the current framework. The amendment addresses that issue head-on and resolves it in a straightforward manner.

Mr P Ramsey: Will the Member give way?

Mr McGlone: Yes.

Mr P Ramsey: Does the Member accept that the amendment is about regulating all abortions in Northern Ireland by bringing them clearly and

singularly into the health service? Is the Member aware that, in 2011, a Marie Stopes doctor was struck off for his treatment of five patients, including an Irish woman? She was left fighting for her life after Marie Stopes in London carried out an abortion on her. The doctor perforated the woman's uterus and left part of her unborn baby inside her. When she returned to Ireland, she was rushed to hospital and spent three months there. Is that a credible organisation to carry out abortions in Northern Ireland?

Mr McGlone: I hear very carefully what the Member has said. Indeed, the amendment addresses that issue. It says to us that the purpose of the amendment is to bring any control, regulation or treatment that a patient may receive in regard to an abortion in the exceptional circumstances where an abortion is legally permitted into the National Health Service.

Ms Lo: Will the Member give way?

Mr McGlone: Yes.

Ms Lo: I am delighted that the Member has given way. I want to point out that Marie Stopes in Northern Ireland does not perform any surgical operations. It only gives oral medication within the first nine weeks of pregnancy.

Mr Poots: Will the Member give way?

Mr McGlone: Yes.

Mr Poots: Is the Member contradicting the person that she co-signed the petition of concern with, who said that it was there for emergencies? If it is some sort of pill, it is not going to deal with an emergency situation.

Mr McGlone: I thank the Member for his intervention. I hear more clarity today from some Members around Marie Stopes than I did when it gave evidence to the Committee for Justice. I found it most elusive, most evasive, and absent was any detail or clarity around its functions and role. It was most disappointing to have it there. Any Member who was sitting there wanted to be informed about its role and what it does, whether we like it or not or whether we agree or disagree with it. The circumstances in which the life —

Mr Givan: Will the Member give way?

Mr McGlone: Very briefly.

Mr Givan: I know that the Member wishes to make progress, but I want to deal with the point made by Anna Lo. The Member will be aware that, at the Justice Committee, the Marie Stopes representative said that under the law there is nothing to stop it carrying out surgical abortions right up to full term.

Mr McGlone: I thank the Member for that.

Ms Lo: Will the Member give way?

Mr McGlone: I am not giving way any further.

Ms Lo: I would like to respond to that.

Mr McGlone: There will be plenty of time for Members to respond later. I am interested in the discourse here if it contributes to the debate, but Members can use their own time for a bit of ping-pong back and forward.

The circumstances in which the life of an unborn child may be lawfully ended are, quite rightly, restricted to the most serious cases in which the life of the mother is at risk. As I have heard others argue, the amendment does not undermine any pregnant woman's ability to receive emergency treatment in life-threatening circumstances. That emergency treatment is readily available in the NHS, and the amendment does not, as some claim, shut down debate. Those who advocate the liberalisation of the law on this issue can do so only through the Assembly. They are free to attempt to convince elected Members of the need for and the benefits, as they see them, of such liberalisation of the law. They have failed utterly to do so.

The amendment removes the potential for a private and for-profit organisation to attempt to circumvent the law on abortion and to break the law on abortion by operating outside the regulatory framework. The pro-abortion lobby is keen to push the boundaries of the law on the issue. Many suspect that that is the motivation behind the sudden appearance of a Marie Stopes International clinic in Belfast. It is not appropriate for private organisations, be they for profit or not, to seek to undermine the law while hiding their activities from public scrutiny.

The Assembly remains the primary place for legislation on this and other matters. Guidelines on the limited circumstances for lawful termination in Northern Ireland are currently being consulted on. They should clarify the issue for all concerned. The amendment, if passed, will help to ensure that

those guidelines are followed. Tacaím leis an leasú. I support the amendment.

12.00 noon

Mr Elliott: Clearly, this is a sensitive, delicate, and emotive issue. It would be useful if everyone tempered their remarks, because many people in the community are in distress about this matter. However, it is an important issue for those vulnerable women in our society who need help and support. It is up to this legislative body to provide them with the confidence and assurance that they are getting the proper advice, support and help when they need them.

Maybe because of today's debate, this issue will be the subject of more discussion and debate. There may be further opportunities not just for those in this House but for the wider public to take forward that debate. However, I am concerned that if the amendment is rejected, an unregulated process will be ongoing that provides an opportunity for people and organisations that are possibly unscrupulous and do not have the best interests of those vulnerable women at heart.

This is not about just public versus private health. This is about ensuring that all those in need of advice, treatment and support can have the confidence — and we can have the confidence — that those giving that support, treatment and advice are doing so in the best interests of those vulnerable individuals who come forward for that help.

The problem is that this is a matter of criminal law, and one of the difficulties that we have is that it is unregulated. I cannot support an unregulated advice and treatment process for those very vulnerable people. That is my difficulty in this process.

Mr Lyttle: Will the Member give way?

Mr Elliott: Happy to give way, yes.

Mr Lyttle: Has the Member made any attempt to seek an update as to whether Marie Stopes is entering into the regulatory framework delivered by the Regulation and Quality Improvement Authority (RQIA)?

Mr Elliott: I thank the Member for that. When representatives of Marie Stopes were in front of the Justice Committee and I asked them that very question, they said they were making moves towards that. However, there is no basis, as I understand it, for the proper

regulation of it. The RQIA does not have to do it. In the end, it is a voluntary process, which, as we all know, is worth very little if those who are organising it and running it do not want to avail themselves of it. I will give way.

Mr Wells: Will the honourable Member accept that many of us will be shocked by Mr Lyttle's comments, because he shows a complete ignorance of the role of the RQIA? The RQIA is there to ensure basic hygiene, car parking and staffing levels. The RQIA has absolutely no say in the moral judgements as to whether an abortion should be carried out or not. Therefore, RQIA regulation is utterly meaningless as far as the fundamental issue here is concerned: whether the abortion was carried out within the law. I am surprised, as I am sure he is, that someone should stand up and show his ignorance on this issue by not knowing his facts.

Mr Elliott: I thank the Member for that.

Ms Lo: Will the Member give way?

Mr Elliott: OK.

Ms Lo: Thank you, Mr Elliott. Surely if the organisation needs to be regulated, and it consistently has said that it would like to be regulated, is it not the duty of the Health Minister to do that?

Mr Elliott: I am not going to speak for the Health Minister under any circumstances, particularly these circumstances. He is well able to speak for himself. However, the point as I understand it is that there is no process for regulation. That is the difficulty that we have and why those who signed the petition of concern are allowing that process to go ahead with an unregulated system. That is the problem that we have.

Mr Lyttle: Will the Member give way?

Mr Elliott: No. I do —

Mr Speaker: Order. Members should not persist. I think the Member has been very generous with his time.

Mr Elliott: As always, Mr Speaker, I am too generous; that is my difficulty. The fact is that we and the public need a wider debate on the matter. Without regulation, I am fearful for the help and support that these vulnerable women require and for the life of the unborn child. That is my first and foremost concern, which is why I

signed and support the amendment. We all have a duty here to protect the rights of women and the rights of the unborn child, particularly —

Mr Weir: I thank the Member for giving way. He has been the soul of generosity to the House today in giving way. There have been various suggestions about the good faith or otherwise of Marie Stopes. Much has been made of it, and we are left to make a judgement, correctly or not. Does the Member agree that the amendment covers any private health clinic, not only those that are here now but those that may come in the future? It is wrong to base a decision on whether the amendment should be accepted on the good faith or otherwise of a single health clinic. The amendment is supposed to cover all situations.

Mr Elliott: I totally accept the Member's suggestion. That is why it is vital that we have a proper regulation system in place before any private clinic of this description is permitted to operate.

I hope that we recognise and support all those people who are in need of help at this time and that it is people who are vulnerable and in need of support whom we are trying to protect and help. I thank you for that, Mr Speaker.

Mr Dickson: My party wholeheartedly agrees that the regulation of lawful abortions not on health and social care trust premises in Northern Ireland requires attention and careful consideration. However, we believe that this is the wrong way to go about trying to address the issue.

As a legislative Assembly, we have a responsibility to consult and engage properly with the public on major changes to the law, and today's amendment, by any definition, is a major change. Indeed, in the few short weeks since the amendment has appeared, the strength of feeling and lobbying, and the hundreds of interviews, conversations, blogs, articles and debates have demonstrated the absolute necessity for formal consultation so that all voices can be heard and all opinions expressed in a structured and meaningful way.

The Justice Committee spent many hours taking evidence and going through the Bill line by line — rightly so. However, we have not done that for this amendment. The Bill will introduce legislative change regarding sex offender notification requirements, DNA and fingerprint retention, and how we deal with the trafficking of human beings. The changes proposed by Mr Givan and Mr Maginness are of

no less importance and, therefore, deserve exactly the same level of scrutiny and consultation. If we as legislators are to do our job, we have a responsibility to do that diligently and in a way that is structured and allows us to take evidence and have thoughtful reflection. We have a responsibility to go through a Bill line by line. That allows us to scrutinise proposals and give us the very best opportunity to reflect on the mandates that we hold and to protect the integrity of the law and the constituents whom we represent.

What message will we convey, therefore, about the importance of every stage of the legislative process if we make major changes to the law that have not been discussed in the prescribed way of scrutiny in all our relevant Statutory Committees? It is extremely disappointing that Mr Givan, who holds the important responsibility of Chair of the Justice Committee, and Mr Maginness, who is a learned counsel, should use the methods that they have chosen to introduce major legislative change rather than give the Bill the due process and respect that it deserves, and the public the right to be consulted. This opportunism is populist and to the detriment of the House and society as a whole.

The passage of the amendment would have even more damaging consequences for the women and families it affects. It proposes to render the provision of lawful abortion unlawful other than that which is carried out on health and social care trust premises. That gives little consideration to women who may have undergone all related treatment in a private facility.

At this point, it needs to be pointed out that it is not about the Marie Stopes clinic: it is about — not clinics that may come to Northern Ireland — a range of clinics that already deliver that service in Northern Ireland today. Not all of them do so at the point of delivery for profit, which has been suggested in remarks about Marie Stopes. There will be women who have paid into health insurance. Parents may even have paid into health insurance for a younger woman. At the time when the health insurance was taken out, they would have done so without knowing of or imagining the tragic moment when the service would be required and the young woman would go to a private facility and avail herself of the health insurance that she never believed for a second that she would ever have to use.

Mr Givan: You are wrong.

Mr Speaker: Order. Allow the Member to continue. The Member has the Floor.

Mr Dickson: That gives little consideration to women who may have to undergo all related treatment at a private facility up to the point at which it is decided that an abortion under the law is required. During such a sensitive and intensely personal process, women could then face unfamiliar staff and surroundings, which could bring further grief and distress in an already, for many, intolerable situation. In such a situation, when the patient may feel as though everything is in flux, as much stability and consistency as possible needs to be provided.

This amendment proposes to force women into public facilities, even when they may have been helped and guided through that most difficult of journeys in a private facility by staff whom they have come to trust and depend upon. To be faced with new people in new circumstances and alien surroundings will place an additional and potentially intolerable burden on someone who is at her most vulnerable and, potentially, suicidal. Not only is that unfair, it is unnecessary if we are to agree on sensible alternative proposals for regulating the providers of the process.

There is a role for the RQIA. The Health Minister has said that he will look at that, although he has been kicked and dragged screaming through the courts in order to do so. As to the role of the RQIA, reference has been made to its existing role. Well, if that role needs to be enhanced, that is the Health Minister's responsibility. So, why are we not, today, having a health debate which requires the Health Minister to bring forward proposals? Indeed, if there is a belief that the RQIA is insufficient to provide that robust regulation, then let the Health Minister regulate. Tell us where those deficiencies lie, Minister.
[Interruption.]

Mr Speaker: Order.

Mr Dickson: Let him bring forward the appropriate changes to the regulatory framework. We should not turn to criminal law as our first option, but rather to the appropriate health regulation.

There is a real danger that the amendment will complicate the legal process and cause much further confusion. Members have said that the amendment is clear. If it were clear, we would not be debating the possible consequences of its implementation. Again, that is why full

consultation is needed on such an important matter.

The Justice Minister has highlighted the difficulties with the use of the term:

"an unborn child at any stage of that child's development",

which is undefined and is not found anywhere else in UK or Irish legislation. The legislation that is proposed in the amendment would also run parallel to existing legislation that provides for a lesser penalty. It raises a number of questions. For example, why have higher penalties for illegal abortions that are carried out on health and social care trust premises? For effective prosecution, ambiguity needs to be removed, not enhanced. That brings uncertainty to prosecutors and is, therefore, a further reason why the measure is unsound.

Furthermore, there are potential clashes with existing European law, which could lead to unnecessary proceedings at European level, and which, if this amendment had been properly considered, could have been scoped out well in advance. This takes us back to the fact that those who tabled the amendment, in their eager efforts to produce something that looks like regulation, have put something forward that falls far short of a worthy and considered amendment.

12.15 pm

Mr Givan: What have you done?

Mr Speaker: Order.

Mr Dickson: They have not properly developed, properly consulted on or properly considered the full impact of this policy. The women of Northern Ireland deserve better. We all deserve better. It is for those reasons that I am opposed to this amendment today.

Finally, if we want to have an abortion debate, let us have that debate and let us deal with those difficult issues, but let us not pretend that this ill-thought-out amendment either moves us forward or does anything adequate to protect the health and rights of women and the unborn child.

Mr Bell: This is one of the most sensitive issues that we will deal with. At the commencement, I want to say that we should place women and the unborn child at the forefront of our considerations. We should do the best for the women of Northern Ireland, and

they should receive the very best healthcare. That healthcare and support should be provided in the National Health Service to give them the best care at the most critical time of their lives.

Northern Ireland has a proud record of being pro-life. By not extending the Abortion Act 1967, there are some 90,000 people — 90,000 people — alive today. That is greater than, or certainly very close to, the number in any of our parliamentary constituencies. Is there anybody who would seriously argue that that was a mistake?

Mr Agnew: Will the Member give way?

Mr Bell: Yes.

Mr Agnew: First, will he give us the evidence for that by telling us what his figures are based on? Secondly, does he have evidence of how many of those children are in care today and how many are living in poverty or deprivation? *[Interruption.]*

Mr Speaker: Order.

Mr Bell: I think that that is disappointing, but at least it is honest. The Green Party is pro-abortion, and it wants to extend the Abortion Act 1967. The shameful thing today is that the pro-abortionist in the Alliance Party, Anna Lo, who is leading her party on this, is going to carry Sinn Féin across the line in bringing in abortion by the back door in Northern Ireland. The pro-abortion leader in the Alliance Party, Anna Lo, along with the pro-abortion Green Party, will bring Sinn Féin across the line. Today, if never before, Sinn Féin has defined itself as the pro-abortion party for Northern Ireland. The reality is that a democratic deceit like no other has been perpetrated in the House. Sinn Féin knows that its Members are divided on the issue.

Ms Lo: Will the Member give way?

Mr Bell: I will in a moment.

Its Members are divided on the issue, and I know that that is the case. On matters of conscience, I say to Sinn Féin, even at this stage, to come back to a pro-life position. Do not be led by the nose by Caitríona Ruane. Those on your Benches who know that it is wrong to take the life of an unborn child should not be complicit in actions that bring in abortion by the back door in Northern Ireland. Why is the democratic deceit of Sinn Féin so bad? It is because the Roman Catholic Church, the Presbyterian Church and the Church of Ireland

have spoken. As Patsy McGlone told us, a quarter of a million people across Northern Ireland have spoken. On a cross-community basis, Northern Ireland does not want to bring in extra abortion. A democratic deceit is being used to bring in abortion by the back door. However, Sinn Féin could not have brought in abortion by the back door on its own.

Mr Molloy: Will the Member give way?

Mr Bell: I will in a moment.

Sinn Féin could not have brought in abortion by the back door on its own. It needed to be carried across by the Green Party and the Alliance Party. I ask those people who boast of their Presbyterianism to listen to what the Presbyterian Church has told them. Or is it the case, as it is for their leader —

Mr Lyttle: Will the Member give way?

Mr Bell: I will in a moment.

Is it the case, as it is for their leader —
[Interruption.]

Mr Speaker: Order. The Member must be heard.

Mr Bell: — that it is Presbyterian on a Sunday and voting against it on a Monday? That is the big question that they have to ask themselves.

In many ways, today's —

Mr Givan: Shame on you.

Mr Speaker: Order.

Mr Bell: — will be a pyrrhic defeat.
[Interruption.]

Mr Speaker: Order. Members should not be pointing across the Chamber.

Mr Bell: The amendment is already defeated because the Alliance Party and the Green Party have refused to listen to the cross-community view of Northern Ireland. They have refused to listen to the democratic will of the House. A simple whip from the Alliance Party would have stopped the petition of concern. I ask Sinn Féin Members, before they go through the Lobbies, to examine their conscience. Surely —

Mr Molloy: Will the Member give way?

Mr Bell: In a moment.

Surely the most vulnerable life in our society is the life of the unborn child. Those boys and girls have nobody to speak for them. They are totally reliant on what we do in this House. They are protected by the cross-community will of Northern Ireland. However, a democratic deceit has been perpetrated against them. Not for the first time, the Alliance Party has carried Sinn Féin across the line.

Is it not a shame that, in our United Kingdom, the most dangerous place for a child is in its mother's womb? The place in which, by fact, it is most likely to be harmed and hurt is in the mother's womb. That is why we were right to protect life. That is why the Alliance Party voters — I spoke to many of them, from Kircubbin right the way down — want us to protect life. But, no: a democratic deceit had to be perpetrated.

Mr Molloy: Will the Member give way?

Mr Bell: Yes.

Mr Molloy: Will the Member explain how he can say that the DUP and the SDLP are pro-life when they are now legislating, for the first time, for abortion to take place under the National Health Service? They are now saying —
[Interruption.]

Mr Speaker: Order.

Mr Molloy: The amendment is very clear.

Mr Givan: Go away to Westminster. They need your intellect.

Mr Speaker: Order. The Member has taken an intervention. Allow the Member to finish.

Mr Molloy: I cannot understand how Mr Givan, who presented the amendment, has commented many times from a sedentary position today. He has constantly barraged everyone who has spoken.

I repeat the point: the DUP and SDLP are legislating for when and where an abortion can take place, so they can no longer claim to be pro-life.

Mr Bell: I think — *[Interruption.]*

Mr Speaker: Order.

Mr Bell: The reality of that intervention is that it was as weak and unconvincing as Caitríona Ruane's attempt to explain birdwatching in Colombia. There are times when I am glad that Sinn Féin takes an abstentionist position at Westminster. If the Member of Parliament were to take that level of pure idiotic argument to the House of Commons, whatever would they think of us?

Mr A Maginness: I thank the Member for giving way. It is as ridiculous as suggesting that those Members in Westminster who support the reduction in the threshold for abortion there are voting for abortion.

Mr Bell: The honourable Member makes the case very well. That level of nonsense has come forward from Sinn Féin Members, yet they know that their voters do not want abortion brought into Northern Ireland. That is why they have run from this debate. They know that the voters of Northern Ireland, on a cross-community basis, want the unborn child to be protected.

In cases where a clinician makes a decision, we will support the law. No extension — absolutely none — has been proposed beyond what is there currently.

There have been attempts to smear and cause deceit. All that the Justice Minister's comments about potentially the law this and potentially the law that have done is to show someone who is not across his brief, and who is trying to lead the Alliance Party in two different directions.

Mr Speaker: Order. I warned the whole House. Let us not personalise the debate. This is a very emotive and sensitive debate, not only in the Chamber but outside it.

Mr Bell: I accept your ruling, Mr Speaker. It is just —

Mr P Ramsey: Will the Member give way?

Mr Bell: Yes.

Mr P Ramsey: Does the Member accept that the vast majority of people in Northern Ireland are totally opposed to abortion and support the protection of the unborn child? Does he agree with me that, distinctively, there is no difference between a surgical abortion and a medical abortion?

Mr Bell: Yes. The Member makes his point very well. That is why the charade of the use —

Mr Agnew: Will the Member give way?

Mr Bell: In a moment; let me make some progress. That is why there has been the charade of the abuse of the petition of concern.

Overwhelmingly, Northern Ireland is very clear. Our churches are clear, our people are clear and, overwhelmingly, the women of Northern Ireland are clear that they want the life of the unborn child to be protected. *[Interruption.]*

Mr Speaker: Order. *[Interruption.]*

Mr Bell: The women of Northern Ireland —

Mr Speaker: Order. Once again I warn Members that they should not debate across the Chamber. I warn all sides of the Chamber.

Mr Bell: On a cross-community basis, the women of Northern Ireland — many of them were among the quarter of a million of our people who signed a petition — are very clear that they do not want the Abortion Act extended to Northern Ireland. So, the question before us is why did Members of the Alliance Party take Sinn Féin across the line on abortion. Why did they do that? They know in their hearts that there is overwhelming support, on a cross-community basis, for the amendment that has been so excellently proposed. They know in their hearts that Roman Catholics, Protestants, Presbyterians, Methodists, those of Islamic religions, those of Jewish religions and those of no religion overwhelmingly want this amendment to be passed. In those circumstances, why did they choose to use a petition of concern to deny the cross-community will of Northern Ireland and the will of the House?

Once again, the Alliance Party has proven itself to be nothing more than a flag of convenience for Sinn Féin. It has provided a flag of convenience to bring in abortion into Northern Ireland via the back door. I ask why this was put back — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: Will the Member give way?

Mr Bell: In a moment.

I do ask why, when you know that our people, on a cross-community basis, do not want it.

You had the opportunity; you could have let this go to a vote in the House and let the democratically elected people of Northern Ireland make their decision. However, in the knowledge that a cross-community majority in Northern Ireland wanted this amendment and that the House would vote for it, you took away the democratic rights of the Northern Ireland people —

12.30 pm

Mr Speaker: Order. As far as is possible, will the Member come back to the amendment and in some way link his comments to it? Let us also not use the word "you" across the Chamber.

Mr Poots: Will the Member give way?

Mr Bell: Yes.

Mr Poots: Is it not somewhat ironic that the Alliance Party, which has been the greatest complainant about petitions of concern because they make its votes nugatory, has allowed one of its Members to sign this petition of concern, which means that none of its votes will count today. None of them can go through the Lobbies with any effect because, as a result of Ms Lo, their votes no longer count.

Mr Bell: Just before I allow Ms Lo to come in, because she has asked to get in a couple of times: Mr Speaker, I raised the issue of the petition of concern because it is directly related to the amendment. The amendment was defeated before we got to our feet. Unborn children will not be protected by the House because the Alliance Party is the flag of convenience for Sinn Féin. That is the direct link to the amendment.

Mr Speaker: Order. Yes, and I understand that a petition of concern has been presented to the House, and of course Members are allowed to debate that issue. But Members also need to be careful that it is not a continuing debate just on the petition of concern; their comments should be linked in some way to the amendment.

Mr Bell: Let me finish, then, Mr Speaker by saying that it is a moral perversion of the Alliance Party to use itself —

Mr Dickson: Will the Member give way?

Mr Bell: — as a flag of convenience for Sinn Féin.

Mr Dickson: I wholeheartedly accept the Member's heartfelt, personal pro-life stance. If the Member is so concerned about the issue in that way, why has he not brought up that measure of concern prior to the advent of Marie Stopes, which seems to have been the touchstone for the debate today? The circumstances that he describes of not protecting the unborn child pertained long before Marie Stopes ever arrived on the scene in Northern Ireland.

Mr Bell: It was always about protecting women. We heard examples earlier: the best place to protect, support, encourage and help women in whatever way they need is the National Health Service. That is what your church has told me. I hope that you are not like your leader: one thing on a Sunday and a different thing on a Monday. *[Interruption.]*

Mr Speaker: Order. I have already warned the whole House not to personalise this debate.

Mr Bell: OK. Let me move on, Mr Speaker, and say —

Ms Lo: Will the Member give way?

Mr Bell: I will in one second. Let me just make one point, and then I will bring you in.

Mr Dickson: An apology would do.

Mr Bell: Is it not the case —

A Member: You need to apologise. You need to apologise. *[Interruption.]*

Mr Speaker: Order. The Member has the Floor and must be heard.

Mr Bell: Is it not the case that we in the West should hang our heads in abject shame? We have to face the truth that in the West, we have destroyed more viable human life than Hitler ever put into a gas chamber. You may not want to hear the truth. You may reject the truth, but it has to be out there, and may God forgive us for what we have done in this House today — the God who said he knew us and formed us in our mother's womb. I believe that those boys and girls who are in their mother's womb are being let down by the House not allowing a free vote, not allowing a cross-community vote across Northern Ireland, and instead bringing in abortion by the back door. Are we not ashamed, in a western society —

Mr Dickson: Will the Member give way?

Mr Bell: I will give way to Mrs Lo in a second.

Are we not ashamed, in a western society, that we have destroyed more human life than Hitler ever put into a gas chamber?

Ms Lo: I thank the Member for giving way. I want to say that I am not pro-abortion —

Mr Givan: Yes you are. *[Interruption.]*

Ms Lo: I am pro-life. *[Interruption.]*

Mr Speaker: Order.

Ms Lo: Sorry; I am pro-choice. I want to make that very clear. It annoys me — *[Interruption.]* Do not distract me. I would like the courtesy that you listen to me, please.

I am not pro-abortion; I am pro-choice. I believe that women have the right to decide what to do with their bodies. It is not for men in the House to tell women what to do. You talk about the west. You talk about democracy. Is it democracy to force a woman to carry on with a pregnancy when she has been raped, or when a pregnancy results from an abusive sexual attack or incest? *[Interruption.]*

Mr Speaker: Order. Let us not have comments from a sedentary position, which a number of Members have been making for quite a while. We all know that, when it comes to Bills travelling through the House, there is no time limit on contributions. Members who want to make a contribution must put their name on the speaking list. Let us not have contributions from a sedentary position. I warn all Members. Members know fine well — the Member may smile. I will deal with you, Mr Clarke, if I need to. You have continually made contributions from a sedentary position. You should stop doing that. Have some respect for this institution. Let us move on.

Ms Lo: Thank you, Mr Speaker.

You repeatedly talk about democracy. Why, then, would you not let the amendment go out to public consultation? You talk about sneaking abortion laws in through the back door. Without public consultation, you could very easily be criticised for trying to sneak the amendment in through the back door.

Mr Bell: I am glad that I gave way to Mrs Lo.

Ms Lo: Ms Lo.

Mr Bell: Ms Lo; I apologise.

The reality is that we now know the Alliance Party position: pro-choice. I ask her where the choice is —

Mr Lyttle: Will the Member give way?

Mr Bell: In a moment.

Where is the choice for the child in the womb? Where is the choice for that woman child or boy child in the womb? What choice do they have? Let us not go round a deceit of saying things like —

Mr Dickson: On a point of order, Mr Speaker. I have been referred to by a pointing hand as "him" in the Chamber. *[Interruption.]*

Mr Speaker: Order. I warned Members earlier about their language in the Chamber and the terminology that they might use in addressing Members of the House. They certainly should not be using "you" or "him".

Mr Bell: I think, Mr Dickson, that what we are referring to is protecting the unborn child. That is the critical issue that is of most importance. In Northern Ireland, in cases of rape, incest and sexual abuse, two clinicians who are medically trained — I am not medically qualified — professionally qualified, properly regulated and of the genuine opinion that the physical life of a mother is at risk — or the mental health of a mother, which encompasses the area of rape, sexual abuse and incest — make a decision. Let us not introduce a canard of rape or incest to mask your leadership of the Alliance Party across the abortion issue and your pro-choice view. Your pro-choice view does not allow any choice for the unborn child.

There is no doubt that, in Northern Ireland today, women would be best supported, best protected and would have the best healthcare in our National Health Service. That argument is unassailable. So, the question that you have to ask yourself is why —

Mr Agnew: Will the Member give way?

Mr Bell: In a moment. Let me deal first with the point that Mrs Lo raised.

Why do you choose not to allow that best protection of women and that best care of children? Why did you choose, in those circumstances, to abuse a petition of concern to bring it across?

Let me conclude. I will give way to Steven Agnew, and then I will wind up.

Mr Agnew: I thank the Member for giving way. It is hard to know where to start, I had a number of points throughout his speech. He has shown that his figure of 90,000 people is baseless. He refused to answer my question on that. Equally, he claimed that this is the cross-community will of the people of Northern Ireland. I ask him, therefore, would he be willing for this issue to go to a referendum? I could say that it is the cross-community will of the people of Northern Ireland that the amendment be rejected, but, if I were to say that, my argument would be as baseless as his. Polls suggest that Northern Ireland is divided on this matter, and for anyone to claim that they represent the majority of the people in Northern Ireland is without —

Mr A Maginness: Let us have a referendum.

Mr Agnew: Yes; let us have a referendum. I agree with Mr Maginness.

On the point that the Member just made that the best care for women —

Mr Speaker: Order. I must say to the Member that interventions should not be speeches. They should be short contributions and to the point of the Member who has the Floor. The Member has graciously given up the Floor. I will allow the Member to continue, provided he is short.

Mr Agnew: I will be brief on this point, Mr Speaker. The Member has just said that the best care for women is provided on the NHS. Given that, every year, hundreds of women in Northern Ireland access the abortion pill online, does he agree that if we were to liberalise the law in Northern Ireland, those women could get that care on the NHS, and that would be the best place for them, and they would have that choice?

Mr Bell: I do not think that we want our women to be placed in any dangerous situation. I do not think that we ever want our women to be served by an unregulated situation. You asked me what the evidence that I bring before you is. Well, Mr McGlone brought the evidence of 250,000 of our citizens — men and women — in Northern Ireland, on a cross-community basis. The leaders of our Roman Catholic Church, our Presbyterian Church and our Church of Ireland have all spoken out on the matter, as have many other Churches. The issue of the 90,000 has been well explained in

the media and other places. I think that we are right to have protected those 90,000 lives.

Let me conclude where I started. The amendment brought forward by Mr Givan, Mr Maginness and Mr Elliott was a sincere attempt — a well-argued and coherent view — to allow women and children to be placed at the front and centre of our support and the protection of this House. They argued their case well. The argument that the support for our women and children should be provided by the National Health Service is unassailable, I believe, in terms of the best care, particularly as we have listened to some very worrying cases of women in other circumstances. Whatever complication arises, women can get, in the National Health Service, the very best support.

That was the actual purpose of it; to protect women and children. But, today, women and children will not be allowed to be protected because Sinn Féin has subtly — or not so subtly, in many people's view — moved to a pro-abortion position. The Greens have always been pro-abortion, and the Alliance Party, apparently led by Mrs Lo, if I take her view as representative of the Alliance Party, is pro-choice. Because of that situation, the Alliance Party has allowed Sinn Féin and the Greens to pervert what should have been the democratic decision of this House and have allowed unborn children not to receive the protection that they deserve, and they have committed a gross disservice not only to democracy but to women and children in Northern Ireland.

Mr Speaker: Order. The Business Committee has arranged to meet immediately upon the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. The first item of business on resuming will be Question Time.

The debate stood suspended.

The sitting was suspended at 12.45 pm.

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

2.00 pm

Oral Answers to Questions

Education

Schools: East Belfast

1. **Mr Newton** asked the Minister of Education to outline the consultation process in relation to aspects of the area-based plan that impact on East Belfast. (AQO 3601/11-15)

Mr O'Dowd (The Minister of Education): Last year, the education and library boards carried out a public consultation on their draft post-primary area plans. The consultation process for east Belfast and any other area will follow the same principles. Following my statement on 26 February, the boards have now put their consultation reports and revised area plans on their websites. The boards are due to start their public consultation on primary area plans on 19 March. There will be an extended consultation period until the end of June. That public consultation will allow all with an interest in education to participate and present their views.

Where a proposal for a significant change to a school is included in an area plan, whether it is a primary or post-primary area plan, it will require the publication of a development proposal. That involves the board conducting a pre-publication consultation with the school's board of governors, parents and staff, and also with other schools that the board considers might be affected by the proposal. Following that, the board will decide whether to proceed to publish the proposal. If it does, there is a further two-month consultation period. That ensures that all interested parties are informed about proposed changes and have an opportunity to comment. Only then do I as Minister make my decision on a proposal, taking account of all comments and relevant circumstances.

Mr Principal Deputy Speaker: Mickey Brady. Sorry — my mistake again. Robin Newton.

Mr Newton: I thought you were trying to avoid me there, Mr Principal Deputy Speaker.

I thank the Minister for his answer so far. What real trust and confidence can the parents of east Belfast have, not only in you as a Sinn

Féin Minister, but in previous Sinn Féin Ministers, who closed Lisnasharragh High School and Orangefield High School, want to amalgamate Knockbreda High School with Newtownbreda High School — a proposal rejected by the parents — and want to do away with Dundonald High School, and, indeed, to review the provision in Tullycarnet Primary School? Given that the controlled sector has borne the brunt of area planning, what confidence can the parents have that you will provide that second-level education suitable for their sons and daughters in the east of the city?

Mr O'Dowd: I thank the Member for his question. If I wanted to ruin controlled education, I would keep every school open. I would keep all those schools open that cannot provide a sustainable and good education for the young people of the controlled sector. I would keep open those schools that are not sustainable in any way — schools that, despite the best efforts over the years of the principal, the board of governors, the senior management team and others, are no longer in a position to provide good education for communities that they serve. I would keep them open. That is how you destroy education — by keeping unsustainable schools open.

However, I and my predecessors have grappled with the issue and taken it on. There are schools in our system — in the maintained, the controlled, the voluntary sectors and other sectors — that are no longer sustainable and are not capable of providing quality education for the young people they serve, and the only option is to close them. That sends out a very strong message that education is important and we will allow no one to be provided with a substandard education, regardless of what sector they come from.

I do not accept the Member's comment that the controlled sector has borne the brunt of it. The figures do not back that up. However, I will not be closing schools on the basis of one controlled, one maintained, one voluntary, one Irish-medium and one integrated. I will close schools when all the evidence suggests that that is the best thing to do, regardless of what sector they come from.

Mr Kinahan: I will change my question to follow up the previous question. I visited Dundonald High School the other day. It has a three-year programme that it has started on and wants to be allowed to get on with it. I do not understand how we can make all those area-planning changes when we have not got the funding for the building and rebuilding or a market for selling sites. Surely it is better to give a school

like Dundonald the three years that it needs and look at other things in the meantime.

Mr O'Dowd: I understand that development proposals are either in or have been through the pre-consultation period for Dundonald High School and a number of the schools that the Member who previously spoke mentioned. They have not come to a conclusion yet, and I have made no decision on them. Where a development proposal process is in place, a school that wishes to make alternative suggestions should include them in its responses to such a process. It is there for a reason; it is there for consultation with all stakeholders, particularly the staff and pupils of the school and the community that it serves.

I assure the Member that where a school brings forward alternative proposals they will be listened to. However, any such proposals have to stack up on the basis of educational evidence. We have to assure ourselves that the pupils who are currently at a school or the pupils who will attend it in future will have access to high-quality education.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. What measures are in place to tackle educational underachievement in socially deprived areas such as east Belfast, and what more needs to be done?

Mr O'Dowd: A number of unionist representatives are going to have to start tackling the question of what education and its purpose is. It is not about the number of schools that we have, but the quality of those schools. The mantra that we should keep all schools open at any cost is not the answer to educational underachievement whether in east Belfast, west Belfast or Newry and Armagh.

Unionist representatives are going to have to be honest with the communities that they serve. They are going to have to show leadership on this issue and start debating education in its totality. I say again that their slavish adherence to academic selection is one of the biggest impediments to educational achievement in Protestant working-class communities.

Literacy and Numeracy: NIAO Report

2. **Mr D Bradley** asked the Minister of Education, in light of the Northern Ireland Audit Office report on numeracy and literacy highlighting the lack of benchmarking against comparable UK cities, what steps his Department has taken to address this issue. (AQO 3602/11-15)

Mr O'Dowd: The Audit Office report that the Member refers to was published in March 2006 and the specific recommendation was contained in the follow-up report by the Public Accounts Committee (PAC), which was published in December 2006. The full list of the PAC recommendations was included at appendix 2 to the most recent NIAO report, 'Improving Literacy and Numeracy Achievement in Schools', which was published on 19 February 2013.

Following the 2006 report, PricewaterhouseCoopers (PwC) was commissioned by the Department of Education (DE) to undertake a study to identify measures that were working successfully in delivering better literacy and numeracy outcomes in comparator cities. PwC identified the comparator cities or local authorities as Glasgow, Liverpool, Dublin, Cork and the London boroughs of Camden, Hammersmith and Fulham, and Kensington and Chelsea. That report was published in December 2007.

My Department benchmarks pupil performance at an international level through surveys such as the progress in international reading literacy study (PIRLS), the trends in international mathematics and science study (TIMSS) and the programme for international student assessment (PISA). In 2011, our primary 6 pupils performed exceptionally well in the TIMSS and PIRLS surveys. They were ranked the highest performing English-speaking region in the world in reading, coming fifth out of 45 countries, and numeracy, in which they were ranked sixth out of 50 countries.

The PISA study assesses the knowledge and skills of 15-year-olds in reading, mathematics and science. The PISA 2009 results showed that, overall, we are placed among the average performing countries in respect of reading and maths and among those above average in science.

The most recent Audit Office report welcomed the Department's participation in international studies such as PIRLS, TIMSS and PISA.

Mr D Bradley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Ba mhaith liom a fhiafraí de: cad iad na céimeanna atá á nglacadh ag a Roinn lena chinntiú go bhfuil an dea-chleachtadh san uimhríocht agus sa litearthacht a scaipeadh leis na heasnaimh sna hábhair sin a leigheas?

What steps is the Minister's Department taking to ensure the dissemination of good practice in

numeracy and literacy to help address the serious deficit in these areas?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. My Department's policies are all directed towards educational improvement and literacy and numeracy improvement. The Audit Office report notes that there has been improvement across the years in both areas, albeit not as quickly as we would like to see.

The statistics show that we are progressively improving year-on-year, but, behind the statistics concerning young people who do not succeed, there are life stories, and we have to improve on those. Even in the last report, we brought in the Achieving Belfast and Achieving Derry programmes. We have brought in our numeracy and literacy policy, 'Count, Read: Succeed'. There has been a specific focus on numeracy and literacy in our schools. Through the assistance of OFMDFM, we are bringing over 200 newly qualified teachers into our schools to focus on numeracy and literacy. Bringing more and more young people into the early years programme will help our numeracy and literacy programme to succeed. All our policies are directed towards improving educational outcomes for all our young people.

Mr Storey: Does the Minister accept that teachers are feeling considerable strain because of all the ongoing bureaucratic assessment that has to happen in schools now? Does he understand that their time is being diverted away from what needs to be done in the classroom to address not only literacy and numeracy but science, for example? We have dropped to being the 22nd best region in Europe as regards science outcomes. Given that sector's importance to future employment, the Department needs to address that urgently.

Mr O'Dowd: We need to assess to benchmark and to see exactly how we are performing. We also need to benchmark to ensure that we can then share best practice. However, it is about getting the quantity and quality of benchmarking right. The Member will be aware that the Organisation for Economic Co-operation and Development (OECD) has been with us in recent days. One of the areas that it has been looking at is how we use assessments. The OECD will give us an international perspective on how we use assessments. I look forward to the report, which will be published in around June time. We will learn from that report.

The Member will also be aware that we are reviewing the use of computer-based assessments in primary schools. We are looking at that from several different angles, and I await that report as well. If there are lessons to be learnt and actions to be taken, those actions will be taken. I want to ensure, as every Member does, that teaching staff spend as much time in the classroom teaching as possible. However, part of that is assessment: assessment of their own role, assessment of the classroom's role etc. However, I want to get the balance right. The OECD and the review of computer-based assessments will allow us to do that.

Levels of progression is another area about which teachers have expressed concern to me. Levels of progression are under review. We are reviewing those over the year. We are talking to teacher representatives and the unions. The Council for the Curriculum, Examinations and Assessment (CCEA) is reviewing constantly. We will evaluate levels of progression, too, at the end of the first year.

Mrs Dobson: In recognising the best practices that already exist in our schools, will you give a commitment to urgently review all your Department's assessment systems to ensure the continual assessment of pupils?

Mr O'Dowd: I could end up in a constant circle of review and do nothing else but review. However, as I said to the Member who asked the previous question, I am reviewing the computer-based assessments in primary schools. The levels of progression have been under constant review from their introduction, and we will have a report on those. We will see what lessons have to be learnt from that and how we can fine-tune levels of progression. We have recently had with us the best international comparator in the world, the OECD, which is looking at how we assess. It will report to us as part of an international report. We will learn from that report. We will learn from its examination of our system and its examination of other countries' assessments.

I have no difficulty with review, but it will not be review for review's sake. There has to be assessment in the classroom. You have to assess to benchmark, to ensure that we are doing things right and to share good practice. All professions out there are assessed. I have no difficulty with the principle of assessment, but I do want to ensure that we do it right.

Catholic Maintained Schools: Integrated Status

3. **Ms P Bradley** asked the Minister of Education whether there is any legal impediment to Catholic maintained schools gaining integrated status. (AQO 3603/11-15)

Mr O'Dowd: There is no legal impediment to Catholic maintained schools' gaining integrated status. Under article 68 of the 1989 Education Reform Order, any existing grant-aided school, apart from a special school, is eligible to transform to integrated status. However, to date, no Catholic maintained school has, in fact, transformed.

Ms P Bradley: I thank the Minister for his answer. Can he give an explanation as to why no maintained school has taken advantage of the transformation process?

2.15 pm

Mr O'Dowd: It is for the parents and the board of governors to decide whether they want to transform or not. There is a process set out in guidance and legislation which will assist any school that wishes to transform to integrated status to do so. Any school in the controlled sector that has transformed has done so at the request of the parents and the board of governors. There is a ballot to ensure that the majority of parents wish the transformation to take place. So, it is a democratic process. Why is it not happening in the Catholic maintained sector? Because no school has asked to go through the transformation process.

Mrs Overend: Will the Minister outline any legal impediments that there are to a maintained school merging with a controlled school?

Mr O'Dowd: There is no legal impediment. What the management of the school would look like going into the future would have to be worked out. However, I am not aware of any legal impediment to a maintained school and a controlled school or any other combination of schools coming together. That would have to be dealt with through the development proposal process, and a management type would have to be agreed between the proposers, which would come to my Department for agreement. I am not aware of any legal impediment to stop them doing so.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas

leis an Aire. Can the Minister outline how the Department currently facilitates integrated education?

Mr O'Dowd: My Department has a duty to facilitate and promote integrated education. My Department provides funding for the Council for Integrated Education to assist the development of integrated schools for public benefit. Funding of £628,000 has been allocated for 2012-13. DE also provides funding to help schools with the process of transformation to the integrated sector. That assists schools in the initial stages of the transformation process, with the employment of a teacher from the minority community in the school to assist with religious education. The budget available for 2012-13 was £261,000.

So, we are making practical measures available. We have support measures available for schools to move towards integration, but it is a matter for the school and the community it serves.

Mr Principal Deputy Speaker: Before we go any further, I want to say two things. First, there should be no cross-debate when the Minister or anyone else is speaking. If anyone has a question to ask, they should ask it. That is straightforward. The other thing is that if people want to ask a supplementary question they need to rise, and continue to rise.

School Building Programme: Construction Jobs

4. **Ms Boyle** asked the Minister of Education how many construction jobs will be created by his school build programme. (AQO 3604/11-15)

Mr O'Dowd: The recent announcement was not only good news for the 22 school projects that are advanced in planning, it was also good news for employment in the construction industry. The projects announced are valued at somewhere in the region of £220 million, and it is estimated that they will create a potential investment of up to £625 million to the local economy and support some 6,200 jobs. Those figures are based on multipliers from the UK Contractors Group of £2.84 of investment potential for every £1 invested and 28.5 jobs created per £1 million of output.

In addition, my previous announcement in June 2012 included an investment of over £133 million in 18 newbuild projects. That investment will result in a further £380 million going into the local economy and will support somewhere in the region of 3,800 jobs.

As well as the announced projects, my Department has programmes of enhancement works, minor works and maintenance schemes that contribute to the local economy. Since early 2009, education sector capital projects have included employers' social requirements. Those contract terms require contractors to recruit the long-term unemployed and apprentices and to provide student placements and training according to the scale of the project.

Ms Boyle: I thank the Minister for his response. I welcome the significant investment that the Minister has outlined and the much-needed boost to the economy that it will bring. Will the Minister elaborate on the potential of the minor works and schools enhancement programme that he has already mentioned? Go raibh maith agat.

Mr O'Dowd: There is great potential in them, not only for the schools estate but for our economy. If we look at the maintenance programme for next year, I have set aside from my budget £27 million for the maintenance programme. OFMDFM has topped that up with a further £10 million, so there is £37 million being spent on the school maintenance programme next year. That is a major investment in improvement to our schools. It is not enough, but it is a significant increase on previous years.

We have minor works programmes where up to £500,000 is being spent on works in schools. I recently visited Ceara School in Lurgan, which is a special school that has been told that it will get a £500,000 upgrade to its premises. That is just one example of where money is being spent under the radar on making a difference to our schools, the economy and employment. I announced the school enhancement programme, through which £4 million is available to schools to refurbish their schools estate. There has been quite significant interest in that, and £20 million is available in this and the next financial year. Although we live in difficult times, we are using our money wisely to improve the education estate and to create and sustain employment in the construction industry.

Mr Campbell: The Minister outlined, quite rightly, the beneficial effect that the school projects — 22 projects and £220 million — that he announced has contributed to the local economy. Does he take the logic of his argument to the extent that he will bid to try to escalate, in the near future, the school build

programme to include schools in my constituency that I have written to him about?

Mr O'Dowd: The simple answer to that is yes. Since coming into office, I have continually lobbied my Executive colleagues to increase the funding available to the Department of Education for revenue and for capital builds. I have been quite successful with revenue. I have also been successful with maintenance money from the spending rounds and with the recent investment from OFMDFM of £10 million for school maintenance. I will continue to lobby for capital funds for schools in the Member's constituency and across the board. Although we announced a significant number of projects to move ahead, we still have around 100 school build programmes that I want to be built to provide new services and jobs to our communities. I assure the Member that I will continue to lobby for more funds, and I would welcome his support on the matter.

Mr P Ramsey: The Minister's answer will be a great boost to the local economy and to jobs in construction. Further to Michaela Boyle's question, when will the Minister or the Department be in a position to notify schools that have made applications for minor works programmes whether they have been successful?

Mr O'Dowd: Although the minor works programme is funded by the Department of Education, it is run by the boards, which routinely inform schools when they have been successful in their minor works applications. I notified the boards of their funding for next year — they are aware of the money that they have — to allow them to plan for the future and to get the projects on the ground as quickly as possible and get the money spent.

One frustrating thing about government is that it is sometimes difficult to get money out of the door and spent. We are encapsulated in protocols, procedures and regulations, which sometimes make it more difficult to spend public money than makes sense to me. However, the boards and so on know their funds for next year, and they will make announcements as we go along. A significant amount of money is available to make improvements to our schools.

Primary Schools: Inner South Belfast

5. **Mr McGimpsey** asked the Minister of Education for an update on the new amalgamated primary school for inner south Belfast. (AQO 3605/11-15)

Mr O'Dowd: The Belfast Education and Library Board is the managing authority for the controlled schools estate in Belfast. The board has not published a development proposal for a new primary school in inner south Belfast. The boards will publish their draft area plans for primary schools for consultation on 19 March 2013. The Belfast Board's plan will outline its proposal for primary provision in inner south Belfast, which will cover the three primary schools of Donegall Road, Fane Street and Blythefield.

I understand that the Belfast Board has identified a potential site for a new amalgamated school on the Belfast City Hospital grounds and has submitted a planning application. However, the Belfast Trust has not yet confirmed that the site is surplus to its requirements. There will be an extended consultation period until the end of June for the primary school plans. I hope that everyone will take the opportunity to consider the plans when they are published and respond to the consultation.

Mr McGimpsey: As I understand it, the application by the Belfast Board can go in only with the approval of the Department of Education, and the Department of Health's view is that the Department of Education has to indicate that it wants to make progress to allow it to progress the release of the site. Can we assume that progress to date — namely the application going in from the board with his Department's approval — indicates that the Department of Education wishes to progress the scheme?

Mr O'Dowd: I am not sure which application the Member refers to that requires the Department's approval. Is he referring to the planning application?

Mr McGimpsey: Yes.

Mr O'Dowd: I understand that the application has been submitted, but I stand to be corrected. However, my Department's role is on a development proposal. The board has not submitted or, indeed I understand, started pre-consultation on a development proposal that would see the amalgamation of Donegall Road school, Fane Street school and Blythefield school. Unless that process starts, what exactly is the Belfast Board building? It is not a process that should take that long, or needs to take that long, and if the board is planning to publish it, so be it, and I will deal with it as expeditiously as possible. Unless I have a

development proposal, I have nothing to give approval to.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Will the Minister outline the next steps in the area-planning process?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as a cheist. I outlined the next steps in the area-planning process in my statement last month. The boards have now published their post-primary plans and the consultation responses on their websites. I require further work to be done to the plans. I have asked the boards, my Department, the Council for Catholic Maintained Schools and the integrated and Irish-medium sectors to join a steering group to focus on how we bring forward plans that are sustainable and viable going into the future.

However, there has also been a lot of work done on area-planning, and the recent announcements that I made on school builds all flow from area-planning work. It is beginning to shape our education estate, and it is beginning to inform the education debate. There is continuing work to be done, and, in fact, that work will continue over a number of different iterations of the area plans, because demographics, profiles, etc, may change. Area planning will be a feature of education for many years.

Mr McNarry: In my constituency, Ballycloughan Primary School is up for sale. Will the Minister be using the proceeds of that sale to meet amalgamation costs where necessary in my constituency?

Mr O'Dowd: I do not believe that I have the authority to do such a thing. All receipts come back in, I understand, through the Department of Finance and Personnel to the Department. They cannot be ring-fenced for one or other constituency. They will be ring-fenced for use in education and will benefit education going into the future, but I cannot, under financial regulations and rules, ring-fence them for any constituency.

Mr Principal Deputy Speaker: That question was quite a distance from south Belfast.

Primary Schools: Literacy and Numeracy Assessments

6. **Mr Rogers** asked the Minister of Education, in light of his letter to primary school principals regarding the introduction of Northern Ireland numeracy assessment and Northern Ireland literacy assessment, whether he will commission an independent review of their introduction. (AQO 3606/11-15)

Mr O'Dowd: As my letter to schools outlined, I have commissioned a four-part review of statutory computer-based assessments (CBA), policy and practice. I am satisfied that each element of the review is being conducted by the appropriate personnel and with the appropriate level of independence. I have asked for all elements of the review to be completed before June 2013 to allow communications on the way forward in time for the autumn term of 2013.

A steering group has been established to take forward the review of CBA policy to determine whether it continues to support my wider objectives, particularly with reference to raising standards in literacy and numeracy. The steering group, which will consult widely across the education sector, includes representatives from my Department, C2K, the Education and Training Inspectorate and the Council for Curriculum, Examinations and Assessment as well as serving school principals. Although my policy review will focus on the way forward for computer-based assessment, I have also commissioned an external, independent report on the issues and lessons to be learnt following the implementation of CBA this academic year.

Mr Rogers: I thank the Minister for his answer. Will he stand by his comment at the Irish National Teachers' Organisation conference that, if the NI Numeracy Assessment (NINA) and the NI Literacy Assessment (NILA) are not fit for purpose, he will put them back on the shelf?

Mr O'Dowd: Yes, given the widespread concern among schools on NINA and NILA: otherwise, there is no point in carrying out a review of these matters. If they are not fit for purpose and not carrying out the function for which they were commissioned, they will be put back on the shelf.

Mr McAleer: Can the Minister give an assurance that the views and experience of teachers in schools will be included and fully considered?

Mr O'Dowd: Yes. Indeed, it has been the views and experience of school principals and teachers that has brought forward the necessity for this review. It was their concerns that were highlighted around CBA that ensured that I as Minister brought forward a review around exactly what happened with CBA this year, the educational benefits or otherwise of CBA and of how we reached this position in the first place.

2.30 pm

Employment and Learning

Investment

1. **Mr McElduff** asked the Minister for Employment and Learning what discussions his Department has had with Invest NI to identify why potential investors are choosing not to locate here. (AQO 3615/11-15)

Dr Farry (The Minister for Employment and Learning): Northern Ireland continues to be successful in attracting high-value foreign direct investment (FDI), particularly in the software and information technology sectors, winning more than its fair share of inward investment. The Northern Ireland proposition is based on a combination of quality and cost-competitiveness. We have a steady supply of skilled and talented people, excellent links with universities and businesses, an advanced telecommunications infrastructure and world-class companies operating in key knowledge-based sectors. Operating costs are highly competitive and can be significantly lower than many regions of the UK and Europe, including the Republic of Ireland.

My officials work closely with Invest Northern Ireland to ensure that we make the best possible proposition to potential investors. My Department's Assured Skills programme is now a critical part of the offers made. Assured Skills is designed to guarantee employers that the skills that they need to support a growing business can be found in Northern Ireland. Assured Skills has supported the creation of just under 1,000 jobs across eight projects, with funding of £2.57 million committed from my Department. Set alongside complementary support from Invest Northern Ireland, those results suggest that Assured Skills support has been crucial in securing jobs for Northern Ireland.

There are regular meetings between my officials and colleagues in Invest Northern Ireland to discuss the pipeline of potential

investors. There is a range of factors as to why companies do not locate in Northern Ireland, and only companies themselves can provide their very specific reasons. However, I know that a very substantial focus is being applied across government to ensure that Northern Ireland is attractive to investors. I am confident that the joint efforts of Invest Northern Ireland and my Department, through Assured Skills, are making Northern Ireland one of the most attractive locations for investment.

Mr McElduff: Go raibh maith agat. I thank the Minister for his answer. Does he agree that part of the explanation is a skills shortage in the workforce in a number of areas? If that is the case, in what specific areas are there skills shortages, and what is the Department doing to address the skills shortage?

Dr Farry: I thank Mr McElduff for his very broad question. The first thing to say is that we have quality people in Northern Ireland to begin with. Already, we are competing through the quality of the skills in our workforce. However, we have to invest and make sure that we invest in the right areas to ensure that we are capable of capturing the opportunities that are out there for Northern Ireland.

When we have either a skills shortage or a skills mismatch, particularly at a time of high unemployment, it is a source of concern for me, as it should be for everyone. A number of very specific interventions are under way. We have identified a number of priority skills sectors, which correlates with the priority sectors in the economic strategy. Beyond that, there is, for example, the information and communication technology (ICT) working group for that sector, which has an action plan in place. We also have an action plan in place for the agrifood sector, and we are working with the engineering and advanced manufacturing sector on an action plan for it. We are working very closely with all the high-growth-potential sectors.

Mr Newton: At what stage does the Minister become involved with Invest NI or the Department of Enterprise, Trade and Investment as they search the world for inward investment, and how does he prepare for that potential FDI coming into Northern Ireland?

Dr Farry: I thank the Member for his question. As he will appreciate, Invest Northern Ireland is the lead economic development agency for Northern Ireland; it sources the opportunities and makes the initial contacts. My officials work closely with their counterparts in Invest Northern Ireland. As someone who was

concerned previously about the ability of different agencies to co-operate, I have been significantly reassured over the past number of years at the level of commonality and joint endeavour between my Department and Invest Northern Ireland. In turn, Invest Northern Ireland will look to my Department to provide reassurance around skills. It is for that reason that we have the Assured Skills programme, which, I believe, has been crucial in getting a number of key investments over the line in recent months.

Mr Principal Deputy Speaker: Question 2 has been withdrawn.

Further Education: Neighbourhood Renewal

3. **Mr Moutray** asked the Minister for Employment and Learning, given the success of the Southern Regional College in the Upper Bann area in delivering courses which are of need in the neighbourhood renewal areas, what plans he has to replicate this scheme in areas with similar needs which are not included in the neighbourhood renewal zones. (AQO 3617/11-15)

Dr Farry: I acknowledge the significant achievements made by the Southern Regional College to deliver courses that address specific issues in neighbourhood renewal areas. It has been gratifying to see the success. My Department, in tandem with the wider further education sector, remains committed to tackling disadvantage across Northern Ireland, including those areas that are not designated as neighbourhood renewal areas. Colleges provide a varied curriculum tailored to local needs.

My Department has also built upon the success of the learner access and engagement pilot (LAEP) to develop a mainstream programme that will begin in September 2013. It can be delivered in all areas in Northern Ireland and is not restricted to neighbourhood renewal areas. The programme will provide opportunities for non-statutory organisations to provide learner support for adults through a contractual arrangement with colleges. That support will be directed at hard-to-reach adults who are economically inactive, disengaged from the labour market, and hold few or no qualifications, to encourage them to undertake a course that will help to prepare them for employment or higher learning.

Under the Executive's Pathways to Success strategy, the Department will fund new

approaches to help unemployed young people who are experiencing socio-economic disadvantage to gain the skills and qualifications necessary to progress to further education, government-funded training or employment — especially the essential skills of literacy, numeracy and ICT. The community-based access pilot programme will focus on essential skills for 16- to 18-year-olds.

Mr Moutray: I thank the Minister for his response. However, will he indicate what the age profile has been on the courses in Upper Bann neighbourhood renewal areas and whether young people are availing themselves of them, given the increase in youth unemployment?

Dr Farry: I do not have to hand the precise figures that the Member requests. I will certainly write to him in that regard. I will make the general comment that, historically, the LAEP project has been focused more at adults, and the age profile there has been largely over 25. It is for that reason that we have, as part of the NEETs strategy, sought to put in place a new community-based access pilot, which will better target that intervention towards young people.

The Member is quite right to place a focus on the needs of young people, because we are all conscious of the problems of youth unemployment and economic inactivity among young people. Although many societies have problems with unemployment in general, we have a particular spike in our problems with young people. So, it is important that we do focus our interventions in that regard.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire chomh maith. Will the Minister give us some information in relation to targeting social needs for the young unemployed especially, some of whom cannot afford to go to university? What is being done to bring them more into education through FE colleges?

Dr Farry: The Executive have put in place progressive policies to enable people to go to university, if that is the appropriate pathway for them. Those range from the freeze in tuition fees for local students at local universities to our widening participation strategy, through which we are trying to address pockets of under-representation in the profile of people who are attending university.

It is important to remember that we have the highest participation rate of all UK regions.

Equally, however, there are people who are more suitable for other pathways. A whole range of interventions is available. The Member will be aware that we recently announced a major review of apprenticeships and youth training to address those who are more marginalised from the labour market. We have now put in place our NEETs strategy, and within that there are a number of incentives for young people. Notably, we have extended an education maintenance allowance-equivalent payment to incentivise young people attending voluntary sector courses funded through the European social fund or the collaboration and innovation fund under the NEETs strategy. We also have the youth employment scheme.

I believe that, on a pound-for-pound basis, we are probably doing more for young people than any jurisdiction in these islands, and we have to build on that rather than sit back and become complacent.

Mr Beggs: There are several small pockets of deprivation within Larne and Carrickfergus, in which there is also a recognised lack of engagement with the local FE college. Can the Minister advise what best practice exists in the Southern Regional College area and whether that has been translated into other areas? Can he also advise of an example of the sort of non-statutory body that he suggested should lead the engagement to try to improve educational outreach?

Dr Farry: I thank the Member for his questions. On the latter point, it is not for me to prescribe the nature of those interventions and the type of organisations that should come forward, except to say that we are open to different types of partnerships being created. He is also right to identify that the Southern Regional College has been proactive in that respect, with a range of projects in neighbourhood renewal areas. I appreciate that what, sometimes, are defined as neighbourhood renewal areas, may not pick up the full subtleties that exist in smaller pockets of deprivation.

Colleges NI is the umbrella body for colleges in Northern Ireland. In addition to my Department, it is available to encourage the sharing of best practice across the network.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answer. It would be a stretch, even for me, to try to get a question about recruitment to the British Army in here, so I will ask him a sensible question.

Given that the most recent figures for labour market statistics here indicate that around 68% of the people who are unemployed, which is about 68,000 people, have been unemployed for over a year, can the Minister give us an assurance that the Executive have got control of the growing rates of unemployment? Or is it something that we have not got control of yet and on which much more needs to be done?

Dr Farry: I thank Mr Flanagan for his question and his recognition of the non-story from yesterday and the weekend. Can I give him the reassurance that the economy and job creation is the top priority for the Executive? It is important that we acknowledge that unemployment is an issue in Northern Ireland, that we dig deeper and recognise that there are a number of elements to that and that we have particular challenges with regard to youth unemployment and long-term unemployment, but, in turn, we have put in place interventions to address those.

Leaving aside the issues of youth unemployment, which I touched upon earlier, we have additional strands of Steps to Work, such as Step Ahead 50+, for example. It is directed towards those people who are long-term unemployed and of a certain age. We also have our mainstream back-to-work programme, Steps to Work. As the Member knows, we are finalising preparations for procurement on a replacement, Steps 2 Success. We are very keen to ensure that we improve performance even further in Northern Ireland by doing all that we can to proactively work with individuals at a personalised level to encourage them back into work and to identify opportunities for them.

North West Regional College

4. **Mr Mitchel McLaughlin** asked the Minister for Employment and Learning for his assessment of Harry McConnell's report on the North West Regional College. (AQO 3618/11-15)

Dr Farry: The McConnell report confirms that there has been a significant breakdown in industrial relations at the North West Regional College. It is essential that changes are put in place to rebuild trust between management, staff and the unions. The report's recommendations present a challenge for everyone involved. They entail a long-term programme of confidence building, as well as some immediate steps to improve relationships. The recommendations require a change of attitude, behaviour and approach on the part of

all those in the college who have responsibility and influence in establishing and maintaining a harmonious working environment.

The college's governing body has accepted fully the report's recommendations. Governors are now required to provide clear leadership and direction to ensure that the necessary changes are implemented and effective workplace relationships restored.

My Department will work closely with the governing body as it builds on the college improvement plan and prepares an action plan to give effect to the report's findings.

Mr Principal Deputy Speaker: I call Mr Pat Ramsey. I am sorry; Mr Mitchel McLaughlin. *[Laughter.]*

Mr Mitchel McLaughlin: Thanks very much. *[Laughter.]* I thank the Minister for that answer, although I am somewhat concerned that he is relying on a body that was established before the report was issued, and which has separate terms of reference. In fact, they are addressing the question of improving the performance. We have a report, which, it is generally accepted, is very, very critical of the leadership and culture in the college. Does the Minister agree that we need an entirely new body to take forward the recommendations of this report, not a body that was already in existence, with a different set of terms of reference?

Dr Farry: I thank the Member for that question and the comments. Let me address the issue in two respects. First, concern has been expressed at the fact that there is a college improvement plan that predates the publication of the report. Obviously, the report was being developed within a particular context and direction of travel, and the improvement plan will recognise that to a certain extent.

2.45 pm

However, I have been very clear with the board of governors. I am sure that Members would support me in saying that what we need is an action plan that addresses specifically the recommendations in the McConnell report. In some respects, that action plan will now supersede the improvement plan. It will build upon the improvement plan — themes in the improvement plan will be subsumed into the action plan — but it will be the action plan that has to clearly identify and pick up on the various comments that were made in that report.

In terms of the wider issue, I believe that it is now for the board of governors to take ownership of addressing the issue. Comments have been made about the board of governors, and I would certainly encourage the board to be more proactive in exercising its functions in the management of the college. There are also issues for the management and the unions in the college. In the first instance, it is important that we give the board of governors the space and opportunity to deliver upon the report's recommendations, and to do so as quickly as possible.

Mr Principal Deputy Speaker: I apologise; I am not used to multitasking.

Mr P Ramsey: Although I welcome the Minister's statement, I find it very difficult to reconcile myself, having been involved in the campaign, when Harry McConnell's report has identified a culture of fear, which presumably comes from the directors and senior management of the college, with the fact that the Association of Managers in Education (AMiE), the trade union that represents 12 members of staff who are directors and senior managers at the college, has absolutely rejected the Harry McConnell report. How can you reconcile that going forward?

Dr Farry: I take on board what Mr Ramsey is saying. However, let me say that, clearly, the people who have to accept the report's recommendations are the board of governors. It has ultimate responsibility for the running of the college. It is to the board that the senior management is accountable. I expect the board of governors to set the tone for what now happens in the college, to put in place an action plan and to ensure that that action plan is fully implemented. Therefore, while I am aware of what has been said by various trade unions, including AMiE, the clear line of authority here lies through the board of governors. Again, I say to Mr Ramsey that we must give the board the opportunity and space to get on with the job that the whole House wants it to do and ensure that we have a college in the north-west that delivers the skills that are required to build the workforce and develop the economy in that part of Northern Ireland.

Mr Campbell: The Minister has mentioned the need for the board of governors to be given space to proceed. Given the catchment area that the North West Regional College appeals to, has he grasped the need to ensure that the college, everyone in it and his Department gets a grip on the issue in order to ensure that

confidence does not seep further from the college into the next year?

Dr Farry: I thank Mr Campbell for his comments. This report has to be seen as a watershed for the college. There is now the opportunity for a new beginning. To develop the theme from my answer to Mr Ramsey, we have to see a college that services the wide catchment area that Mr Campbell identifies, ensures that it has the confidence of the wider business community and population of the area, actually delivers courses that are relevant to the area's growing economy and ensures that the skills that are inherent among people there are capitalised on fully.

There is a problem with industrial relations. There is no running away from that. Those issues have to be faced. I believe that addressing them will be the key to unlocking even better performance by the college.

Youth Employment Scheme: North Down

5. **Mr Cree** asked the Minister for Employment and Learning for his assessment of the impact of the youth employment scheme in North Down. (AQO 3619/11-15)

Dr Farry: Since the launch of the youth employment scheme in July 2012, 68 opportunities have been offered by employers in the North Down area. As of 1 March, 26 young people had availed themselves of those opportunities. Of the 26 participating in the scheme, 10 have entered full-time employment. Also, 39 young people have secured six months' temporary employment under the First Start initiative.

Last September, a programme entitled CRAFT — careers-related advice and further training — which is a joint initiative between my Department, North Down YMCA and the South Eastern Regional College, was piloted in the Bangor area. Eleven young people participated in that programme, and the outcomes were very positive. Following that success, another CRAFT programme commenced on 4 February.

In the period from April to December 2012, the Employment Service helped 744 young unemployed people aged 18-24 to find employment in the North Down area. Furthermore, my assessment is that we have also been successful in implementing a continuum of provision to enable unemployed young people to overcome their barriers to employment and to progress onto the youth

employment scheme as well as other programmes and schemes.

Under the Pathways to Success strategy, I introduced initiatives and programmes in the North Down area such as the collaboration and innovation fund, which will provide £2.5 million to Fit4life, the South Eastern Regional College, the Training for Women Network and the South Eastern Health and Social Care Trust to help over 1,800 local unemployed young people to gain economically relevant skills. In addition, the pathways allowance is available to eligible young people participating in local projects supported by the European social fund.

Later this year, the community-based access programme will provide essential skills qualifications to 16- to 18-year-olds, and the community family support programme will help and support the most disadvantaged local families.

Mr Cree: I thank the Minister for his response, which is certainly very encouraging. Minister, you will know that, at the end of the day, the whole purpose of the exercise is to get people into full-time employment. In respect of the figures, it is early days yet. Are there any additions or enhancements you could make to the scheme to make it better than perhaps it is at present?

Dr Farry: Mr Cree is quite right to say that we are still in the early days of these programmes. The profile of spend during 2012-13 was quite small and was largely for set-up costs, but we are set to see significant increases in expenditure for these projects over the next two financial years. I believe that the programmes in place are strong and comprehensive, but we will keep them under constant review and, if necessary, make any mid-course adjustments.

Coming on stream in the near future is Steps 2 Success, the successor to Steps to Work, which will be the new mainstream back-to-work programme. That will offer a much more individualised, tailored approach to dealing with clients. Indeed, that may bring some of the additional benefit that Mr Cree is asking for.

Mr Dunne: Does the Minister recognise the high rate of unemployment among young people in North Down? What has he done to promote apprenticeships and to try to get young people into trades so that they can get meaningful employment?

Dr Farry: I am glad that Mr Dunne raised the issue of apprenticeships and wider issues

regarding youth training. He will be aware that we recently announced a major review of apprenticeships in Northern Ireland, which will be undertaken over the next number of months. I encourage him and any other Member to engage with that.

It is important to recognise that the world of work is changing, with different types of services and products, as well as the types of employment and jobs that are required. Apprenticeships have huge advantages because young people will be trained in the very particular needs of businesses, and through that type of training, they are more likely to be able to sustain employment in the longer run.

WorldHost NI

6. **Mr Lyttle** asked the Minister for Employment and Learning for an update on the progress of the WorldHost programme. (AQO 3620/11-15)

Dr Farry: I thank the Member for the question, and I am pleased to have the opportunity to report on this excellent initiative. WorldHost is an international standard that introduces participants to the principles of customer service and their practical application in hospitality, tourism and retail settings.

A unique feature in Northern Ireland sees part of the training focus on enhancing participants' understanding and knowledge of their area, encouraging them to take pride in it and equipping them to highlight points of interest to visitors. Northern Ireland has excellent opportunities to showcase to the world what it has to offer. Particularly encouraging news is that Belfast and Derry are pursuing recognition as WorldHost destinations.

I am delighted that my Department has supported WorldHost through working in partnership with the Northern Ireland Tourist Board, People 1st and others to deliver WorldHost training. A package of financial support has been provided to enable small- and medium-sized businesses to avail themselves of WorldHost training for £20 per participant—, with the Department paying the balance of £170. Uptake has been excellent. To date, 3,122 people have participated in training, at a cost of £530,000. I am confident that my Department will meet its target of supporting 7,500 participants by March 2014, which equates to a total funding commitment of £1.275 million.

I am also seeking to be innovative in using WorldHost. The power of the programme to motivate and enthuse participants has been acknowledged. My Department has, therefore, sought to explore its use as a tool in helping young people to engage with education and learning through a pilot exercise for over 500 pupils in collaboration with schools in Derry. Feedback has been most encouraging.

WorldHost is the gold-standard, tried and tested development programme for exemplary customer service. I believe that it can enhance the experience of visitors to Northern Ireland and make an important contribution to our tourism industry.

Mr Lyttle: I will avoid asking the Minister any questions on participants. What progress is being made in securing WorldHost city status in Northern Ireland?

Dr Farry: It is worth stressing why WorldHost is so important. The Executive are doing a lot to invest in quality tourism visitor attractions. We already have our wonderful natural assets, and a number of events are coming to Northern Ireland. Between them, they will attract people to Northern Ireland. When they come, it is important that they have a good experience so that they are encouraged to return or to recommend to family and friends that Northern Ireland is a good place to visit. That way, we can benefit in the longer term from the investment that has been made.

I am pleased that Belfast and Derry are actively exploring becoming WorldHost destinations. The requirement is that a minimum of 25% of businesses need to have half of their front line staff trained in WorldHost. They can then display the WorldHost logo on their premises. As such, that creates a sense of momentum, because those cities are branded as being quality visitor destinations. As we invest in the tourism sector in Northern Ireland, it is vital that we make sure that we fully capitalise on opportunities.

Mr Storey: I thank the Minister for his answer. Given the key role that Northern Regional College plays in my constituency and the tourist destinations and attractions of the north coast, what encouragement and support will he give to the Ballymoney, Coleraine and Ballymena campuses to promote the WorldHost programme? Will he ensure that they are actively encouraged to participate in that so that the northern part of my constituency also benefits as a result of the programme?

Dr Farry: I thank Mr Storey for the question. The Northern Regional College has already been proactive in the area. No doubt it will take from his comments the need to go even further in that regard.

It is very much a demand-led programme. We will respond to the demand that comes from the sector. Last year, we had the very good news that WorldHost was used around the Irish Open on the north coast. It helped to make that a very good event, and it encouraged more people to visit Northern Ireland. There may well be more that can be done, particularly on the north coast, to further capitalise on the good work that is happening.

Mr Durkan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answers thus far. How many individuals have availed themselves of that fine programme for Derry, City of Culture 2013?

Dr Farry: It is right to say that Derry, more than any other location in Northern Ireland, has shown particular enthusiasm for this. It is probably the most advanced in seeking to become a WorldHost destination. Indeed, it has submitted an application in that regard.

It is also worth noting that the pilot for working with schools is taking place in the north-west. Around 500 young people have gone through it. As for the city overall, well in excess of 1,000 people have gone through the training in that part of the world. That is a major statement of intent to ensure that the City of Culture is a major success this year and has a long-lasting legacy for the north-west.

Northern Ireland Assembly Commission

Assembly: Language Policy

1. **Mr Hazzard** asked the Assembly Commission when the language policy will be agreed and the Assembly website updated to include Irish. (AQO 3629/11-15)

Mrs Cochrane: I thank the Member for his question. A draft language policy was initially presented to the Assembly Commission in March 2010, and it was agreed that that policy would be taken for further consideration by the parties. An amended version of the policy was presented to parties to consider in June, and, since then, there have been more discussions on it at Assembly Commission meetings throughout 2011 and in the early part of 2012.

Party submissions on the draft policy were then received and, at the meeting in November 2012, a revised language policy and associated guidance, which had been devised to include that input from Assembly parties, was presented.

At our most recent meeting, the Speaker proposed and the Commission agreed that it would hold a special meeting to explore a range of good relations issues and options in the very near future. It is anticipated that the draft language policy will be discussed at this meeting, including whether any further areas of the Assembly website would include Irish.

3.00 pm

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for her answer. Will the Member outline which parties replied to the policy? Can I get a copy of those replies?

Mrs Cochrane: I thank the Member for his question. As far as I am aware, submissions were made by all the parties in the end. Some submissions were more substantial than others. I am sure that we would be able to give you those in writing.

Mr Principal Deputy Speaker: I ask Members to stop the conversations that are going on around the Chamber.

Mr McGlone: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Chomhalta as ucht na bhfreagraí seo. Tá mé ag iarraidh a fháil amach, in ainneoin na gcaipéisí a cuireadh isteach, cén t-am a chuirfear i gcrích iad? Thanks very much, Mr Principal Deputy Speaker. I thank the Member for her answer. The SDLP submitted a substantial document on this issue. However, the most important issue is not so much how many documents have been submitted, but when the policy is going to be implemented.

Mrs Cochrane: I thank the Member for his question. As I said, the draft language policy has been considered in tandem with the inputs from the political parties. I can assure you that, as a Commission member, I am mindful of our statutory obligations when considering policies. We are seeking political agreement on this, and, unfortunately, there are some who will turn languages into political footballs. I am confident that, through the work we have already done, the Commission will come to a decision soon on a way forward with a very balanced viewpoint.

Parliament Buildings: Food Traceability

2. **Mr Swann** asked the Assembly Commission how it monitors the traceability of all food and produce sold in Parliament Buildings. (AQO 3630/11-15)

Mr P Ramsey: I thank the Member for the question. The Assembly Commission monitors the traceability of all food and produce sold in Parliament Buildings through its current support services contract. That specifies that the service provider, Compass Eurest, shall ensure that all food supplied under the contract meet current UK laws governing the sale and consumption of food. Food standards mirror standards laid down in assurance schemes that encompass food safety, environmental considerations and animal welfare, provide for independent third-party inspection and are accredited to the European product certification standard EN45011.

As a result of the recent mislabelling of meat products in the European food chain, the Assembly Commission recently sought and received further assurances that Compass Eurest's Ireland and UK suppliers comply with our required traceability testing and hygiene processes for this contract. It has also verified that all meat products sold in Parliament Buildings adhere to the required standards and specifications.

Mr Swann: I thank the commissioner for his answer. Will the Commission give a commitment to the House to source as much produce locally as possible?

Mr P Ramsey: I thank the Member for his supplementary question. I can assure the Member of that. All meat products are sourced from suppliers that have local businesses in Northern Ireland. Meat products are sourced, when available, from livestock reared on Northern Irish farms. Vegetable products are purchased from Northern Irish companies that source from local farms. An exception is given to exotic vegetables, which, when needed, may be imported due to seasonal constraints.

Parliament Buildings: Roof Project

3. **Mr D Bradley** asked the Assembly Commission to outline the time frame for the roof project at Parliament Buildings. (AQO 3631/11-15)

Mr P Ramsey: The roof project is a very important project for the House. For a number

of years, there have been problems with water ingress through the roof of Parliament Buildings. This has caused damage to the fabric of this Building, which is listed. Short-term repairs have been made in recent years, but it is now essential to undertake a major project to safeguard the long-term future of the Building.

The Assembly Commission has appointed an integrated design team to develop the outline scheme proposal for the repair and refurbishment of the roof.

Although the scheme proposals have not yet been finalised, at this stage the indications are that construction work will begin on site in late 2013 or early 2014 and will last for almost 12 months. Once the Commission has considered and approved the scheme proposals, and following a procurement exercise to appoint a contractor, a detailed programme of works will be agreed.

Mr D Bradley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. What cost will be associated with the project?

Mr P Ramsey: It is clearly a major project. Given its extent and what is necessary because it is a listed building, the total cost excluding VAT and professional fees is around £4.5 million.

Mr Boylan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Will the Member clarify some of the detail of what the work will include?

Mr P Ramsey: Thanks to the Member. The roof project's primary objective is to provide a long-lasting solution to ongoing problems of water ingress. It is envisaged that that will entail a complete replacement roof covering, along with rationalisation of existing roof-mounted mechanical services. Where appropriate, environmental design initiatives, such as solar heating panels and rainwater harvesting, will be incorporated into the design, and opportunities to optimise accommodation on the fourth floor are also being explored.

Mr I McCrea: Some Members — including me, for which I declare an interest — are fortunate enough to have offices to the front of the Building. Unfortunately, the roof problems mean that the wall at the front or back of the office, depending on how you class it, has mould growing on it. What steps will be taken as part of the project to repair those office walls and to ensure that the mould is removed?

Mr P Ramsey: Thanks to the Member for the question. Other works will certainly be required, during which there will be what can only be described as serious disruption to the House. For example, we expect the work to stop on normal plenary days, but there will be a lot of disruption to fourth floor offices and a number of offices will be decanted from the Building. I assure the Member that I will make sure that the offices that he uses are inspected to make sure that they are part of any planned works.

Assembly: Outreach

4. **Ms Boyle** asked the Assembly Commission what outreach has taken place with schools, colleges and universities in the Republic of Ireland about visiting Parliament Buildings. (AQO 3632/11-15)

Ms Ruane: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Cé nach margaíonn an tSeirbhís Oideachais a cuid seirbhísí go díreach le scoileanna, coláistí ná hollscoileanna i nDeisceart na hÉireann, ghlac roinnt acu páirt sa chlár oideachais i bhFoirgnimh na Parlaiminte.

Although the Education Service does not directly market its services to schools, colleges or universities in the South of Ireland, a number of them have participated in the education programme in Parliament Buildings, and that is to be welcomed.

Sa bhliain dheireannach, ón 12 Márta 2012 go dáta, ghlac 35 scoileanna agus coláistí ó dheisceart na hÉireann — 1,166 duine — páirt sa chlár oideachais i bhFoirgnimh na Parlaiminte.

In the year from 12 March 2012 to date, 35 schools and colleges from the South, comprising 1,166 individuals, participated in the education programme in Parliament Buildings. The schools were from Dublin, Donegal, Monaghan, Cavan, Meath, Mayo, Waterford, Wicklow and Cork. Of the 35, 29 groups booked directly with the Education Service and six were sponsored by the following Members: Seán Lynch, me, Barry McElduff, Chris Lyttle and Conall McDevitt.

To date, the education team has not visited schools in the South of Ireland to deliver the education programme, but, obviously, if a request was made, it is something that we would consider. In addition to groups that have participated in the education programme, other educational groups from the South of Ireland

have been brought to Parliament Buildings by Members for meetings, programmes and events.

The main Assembly website and the dedicated Education Service website contain all the relevant information for groups wishing to take part. The Education Service has recently created a specific Twitter feed to raise awareness of the service and other educational activity and welcomes and encourages Members' support for and involvement in programmes.

Cuireann an fhoireann oideachais fáilte roimh smaointe ó Chomhaltaí ar conas an tseirbhís, agus seachadadh na seirbhíse, a fheabhsú.

Ms Boyle: Go raibh maith agat. I thank the Member for her response. Would the Commission consider an exchange visit arrangement with the Houses of the Oireachtas Commission, where we could encourage visits to the Dáil and Seanad and they could do likewise to Parliament Buildings?

Ms Ruane: Is smaoinemh an-mhaith é sin. That is a very good idea. I know that, recently, our Commission was in Scotland. We had a very interesting visit there. I have no doubt that all the members of the Commission would be very interested in travelling to Dublin. Indeed, at a recent constitutional convention — I am a member of the convention, along with other Members of this House — I raised the good work that the education service is doing, the lessons we can learn from the South and the lessons they can learn from us.

Mr Rogers: I congratulate the educational outreach service for the work that it does. In developing that service, what sort of ongoing discussions take place with counterparts in the Oireachtas, the Welsh Assembly, the Scottish Parliament and Westminster?

Ms Ruane: I suppose that that question is very similar to the previous question, and a very important one. We can learn from Wales, Scotland and our colleagues in the South. We were over studying Scotland. I know that some other Members are going to the Welsh Assembly, and we will be very interested to hear what it is doing. Following on from today, I will ask our officials to make sure that we study what has been done in Wales. That may have been done before; this is my first Question Time for the Commission, so I would not want to presume that good work has not been done. We are open to learning from experiences in other legislatures.

Parliament Buildings: Ushers/Security Officers

5. **Mr Elliott** asked the Assembly Commission for an update on the reorganisation of usher/security officer posts in Parliament Buildings. (AQO 3633/11-15)

Mr P Ramsey: That is an issue that is being progressed through the Assembly's management team and trade union side. They have been involved in a series of discussions since the publication of the business efficiency review report on security and usher services in March 2012. Those discussions have proved productive, and both sides have outlined their position in relation to the report's recommendations. Trade union side has indicated that it is broadly content with the recommendation to establish a team of staff to co-operate with the Assembly's control team.

I understand that progress, through the consultation, has been ongoing in relation to the proposal to amalgamate security officers and ushers. There are some outstanding issues, and further discussions are planned for this week between trade union side and senior management to try to reconcile and resolve any further difficulties.

Mr Elliott: I thank Mr Ramsey for that answer. Some of the terms he used were quite interesting; productive and progressive are maybe unusual terms for this House. I appreciate that there is a limited budget and function as to what can be carried out by the ushers and security officers, but has an assessment been carried out on how to ensure that the service to users and visitors will not be affected in any way?

Mr P Ramsey: There is an ongoing review of the services provided to Members, particularly security and ushering in the Building. It has been a long, ongoing exercise; probably one of the longest in the business efficiency review. So, it has taken time. I think that management side and trade union side are taking a steer from the Assembly Commission, and they want it to be resolved amicably between trade union side and senior management. I certainly hope that progress can be made. As I indicated earlier, there is to be a further meeting within days to try to reconcile some of the other differences on the proposal in the business efficiency review.

Mr McCarthy: Does the Member agree that the ushers and security officers have, since 1998, served this Building very well? Hopefully,

whatever is in the future, they will be recognised for the work that they have done.

Mr P Ramsey: I thank the Member and welcome his comments; there is absolutely no doubt. I acknowledge the contribution that all staff in the Building make, but particularly on the front line. Our security and ushering staff deal with the general public in the Building, at times in difficult circumstances. Again, I would certainly, on behalf of the Assembly Commission, acknowledge the contribution of and commend all our staff in Parliament Buildings.

3.15 pm

Assembly Commission: Flags

6. **Ms McCorley** asked the Assembly Commission who was present at the Commission meeting in 2000 when it was agreed that the issue of flags was a political one that should be dealt with by the Assembly and not the Commission. (AQO 3634/11-15)

Mr Cree: I thank the Member for her question. The members of the Assembly Commission who were present at the meeting held on 2 June 2000, when the issue of flags was discussed, were as follows: The Lord Alderdice, who was Speaker at that time; Mrs Eileen Bell MLA of the Alliance Party; Mr Gregory Campbell MLA of the DUP; Mr John Fee MLA of the SDLP; and Dr Dara O'Hagan MLA of Sinn Féin.

Ms McCorley: Go raibh maith agat. Ba mhaith liom mo bhuíochas a ghabháil leis an bhall as an fhreagra. What exactly was the detail of what was agreed at that meeting, please?

Mr Cree: The actual minute, under the heading "Any Other Business", states:

"The Commission agreed that the flags issue is a political matter best handled by the Assembly. It was agreed that the Commission would operate to the existing regulations and take its direction from the Assembly."

Mrs D Kelly: Further to the Commission member's answers, was it the understanding of the Commission members at the time, or do you have any reason to suspect, that the expressions put forward by individual Commission members were not those of their political parties? Were there submissions from the parties at that time?

Mr Cree: Thank you for that. I do not know why I get the hard questions, Mr Principal Deputy Speaker. *[Laughter.]* Obviously, that was outside my experience, as it was in 2000, so I cannot answer the question, but I will make sure that you get an answer to it.

Mr Allister: Can you confirm that the Commission is free to set its own policy on the flying of the flag, either by choosing to follow some of the designated arrangements or to follow exclusively plans of its own desire?

Mr Cree: I thank the Member for that question. Like any body, the Commission can change its position through the decision-making process.

Constituency Offices: IT Equipment

7. **Mr A Maginness** asked the Assembly Commission for an update on the progress of updating IT equipment in constituency offices. (AQO 3635/11-15)

Ms Ruane: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I Mí na Samhna 2012, cheap an Oifig IS soláthraí nua le seirbhísí idirlín banda leathan a sholáthar d'oifigí toghlaigh Comhaltaí Tionóil. Le linn na tréimhse suiteála ón 3 Nollaig go dtí an 20 Nollaig 2012, aistriodh 62 líne banda leathan ó oifigí toghlaigh go dtí an soláthraí nua.

In November 2012, the Information Service (IS) Office appointed a new supplier to deliver broadband internet services to MLA constituency offices. During the installation period, from 3 to 20 December 2012, 62 constituency office broadband lines were transferred to the new supplier, with the majority of offices able to avail themselves of improved internet connection speeds. One MLA office in Carrickfergus still remains to be upgraded due to outstanding works at the premises.

Due to the age of the printers and the high levels of faults being reported, a printer replacement programme was brought forward by the Assembly Commission in 2012. As a result, the IS Office has recently completed the replacement of printers in MLA constituency offices. During the installation period, from 9 January to 7 February 2013, 107 new multifunction printers were successfully delivered and installed in constituency office premises.

The Assembly Commission plans to replace the laptop computers supplied to Members in the coming financial year, 2013-14. The IS Office

will consider the scope and type of devices offered in the light of feedback from MLAs on the forthcoming roll-out of tablet computers.

Rinne an an Oifig IS uasghrádú ar bhogearraí Fuinneoga agus Oifige Microsoft a bhí ag reáchtáil ar ríomhairí toghlaigh sa bhliain 2011, agus dar leo go bhfuil na ríomhairí deisce agus na monatóirí scáileáin réidh ar fónamh go fóill.

The IS Office upgraded the Microsoft Windows and Office software running on constituency computers in 2011, and it considers that the current desktop PCs and flat-screen monitors are still fit for purpose. Consequently, the Assembly Commission does not plan to replace constituency desktop PC equipment until 2014.

Mr A Maginness: I thank the Member for her answer. A lot of work has certainly been done. Does the Commission envisage any further deliveries of equipment, or does that complete what the Commission set out to do?

Ms Ruane: I think that Members would agree that significant work has been done. We will look at how to refresh equipment and support Members on an ongoing basis. If the Member has any ideas or things that he would like, we would certainly be willing to hear about them.

Mrs Overend: Will the Commission member tell the House whether the new equipment being installed in constituency offices will result in reduced running costs for consumables for the new Hewlett-Packard printers? Will they be cheaper than the previous OKI consumables?

Ms Ruane: I thank the Member for her question. I hope that running costs are reduced, given that that is one of the aims, as well as the creation of more effective Assembly and constituency offices.

Mr Principal Deputy Speaker: Questions 8 and 9 have been withdrawn.

Assembly Secretariat: Childcare Vouchers

10. **Mr Beggs** asked the Assembly Commission for an update on extending the childcare voucher scheme to Assembly secretariat staff. (AQO 3638/11-15)

Mr Weir: The Assembly Commission provides a childcare allowance for secretariat staff. The scheme operates on the basis of a cash payment to eligible participants, with payments subject to personal income tax and national

insurance contributions. The installation of a new payroll system that facilitates the administration of a childcare voucher scheme that meets HM Revenue and Customs (HMRC) criteria is at an advanced stage. It is anticipated that the new system will be fully operational early in the new financial year. The introduction of the new payroll system will not in itself remove the requirement on the Commission to establish an HMRC-compliant childcare arrangement.

Mr Beggs: The childcare voucher system is a tax-efficient way to provide quality childcare, with benefits to the working parent and to the employer. It has taken an unduly long time to introduce it here, with an old IT system originally being blamed many years ago. Will the Member assure me that all the procedures are now in place so that it can be introduced and, in particular, that the preferred provider of the vouchers has been selected?

Mr Weir: I can assure you that it is at an advanced stage. We are perhaps not at the point at which all the i's are dotted and the t's are crossed, but it is anticipated that it will be there fairly early in the new financial year, so we are very close to completion.

A number of HMRC-approved childcare voucher providers are already established in Northern Ireland. The provisions of the voucher scheme have been approved by the Commission. When the scheme is actually approved, which should be in the near future, there will have to be a procurement exercise to select a suitable provider for secretariat staff. The provider is not there at present, but the intention is that, as soon as everything is there, the procurement exercise will be completed.

It is also important to note that Revenue and Customs will formally consider the eligibility of any scheme only when all aspects of the scheme are finalised. However, secretariat staff continue to work with the relevant HMRC liaison officers to ensure that the final scheme can be approved by them at the earliest possible opportunity.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I declare an interest as a recipient of the childcare voucher scheme. Will the Member outline what consideration has been given to the establishment of a crèche in the grounds of the Stormont estate, given that it is quite difficult to access childcare, particularly for people from rural communities? It would be useful if such a facility were to be considered.

Mr Weir: Some very unkind Members may say that there is already a crèche here that accommodates at least 108. *[Interruption.]* Various remarks could be made, but perhaps it is best not to make them. At this stage, I do not know of any plans from the Commission to provide a crèche. However, the issue is probably being looked at, and I will try to find out whether it is being given any consideration. If that is the case, we will write to the Member.

Mr Principal Deputy Speaker: Danny Kinahan is not in his place. I call Megan Fearon. *[Interruption.]*

North/South Inter-Parliamentary Association

12. **Ms Fearon** asked the Assembly Commission for an update on the North/South Inter-Parliamentary Association. (AQO 3640/11-15)

Mr Cree: Someone told me that Mr Kinahan had been kidnapped. I do not know whether that is the case. *[Interruption.]* I thank the Member for her question. Members will be aware that the North/South Inter-Parliamentary Association has been established. Indeed, many were at the inaugural meeting. The first plenary session was held in Dublin on 12 October 2012. *[Interruption.]* It gets better.

The North/South Inter-Parliamentary Association comprises 25 Members from the Northern Ireland Assembly and 25 Members from the Houses of the Oireachtas. The association was established to facilitate regular and direct discussion and engagement between the two legislatures with a view to finding ways to address issues of common interest and concern as envisaged in the Belfast and St Andrews Agreements. At its inaugural plenary meeting on 12 October 2012 in the Seanad Chamber in Leinster House, the association considered the themes of child protection and the Ulster canal. Feedback indicated that Members found this a worthwhile and useful experience.

The association is supported by an executive committee, which is co-chaired by the Speaker and the Ceann Comhairle and comprises five Members from each of the legislatures. It has been agreed that plenary meetings will occur on a biannual basis. Preparations are currently under way for the second plenary to be held on 26 April 2013 in the Senate Chamber in Parliament Buildings. It has been agreed that the topics for discussion on that occasion will be positive mental health strategies, suicide

prevention, type 2 diabetes and caring for an ageing population.

Ms Fearon: I concur with the Member's comments. The meeting in the Seanad was very successful. Was a report produced from the inaugural meeting?

Mr Cree: No formal report was produced from the day. However, a communiqué was issued following the meeting. The executive committee is now looking at mechanisms for sharing information on a wider basis.

Assembly Secretariat: Business Efficiency Review

13. **Mr Lyttle** asked the Assembly Commission for an update on the business efficiency review. (AQO 3641/11-15)

Ms Ruane: Ón 12 Mhárta 2012 go 12 Mhárta 2013, ghlac 393 bun- agus meánscoileanna ghlac 12,741 páirt i gClár na Seirbhíse Oideachais.

From 12 March 2012 to 12 March 2013, 393 primary and secondary groups totalling 12,741 individuals from 248 schools participated in the education service programmes.

Agus grúpaí eile á gcur san áireamh, grúpaí óige, ollscoileanna agus araile, ghlac 546 ghrúpa páirt i gclár na Seirbhíse Oideachais — 16,798 duine.

Of the 393 school groups taking part, 356 groups —

Mr Principal Deputy Speaker: I am sorry; we are on question 13.

Ms Ruane: Gabh mo leithscéal. Tá brón orm. I am very sorry about that.

The Commission instigated the business efficiency programme in response to the 2011-15 Budget settlement and work began in 2011. To date, three thematic and nine business area reviews have been completed, covering over 80% of Assembly secretariat staff and expenditure. The reviews of a further four business areas are nearing completion, and work on the final tranche of reviews covering the remaining five business areas will commence towards the end of this month and are scheduled to be completed during summer 2013, as per the agreed business efficiency programme project plan. The implementation of business efficiency recommendations is

ongoing, with each report being addressed as it is published.

Cuimsíonn an próiseas seo mion-díospóireacht leis an gCoimisiún, nuair is cú sin; agus comhairliúchán le Foireann na gCeardchumann ar mholtaí an athbheithne.

This process includes detailed discussion with the Commission and consultation with trade union side on the review recommendations.

I apologise for my mistake.

Mr Principal Deputy Speaker: That concludes questions to the Assembly Commission. The House should take its ease for a few moments until we get rearranged.

3.30 pm

(Mr Speaker in the Chair)

Executive Committee Business

Criminal Justice Bill: Further Consideration Stage

New Clause

Debate resumed on amendment No 1, which amendment was:

After clause 11 insert

"Ending the life of an unborn child

Ending the life of an unborn child

11A.—(1) *Without prejudice to section 58 and section 59 of the Offences Against the Person Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945 and subject to subsection (2) any person who ends the life of an unborn child at any stage of that child's development shall be guilty of an offence and liable on conviction on indictment to a period of not more than ten years' imprisonment and a fine.*

(2) *It shall be a defence for any person charged with an offence under this section to show—*

(a) *that the act or acts ending the life of an unborn child were lawfully performed at premises operated by a Health and Social Care Trust, or*

(b) *that the act or acts ending the life of the unborn child were lawfully performed without fee or reward in circumstances of urgency when access to premises operated by a Health and Social Care Trust was not possible.*

(3) *For the purposes of this section a person ends the life of an unborn child if that person does any act, or causes or permits any act, with the intention of bringing about the end of the life of an unborn child, and, by reason of any such act, the life of that unborn child is ended.*

(4) *For the purposes of this section 'lawfully' in subsection (2) means in accordance with any defence or exception under section 58 and section 59 of the Offences Against the Person*

Act 1861 and section 25 of the Criminal Justice Act (Northern Ireland) 1945.” — [Mr Givan.]

Ms McCorley: Go raibh maith agat, a Cheann Comhairle. Earlier today, my colleague Caitríona Ruane laid out clearly the Sinn Féin position on abortion. I would like to do that again for the benefit of Members who were clearly not listening. I wish to state clearly for the record where Sinn Féin stands on this issue. Ba mhaith liom seasamh Shinn Féin ar an cheist seo a lua go soiléir. I will do so because there appears to be some confusion and misinformation around this difficult issue. Let me be very clear. Ba mhaith liom bheith an-soiléir. Sinn Féin is not in favour of abortion on demand.

Mr Allister: Will the Member give way?

Ms McCorley: No, I will not.

We have consistently opposed the extension of the 1967 Act to the North of Ireland. However, in circumstances in which a pregnancy arises as a result of rape, incest or sexual abuse or in cases in which a woman's life or mental health are in danger, Sinn Féin's position is that the decision on whether or not to seek a termination must rest with the woman. I gcásanna mar sin, creideann Sinn Féin go gcaithfidh an cinneadh a bheith ag an bhean.

The amendment accepts that there are circumstances in which a termination of pregnancy can take place such as when the woman's life is in danger. The law allows for that. All parties in the Assembly, including Sinn Féin, accept that. Over the past number of days, we have heard Paul Givan and Alban Maginness state that clear position on the radio. So, the actual thrust of the amendment is about where a termination can take place. Baineann iar-mhír an leasaithe leis an láthair ar féidir foirceannadh a dhéanamh. Specifically, it seeks to limit that to places that are authorised by the health and social care trust. The underlying premise is that only the health service is capable of carrying out termination procedures within the law. However, there is no evidence to support that argument. Níl aon fhianaise ann le tacú leis an argóint sin.

Sinn Féin argues that we should not limit the way in which women are forced to deal with difficult, life-threatening situations. Rather, we should demand that they have access to the very best healthcare possible. Ba chóir dúinn bheith ag cinntiú go bhfuil an cúram sláinte is fearr ar fáil do mhná. Given the massive pressures on our health service, surely it makes

more sense that, if a woman requires a termination within the requirements of the law, she should be free to decide for herself where and, more specifically, when that takes place. Whether a termination is carried out in the health service or in a private clinic is not the issue as long as the procedure is carried out safely and within the law.

Of course, the necessary regulations and safeguards must be in place. Ach is cinnte go gcaithfidh an rialachán riachtanach a bheith in áit. When Marie Stopes International gave evidence to the Committee, it stated clearly that it would comply with regulation if that were put in place. It also said that it had no intention of breaking the law. So, the focus should be on putting regulation in place. If the law is broken, it becomes a matter for the PSNI.

This is not the way to make law on a very important and emotive issue. We should not bolt this onto the end of the Criminal Justice Bill as though it were merely an insignificant add-on that requires no consultation or discussion. If ever there was an issue that demands the maximum consultation and discussion, surely it is this one. Má bhí ceist ann ariamh a raibh an méid comhairliúcháin is mó de dhíth uirthi, is cinnte gurb í seo an cheist. So, we should step back and reject the amendment and think instead about having a proper debate on the issue. We should listen to all the voices concerned so that, when we come to make law, it will be in a sympathetic, considered and informed manner.

Rather than criminalise some of the decisions that vulnerable women may make, we should focus on ensuring that, when a woman's life is in danger, she has access to the necessary healthcare. The foundational principle of equality for all requires protecting women's lives in our society in all medical circumstances. We should never place barriers in the way of women that make their decisions more difficult than they are already are. Tá mé in aghaidh an leasaithe. I oppose the amendment.

Mr Speaker: Order. Before I call Mr Poots, I want to clarify that the Member will speak as a Member and not as Minister. If Members want to try to get an intervention, they should certainly not address the Member as "Minister".

Mr Poots: Thank you for that clarification. I have no doubt that I speak today as a Member of the Assembly for Lagan Valley with, I hope, some knowledge of some of the issues involved. I intend to deal with facts, because a lot of people have engaged in obfuscation and

put up smokescreens because they do not like to deal with the facts.

Abortion is dealt with by criminal law. That is the first fact. Marie Stopes has identified a gap in that law, and this amendment would close that gap. That is as simple as it can get, and people have chosen to walk away from it. The Department of Health, Social Services and Public Safety regulates private hospitals and dentists, but it has no jurisdiction whatsoever over Marie Stopes or any other organisation that wishes to establish a clinic to carry out abortions or terminations of pregnancy in the private sector. Should Marie Stopes voluntarily agree to be regulated, that would be done by the RQIA and would only cover things such as standards of cleanliness, patient numbers and so forth. It would not deal with the law, because the individuals are not law officers. We are dealing with criminal law, and they have no authority to do that. I hope that that provides clarity for people in the Chamber, although I suspect that a lot of them will not want to listen. It will certainly provide clarity for people outside the Chamber.

The guidance that people have requested is now with all my Executive colleagues and their teams. Around 200 people received copies of that guidance on Friday. It does not cover this clinic or, indeed, any other private clinic, because we are talking not about a knee operation or a hip operation but the termination of a pregnancy. That is not covered in the private sector by health regulation; it is covered by legislation and, in this instance, criminal law. So, we can have all the smokescreens that the Alliance Party, Sinn Féin and the Green Party wish to put up on the issue.

We have just heard a Member say no woman should be denied health services in an emergency. Was there such a case before Marie Stopes came to Northern Ireland? I have not heard it said. Was there a gap in the market where the health service was not meeting the emergency needs of expectant women before Marie Stopes came to Northern Ireland? What emergencies has Marie Stopes dealt with since it came to Northern Ireland? Let us just nail that. That has no basis in fact or in truth, and the Members need to remember that.

Many people are very proud of the National Health Service. Indeed, when the Olympic Games were held in our capital, one of the things that were shown off around the world was the service that it provides. I am very glad that, in Northern Ireland, we are part of that National Health Service and have its standards

applied here. It does a terrific job and is very well regarded generally in our community, and most people have a very good experience of it. So, the people across from us who advocate the private sector model for abortion need to be careful about what exactly they are advocating.

In England and Wales, there has been an 1,100% increase in the private sector carrying out abortions. In 2010, 111,775 abortions were carried out by private sector organisations such as Marie Stopes in England and Wales. That is a fact. Last year, Marie Stopes had a turnover of around £90 million, with a profit of around £10 million. Marie Stopes, as an organisation, works to transform policy environments, increasing access to safe abortion and family planning services. Sinn Féin is saying that it does not support the 1967 Abortion Act, but it is standing shoulder to shoulder with an organisation that wants to bring the 1967 Abortion Act to Northern Ireland. It is 100% with Marie Stopes and its desire to bring abortion on demand to Northern Ireland. That is where Sinn Féin stands today, whether it likes it or not. It is with Marie Stopes, the private clinics and the private sector. Of course, Sinn Féin has form on the private sector. After all, Ms Ruane, who spoke earlier, managed to privatise selective education. She thought that she would do away with it, but all that she did was to privatise it. Of course, on private healthcare, nowhere in Ireland was good enough for Mr Adams. He had to jet off to America to get that private care. I was reminded a little of the old —

Mr Speaker: Order. I have given the Member some latitude, and I give all Members some latitude. Let us try, as far as possible, in whatever contribution the Member is making, to get it back to the amendment.

Mr Poots: On the private abortion clinic that Sinn Féin is supporting and private healthcare, I am reminded of 'Animal Farm', where all animals were equal but some were more equal than others. As Mr Adams jetted off, it reminded me of Napoleon the pig, who was slightly more equal than the rest, in that he was obtaining private healthcare while everyone else was left behind. In this instance, Sinn Féin is supporting private healthcare in Northern Ireland in the abortion sector, and it does it no credit whatsoever.

As I said, Marie Stopes is an organisation that wishes to see abortions taking place on demand. The outworkings of that in Great Britain have been that almost 7 million abortions have been carried out since 1967. That is equivalent to more than the population

of Ireland. In the United States of America, 55 million abortions have been carried out, which is almost equivalent to the population of the United Kingdom. In China, 400 million abortions have been carried out under its one-child policy. That is more than the population of the United States of America and Canada put together. People say that, if we do not go down this route, we are the backwoods people. Let me say this very clearly: abortion is more closely associated with countries where human rights are worst. In China, many of the children are selected for abortion because they are female. Where are women's rights in that, when female children do not get the chance to live, to play, to be educated, to work and to have their own family? Are you telling me that that is advancement and that we in Northern Ireland are in the backwoods? If this is the backwoods, I am glad that we are in it, because I do not want to go down a route that the places that I have just mentioned have gone already. It is clearly a wrong and a dangerous place to be.

3.45 pm

Sinn Féin does not have a great record on pro-life, whether that is before conception or after conception, but I will not draw your wrath on that one, Mr Speaker.

I will turn to the Alliance Party and the stance that Minister Ford has taken on the issue. Mr Ford may not have told his members, but he wrote a letter some time ago, in which he said that, where there is evidence of a crime having been committed, the police and the prosecuting authorities will investigate and prosecute as appropriate. He went on to say that, if any such evidence is presented, the offences and penalties contained in the Offences Against the Person Act 1861 and the Criminal Justice Act (Northern Ireland) 1945, the powers available to the police under the Police and Criminal Evidence (Northern Ireland) Order 1984, and access to other expert medical services available to them, provide the police and prosecuting authorities with the appropriate powers to deal with breaches of the law.

It is very clear where Minister Ford believes that the power exists. He did not say that the power existed with RQIA; he did not say that the power existed with the Department of Health or with any of the health and social care trusts. He said that the power lies with the prosecuting authorities — the police — to deal with the breaches of the law. The problem is that nobody knows whether the law is being breached, because Marie Stopes is operating under a cloud of darkness. Nobody knows, and

we could have stopped it here today, but some people decided that they would table a petition of concern. They have allowed that private business to carry on its practices under that cloak of darkness where nobody can hold it to account.

I understand that Minister Ford has indicated today that he believes that something should be done about it, and that he is going to look at how he can act. If we do not make any progress on the amendment today, at least that would be progress. We will see what Minister Ford comes forward with in dealing rightfully with the issue.

I have to mention Minister Ford's intervention over the weekend. Some of the points that he threw up were wholly bogus. I think that he knew beforehand that they were wholly bogus. I regret that I am in this position, because I have known David Ford and worked with him since 1996. We have had many discussions and debates, and I have always had respect for him. However, his intervention over the weekend was clandestine and done in collaboration with Sinn Féin. He brought forward issues that Sinn Féin very quickly clung on to like a limpet. He indicated that there could be problems about contraception, IUDs and so forth, and morning-after pills. I will explain very simply to Members where he is wrong. If I go to bed tonight and I get up tomorrow morning and accuse someone of having shaved off my beard, I would be in an odd position, because I could not grow a beard overnight, and there would be no evidence that I had grown a beard. Therefore, any accusation that I made that my beard had been shaved off would not have any standing. How could Minister Ford suggest that someone could be prosecuted for giving out the morning-after pill or, indeed, IUDs — to say that there could be some prosecution involved in that, or the law was not clear on it — when there was no evidence of a pregnancy in the first instance? You could not prosecute someone for terminating that pregnancy. Therefore, if I were to claim that I had had my beard shaved off, I would be nothing better than a barefaced liar in that instance, and that is not something that I would want to be.

It is very clear that Mr Ford's intervention was clumsy and cynical and was not in our best interests, in that it caused confusion and did not assist the debate. I would have been quite happy to clarify that issue with him before he went to the press, the media and others. The Alliance Party —

Mr Agnew: I thank the Member for giving way. Given what he said, at what point can we get evidence? If, for example, a medicalised abortion is performed, what is the evidence of life in such an instance? If someone purchases the abortion pill online and takes it, what is the evidence? When we refer to the life of an unborn child, at what stage does life begin? We need to know that before we can seek the evidence that life has been taken.

Mr Poots: You can understand why I tried to make things so simple just a moment or two ago. The Pill is a contraceptive; the morning-after pill is a contraceptive; and IUDs are contraceptives. The pills being given out by Marie Stopes are abortifacients. There is a considerable difference, and I trust that I do not have to explain to other Members, even if Mr Agnew has a little difficulty taking that in and fails to understand.

I find it somewhat sad where the Alliance Party is today. I reflect on a debate on abortion that I took part in back in 2000. An Alliance MLA, Seamus Close, one of the Members from my constituency, spoke very well. He said:

"Abortion strikes at the heart of society. It deals with the beginning of human life, but tragically it is also about the snuffing out of human life, even before birth. Abortion kills human beings. Abortion kills the unborn child ... No human problem in society, whether in Northern Ireland or anywhere else, can be solved by killing another human being. Abortion is violent. Abortion is negative. It rests on the dangerous principle that the small and the weak are inferior and that some human beings are disposable." — [Official Report, Bound Volume 5, p215, col 2, and p216, col 1].

I regret that that is not the position of the Alliance Party today and that it has moved, tragically, to somewhere completely different. We have not changed our position on the issue. In every situation, we have to deal with care, compassion, grace and honesty with people who have pregnancies that they did not expect or find problems with, and they are in a tumultuous situation.

Rape and incest were mentioned. We cannot but deal with those people sympathetically, but the position is very clear: the people best placed to make that decision are clinicians in conjunction with an expectant mother. It is not for us to legislate on that. Clinicians can and do make those decisions in the interests of all parties.

Sinn Féin, the SDLP and the Alliance Party should be deeply ashamed of supporting an organisation that has a bonus system to drum up more business, and more business is more abortions. Sinn Féin stood for election in Mid Ulster just a few weeks ago. At that election, the majority of people voted for pro-life in that they voted for Nigel Lutton and Patsy McGlone. Sinn Féin lost around 5,000 votes. Sinn Féin members may think that they can ride this through and that people will forget, but people will have long memories on this issue.

Sinn Féin may want to blame the result on the weather. Mr McGlone's vote was up. They may want to blame it on a poor candidate. That is for them to say, but the Sinn Féin vote was down by 5,000, and it did not tell the people of Mid Ulster what it was doing. I suspect that if the party had the honesty and did not cynically exploit its own electorate, its vote would have been down considerably more. It did not have the guts to do that, but it did it yesterday to destroy the opportunity to ensure that abortions, terminations of pregnancies, can be carried out in a way that looks after the mother, acts in the best interests of the unborn child and ensures that we in Northern Ireland do not go down the route of GB, the USA and China, whose records on this issue are very poor.

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I apologise to you, Mr Speaker, and to the rest of the House for not being here during the earlier part of the debate. I was in Derry representing the Health Committee at a conference.

When I was thinking about what I was going to say in the debate, I decided that I was going to start off by saying that I hoped that it would be conducted in a respectful and reasonable manner and that people would respect one another. However, having listened to it on the radio, coming back in the car, I have lost that. I picked up that today's debate was a bit rough, in a sense. We need to be respectful and respect one another in the course of any debates in the House.

This is a very emotive issue, and nobody would deny that. It is an emotive issue for a lot of people, and we need to appreciate that. The reality is that it is also an emotive issue for some women who find themselves in a position in which they need to have a medical termination. We need to appreciate that as well.

Mr Wells: Will the Member give way?

Ms S Ramsey: Give me a couple of minutes to get to the main thread of what I am going to say. I want to say this, Jim, and then I will give way.

I know that my colleague who spoke before me, and Caitriona, whose contribution I listened to on the radio, have given Sinn Féin's position. I am going to restate our position because having come back and listened to some of the media stuff, I know that there are journalists and others here tweeting parts of this debate, and the position of Sinn Féin is sometimes being clouded. So, for the record, I want to once again state our position: we are not in favour of abortion. Members may shake their heads, but I have spoken in a number of debates on this over the past number of years. We are not in favour of it and, in fact, have voted against the extension of the Act here. However, we believe that where a woman's life is at risk or where there are mental health issues — and I will get to that, Paul — there is an issue for medical terminations, and that rests with the women. So, do not misrepresent what Sinn Féin is saying. I will give way now, Jim.

Mr Wells: I think you are referring to the honourable Member for South Down. The Member for West Belfast has vast experience of health. She has been on the Health Committee as either Chair or vice-Chair for many, many years. She knows the ins and outs of the system in Northern Ireland like the back of her hand. Can she point me to one example, in Northern Ireland, where a woman who has had a difficult pregnancy, or with whom there has been an issue, has been denied proper treatment in the health service? Can she give me one example of where that woman would have been driven to use such a service, had there been a private clinic? I have sat on the Health Committee with her for many years, and I have never heard of it. I have even dealt with many pro-abortion campaigners, and they have never been able to bring an example of it forward to be investigated. So, where is the need for a private clinic, if we already have an excellent service in the National Health Service?

Ms S Ramsey: I appreciate the honourable Member for South Down. I am talking about a respectful debate; you do not mind me calling you Jim during any other debate, but I will call you the honourable Member for South Down. I appreciate what you have said.

Ms Lo: Thank you for giving way. Fairly recently, I was approached and told that a woman was told by the doctors around her that

they suspected that her foetus may have abnormalities, and a doctor told her to go away to get an abortion at that time, because she would not get one in Northern Ireland.

Ms S Ramsey: OK. I noticed Paul — I am sorry, the honourable Member for Lagan Valley — nodding his head and agreeing that it is similar, and agreeing with what I said. I heard your interview last week, and I thought it was very clear cut. I appreciate that, through you, Mr Speaker. I am sorry, I am not aware of the rules in here sometimes.

I think there is an issue of why we are here. I appreciate that the Minister of Health spoke earlier as a Member. I do not want to get into a debate between me and other Members, but, in the course of listening to some of the debate, I have been struck by the fact that the Member for Lagan Valley has said that, due to the issue that is coming up, we are in difficulty in that there is now a grey area. I am paraphrasing. He said that there is a grey area and a gap in the law. Abortion is dealt with under criminal justice; so, because of the Marie Stopes stuff, there is now a gap in the law. I would appreciate it if we could find out. If that is the case, are we aware of whether the Minister of Health had any discussions between then and now with the Minister of Justice, either informally or formally? We are in a collective Executive to actually bridge that gap in the law before we come to the Floor of the Assembly and get involved in a debate and fight. That is what strikes me: if there is a gap in one Department, can we not or are we not mature enough to have a discussion, either informally or formally, and work out how we can deal with that gap in the law? It seems to me that that did not happen. Perhaps, it should have.

4.00 pm

The first issue with regard to medical terminations is access within the legal framework. The second is the privatisation of health care. If people want to be upfront and honest about the debate, we need to have it. The fact is that we have had a failure with regard to the Minister's bringing forward appropriate guidelines. Medical professionals and clinicians have been calling out for them. People who work in the field have been calling out for them. There has been a failure in bringing forward those guidelines. I appreciate that the Minister has finally brought forward draft guidance to the Executive for consideration next week. Although I welcome the publication of that guidance, I am truly disappointed — and a lot of people in the

Assembly know me — that the first that I heard of it, as Chair of the Committee for Health, Social Services and Public Safety, was in the media.

With respect, Mr Speaker, we have worked hand in glove with the Minister. If he is honest, he would say that I have worked very closely with him in the Committee on issues that relate to health and social services to try to get a reasoned position because we do not always want to battle. I am not interested in battling with the Minister for the sake of it or because he belongs to a different party. Sometimes, he gets it right. I actually commend him for getting it right. However, in this case, he failed to let me or other Committee members know that there was draft guidance. That is an indictment of what happened.

In fairness, Committee members will consider the draft guidance at the Executive, in our own groupings and at the Committee when it is out for consultation. We will look at it in a mature way. We also need to look for the clarity that medical practitioners seek on the issue. The issue is not, from a medical practitioner's point of view, where the medical termination might take place; it is whether he or she is protected under the current framework. We do practitioners a disservice and injustice if we do not get the guidance right.

We need to look at the whole issue of leaving the guidance until the last minute. We need a proper —

Mr McNarry: The amendment.

Ms S Ramsey: I am sorry.

Mr Speaker: Order. Allow the Member to continue.

Ms S Ramsey: I am sorry, Mr Speaker. I thought that there was a mirror there, and you had moved down there. *[Laughter.]* Go on, throw him out, Mr Speaker. It would be my claim to fame to get the right honourable Member for North Antrim thrown out.

Mr McNarry: Will the Member give way?

Ms S Ramsey: Apologies. I meant Strangford.

I take on board what the Health Minister said as a private Member about the gap. However, it does not mean that I agree with him. Putting it in the Criminal Justice Bill at this late stage actually does not allow that discussion to take place.

The second issue is private healthcare. I listened to some of that discussion. Let me speak for Sinn Féin. I am opposed to the privatisation of health services.

Mr Givan: *[Inaudible.]*

Ms S Ramsey: No, no, no. Be careful, Paul.

Mr Speaker: Order. Remarks must not be made across the Chamber.

Ms S Ramsey: You need to be careful.

On 11 March 2013, the Minister of Health brought legislation on mental health to the House. Through you, Mr Speaker; are you opposed to that? Over the past three years, we have spent over £130 million on private healthcare. There are questions on why we got to that point. If we are genuinely —

Mr Wells: Will the Member give way?

Ms S Ramsey: I will not give way to the honourable Member for South Down. I would have given way to Jim, but not to the honourable Member for South Down.

If we are genuinely concerned about privatisation and private healthcare, let us have a proper debate. Let us challenge the issue of private money in the health service.

Mr Speaker: Order.

Ms S Ramsey: Sorry, Mr Speaker.

Mr Speaker: Order. I am trying to give Members as much leeway as possible. I know that Mr Wells was looking to make an intervention. I am slightly worried that we may move on to a debate about private healthcare, so can we get back to the amendment?

Ms S Ramsey: OK, Mr Speaker, thank you. These are my last words. I think it is important that we have a genuine discussion about this. Tagging this on to the Criminal Justice Bill —

Mr Wells: Will the Member give way?

Ms S Ramsey: I am just finishing.

I do not believe that tagging this on to the Criminal Justice Bill is the way forward. If we are serious about some of the issues that Members raised in the debate, let us be serious about privatising the health service, because that is what your Minister is doing.

Mr P Ramsey: I support the amendment, and I will give good reasons for doing so. I believe that Sinn Féin has got this wrong and that it will find it hard to reconcile its supporters in my constituency to enabling, allowing and supporting a private clinic that offers abortions in Northern Ireland.

I will go into detail about why I believe Marie Stopes should not give, and has no credibility in giving, abortions. I preface my remarks by saying that the SDLP acknowledges the sensitivity of this issue. We are aware that many women have had pregnancies terminated for many reasons, many of whom are still grieving and still questioning the decision that they took at that time.

I am the chair of the all-party group on pro-life. We have had very young women come to us as witnesses to give testimonies about the effect and mental trauma of having an abortion. I say that in the context that it is not my job to judge or criticise women, and it is certainly not my job as a legislator to criminalise women. Marie Stopes came in here as a stunt. It tried to pull the wool over the eyes of the people of Northern Ireland, and it is continuing to try to do so.

There are many women who find themselves in difficult positions, but we have a good Health and Social Care system here, and that is why I support this amendment. The most appropriate way to deal with women who are vulnerable and socially disadvantaged is through our Health and Social Care system.

Since its foundation, the SDLP's position has been based on a human rights perspective and, most fundamentally, on the protection of the unborn child. The right to human life clearly takes precedence over any other right. The right of the unborn child has to take precedence over anything else. I oppose Marie Stopes and abortion because, from the point of conception, that child is a human being.

Mrs McKevitt: I thank the Member for giving way. It has been quoted here on numerous occasions today that private health clinics such as Marie Stopes offer a termination up to nine weeks. Is the Member able to enlighten the House as to whether there is anything stopping a private health clinic carrying out abortions after nine weeks at, say, 18 weeks or 24 weeks?

Mr P Ramsey: That is certainly an interesting question. When questioned before the Assembly's Justice Committee in January, the director of Marie Stopes in Belfast, Dawn

Purvis, admitted that there is nothing to stop them — this is on the record — aborting unborn babies up to 18 weeks, 24 weeks or later. That is what they have said. So do not be under any illusion that Marie Stopes is only here to give some women a pill, because that is not what it is here for.

Mr Agnew: I thank the Member for giving way. I want to put a similar question to him that I put to Mr Poots. The Member said that he supports the protection of life from the moment of conception. *[Interruption.]*

Mr Speaker: Order.

Mr Agnew: The Member said he supports the protection of life from the moment of conception. Does he agree, then, that the amendment has the potential to outlaw the morning-after pill and the coil, which can end life after the moment of conception?

Mr P Ramsey: I do not even want to go down that route. Edwin Poots responded to that, and I think that the Member knows rightly that, with the morning-after pill, the child has not been conceived at that stage. Anybody would know that. I am surprised at you, Steven.

My culture, background and faith mean that I — not just politically, but personally — want to be a champion for the unborn child. I want to protect the unborn child. I want to ensure that I prevent abortions. Edwin Poots outlined to the House the number of abortions in England, Scotland and Wales. For every four children born in England at the minute, one is aborted. I have a daughter who used to live in London while working for the probation service. They were aborting children in London not because of any mental health reasons or because there was any risk to the woman's health. They were aborting children in England — and this is what Marie Stopes wants to do —

Mr Lyttle: *[Interruption.]*

Mr P Ramsey: Chris, you can talk all you want from a sitting position. They were aborting children in London and across England, Scotland and Wales because they did not like the gender of the child. That is a fact. That is what Marie Stopes will bring to Northern Ireland.

Throughout the Troubles, the SDLP's principles and policies were always about the protection of life. We remain very firm on that, particularly for the unborn child. Every life should be protected and respected. I say again that Sinn

Féin has got this wrong. Three years ago, I was presented with 15,000 cards just before justice was devolved to Northern Ireland. There was concern that there were those at Westminster who were endeavouring to bring the 1967 Act here. I listen to people saying to me, "You have no right to speak for a woman; you are a man." The vast majority of those 15,000 people in my constituency were women. I am representing them here today, and I am reflecting their opinions on the subject.

Some Members: Hear, hear.

Mr P Ramsey: In England, one in four children is aborted. There are many hospitals in England, Scotland and Wales in which premature children under the 26 weeks, and many more in Northern Ireland, are living and are being brought back to life in intensive care wards.

I want to give circumstances to Marie Stopes, and I did so through some interventions earlier. Parties in here want to support that private English organisation. It is one of the largest private abortion providers in the world. In 2011, it aborted 4.5 million children. Some parties in the Chamber think that it is OK for that organisation to come here.

Mr Wells: Will the Member give way?

Mr P Ramsey: I will.

Mr Wells: Does the Member agree that, during the hearing, which was chaired by Ms Ramsey, it was revealed that staff in Marie Stopes clinics have quotas of abortions that they must perform? One member of staff in a clinic in Essex left because she was put under the most enormous pressure because she was not achieving her quotas. Of course, quota meant profit. Therefore, not only do those people abort millions of babies; the business model of Marie Stopes is to ensure that the maximum number of babies are killed in its clinics. Do we want that happening on the streets of Belfast? I believe that the vast majority of people in Northern Ireland do not want it happening.

I stand corrected: it was chaired by Mr Givan, not Ms Ramsey.

Ms S Ramsey: On a point of order, Mr Speaker. I just wanted clarification on that.

Mr P Ramsey: I am glad that Jim Wells raised that point. At the Justice Committee meeting, when Marie Stopes made its submission, it admitted that the location of the abortion clinic

was in the heart of Belfast. That is no coincidence. It is situated right across from the Europa bus and train station. It was purposely chosen to facilitate young women from across the border in the South to have abortions in Northern Ireland.

I want to relate to something that Jim Wells said. A former administrator at the Raleigh abortion clinic in Brixton stated that the more people they got booked in for terminations, the better bonus they got. Then, there were the consultations. Girls would come in expecting to talk to a doctor. They got a nurse. It used nurses to save time; nurses got them over within a few minutes. However, a high cost was involved — remember that there is a high cost to this all the time.

Ms Lo: Will the Member give way?

Mr P Ramsey: I will.

4.15 pm

Ms Lo: Do you agree with me that Marie Stopes in England works under the Abortion Act? We do not work under the same legislation, and Marie Stopes has consistently said that it will work within the law in Northern Ireland.

Mr P Ramsey: Anna, I am glad that you said that, because I am going to quote to you again. During the 2007 Women Deliver conference in London, Paul Cornellison, Marie Stopes's programme director for South Africa stated during a workshop, with the camera rolling:

"we do illegal abortions all over the world".

That is what they are saying. So, Anna, the credibility of Marie Stopes is not good. It is not honourable, and it will do anything if it means financial gain. *[Interruption.]*

Mr Speaker: Order.

Mr Agnew: I thank the Member for giving way. I have seen the footage of that conference. If you put that comment in the context of what is said in total, it is clear that he misspoke and meant to say "legal abortions". He makes it very clear immediately afterwards — *[Interruption.]* I challenge anyone to go and watch it themselves. He made it clear immediately afterwards that women seeking abortions outside the law in that country have to cross into a bordering country. He made it clear that they are making legal abortions in

that country and providing abortions elsewhere within the jurisdiction that the services are offered in.

Mr P Ramsey: I do not accept that, and I have seen the same YouTube video. It was very clear and obvious what he was referring to. He thought that he was getting away with it in the audience he was with. He meant to say "illegal abortions" —

Mr McNarry: All over the world?

Mr P Ramsey: All over the world.

Mr Wells: Will the Member give way?

Mr P Ramsey: Go ahead, Jim.

Mr Wells: I do not know whether Mr Agnew has seen the same video as I have. I raised that issue with the Marie Stopes directors when they came before the Justice Committee, and they were clearly extremely embarrassed by the fact that I knew who Paul Cornellisson was. They did not make that defence. What I know is that, when that video became public, Mr Cornellisson's job with Marie Stopes was very quickly terminated. There was no defence that he had been misquoted or used the wrong word. The problem was that the cat was out of the bag, and what was going on in Marie Stopes throughout the world was now on video for public view. That was the problem.

Mr P Ramsey: I thank the Member for that intervention. It is sensitive and emotive subject matter, but the people representing their constituents in here know in their heart and soul that there is no appetite for abortion in Northern Ireland. Parties may cloud things and say that they do not want to criminalise women or do this or that, but tabling a petition of concern against the amendment gives encouragement and support, and enabling Marie Stopes to operate unregulated in Northern Ireland.

One of the areas of concern for me is the credibility of Marie Stopes. People do not understand that, because they have not researched it. In 2001, a Marie Stopes doctor, Dr Phil Dartey, was struck off for his treatment of patients, including an Irish woman. I said this earlier, but I will repeat it. That woman was left fighting for her life after visiting a Marie Stopes abortion clinic in London. The doctor perforated her uterus and left part of her unborn baby in the womb. Those are facts. Anyone can do the research and get it. In fact, it was in the 'Belfast Telegraph'. When the woman returned to Ireland, she was rushed to hospital and spent

several months recuperating. This is the organisation that parties in this Chamber think is grand to provide medical abortions for women in the private sector.

Ms Lo: Will the Member give way?

Mr P Ramsey: I will.

Ms Lo: I am sure that Members know the figures. Roughly 1,500 women go from here to England every year to seek private abortions. Some of them may seek an abortion in Marie Stopes. If the Member has such suspicions and doubts about the clinic, why are we turning a blind eye and letting women go to England all the time?

Mr P Ramsey: I have made it clear that I think that we can do things better in Northern Ireland for women who find themselves in those positions. I have to say that I was lucky in life in having a late child, Áine, who is now 12. There is a big distance between her and our next girl, but she brought to mind the importance of a child in the family — the love and the bond that it can bring to a family. How many married couples in Northern Ireland are waiting to adopt children? So, there are circumstances involving an unwanted pregnancy in which support, care and guidance could be given, Anna, to a vulnerable woman to enable some other family to have that same love and bond.

In the debate, I have tried to reflect and to represent the views of the vast majority of people in Northern Ireland. We had a quarter of a million signatures on petition sheets that were presented here in the House today. That was their petition of concern — that is what it was — to the Members of the House. They wanted to tell them that they did not want abortion in their name. We have consistently said that, and I say it to Sinn Féin again: you have got it mightily wrong. I support the amendment.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt i gcoinne an leasaithe. I will speak against the amendment. In reply to a number of things that have been said, the one thing that I can say with absolute certainty is that the people who vote for Sinn Féin as a party understand very clearly our party policy — *[Interruption.]*

Mr Speaker: Order.

Mr McCartney: — and I trust that people know exactly what I stand for and represent. They need no third person or party to interpret their views on their behalf. So I state once again for

the record that Sinn Féin has a clear policy on the termination of a pregnancy. That policy states that, when a life of a woman is in danger, she has a right to a termination. Caitríona Ruane, Rosie McCorley and Sue Ramsey have already said that. Some people wish to translate that as Sinn Féin having a pro-abortion position. For the record —

Mr P Ramsey: Will the Member give way?

Mr McCartney: I will, surely.

Mr P Ramsey: Will you enlighten me as to any circumstances in Northern Ireland where a woman whose life was at risk was denied an abortion?

Mr McCartney: I have no particular record, but I ask you the same question: are you stating now that a woman has a right to a termination when her life is in danger? That is the question that you have to ask yourselves.

Mr P Ramsey: Of course she has.

Mr McCartney: That is a change in the position *[Interruption.]*

Mr Speaker: Order. Let us not debate across the Chamber.

Mr McCartney: For the record, Sinn Féin is opposed to the extension of the 1967 Act to the North, and we have articulated that in Assembly debates over the years. It is worth noting that people who have publicly stated that they are opposed to the termination of a pregnancy in all circumstances, by supporting this amendment and by their remarks today, are now stating and indeed accepting that terminations can happen, but only in health service facilities. Alban Maginness and Paul Givan, speaking for the SDLP and DUP on Radio Ulster yesterday, confirmed their support for terminations when a woman's life is in danger. That is the question —

Mr Givan: Will the Member give way?

Mr McCartney: No, I am not giving way in this instance. You led off the debate and had plenty of time.

Members must ask themselves that question. Are they in favour of a woman exercising her right, if her life is in danger, to terminate a pregnancy?

Mr Wells: Yes.

Mr McCartney: That is now the stated position of the SDLP and the DUP.

Mr Wells: It has always been.

Mr McCartney: The Ulster Unionists are silent, I take it. Therefore, we have that now on public record. See, that is absolutely — *[Interruption.]*

Mr Speaker: Order.

Mr McCartney: — in line with our policy and against the 250,000 signatories whose petition came to this door. They say that there are no circumstances in which a termination should take place. You need to be very clear about that. This approach and the policy now adopted by everyone is the way to deal with the issue. Do not allow the situation to prevail in which a woman should be permitted to die rather than have a termination.

This debate is too often reduced to an either/or scenario. Indeed, I have heard senior clergy refer to it as a debate between two world views. This issue is much more complex than that and requires a better analysis than the two-world theory. Examining the variety of views in the Assembly alone should help us to understand that. The vote this afternoon will be testament to that contention. Who votes, how they vote and, indeed, those who do not vote will illuminate my argument. This is a topic that unfortunately and tragically is accompanied by attempts to deliberately mislead people through misinformation, half-truths — *[Interruption.]* — and ill-informed comments.

Mr Speaker: Order.

Mr McCartney: I ask Members today, in relation to that, how many have read the transcript of when the Marie Stopes clinic came to the Justice Committee? I ask them to do that and to listen to some of the comments. People today have made a statement of a question that they asked at the Committee. That is not the way to do business. In essence, it leads to a situation in which people are used as scapegoats, particularly when the debate is not going in the direction in which a person wants it to go. An example of that is trying to introduce the issue that terminations should not happen in private clinics or private health facilities. Comments were made that the Marie Stopes organisation is motivated solely by profit, yet it is a registered charity — *[Interruption.]* — and a not-for-profit organisation.

Mr Speaker: Order.

Mr McCartney: That was said in Committee and was not challenged. The amendment is an attempt to prevent women exercising their rights within the law and, indeed, to criminalise women.

Mr Wells: Will the Member give way?

Mr McCartney: Sinn Féin is totally opposed to the tabling of the amendment at this stage of the legislative process. A sensitive and important issue such as this — indeed, making legislation — deserves the process, as laid out, that operates and governs the Assembly. It has served us well to date. Tom Elliott made the comment — I agree with him — that there needs to be much more debate around this issue. However, let me say this: there is a tried and tested method of achieving that. He is a member of the Justice Committee and has seen that process in place and in practice —

Mr Wells: Will the Member give way?

Mr McCartney: — with all other aspects of the Bill. A cursory glance at the work of the Committee, over many sessions and with many witnesses providing evidence, would show that that stands testament to that contention. To try to circumvent the need for public consultation —

Mr Wells: Will the Member give way?

Mr McCartney: — the scrutiny carried out by the Committee and the Assembly and all other avenues of scrutiny that assist us in our legislative process is, in this instance, wholly inappropriate and plain wrong.

Mr Elliott: Will the Member give way?

Mr McCartney: I will indeed.

Mr Wells: Why is he taking that intervention?

Mr Elliott: I thank the Member for giving way. He did raise something that I said, which I stand over. However, does the Member feel it appropriate that a clinic or other clinics that could start up can proceed with abortions that are unregulated? That is the test. That is the issue for me: these are unregulated. That leaves the most vulnerable women in our society even more vulnerable.

Mr McCartney: I think that my colleague Sue Ramsey dealt with that. Is there a need for regulation? There is. The Minister of Health appeared here today as a private Member. I

have sometimes been critical of him for sitting in on debates when he should be elsewhere, but it was appropriate that he was here today. Perhaps he should listen to that question. If there is a need for regulation, he should go and do it and not leave it as an in-between thing. *[Interruption.]*

Mr Speaker: Order.

Mr McCartney: I would say this about any other issue, and we all accept that this issue has attracted much public comment. The proposers of the amendment would be calling for full scrutiny and full consultation if it was any other issue but this.

Mr Wells: Will the Member give way?

Mr McCartney: If they do not do so in this instance, they need to ask themselves why. Indeed, the Minister told us at the weekend that he was putting guidelines out into the public domain. What was in the next sentence he said? Twelve-week public consultation. That is the proper way to do business. Why was that not done in this instance?

Mr Wells: Will the Member give way?

Mr Speaker: Order. The Member should not persist. It is for the Member who has the Floor to decide who he wants to give way to. Mr Wells, you should not persist.

Mr McCartney: For us, the amendment poses serious questions about equality, rights and process. Those who put the amendment forward have displayed no regard to those. Therefore, in our view, the petition of concern, signed on a cross-party basis, was the appropriate way to deal with the amendment. *[Interruption.]*

Mr Speaker: Order. The Member must be heard.

Mr McCartney: What has never been addressed by anyone who stepped forward today is why there was no scrutiny of the amendment. They have failed and failed miserably.

4.30 pm

Mr McCarthy: In the interest of progress on the Criminal Justice Bill, I advise Members from the very outset that I will not take any interventions. *[Interruption.]*

Mr Speaker: Order.

Mr McCarthy: I also totally reject the scurrilous, unwarranted, venomous and ridiculous statements made by some Members of the DUP this morning about my party and, in particular, my Presbyterian colleagues in my party. *[Interruption.]*

Mr Speaker: Order.

Mr McCarthy: To bring religion into it was unbelievable, and they should be ashamed of themselves. The Alliance Party agrees that its members should have a conscience and a free vote on the issue of abortion, and that is exactly as it should be. In case there is any misunderstanding of where I stand on abortion — *[Interruption.]*

Mr Speaker: Order.

Mr McCarthy: In case there is any misunderstanding of where I stand on the issue of abortion or end of life for any unborn child, I voiced my —

Mr Anderson: Will the Member give way?

Mr Speaker: Order. I ask the Member to take his seat. The Member has made it absolutely clear that he will not take interventions, and Members should not try to get an intervention. There also seem to be some Members who believe that the only contribution that should be made in the House is their contribution. That is wrong as well. Allow the Member to continue.

Mr McCarthy: Thank you, Mr Speaker. I voice my total and absolute opposition to abortion in this country, and I will oppose any attempt to introduce legislation on the taking of life of the unborn infant into Northern Ireland, either through the back door or the front door.

I welcome the belated document on the subject from our Health Minister, though it has not yet been released to the public. I concur with the Chairperson of the Health Committee that it was absolutely disgraceful that we, as members of the Health Committee, should see that report flashed across our screens on Sunday morning by Mark Carruthers. The Health Minister did not have the courtesy to afford the members of the Health Committee at least a sight of that document. Shame on the Minister for letting his Committee down.

Reports coming into the public domain seem to emphasise that only in very serious cases and

with the expertise of at least two highly qualified medical professionals can a termination take place. Those vital issues must be adhered to by all private providers, and it must be done within the law and within a robust regulatory framework.

I have sympathy with part of the amendment, but I cannot vote for it, as this is a Criminal Justice Bill, not an abortion Bill, and because, as the Justice Minister said, on issues as important as we are discussing, it simply cannot be tagged on to any legislation at the last minute and without full examination and consultation.

We should all be grateful to the Justice Minister, Mr Ford, for writing and fully explaining to everyone why the amendment is misplaced. In the second paragraph of his letter, Mr Ford agreed that the question of regulation of abortions not on health and social care premises needs attention. It is important to say that the Minister has said that that needs attention, and I hope that all Members agree with that.

Mr McCrea: Will the Member give way?

Mr Speaker: Order. I do not know whether the Member was in the House before Mr McCarthy started his contribution, but he made it absolutely clear that he was taking no interventions. Members should not persist.

Mr McCarthy: Thank you, Mr Speaker. The Minister agrees that it is the way the amendment is framed, the way it has come to the Assembly and the difficulties it could cause in the future. The Justice Minister acknowledges that all abortion issues could be resolved with proper consideration and advice, but, in an area of law in which health professionals and criminal justice agencies all need clarity, a clause such as is proposed leaves so many points of uncertainty and is not the correct way for legislation in the Assembly.

Mr Ford rightly states that today's debate is not about the right to life or the right to choose, nor is it about the fundamentals of the law on abortion. It is about an amendment that will cause significant confusion on a substantive issue on which there has been no opportunity for public debate. It is on those grounds that I cannot support the amendment.

Mr Allister: I am unashamedly pro-life, within and outside the womb. Therefore, I give my total support to the amendment.

It is, of course, shameful that the one thing that is being aborted today is democracy in this House by virtue of the perverse use of a perverse instrument — the petition of concern — through which a minority view will prevail as if it were a majority view in the House. That has been done, of course, at the behest of those whom that very act flushes out as abortionists. That, I have to say, in respect of Sinn Féin, comes as no surprise to me. I sat for five years in the European Parliament, where issues such as this were debated — the misuse of foreign development aid to promote abortion and all those things — and, every time, the Sinn Féin MEPs voted on the side of abortion. They did so no more evidently than on 14 January 2009, when a specific report called the Catania report, drawn up by Giusto Catania — an Italian communist MEP who, of course, came from the group in the European Parliament in which the Sinn Féin MEPs sat — demanded that abortion on demand should be a right across all 27 member states. Who voted for it? Sinn Féin. Then they come here today and, with weasel words, they pretend for the sake of, they hope, a gullible home audience that they are not really in favour of abortion at all. When they are away from home, where they think that they may be a little less in the public gaze, they are very much in the abortion camp as they were and are in the European Parliament. They showed their colours on that occasion, as they did on many occasions. They pretend today that they are not at all for abortion and they just want an abortion clinic, even though such abortion as is legal can be adequately provided in the health service. Indeed, such is their enthusiasm for abortion that these disciples of Marxism are now the protectors and promoters of private profit-making enterprise. The Marie Stopes clinic may be a charity, but it is in the business of making profit, which it ploughs back into its abortion agenda. It is a profit-making organisation. It is a private organisation that provides private clinics. Where now are those who tell us that they are socialist in outlook and Marxist in outlook? They are the champions of private enterprise when it comes to killing the unborn. That says it all.

One of the primary reasons why the legislation requires to be implemented is that the Marie Stopes clinic deliberately and consciously refuses all requests for regulation and, indeed, all requests for reasonable information. I wrote to the clinic after it came here with a series of simple questions. I wanted to know whether it would regularly publish the number of abortions performed in Belfast; the ages of those on whom they were performed; the number of abortion referrals made to Great Britain; the reason why each abortion was performed; and

the income received from abortions. I asked such questions and many, many more. What was the response? It was a solicitor's letter telling me that they were going to the Justice Committee and any answers that they would give, they would give to that Committee. Of course, when they got to the Justice Committee, they did not give the answers there either. So we have a functioning clinic, and no one to this day knows how many abortions it has carried out; how many referrals it has made; the reason for any of those abortions; or the funds that have been raised. All of that is hidden — kept in the dark. It is because that throws up the obvious deficiency in regulation and control that the amendment is inescapably necessary in order to bring regulation and control. The amendment is necessary to ensure that such terminations of pregnancy as there are will be where they ought to be: in the regulated health service and not the plaything of outside profiteers who will tell no one anything about what they do. Yet that is the situation that Sinn Féin wants to sustain.

Sinn Féin stands utterly exposed on this issue for what it is and what it really thinks. That is no bad thing. Sinn Féin has played fast and loose with this issue for years, pretending in the Republic of Ireland and up here to be anti-abortion, when the truth is that they are abortionists — abortionists who are now ready to feather the nest of private interest.

I was very surprised by some of the content of the Minister's circular, the manifesto that he sent to all of us a few days ago. It contained many wild allegations. One of the wildest was that this proposition could apply to the morning-after pill. The clue is in the name: contraception. The pill avoids conception; it is not an abortion pill such as that used by the Marie Stopes clinic. If there was any grey area, it is resolved by the very wording of the amendment, which puts the burden of proof in any prosecution on those prosecuting to prove that a life has been ended:

"the life of an unborn child".

The prosecution would have to prove that life had started and was then ended by the abortion.

4.45 pm

Mr Agnew: I thank the Member for giving way. Does the Member not accept that the morning-after pill can be taken within 72 hours after potential conception and, therefore, can prevent implantation?

Mr Allister: It can be taken within 72 hours after intercourse.

The burden of proof in any prosecution of anyone in these circumstances — and it would be to the criminal standard of beyond all reasonable doubt — would be to prove that life existed and that life was ended by the act of abortion. For the Justice Minister to peddle such a patently elementary contention really is beyond belief. I could not believe it when I heard him on the radio postulating that view.

This is the Justice Minister who, of course, like any Minister, has immediate access to the law officer, the Attorney General. Has he asked the Attorney General whether he is right about what he said in this letter? Maybe he will tell us. Who has he asked? I heard him say that the Department has its own departmental solicitors. Why did he not go to the fountainhead of legal advice in governmental circles, the Attorney General? Is he not looking for fulsome, objective, conclusive advice? If he was, why did he not go there? Maybe he will tell us. Instead, he was quite happy to send a letter, the content of which is quite amazing.

It is just like some of the other things that have been said in today's debate, such as the suggestion that, if someone is in a private scheme and requires urgent medical attention that is a termination, they cannot have it in a private clinic. Anyone who said that has not read the amendment. When they read the amendment, they will see that clause 11A(2)(b) states specifically that it will be a defence that:

"ending the life of the unborn child were lawfully performed without fee or reward in circumstances of urgency when access to premises operated by a Health and Social Care Trust was not possible."

Someone in that emergency situation who requires the urgency of attention that means that access to the health service is not possible has an enshrined defence. To suggest, as I heard some suggest, that this would impede the legitimate work of clinics and put women in situations of extremis and difficulty is utterly, utterly wrong. It is just as wrong as the suggestion that, in some way, it would infringe the services directive, which just happens not to apply to health service provision.

The number of straw men that have been set up by those wishing to vote down this amendment and to continue to deliver an ever-expanding abortionist agenda is quite shocking and indicative of the lengths to which some will go to make any case to protect the Marie

Stopes clinic. The Marie Stopes clinic is not an institution that is deserving of defence or protection. It is an institution that is brazenly in the business of campaigning to bring abortion on demand to this Province. Yet there are those who, for the optics, will say that they are opposed to that, but today will be the very people going out of their way and doing everything that they can, in committing the perversion of a petition of concern, to make sure that it stays in business. They are the people who stand exposed for their double-dealing and their weasel words on this most important issue.

Ms Lo: I reiterate my party colleague's earlier remark that the Alliance Party has no policy on abortion and that its elected representatives take their stands according to their own conscience. I am speaking as an individual MLA who has consistently expressed my support for women's reproductive rights, and I make no apologies for it.

The Criminal Justice Bill has undergone extensive scrutiny, as is befitting of any legislation. This amendment is an abuse of the process —

Mr Givan: Will the Member give way?

Ms Lo: No, I will not. You have had enough say. *[Interruption.]*

Mr Speaker: Order.

Ms Lo: If the real motivation is that Marie Stopes be regulated, the Minister of Health, Social Services and Public Safety should bring in legislation to do just that. To add this to the Criminal Justice Bill at the last minute without public consultation lacks credibility, and it appears to me — *[Interruption.]*

Mr Speaker: Order.

Ms Lo: — that this is merely to bring about some MLAs' personal agendas against Marie Stopes because of their pro-life stance. This — *[Interruption.]*

Mr Speaker: Order.

Ms Lo: This is quite clearly not about closing a legal loophole or regulating private healthcare provision. *[Interruption.]*

Mr Speaker: Order, Members.

Ms Lo: Thank you, Mr Speaker. After all, our health trusts contract non-NHS health services regularly to cut waiting lists. The sole aim of the amendment is to stop Marie Stopes offering legal termination services to women who are faced with an unplanned or crisis pregnancy. Marie Stopes is a non-profit-making organisation of international repute and has stated that it will operate within the law in Northern Ireland — *[Interruption.]*

Mr Speaker: Order.

Ms Lo: — as it does in 40 other countries. Only medical abortion up to nine weeks' gestation is available, and no surgical operation is performed at all in the centre, whereas NHS abortions here can be performed up to 24 weeks. The lack of clear guidelines makes many medical staff very nervous about making decisions on termination, which has resulted in halving the number of legal abortions carried out over the past few years from about 80 to 40 cases a year. The amendment has nothing to do with abortion law, and the focus of the debate should be on the blatant violation of process. However, I cannot stand by and listen to some of the comments made — *[Interruption.]*

Mr Speaker: Order.

Ms Lo: — and not defend a woman's right to choose and to decide what is right for her in her circumstances. Do Members not see how completely hypocritical it is for us to turn a blind eye to the practice of women seeking terminations elsewhere? Almost 1,500 women a year are known to have travelled, over recent years, to England to procure abortions. This is not only an equal rights issue, as this service is available in the rest of the UK, it is also to do with class. It is shameful that some Members who claim to support grass-roots communities would attempt to block women, particularly working-class women with limited financial means, from accessing local services that are available within the law at a much lower cost than having to travel outside of Northern Ireland.

Mr Elliott: Will the Member give way?

Ms Lo: No.

It seems that, if we can just export the problem, we can ignore it. Really, it is out of sight, out of mind. Of course, we also know that women —

Mr Elliott: On a point of order, Mr Speaker. The Member appears to be making a case for

the extension of the abortion law that is currently available in other parts of the United Kingdom to Northern Ireland as opposed to talking to the amendment.

Mr Speaker: Order. First of all, it is not a point of order. Let us try to get back to the amendment that is before the House.

Ms Lo: Thank you for your guidance, Mr Speaker. We also know that many women can now access abortion pills online.

This amendment is objectionable for several reasons. It is motivated by a personal vendetta. The language used is confusing, and the Criminal Justice Bill is an inappropriate place to deal with this matter. However, the most obvious weakness lies in the fact that there has been no opportunity for consultation with the wider community.

Our role as legislators comes with great responsibility. We owe it to everyone to ensure that major changes to legislation such as this are done with proper consultation and consideration. Many Members talked in support of the amendment. They are out of touch with the public, particularly with young people who want to see a liberal and progressive society that respects people's rights to make informed choices for themselves.

Furthermore, this amendment is a deliberate attempt to detract attention from the fact that the Health Minister was forced by the Family Planning Association's court action to announce that he is publishing the abortion guidelines for consultation. The amendment was tabled on the same day that Mr Poots made that announcement. What a coincidence. Is this an abuse of the process to divert attention from the DUP's failings?

I oppose the amendment because it is manipulative and serves only the purpose of some MLAs' own agenda. I oppose the amendment because I believe that politicians should make decisions based on pragmatism and not on religious dogma. *[Interruption.]*

Mr Speaker: Order.

Ms Lo: I oppose the amendment because it is weak and bad politics, and we deserve better than that.

Mr Wells: There are two groups of honest people in the Chamber this afternoon. There are those who support the amendment, and there is Mr Steven Agnew. Steven Agnew at

least has had the principle and the honesty to stand up and say that he is pro-abortion on demand in Northern Ireland. That is why he has not had a particularly rough ride. I disagree fundamentally with everything that he believes on the subject, but at least he signed the petition of concern because he knew what it would help to deliver: abortion on demand in Northern Ireland. That is what he wants.

Then we have the middle ground, comprising those who are pro-abortion and who want the 1967 Act introduced into Northern Ireland but do not have the courage to stand up —

Mr Speaker: Order. The Member should not point across the Chamber.

Mr Wells: — in front of the electorate and admit that they are pro-abortion. They are worried when they see 250,000 people, many of whom are nationalist voters, signing a petition in a very short period. They are scared to come out and be truthful. Of course, as Mr Allister has shown, when they are away from the prying lenses of the camera in Strasbourg, they are very different people: they are pro-abortion left, right and centre.

5.00 pm

I speak this afternoon as a mere Back-Bencher in my party. I am not speaking as vice Chair of the Health Committee, and I am certainly not speaking in any other role that I may adopt in the future. I speak entirely as a private individual who finds the killing of the unborn child totally repugnant. I am privileged and proud to be the vice Chairman of the all-party pro-life group at Stormont, under the excellent leadership of Pat Ramsey — *[Interruption.]* Chris Lyttle, yes, we will come to that later on. A report from a leading statistician came before us 18 months ago, and he worked out that, had we had the 1967 Abortion Act in Northern Ireland, we would have lost the lives of 91,000 people. In other words, there are 91,000 people, many of whom are still alive, walking the streets of Northern Ireland — they could be dentists, doctors, farmers, technicians, secretaries, even MLAs — and making a positive contribution to Northern Ireland. Those people —

Mr Agnew: I thank the Member for giving way. I think that I thank him for his complimentary comments at the beginning of his contribution. He mentioned statistics, and I asked Jonathan Bell previously where the statistics came from. Can the Member tell me why a member of my staff was not permitted to attend those all-party

group meetings so that we could receive those statistics and analyse and scrutinise them and use or not use them to contribute to the debate?

Mr Wells: Because, Mr Agnew, it does what it says on the tin: it is the all-party pro-life group. If you look at that title very carefully, you will see that that includes MLAs who believe in the protection of the life of the unborn child. We discovered that information about the deliberations of the pro-life group were leaking out. Since that decision was made, there have been no further leaks from the group. You cannot have people in the group who are —

Mr Speaker: Order. Let us not get into a debate in and around Committee business. Let us try to get back to the amendment that we are discussing on the Floor of the House.

Mr Wells: All I can say is this: because it is a pro-life group, we had to ensure that those who are members, and I think that we need to review our membership after today's vote —

Mr Speaker: Order. We should not be discussing the membership of a Committee — any Committee — in the House.

Mr Wells: In more general terms, Mr Speaker, if we discovered that a member of an all-party group was acting outside the terms of that group, that group would be perfectly within its rights to review its membership. It was for that reason that we decided to exclude a researcher, because that person made it very clear that she did not support what the all-party group was trying to do, and that is how we will resolve that issue.

Mr Speaker: Order. I really must insist. I have given the Member some latitude, and we are getting into the depths of a Committee of the House, and we should not do that.

Mr Wells: Turning to the 91,000 —

Mr Byrne: I thank the Member for giving way. Does he accept that, since 1967, between six million and seven million abortions have been recorded in Britain? That is an irrefutable statistical fact.

Mr Wells: Yes. Indeed, if that figure had been directly extrapolated to Northern Ireland, it would be 200,000 people. However, because there is a lesser propensity for people to agree to abortion in Northern Ireland, and looking at the ethnicity and the religious demography of

Northern Ireland, the figure is more accurately put at 91,000 and counting. However, as someone said — I think that it was Mr Bell — that is more than the largest district council area in Northern Ireland, apart from Belfast. It is also larger than any of the constituencies. Just think: that is Windsor Park filled five times, and it is Lansdowne Road filled with 30,000 to spare. Just think about it: all those lives wiped out by abortion on demand. People may accuse us of being emotional, but I have a problem with the killing of 91,000 people because they are inconvenient.

Mrs Lo, the honourable Member for South Belfast, made a statement to the media, and I hope I misheard her because she said one of the situations in which she felt it would be justified for a woman to abort a child was when a businesswoman had built up a successful company, had three children, was in her mid-30s and the fourth child might have interrupted the growth of her company. I hope I heard her wrong, because if that indicates —

Ms Lo: You heard me wrong.

Mr Wells: I would be interested if she would clarify that remark because that is how I picked it up. However, if that indicates the value of life, that you simply extinguish an unborn child because it may affect the growth of your company, that seriously undermines my view of what constitutes the preciousness of life.

So, we had a situation in GB where, unfortunately, sadly —

Ms Lo: Will the Member give way?

Mr Wells: Yes, I will.

Ms Lo: I can give you clarification. What I said on the radio was that, when I was a community worker, I worked with a woman who was in her 40s and ran a shop. If she had to carry through with the pregnancy and look after the baby, she would have had to give up the shop and have no means of keeping herself and the baby.
[Interruption.]

Mr Speaker: Order.

Mr Wells: So, the life of the child was held in the balance as to the future viability of a shop. Well, I am sorry — I believe that the life of a child is a lot more precious than that. I have severe moral difficulties with a society where 6.7 million people have been aborted since 1967. The people who insisted on bringing in

the 1967 Act were using those particular cases, the very small number of cases that are, I accept, very difficult. However, they brought in the new rules in 1967 to enable those cases to be dealt with. What happened? The floodgates were opened, and now over 99% of the children who are killed in the womb in the United Kingdom and Great Britain are killed because they are simply not convenient. That is a sad reflection on this society and the way in which we reached this stage.

Northern Ireland has managed to avoid that, I think more by accident than design. We have the 1861 Act, the 1945 Act and the Bourne case. I accept that the law is antiquated, confused and complex but the combination of those three enactments has meant that the law in Northern Ireland has held firm and the number of abortions carried out annually in Northern Ireland are tiny in comparison with the rest of the United Kingdom.

I asked in August last year for further clarification, and I am glad that the Minister reacted quickly to that. We will now be seeking explanations about why even the small number of abortions is carried out. The statisticians would tell me that the chances of a woman being in a situation where her life would be endangered by a pregnancy would occur, on average, once every two years in Northern Ireland. That likelihood is rapidly becoming even more remote because standards of care have increased dramatically.

You are then left with the situation where her long-term health could be permanently damaged by the pregnancy. There is very little evidence that that happens. In fact, there is very little evidence of any significant number of cases of that in Northern Ireland where there is a need for an abortion.

A telling report was issued in the Irish media last week in which Professor Casey looked at every case of suicide in the Irish Republic since 1950 — a 60-year period — and five had been connected with pregnancy. Five out of hundreds and hundreds of thousands of births, and not one of those suicides was directly related to the pregnancy but to other ongoing mental issues.

Therefore, those special cases, as they are called, are getting fewer and fewer, but I have no doubt that the Anna Los and Steven Agnews of this world, who are clearly pro-abortion, will use those special cases to breach the dyke and open the floodgates for abortion on demand. Marie Stopes uses those arguments time and again to try to prise open —

Mr Agnew: Will the Member give way?

Mr Wells: I will. I am not scared of being contradicted by the honourable Member.

Mr Agnew: I appreciate the Member giving way. I am just trying to ascertain whether the logical conclusion of his argument is that abortions that are carried out through the NHS in Northern Ireland, given that he says it is unlikely there would be circumstances laid down in law that an abortion would be necessary, need to be investigated because he believes they are performed illegally?

Mr Wells: I am saying that we need to have the hard information to make absolutely certain that every abortion that is undertaken in Northern Ireland is undertaken strictly within the law and is strictly necessary. Until we have that information, we are not in a position to say that.

By the way, the figure that was quoted by Mrs Lo is wrong. The average number of abortions in Northern Ireland is around 41 to 43 per annum. The figures have to differentiate between abortions where the foetus is already dead and those in which it is not. There are instances in which the foetus has, sadly, passed away as a result of another condition and has to be removed from the womb. I do not think that anyone in the Chamber would call that abortion. So, the number of abortions in which the foetus was actually alive at the time is in the low forties. I want to be very clear in my mind that those figures are absolutely a true reflection of the legal position in Northern Ireland. We will know that, and that will be good news, when we have that clarity.

I think that the most important issue we need to deal with is the role of the Alliance Party in assisting Sinn Féin. I am absolutely certain that Mrs Lo signed that petition of concern with the full consent of the Alliance Party. I am absolutely certain that she would not have carried out that act without first referring it to her Chief Whip and getting consent from the party, because she knows the consequences of signing the petition of concern. She knows that by signing the petition of concern she is helping the Marie Stopes clinic to continue operating in Northern Ireland and to carry out abortions. She knows that. That is the consequence of what she did.

Ms Lo: I thank the Member for giving way. Our Chief Whip is sitting here. I did not consult my Chief Whip. I think that people in my party know my stand, and, when I have spoken in public, I have always said that I am not giving

the party's set policy. There is no set policy on abortion in the Alliance Party. I am speaking as an individual MLA. I am speaking according to my conscience and having worked as a social worker and as a community worker with many women who were in very difficult circumstances. We need to be walking in the shoes of those women. It is very easy for men to say that you just carry it through nine months. It is not that simple. You have to bring up the child for the next 20-odd years.

Mr Wells: I am sure that all 6.7 million babies that have been killed in the womb in the rest of the United Kingdom fell into the category that she is trying to indicate. Let us be honest about it: a vast majority of them were aborted because they were just not convenient.

Mr Speaker: Will the Member make his remarks through the Chair?

Mr Wells: The vast majority of them were aborted because they simply were not convenient. It is as simple as that; none of these tragedies. In fact, a large number of women in the United Kingdom have had six, seven and eight abortions. Forty per cent of those who have abortions have already had two or more abortions. The third or the fourth child was just not convenient. I have a problem with that, morally; I am sorry. If anybody has any difficulties with me saying that, I am sorry. I just cannot abide it, and I cannot understand how any logical, sensible, rational human being can support that.

The reality is that I hope that the Alliance Party is going to discipline Mrs Lo. By doing what she has done, she has not only been seen to support the pro-abortion policies of Sinn Féin but has effectively ensured that the Alliance Party votes will count for nothing in an hour's time, because, when a petition of concern is tabled, the votes from the middle, non-aligned parties do not count. It is entirely a headcount of nationalists and unionists.

I believe that Mrs Lo —

Ms Lo: Will the Member give way?

Mr Wells: Yes.

Ms Lo: This is not a pro-abortion action. The Member is wrong. The amendment is an abuse of the process. That is what we objected to. *[Interruption.]*

Mr Speaker: Order.

Ms Lo: This is a very serious issue that needs public consultation. That has not been done. How can we call it a democratic process, if this is being sneaked through the back door of the House?

Mr Wells: I hope that the honourable Member for South Belfast will have exactly the same views when her party's Minister of Justice will try to sneak through the opening of courts on Sundays for the G8 in an amendment to the legislation for which there has been no consultation and no debate. It has been brought in. Should we have been irresponsible and put in a petition of concern against it? No, we did not. We are not going to abuse the petition of concern for our own devious methods. We are not going to do that.

5.15 pm

Mr Elliott: I thank the Member for giving way. Does he agree with me that, in essence, while we are stopping this amendment, we are actually allowing and permitting abortions to take place without any regulation? We could have had our discussions at a later stage about the rights and wrongs of bringing forward different legislation if that is what people wanted to do. However, on this particular issue, the people who have signed the petition of concern are allowing abortion to take place without any regulation.

Mr Wells: Correct. I have no doubt that, eventually, children will die in operating theatres on Great Victoria Street. Full responsibility for that will lie at the feet of Sinn Féin, Anna Lo and Steven Agnew.

Mr Speaker: The Member should not point.

Mr Wells: They knew what they were doing when they signed that petition of concern. She will, no doubt, traipse into the lobby tonight to vote for another amendment on which there has been no consultation. Utter hypocrisy.

I tell you this: I am absolutely convinced. I congratulate Mr Agnew and Mr Maginness on the way in which they have handled themselves on this very difficult issue. They have been tremendous spokesmen for the pro-life campaign. Had Mr Agnew —

Mr I McCrea: You mean Mr Givan.

Mr Wells: It is Givan. Did I say Girvan?

Mr I McCrea: No, you said Agnew.

Mr Wells: Sorry: Mr Givan and Mr Maginness. I have no doubt that had there been time, and had we had warning about the Marie Stopes clinic, and we had gone through the whole process of legislation, whether through a private Member's Bill, Committee Bill or whatever, you would still have made exactly the same decision. You are simply hiding behind the issue of consultation because you do not want Marie Stopes to be curtailed in Northern Ireland. Let us be truthful about it. You want children to be aborted in large numbers in Northern Ireland. The honourable Member is hiding behind the fig leaf of consultation. I have no doubt that Sinn Féin, with its form, would have done exactly the same.

Sinn Féin, Ms Lo and Mr Agnew are perfectly entitled to stand up and speak for the pro-abortion cause in Northern Ireland and demand that the floodgates be opened and tens of thousands of children be killed in Northern Ireland. That is their right. I disagree with it. I, certainly, disagree with those who are elders on a Sunday morning, but seem to have rather a different view on a Monday afternoon. However, they have a right to do that. That is not the problem I have. My problem is with the petition of concern. Sinn Féin, Ms Lo and Mr Agnew knew that, on a cross-community basis, a majority of MLAs in the House would vote for the protection of the unborn child. You knew that. You did the sums.

Mr Speaker: Order. Let us have remarks through the Chair.

Mr Wells: Ms Lo knew that the vast majority of people on these Benches would vote to protect the unborn child. The vast majority of people in the SDLP and a significant majority of the Ulster Unionist Party were going to vote to protect the unborn child — and, of course, Mr Allister. You did the sums. You knew that the community that this Building represents —

Mr Speaker: Order. Let us try not to refer to Members as "you".

Mr Wells: The honourable Member for South Belfast knew. She did the sums. She may have some strange moral views. However, she did the sums. She can do the arithmetic. She knew that a majority of Members, on a cross-community basis, would vote to protect the life of the unborn child and to stop babies being killed in the Marie Stopes clinic. So, what did you do? You ran to the Sinn Féin Whip's office. In your enthusiasm, you were one of the first to sign the petition of concern.

The full responsibility for the fact that the Marie Stopes clinic will be open for abortions and business as usual rests entirely at the feet of those who signed that petition. You knew the consequences of what you were doing. Your party knew. The one thing that Ms Lo did that was honest was to run to the press at a very early stage and say that there was a petition of concern and that she would sign it. The Alliance Party was fully aware of what was going on and allowed it to happen. Clearly, that suits the Alliance Party because the hidden agenda here is that, in fact, it is a pro-choice, pro-abortion party. Why does it not, now, save us all the problems by coming out and saying so? Why does it not do that? Mr Dickson sat on the Justice Committee —

Mr Dickson: Will the Member give way?

Mr Weir: I certainly will.

Mr Dickson: It bears repeating — Ms Lo has said it, and I will state once again — that, for members of the Alliance Party and its elected representatives, the issue of being either for or against abortion is entirely a matter of conscience, as, I understand, it is for the Ulster Unionist Party. Members are, therefore, free to express their opinion on the matter. Other parties may choose to deal with the matter in different ways, but that is the way we have chosen, through our democratic processes, to deal with it. It also bears repeating that the debate today is neither a pro-abortion nor an anti-abortion debate. Even those who tabled the amendment made that clear in their opening remarks.

Mr Speaker: Order. The Member's remarks are clearly on the record.

Mr Wells: I think that the Alliance Party is guilty by its complicity. It knew what it was going to do. I have to say that, after a lot of effort, we were able to prise from Mr Dickson that he is a member of the all-party group on sexual health, and we know the main agenda of that group. So what we have here —

Mr Dickson: Will the Member give way?

Mr Wells: Yes.

Mr Dickson: I want to put it on the record as well that you are absolutely correct, Mr Wells: I am a member of the all-party group on sexual health. Like the description of your all-party pro-life group — I respect and understand your views on that — the name says it all. You are

not aware of my views on abortion, either for or against. My reason for being a member of that group is, as the name says, to support the broad issue of sexual health.

Mr Speaker: Before the Member continues, let us not get involved in the groups in the House, irrespective of what those might be.

Mr Wells: I, of course, accept your ruling, Mr Speaker, but it is notable that Audrey Patterson of the FPA is the lead person on that group.

Mr Poots: Audrey Simpson.

Mr Wells: Audrey Simpson — sorry — is the lead person on that group, and we all know, for many years, Mrs Simpson's views on the issue. The FPA has been campaigning for years for abortion in Northern Ireland. So do not try to hide behind that. Throughout the entire process of the Bill, Mr Dickson, the honourable Member for East Antrim, has done everything that he can to frustrate the pro-life amendment and block any progress on the issue. Let the Alliance Party be honest and come out and say, "We are a pro-choice party". We would respect it for doing so because then we could bury the issue and would know where we stand. So let them come out and say it. *[Interruption.]*

Mr Speaker: Order. I really must say to the Member that he should come back — *[Interruption.]* Order. The Member should come back to the amendment before the House.

Mr Dickson: Mr Wells has perhaps best described where he, at least, is coming from by describing the amendment as pro-life. This, by the admission of those who tabled the amendment, is neither a pro-life nor a pro-abortion debate. This is a debate about how we regulate the delivery of this service inside and outside the NHS.

Mr Wells: This is protecting women and children from profiteering. He knows the track record of Marie Stopes. In Committee, I asked whether the witnesses knew Mr Paul Cornellis, and you could see from the reaction that they were immediately on the defensive. Mr Agnew and I viewed the video, but we came to very different conclusions about what is meant by the sentence, "We carry out illegal activity."

The same organisation was run out of Zambia for the same reasons: it was found guilty of performing illegal abortions there. So this is not even a private commercial provider with no track record. It is a very profitable organisation,

with an income of over £100 million a year, which benefits enormously from the abortion industry. This is not even about the principle of it being a private clinic. It is about the principle of who it is getting into bed with in the form of Marie Stopes.

Marie Stopes's reputation is known worldwide as being there primarily to change the law to allow liberal abortion throughout the world. The Alliance Party knows that and is very aware of where Marie Stopes stands, but it has decided to throw its hat in the ring and support profiteering out of the deaths of children through abortion. The Alliance Party, in the form of Mr Dickson, sat during the evidence session and heard the Chairman quite rightly quote one member of staff who had to leave because she was sickened by the number of quotas that it had to carry out abortions. Women were hardly through the door of the clinic before they were being urged to have a quick termination of their pregnancy. That is guilt by association.

Members still have a chance to rein back from all this. You have signed a petition of concern. My understanding, from the Speaker's Office, is that once a petition of concern is signed, it cannot be withdrawn. Sadly, there is no provision for someone who has signed a petition of concern to withdraw their name from it. That is a major flaw in the Standing Orders of the House. What is the sense in standing here for five hours, trying to convince people that they are wrong and that they should support a pro-life stance, if they change their minds but cannot do anything about it?

Even if you have signed the petition of concern, you do not need to march through that Lobby tonight. You do not need to do that; you can make a stand. You can say, "We make mistakes. We make errors of judgement." I hope that all the arguments that were made by Mr Givan, Mr Bell and many others have indicated that many of your fears and apprehensions are wrong. Mr Allister quite clearly pointed out that your concerns about IUD and the morning-after pill are simply wrong; they are based on false information that was provided by the Minister, who did not check before he issued the letter. No one has said to me that we have not been able to clarify it. Therefore, if you admit that you have made a mistake, you can still rectify that by not voting tonight for the continuation of abortions in the Marie Stopes clinic.

Mr Agnew: I thank the Member for giving way. The issue of the morning-after pill has come up time and again, and I have tried to address it.

The literature of the Society for the Protection of Unborn Children, which, in Mr Wells's terms, is not a pro-abortion organisation, states:

"The morning-after pill can also act as an early abortifacient. It attacks the womb's lining, so that if fertilisation has already taken place the newly-created embryo is unable to implant."

The morning-after pill can, although not always, act as an abortion pill.

Mr Wells: Again, you were not listening, Mr Agnew. Mr Allister very clearly explained that situation. The onus, of course, is on the prosecutor to show that there was life. That is a protection for anyone who is caught up in that situation.

The reality is that if all the Members opposite, from the Sinn Féin Benches and the Alliance — who I notice are telling me that it is neutral on the subject, but its members are all going to troop through the Lobby against the amendment. So much for your neutrality. So much for allowing a conscience. In other words, you have been whipped to vote.

Mr Poots: Do they have a conscience?

Mr Wells: Yes: do they have a conscience? The Alliance Party has been whipped to vote against the amendment on an issue on which it says that there is freedom of choice. That is interesting. The reality is that those who have signed the petition of concern and who will troop through the Lobby tonight against the amendment are allowing vulnerable women to end up in a private profit-making clinic that makes decisions that we, as an Assembly, will know nothing about. We will be in total darkness about what decision was made and why it was made. At the end of the day, is that the best place for any woman in Northern Ireland to be in, who is going through a difficult period in her life?

Sinn Féin, throughout my time on the Health Committee, has campaigned relentlessly against healthcare provision in the private sector. It has said that it must always be provided by the state. However, when it comes to the first decision on where this crucial aspect of healthcare is provided, it votes for private provision for profit. The hypocrisy of that is not lost on a large number of people in Northern Ireland. It certainly is not lost on the people who support the real petition of concern: the 250,000 people of this country who are extremely unhappy. Now that the cat is out of

the bag, they will know, when it comes to the next election, where their parties stand on the issue.

All that I can do on behalf of the unborn child — perhaps it is some unborn child who has not even been conceived but may end up losing his or her life in that clinic in Great Victoria Street — is say, turn back now. Let us stop that happening in Marie Stopes, and then let us look at whether further legislation is required. However, at least put a stop to that now so that no child will ever lose its life in that clinic. My conscience is clear. I just hope that all those in the Alliance Party have a clear conscience as well.

Mr Agnew: Like others have done, at the outset, I will outline my party's stance on the issue of abortion. For the Green Party, it is a matter of conscience for individual members. That is the position that we took. We had a vote on being a pro-life party. It did not receive the two thirds majority required. We took a vote on being a pro-choice party. It did not receive the full two thirds required. When we took a vote on allowing it as a matter of conscience, it received unanimous support. So, that is the Green Party's position on abortion.

5.30 pm

As to my position — I have been called various things — I believe that there should be greater liberalisation of the law in Northern Ireland. It is not necessarily the case that I believe that we should extend the 1967 Abortion Act to Northern Ireland. Northern Ireland needs to have its own legislation on abortion. However, we need to hear the wider views of the people of Northern Ireland, and I have stated that there should be a referendum on the issue. That would put to bed the continual claims by people to speak on behalf of the majority of the people of Northern Ireland. That is a baseless assertion. The only evidence that we have are the polls that have been conducted, which show that there are a wide range of views on this issue. No one person can speak for the majority of people in Northern Ireland. There is no, single majority view, and we do not have full evidence as to what that is. Until we take this, as a single issue, to the people of Northern Ireland, we will not know their views. So, any assertion by people that they speak on behalf of the majority of people in Northern Ireland is without basis.

Mr P Ramsey: Will the Member give way?

Mr Agnew: Yes.

Mr P Ramsey: Does the Member accept and respect the 250,000 names that were delivered to the House today for Members? Do you not accept that as the opinion of the majority of people in Northern Ireland?

Mr Agnew: I thank the Member for his intervention. I do not accept that as a representation of the majority of people of Northern Ireland. It is a significant proportion of the people of Northern Ireland, but I have not seen the wording of the petition. My understanding is —

Mr Givan: They are all out in the Hall.

Mr Agnew: I will have a look at it. The petition came from an organisation that is against abortion.

The DUP and others, including Mr Ramsey and his party, have said that they support the provision of abortion under the current law. I think that we should be clear on that. We keep hearing these terms "pro-life" and "pro-choice", but it is not as simple as that. It would be a nice world were things that black and white. Mr Molloy made the point that the DUP are pro-abortion and, in certain circumstances, it is. Its Members have clearly outlined their support for the current legislation in Northern Ireland for the provision of abortion when a woman's life or long-term health is at risk. So, in that sense, the DUP is pro-abortion. In that sense, I am in favour of the provision of abortion when it protects the life or long-term health of a woman. In that instance, I am in favour of the medical intervention necessary to provide care for that woman.

Neither a pro-life position nor a pro-choice position is absolute. It is not an absolute claim, and there is a spectrum of opinion. It is regrettable that, to some extent, there has been efforts to move this debate to that of a pro-life versus pro-choice. That is not what it is, it is not what the amendment is about and the Members who proposed the amendment have made that clear. I will now move on to the amendment.

This is a debate about an ill-conceived amendment. It is badly drafted and, as has been mentioned, it has been brought to the House without proper public consultation. It is for that reason that it will be opposed by pro-choice and pro-life Members. That is an indication of the fact that it is a bad piece of legislation.

The amendment seeks to criminalise any person who ends the life of an unborn child at any stage of development. The flaw in that is that there is no definition in law of an unborn child. There is no definition in Northern Ireland law, UK law, Irish law nor, to the best of my knowledge, international law. Equally, there is no definition in medicine of an unborn child. Indeed, when I pressed Mr Poots to give me a definition of when the life of an unborn child begins, I did not receive clarity. Unclear and ambiguous legislation is bad legislation.

There are medical definitions for the terms zygote, blastocyst, embryo and foetus but none for unborn child. If we were to insert a bit of science and have a genuine, calm, rational and coherent discussion around these issues, such as the capacity of the foetus, we might have a more sensible conversation. It is regrettable that we have not done so.

Mr Wells: Will the Member give way?

Mr Agnew: I will give way.

Mr Wells: If we have six months' consultation and an amendment were tabled that he is satisfied provides a definition of the start of life, would he then vote for the amendment?

Mr Agnew: I said in my statement today that if there was a referendum on this issue, the legislators of the House should respect the views of the people of Northern Ireland. If that was the case, I would respect those views, and I believe that we should legislate accordingly. However, a consultation will never be conclusive of the entire views. It can be informative but not conclusive.

It is because the term unborn child has no definition that I believe that this amendment, if passed, could have unintended consequences. It seems clear to me that those who tabled the amendment did not intend to criminalise the taking of the morning-after pill or the use of the coil. What is not clear, however, is whether the proposal would criminalise the morning-after pill and the coil. That is why I believe it to be poor legislation: it is open to interpretation and its effect is unclear. Due to its lack of clarity, we would not know the effect of the amendment until a legal precedent is set. We are being asked by those who tabled the amendment to vote in favour of something when we do not know what its outworkings will be. Again, in that sense, it is bad law.

As well as being bad law, it has been bad process. The subject of the amendment was

not included in the original consultation on the Criminal Justice Bill. It was not included in any of the debates on the Bill to date. It has not been out to public consultation, so Members have not been informed by that in making their —

Mr Wells: Will the Member give way?

Mr Agnew: Yes.

Mr Wells: Exactly the same principles apply to the Minister's amendment about the Sunday opening of courts during the G8. Can I take it that he will speak strongly against that amendment because of the lack of consultation, and that he will vote against it in the Lobby?

Mr Agnew: I thank the Member for his intervention. He knows that the issues are not equally divisive. That is not something that we can say a great number of people outside the House oppose. I am not aware of that; I have not been lobbied on it. I have been lobbied on this by those in favour and those against. I have not had barrages of people send me e-mails, phone me or write letters telling me not to vote in favour of the Sunday courts amendment. Sometimes uncontroversial amendments need to be moved at a late stage, but you could never call this amendment uncontroversial.

Much has been made in the debate about the best care available for women. That is an important point. The care of women and the voices of women should be at the heart of the debate. It is regrettable that the voices of women will never be at the heart of the debate of an Assembly that is over 80% male.
[Interruption.]

Mr Clarke: Are you going to step aside?

Mr Speaker: Order.

Mr Agnew: Those who tabled the amendment and its supporters say that they want the best care for women. Surely, the best people to judge this are the women themselves in consultation with health providers. Jonathan Bell suggested that the amendment reflects the cross-community view across Northern Ireland, but as I said, I believe that assertion to be baseless because we do not have that evidence. He also cited the views on the issue of the Presbyterian Church and the Catholic Church. Although those organisations have a right to put forward that view, and as legislators we should listen to them, I do not think that they could claim to represent the views of the vast

majority of women across Northern Ireland, given that they are male-dominated organisations.

A Member: Nor can you.

Mr Agnew: In response to the comment made from a sedentary position, I am not claiming to represent the vast majority of women in Northern Ireland or the vast majority of people in Northern Ireland. I am representing my views, my party's views and those who have asked me to make their voice heard on this issue. Until we have a referendum, I do not believe that we will know who represents the vast majority or slight majority or minority in this debate.

Although I cannot speak for the vast majority of women, I seek to afford them the choice so that they can determine their own healthcare. The amendment seeks to limit choice. The supporters of the amendment have said that the best healthcare is in the NHS, and I would not necessarily disagree with that, if it were available. As has been pointed out, we now have guidelines on the provision of abortion in Northern Ireland, but I have not seen them. Therefore, I cannot comment on whether or not the guidelines on provision are sufficient. As was pointed out, they were released to the media but were not released to MLAs. So, I have not seen them and cannot comment much further than that, except to say I welcome that we will soon, I believe, have guidelines and a public consultation on them. I hope that it is soon, given that they have been given to the press. Only then can I determine whether or not —

Mr Wells: Will the Member give way?

Mr Agnew: Certainly.

Mr Wells: I cannot allow the Member to make that statement unchecked. They were not given to the press; they were leaked by someone unknown. There has not been a general distribution of that material at all. We cannot control what certain members of the Executive do with material. It happens quite regularly in this House, unfortunately, that certain individuals take it upon themselves to leak material, when it suits them, to the media. If he is thinking that it has been leaked to the press and deliberately withheld from him, that is untrue.

Mr Agnew: I thank the Member for that clarification. I stand by the point that the guidelines are in the public domain to some

extent through what the media has reported on them. However, I have not had time to scrutinise them, so I cannot give definitive support to or reject them, whichever is appropriate. I will do so when I have seen them and had time to analyse them.

So, I do not claim to represent the majority of people in Northern Ireland or, indeed, the majority of women. However, I do seek to afford them choice. As is clear, we have been seeking those guidelines for 12 years. The provision of abortion within the legal circumstances prescribed by our legislation in Northern Ireland has not been freely available to women. On that basis, the choice of private healthcare may be a necessary one.

We have to deal with reality. Much has been said in this debate about facts and realities. We have to deal with the reality that there are women in Northern Ireland who want an abortion. Indeed, women in Northern Ireland have abortions. Some of the figures have been alluded to; over 1,000 women each year access abortion in GB. Abortions are performed in Northern Ireland on the NHS. Abortions through pills purchased online are performed in Northern Ireland without the appropriate medical care. We have women, those who can afford to, accessing abortion in GB. There is a lack of equal access, as I pointed out, between those who can afford it and those who cannot.

I come back to the point made by those who said that they want to see the most appropriate care for women. Figures in the public domain suggest that, each year, hundreds of women take abortion pills that are freely available online without the proper medical care. Whatever people may or may not think about the choice made by those women, surely it would be better if we could give them the appropriate care. The Marie Stopes clinic may afford those women that opportunity, if they are taking the pill within the law. However, I have been clear that I believe in the greater liberalisation of the law. I believe that those women should be able to access that service on the NHS. That would be my preference.

I would prefer them to have that service on the NHS and receive the proper healthcare that they require, but the amendment seeks to prevent women receiving that care and treatment in a private clinic. It does not do enough, and it does not do what the Members have claimed, which is ensure the most appropriate and best healthcare for women in Northern Ireland. It is the case, whether Members like it or not, that abortions are taking place in Northern Ireland. We should accept

that fact, and ensure that women in Northern Ireland receive the most appropriate healthcare available.

5.45 pm

The proposers and supporters of the amendment have made it clear that, within the current restrictions, they support abortion, but only on the NHS, not in private healthcare. As has been alluded to by some Members, this has become an issue of criminal justice — as indicated by the debate we are speaking in — rather than a question of healthcare. The same Members — including the Member for Lagan Valley, who also happens to be the Health Minister — have no problem with the £130 million spent in the last three years on private healthcare in Northern Ireland.

Mr Poots: Will the Member give way?

Mr Agnew: I will certainly give way.

Mr Poots: I made the issue about private healthcare because it is Sinn Féin that objects to privatisation. I have never said that we could not use the private sector to assist us with healthcare, so that is an issue that we do not have a problem with. The difference with Marie Stopes is that it is unregulated and unaccountable to anyone. You are backing something that is unregulated and unaccountable, with the support of the Alliance Party and Sinn Féin, of course.

Mr Agnew: I thank the Member for his intervention and for making it clear that he is not opposed to private healthcare. I do see what Marie Stopes is offering as healthcare provision. It offers a wide range of services around sexual health to both men and women, and that is one aspect of what it provides. If there is insufficient regulation, then I say to the Member that, in his other role as Minister of Health, he should bring forward that regulation. If sensible regulation comes forward, I will certainly support it.

I have absolutely no problem with the private sector being regulated, and anybody who wants to look at my voting record and my positions to date will see that I have no problem with regulation of the private sector, whether in healthcare or anything else, for that matter. I believe that regulation is necessary in many cases to protect the people of Northern Ireland and ensure the best provision. I hope that we will see greater regulation of private healthcare. If it comes and is sensible, I will support it, but

the amendment does not do that. It does not seek to regulate; it merely seeks to ban, and it is clearly intended at one private healthcare provider. In that regard, I believe that it is not good law and it would not be effective law.

Much has been made of the use of the petition of concern. This is the first time that I have ever signed a petition of concern, and I am proud that I have signed it in this case. The petition of concern is there to protect minorities from simple majority rule. It requires cross-community majority support. Mr Bell said that the amendment reflected the cross-community view. If that is the case, let us put it to a cross-community vote and we will see.

This is a male-dominated Assembly. More than 80% of the Members are men. The amendment will affect women, predominantly. There is a lack of representation. As I have alluded to before, I do not believe that the views in this male-dominated Assembly adequately reflect the views of the majority — or significant numbers — of the people of Northern Ireland. So, in that regard, this is a valid use of a petition of concern. I was happy to support it and sign it, and I am proud to have done so.

The DUP, which cries foul at the use of petitions of concern, is the party that has used this instrument most in the Chamber. The DUP used a petition of concern to prevent the ending of dual mandates for their double-jobbing MLAs and councillors, to prevent third-party rights of appeal in planning, denying the general public access to an appeal mechanism against planning decisions, and to protect Sammy Wilson, when he was Minister of the Environment, from admonishment in the House.

I find it strange, then, that on this issue, the DUP believes that the petition of concern is an abuse, but on other issues it sees the instrument as a legitimate mechanism at its disposal to block proposals from other parties when it suits them to do so and, indeed, to block legislation. Again, I cannot say that there was a majority, but there was certainly huge public support for the ending of dual mandates, and the DUP used a petition of concern to block that.

This is a bad piece of legislation, and I outlined the reasons why I believe it to be so. I believe that amendment No 1 is unclear and ambiguous, and I fundamentally disagree with its intent and outworkings. I believe that bad process was introduced at the eleventh hour without public consultation, and that may be part of the reason why —

Mr Givan: Will the Member give way?

Mr Agnew: I will not give way to the Member. I know that he is a Christian man and believes in doing unto others as he would have done unto him, and he refused consistently to give way to Members who opposed his view when he was speaking. If he had afforded me the courtesy, I would have afforded it to him, but he did not do so. *[Interruption.]* Thank you.

The introduction of amendment No 1 was misguided, which is why it will be rejected by pro-choice and pro-life Members today. I made the point that many in the Chamber who are pro-life believe this to be a bad piece of legislation.

We need to protect women in our society, and we need to create good legislation. Amendment No 1 does neither, and, for that reason, I oppose it.

Mr Lyttle: I am grateful for the opportunity to contribute to the debate. I had hoped that it would be constructive and that it would be about amendment No 1, but we have had varying success on that. Almost seven hours later, with fairly consistent and constant abuse from the Benches to my left, I can let those Members know that it is highly unlikely that I will give way to any of them from this point forward. I will give them advance warning that we have heard enough from them today.

The dishonesty and the tone of some of the DUP contributions today, in my opinion, serve no argument, cause or Christian purpose whatsoever. The abuse —

Mr Givan: Speak to your colleagues in your constituency.

Mr Lyttle: We have all day on this, do we not?

Mr Speaker: Order.

Mr Wells: We could be here all night, Chris.

Mr Lyttle: Fair enough.

Mr Speaker: Order.

Mr Lyttle: The abuse of religion for political purposes today would not have been out of place in a court of Pharisees. The challenge to the Assembly is to increase the regard in which it is held, but I do not think that we have gone too far down that road today with some contributions.

I would, of course, genuinely welcome the opportunity to meet anyone who has legitimate concerns, from a Christian perspective, to discuss these matters in more detail. However, for anyone to say that an objection to amendment No 1 equates to a pro-abortion position is simply — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: For anyone to say that an objection to this amendment equates to a pro-abortion position is simply and disgracefully false. For anyone to say that it is about the protection of the Marie Stopes clinic is false. Rather, it is against a quite bizarre prohibition of private healthcare within the law.

I am not sure which Bible some of the men to my left read or work from, but mine suggests that telling the truth is foundational. For self-professed Christian men to so blatantly misrepresent the truth is genuinely regrettable, and I mean that sincerely. I would ask — *[Interruption.]* I do, yes, I am speaking from the heart.

I ask them to reflect on what witness they think they have sent out from the Assembly today, given some of their behaviour and the fact that the amendment has quite unnecessarily set people with very similar views on abortion against one another.

The DUP's infatuation with misrepresenting Alliance Party policy has reached hysteria; to the point where it is now contemptuous of the democratic process and the code of conduct expected of MLAs. I — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: I urge anyone who considers that their support for the DUP results from Christian conviction to thoroughly examine the behaviour and integrity of many of its members on this and a wide range of other issues. I call — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: I call most respectfully on the Church to reflect on the behaviour of some of the Members who have spoken on its behalf here today. I imagine that many SDLP supporters will also be significantly concerned by that party's supporting the DUP today.

The debate is not about one's view on abortion. I want to be clear that there is no proposal before the Assembly today to alter the law on

abortion. For the purposes of clarity and for the record, I will repeat that the Alliance Party view on abortion is that it should be left to the conscience of its members. For the record, I am against any significant extension of the current law on abortion in Northern Ireland. I am in favour of a multiagency and comprehensive provision of quality sex education and crisis advice and support.

I am also in favour of robust guidance and regulation within the law. We need to set clear guidance and robust regulation to ensure that services are provided within the law; not a hastily and poorly presented blanket prohibition of private service provision. The amendment does not encapsulate, as Mr Givan suggested earlier, the values of a liberal democracy. It also appears to fail to take into account, as mentioned by many Members, the significant use that the NHS makes of private provision to supplement its service.

The real smokescreen is that the amendment tries to hide the fact that our Health Minister has wholly failed to deliver such guidelines and was forced to do so by the courts. He has also wholly failed to deliver the robust regulation on private provision that exists in the rest of the UK. It is the Health Minister who has abdicated his responsibility on this matter.

Mr Givan said that much time had been spent on the amendment. Perhaps, if the Minister of Health had spent the same time on regulation, we would not be here today. Mr Givan said that the Justice Minister had shown no urgency on this issue. What urgency has the Minister of Health shown on introducing a regulatory framework, given that it is his responsibility to do so? It is my understanding that such has been the inaction of the Health Minister on regulation that some private providers, such as Marie Stopes, have taken it upon themselves to bring forth matters that puts them within the criteria for regulation — *[Interruption.]*

Mr Speaker: Order.

Mr Lyttle: — by the RQIA. If the regulation needs to be enhanced, it is for the Minister of Health to show leadership and enhance it.

This is not about one's view on abortion. I have made clear my position, which is that I am against any significant extension of the current law, but I do not think that this amendment should jeopardise democratic principles in response to individual concerns. In a democratic society, a person should have the liberty to elect which type of service they avail of provided that it operates within the law. The

challenge is to deliver the most robust regulation possible and ensure that the highest standard of service possible for children, women and men is provided within the law. I am fully committed to supporting the need for delivery on this change and to working to protect all life in Northern Ireland, but I will not support this hasty and misplaced amendment today.

6.00 pm

Mr Ford (The Minister of Justice): We have certainly had a wide-ranging debate that possibly went ever so slightly beyond the terms of the amendment under consideration.

It is good that the Assembly has the opportunity to discuss sensitive issues like this where ethics, conscience and the law all come together. It is clearly a very personal issue for many people in this society. Indeed, there are very deep feelings on both sides of this argument. The very fact that, from the Bench immediately behind me, we have heard my party colleagues express a variety of options, from pro-choice to pro-life, shows the depth of experience. It also explains for the benefit of those Members who could not understand it, despite all the diatribes that were thrown in this direction, that abortion is an issue of conscience for members of the Alliance Party, as it is for most other parties across the UK. *[Interruption.]*

Mr Speaker: Order.

Mr Ford: What I fear is that the general public may be misled by today's debate into thinking that the amendment was something to do with changing the law on abortion and that the debate was about pro-life or pro-choice. It is not. It is about a very technical issue and one that has caused me significant concerns. The point on which we will be called to vote in a few minutes is a very specific one. It is not about where we stand on the principle of abortion. It is about whether we want the specific words printed on the Order Paper and brought to the Assembly in this way to enter the criminal law of Northern Ireland.

When Mr Givan and Mr Maginness first spoke about this amendment on 'Talkback' two weeks ago, they spoke of the importance of accountability, scrutiny and oversight. I absolutely agree with them. We need a system to bring accountability and oversight to the provision of abortions, as to all medical and surgical interventions, regardless of where they are carried out. I am on record as saying that

that needs to be addressed. However, the Assembly needs to stop and think about how we do that. I want to do that because it has significant implications for not just this particular point about the regulation of abortions but for how we consult and engage in the future. If we accept now that a major change in the law that affects people in our community so directly can be made literally at the stroke of the pen, what precedent do we set for the people who come after us?

As far back as 1723, in the case of *R v The University of Cambridge*, Mr Justice Fortescue set out the principle that a decision-maker should hear the other side. In a court case, he quoted Genesis chapter 3, in which God says to Adam:

"Hast thou eaten of the tree, whereof I commanded thee that thou shouldest not eat?"

Even God himself, said Fortescue, did not pass sentence until he had given Adam the chance to tell his side of the story.

Mr Wells: Will the Member give way?

Mr Ford: I will, rather more generously than Members on my left have done, give way on this occasion.

Mr Wells: Does the Member accept that I gave way on every occasion that I was asked to do so? I believe that our argument is so strong that it can sustain any attacks.

Exactly the same principles that he has outlined apply to his amendment on the opening of Sunday courts. I have to say that I have a slight problem with the greater liberalisation of Sunday opening, but I understand where he is coming from. However, there has been no consultation. In fact, there has been an awful lot more consultation on the Givan/Maginness amendment than there has been on his proposal, yet he expects us to traipse through the Lobbies tonight to support him.

Mr Ford: Mr Wells has a fair point on that issue. I must confess that it is something that I thought that I would be addressing when we talk about the second group of amendments rather than at this stage. However, let me deal briefly with that point. I accept that there has not been full consultation on the issue of Sunday courts. *[Interruption.]*

Mr Speaker: Order.

Mr Ford: However, the House needs to accept the circumstances in which that proposal has arisen. A request from the Chief Constable, with the support of the Lord Chief Justice, to deal with what would potentially be a major emergency situation in a few months' time, when the G8 is held in County Fermanagh, had to be addressed. This is the only legislative vehicle in which to do it. I accept that it would have been better had there been full consultation on that issue. In the context in which certain courts can sit on Sundays anyway, this minor change dealing with the specific operation of the Magistrates' Court is not in the same league as a fundamental change banning abortions, which would otherwise be lawful, being carried out by private healthcare providers.

The role of consultation on significant issues was fundamental to the establishment of devolution here. It is why Committees meet every week to consider the consultation exercises launched by Departments; why members meet with a whole host of interested bodies at different stages and listen to what they have to say; and why the Executive have published 'A Practical Guide to Policy Making in Northern Ireland', which emphasises the importance of engagement at every stage of the process.

If those are the standards that are required of Departments, surely those should be the standards to which we work as a legislature. Last-minute amendments on substantial issues with direct effects on people, even on small numbers of people, are not the way to do good government and not the way that we should operate in this place.

I hardly need to remind Members that this is an issue in which the courts have taken an interest, as was shown, for example, in the Christian Institute judicial review in 2007, which demonstrated that the courts are willing to give significant consideration to issues of consultation. First and foremost, we should make the issues that underlie this amendment subject to proper consideration and consultation. I encourage the Assembly to think, first, about how we make law and, secondly, about the way that the amendment is framed.

Members will be aware that I took the unusual step of putting in writing a range of concerns about the drafting of the amendment and the unintended consequences that it could have. I am not seeking to give any definitive interpretation of how the courts would approach the provisions. My point is simply that there is

real potential for uncertainty and confusion. I reject the suggestion that I sought to cloud the issue. The letter that I wrote to Members last week was based precisely on the legal advice that I was given in the Department about problems with the amendment. I also reject the suggestion that it was somehow clandestine. I have not had the opportunity to look up a dictionary this afternoon to see what "clandestine" means, but I fail to see how drafting a press release in the Department, sharing it with the Minister of Health, Social Services and Public Safety, issuing it through the Executive information service and doing media interviews on the basis of it qualifies as clandestine based on anybody's definition of the word.

Mr Allister: Will the Minister give way?

Mr Ford: We have heard different views about those points today. That is the key point: issues could be subject to different interpretations. I will give way to Mr Allister.

Mr Allister: If the Minister does not like the word clandestine, what does he think about "selective" to describe the legal advice that he sought? Can he say whether he has spoken with and sought the guidance of the Attorney General?

Mr Ford: I thought that Mr Allister would let me get a little bit further into my speech, but I will address that point now. My advice comes from the Departmental Solicitor's Office (DSO), and that is the standard practice that applies to any Minister. The advice of the Attorney General is sought only if it is a cross-cutting matter between different Departments or a matter where there appears to be difficulties and there is a recommendation from the DSO that further advice is appropriate. That was not the case. The advice that I received was entirely clear-cut and absolute, and, therefore, my letter was not, in Mr Allister's terms, selective but was based on the advice that was given to me.

These are issues with different interpretations that, as responsible legislators, we should fully sort out before passing them into law. For example, the amendment talks about the unborn child at any stage of development. That is simply not a term that has been used anywhere in UK legislation and differs from the term "the unborn" that is used in the Irish constitution. So, the amendment brings to the law an undefined term. There may well be very firm views about what it means, and I suspect that there will be very different views in this Chamber at the moment, but those firm views

one way or another will not necessarily prevent a great deal of expensive and unnecessary litigation.

Mr Wells: Will the Minister give way?

Mr Ford: Yes.

Mr Wells: Am I to take it that the Member is not opposed to the principle of the amendment but is just opposed to the process? Is he saying that, if there was adequate consultation and all the difficulties that he has were explained to him, he would accept the principle of ensuring that there are no unregulated private abortions in Northern Ireland?

Mr Ford: Mr Wells mentioned regulation, which was frequently mentioned by Mr Elliott and also, I think, by Mr Allister. That seems to be one of the issues, but let me proceed, and I will come to that point in a moment.

There is also an issue about the competence of the Assembly to make this amendment, and it very much depends who you listen to. I will be clear: there are two different strands of European law, and that means that competence is not an entirely clear-cut issue. In introducing the amendment, Mr Givan quoted some European jurisprudence, but there is other European jurisprudence. It is a long way short of being clear-cut.

One strand that I have been shown starts with the rules on the common market, to which exceptions are narrowly defined and strictly construed. The other comes from a particular case about the Spanish health service, where in those specific circumstances, the European Court held that the competition rules were not applicable. So, anyone who had an interest could well mount an interesting challenge to the legislation as proposed in this draft amendment.

So, why would we go somewhere where there is such a lack of clarity, rather than take the opportunity to think all these issues through? That is added to the fact that the sponsors of this amendment have not consulted, have not undertaken full policy development and have not looked at the regulatory impact. As an Assembly, those are the kinds of points on which we need to go away and do it properly.

I am also worried about the narrow exception that is made in the legislation. It talks about allowing terminations of pregnancy on premises not operated by a health and social care trust in circumstances where access to health service premises is not possible. The word "possible"

is specific and included in that clause. The usual legal provision in such a situation would be where access was “not reasonably practicable in all the circumstances”.

I find it difficult to imagine any circumstances in Northern Ireland with the healthcare system that we have, with 24-hour acute care, where access would not be possible. The provision could mean that a woman who is in a private clinic for elective surgery and develops a complication that requires termination to save her might have to be transferred to a hospital across rush-hour traffic across the city because access to that hospital is still technically possible. The usual formulation in law would clearly apply differently, and that “possible” would apply even though the patient was in a private hospital with a fully equipped operating theatre available and with a consultant obstetrician on duty who was familiar with the patient. That is what the wording of the amendment means. Those are exceptional circumstances, but the House should not pass an amendment that did not allow for them.

To sum up, there is a need for regulation. It is a need that we should address in a considered way, cross-departmentally and with public consultation, not stuck awkwardly into a piece of justice legislation at the last minute.

Mr Wells: Will the Minister give way?

Mr Ford: All of this is just when the Health Minister has indicated that draft guidelines on abortion, long-awaited, are about to be consulted on. That is the point that Mr Wells wanted me to give way on earlier. Those guidelines are necessary and will help to bring clarity, which is the very thing that, unfortunately, this amendment fails to do. I will give way.

Mr Wells: The Member said that he would answer my earlier point later on. This is the point —

Mr Ford: I am just getting to it.

Mr Wells: Yes. If he is happy with the procedure and the consultation and if he gets clarity on the issues that he is concerned about, does he accept the principle that there should not be unregulated private abortion clinics in Northern Ireland?

Mr Ford: The point is the issue of regulation, which I am just coming to. Not criminal sanction, but proper regulation of private

healthcare providers, as public healthcare providers are properly regulated.

Of course, we are in the position where the petition of concern puts a different complexion on the debate, and, on the presumption of the faces that I saw of Sinn Féin Members as Mr Wells was making his plea to them to reverse their opinion even though they had signed a petition of concern, it is very possible that this amendment will be defeated on cross-community vote. There are issues that need to be addressed by this House as to what should happen then.

I was under the impression, given what the Health Minister said in an oral answer to the Assembly on 26 November and in a number of written answers since then, that he was considering a range of possible ways of addressing the gap in regulation of private providers. He committed to bringing proposals to the Assembly, and, clearly, issues such as the potential role of RQIA in regulating private healthcare are issues for DHSSPS and not for the Department of Justice.

I shall, therefore, be slightly cautious, Mr Speaker, because you might reprimand me for intruding onto another Minister's territory. As I understand it, the RQIA is responsible for the quality, safety and availability of health and social care facilities. It is just a little bit more than the car-parking spaces or whether the floor is clean. It has an enforcement policy aimed, among other things, at holding to account providers for failures to safeguard health, safety or welfare and exposing deficiencies. It covers areas including clinical governance and safeguarding vulnerable groups. It already inspects some private healthcare and independent hospitals in Northern Ireland. The equivalent body to the RQIA in England and Wales —

Mr Wells: Will the Member give way?

Mr Ford: Let me finish this point please. The equivalent body to the RQIA in England and Wales, the Care Quality Commission, also licenses abortion clinics and ensures compliance with the standards set by the legislation there. The RQIA's governing legislation states at article 6(1):

“The Department may by regulations make provision ... as to ... the persons in relation to whom or the matters with respect to which, any functions ... are to be exercised”.

Also, the Department may, by regulations, make provision conferring additional functions on the RQIA.

6.15 pm

Obviously, I acknowledge that it would be for the Health Minister to take advice on whether that was sufficient at present to include private abortion clinics or whether some further legislation was required, but that is an issue for the Minister of Health.

Mr Wells: There is an absolutely crucial point that the Minister has not grasped. The RQIA has absolutely no role in deciding whether the clinical decision taken by a doctor in a private clinic falls within the terms of the legislation. It is more the mechanics of the clinic — whether it is properly staffed and has got proper sanitation. That is all covered by RQIA under the Northern Ireland legislation, but it has no input whatsoever into the decision as to whether it is legal or illegal to take the life of an unborn child.

Mr Ford: Mr Speaker, again, the issue of how much authority the RQIA has is an issue to be determined by the Department of Health, Social Services and Public Safety, not the Department of Justice.

Mr Agnew: I thank the Minister for giving way. Just further to Mr Wells's point, surely the role of the RQIA is equally true of the health service as it is of the private sector.

Mr Ford: I understand that there are differences between the current role of the RQIA in respect of NHS facilities and those private facilities where it has a role. However, the point is that it is an issue for DHSSPS to determine the possible extension of that role, the areas that would be covered and the bodies that would be covered.

On that point, while speaking earlier, Mr Poots, a Member for Lagan Valley — as Sue Ramsey would call him — quoted a view that had been expressed by me. It was rather interesting. He appeared to be quoting from a letter that I wrote to the Minister of Health, Social Services and Public Safety on 8 November last year. The precise context in which a Back-Bench Member for Lagan Valley was speaking and quoting a letter addressed to the Minister, I will leave to the House to decide. However, although Mr Poots correctly quoted a paragraph from my letter that said where there is evidence of a crime being committed, the police and prosecuting authorities will investigate, which is

the answer to the point just raised by Mr Wells, he somehow forgot the paragraph — as long ago as 8 November last year, when I wrote to him in response to a letter that he had sent me on 22 October — about how the Department of Justice will ensure that the Marie Stopes International Clinic or similar organisations operate lawfully. I said in that letter:

"in terms of regulating practice, you"

— that is, Mr Poots —

"have indicated to the Assembly that you intend to ensure that such private clinics are covered by the Health and Personal Social Services (Quality Improvement and Regulation) (Northern Ireland) Order 2003. I agree that this is the best approach. The RQIA, with its clinical expertise, is best placed to regulate matters which require clinical judgement, and I would suggest that if legislation is needed to bring that about it is brought forward urgently."

I am not sure, Mr Speaker, whether it will be necessary to repeat that point. I believe that we are now in March 2013, and, in November 2012, I acknowledged the role of the justice agencies, such as they are, when there is a suspicion of the law being broken, but I agreed entirely with the point that had been made and was subsequently repeated in answer to oral questions in the House later in November, and in questions for written answer: that the role of regulation of private healthcare is a role for the Department of Health, Social Services and Public Safety to consider in terms of the role of RQIA. I am very happy to accept the role that the Department of Justice has, but it is clear, if we are talking, as many Members today have talked, about regulating private abortion as part of private healthcare, that is a role that lies properly with another Department.

Although that primary responsibility lies with Health, there are issues of criminal law that apply, and that is clearly a cross-cutting, sensitive and controversial matter. Therefore, in advance of the debate, I asked officials to look at the Department of Justice's responsibilities in this area, with a view to bringing the issue to the Executive as a cross-cutting one. I know that there are many strong views in the Assembly and in society on the issue of abortion.

They have been expressed here today in a variety of ways. I accept the absolute sincerity of those who argued for the amendment because of their opposition to abortion and their

pro-life stance. Although I find it difficult to accept the personal insults and diatribe from others, I would certainly wish to respect the views of people such as Pat Ramsey, who expressed them sincerely. However, whatever those views, Members of the Assembly have to acknowledge that we owe a duty to the people of Northern Ireland to do things with due consideration and consultation and, above all, well and properly. That is the fundamental reason why I do not and cannot accept this amendment.

Mr A Maginness: I hope that in the time available to me I can crystallise some of the issues from the debate and the amendment tabled by Mr Givan, me and others.

I pay tribute to Mr Givan, who, I believe, has shown great leadership and courage on this issue. In his address to the Assembly, he comprehensively examined all the issues individually and systematically. He made a comprehensive assessment of the situation, analysed the difficulties involved and, on the face of it, made a speech that should persuade every Member of the House to support the amendment.

The kernel of what he said was that the amendment does not change the law on the grounds on which an abortion is carried out. I re-emphasise that point, particularly for those who misrepresented the view that, in some way, we are changing the law. We are not changing the law. The fundamental law remains the same.

The amendment prevents unregulated, unaccountable private clinics from making financial gain from vulnerable women and their unborn children, and ensures that in terrible life-threatening circumstances, the best care is provided free at the point of need in the National Health Service. Who could oppose that? How could anybody in the House who has any sense of conscience oppose that?

We have a duty to the unborn. We also have a duty to protect women in crisis pregnancies and in grave difficulties. The best place to protect them is in the National Health Service, which is where they should be protected. It is a nonsense to say, "It will be all right. Marie Stopes is OK, and a bit of regulation here or there may help out" — the sort of soft touch stuff that we heard today. However, that is the reality of the situation. The RQIA will not give effective supervision, control and accountability over clinical assessments. Would the RQIA know the number of abortions that would take place in the Marie Stopes clinic? According to

the evidence given to the Justice Committee on 10 January this year, that would certainly not happen.

Mr Agnew: Will the Member give way?

Mr A Maginness: No, I will not. Other members of the Committee and I asked the Marie Stopes witnesses how many abortions the clinic had carried out. What was the answer? We cannot tell you. I said, "Let us fast forward to a year down the road of work by your clinic. Will you tell us then how many abortions you have carried out?" What was the answer? The answer was no. The question was also put: "Does the Department of Health know how many abortions you have carried out?" What was the answer? The answer was no. Anybody who tells us that that organisation is acting responsibly is kidding themselves and the public.

A Member: Will the Member give way?

Mr A Maginness: No, I am not giving way to anybody because I want to get this concluded. There have been lots of interventions, and people have made their good speeches, sincerely, and so forth, and I respect the point of view of everybody in here, even though I disagree with them and sometimes find them very hard to tolerate, but, nonetheless.

Accountability is very important. If a private organisation, particularly in a sensitive area such as health, is not publicly accountable, which Marie Stopes is not, how can we trust what they are doing as being right and proper within criminal law? Members, it is the criminal law, not regulations or anything else, that governs abortion in Northern Ireland. That is the problem, and that is why we have to amend the Criminal Justice Bill. There is no other way of dealing with this; there is no other way whatsoever.

People have talked here about the lack of process, the lack of consultation, and so forth. Mr Givan, myself and other colleagues banded together as Back-Benchers. We came together in order to try to remedy the situation. That is what we did. As Back-Benchers, we are under no obligation to consult in relation to bringing amendments to any Bill in the House. We are under no obligation whatsoever, but I can tell you, colleagues, that there was more consultation, more discussion and more debate about this amendment than, perhaps, there was about any other amendment that was presented in the Criminal Justice Bill or, indeed, any other amendment that was presented to the House in

the past couple of years. There has been more public discussion on this than there has been on anything else, and you say to us that we should have had further public consultation.

There is a net issue involved in this, and, in fact, it was very well summarised by the deputy First Minister. Let me remind colleagues on the Sinn Féin Benches of what the deputy First Minister said when he was discussing Marie Stopes on 'Inside Politics'. He said:

"Well it's a private institution, and I suppose some of us who know Dawn Purvis for a long time are a bit surprised that someone who would be a very strong advocate for the health service is now into effectively a private position within an institution that is setting itself up as something which is, if you like, a competitor to what's happening within the health service."

6.30 pm

I support Martin McGuinness. His statement is a good summary of the situation. I cannot understand the position that Sinn Féin has now adopted. I listened with some amusement to the persuasive charm of Caitríona Ruane. She had the sort of charm that a bulldozer might have when clearing a building site. I could almost visualise the television and radio channels being switched over when she was making her remarks. She said that there was a wide range of views in her party, Sinn Féin. I ask you, Mr Speaker: did we hear a wide range of views from the Sinn Féin Benches? We did not. We had identikit speeches, one after the other, not a wide range of views. She also talked about camaraderie. She said that there was great camaraderie. Well, tell that to Mr Tóibín of Meath West, or east, who lost the Whip or was disciplined in Dáil Éireann when he voted against or refused to support a Sinn Féin motion, or one that it was bringing to the Dáil, on a similar issue because he is pro-life. He made that clear. I think that the camaraderie is very limited indeed. Although there might be a wide variety of views — I do not know, but I hope that there would be —

Mr McCartney: *[Inaudible.]*

Mr A Maginness: Sorry: I am speaking, not you. If there is a wide variety of views, we did not hear them in the House today. Why? Because those views are being, or must be, suppressed in some way.

The point that I have to make on the issue is that we are dealing with a private institution.

We are dealing with one of the most delicate situations that any woman could find herself in. Those who have argued against the amendment in the Chamber today have argued strongly that, essentially, it is all right to have that private institution look after women in such extremis — a private institution that makes money out of abortions. That is the reality of it: it makes money out of abortions. It is not a private institution that gives its services free of charge. It is making money. Ms Ruane is smiling. It is an odious situation to have such an organisation make money out of the misfortune of women in crisis pregnancies. Members should reflect very carefully on the positions that they have adopted.

Ms Ruane made a number of rather nasty references to me, Mr Givan and others, and, indeed, to the SDLP with regard to the by-election. She mentioned cheap electoral gain. There was never any mention of the issue by the SDLP during the by-election.

A Member: You must be joking?

Mr Speaker: Order. The Member has the Floor.

Mr A Maginness: The SDLP did not raise or attempt to exploit this issue. The fact that the by-election took place at the same as the amendment was tabled was purely coincidental. We made no attempt whatsoever to exploit the issue, so I reject that remark as grossly offensive. I will say this: the issues involved in this were quite plain last week, but Sinn Féin did not make a decision on the petition of concern until after the by-election was over. That was cynical, so do not give us any lessons on cheap electoral gain.

As far as the petition of concern is concerned — if I can use that word — it has been misused in the House in the past. In this situation, we had cross-community support for the amendment inside and outside the House. Indeed, we had support from those not just in Northern Ireland but the Republic. In his speech, Mr Givan talked about support from the Church of Ireland, the Presbyterian Church in Ireland and the Catholic Church. In a very telling sentence, he said:

"People ask what a shared future looks like, and I point to this moment of an SDLP, DUP and Ulster Unionist bringing forward proposed legislation related to the most basic of human rights; the right to life."

I think that, in many ways, that crystallises the nature of the amendment. It should also have encouraged Members of the House who hitherto have disagreed with the amendment to support it, because it encapsulates something good in our society and the Assembly. Given that it is a cross-community, cross-religious and cross-party amendment — it was all those things — it should have been supported, and, in particular, it was and is inappropriate for a petition of concern to be used. The petition of concern was envisaged to deal with broader political issues and issues that involve protecting communities — one from the other. That is why the petition of concern was brought about in the Good Friday Agreement, and this is a gross misuse of the petition of concern.

There has been a lot of talk about the poor drafting of the amendment. This amendment has been expertly and very skillfully drafted and very carefully proofed, and its competency under the law has been carefully checked and proofed. The amendment, if passed, would withstand the rigours of our courts here, the Supreme Court in England and the European Court. I believe that this is a good piece of drafting, and those who say that it is not really ought to take proper legal advice.

It is significant that the Minister of Justice, despite the fact that he regards this in another section of his speech as a cross-cutting issue, did not go to the Attorney General to seek advice. The Attorney General is there to give advice on this type of issue. The Justice Minister did not seek that advice; he sought advice simply from an internal departmental solicitor. That is not the right way to go about business.

Mr Ford: That is absolutely the right way.

Mr A Maginness: No, it is not the right way to do it. If it is a cross-cutting issue, you are saying that you do not have confidence in the senior law officer to give you advice on it.

Mr Ford: Will the Member give way?

Mr A Maginness: All right.

Mr Ford: Does the Member accept that the standard practice is that a Minister goes to the Departmental Solicitor's Office (DSO) for advice, and only if there is an issue of concern with the DSO would a Minister go to the Attorney General for advice? That is established practice, and that is exactly what I did on that occasion.

Mr A Maginness: Yes, but in another part of your speech, you said that this is a cross-cutting issue, and that, therefore, one should proceed on that basis.

Mr Ford: Will you give way again?

Mr A Maginness: No. I will not. You have made —

Mr Ford: Well, take the clarification.

Mr A Maginness: You have made your point. *[Interruption.]*

Mr Speaker: Order. The Member has the Floor.

Mr A Maginness: Mr Speaker, the Minister has made his point. It is unreasonable for him to interrupt me further.

On a major cross-cutting issue, you go to the Attorney General to seek his advice. Indeed, there is no reason why the Minister could not go to the departmental solicitor to receive that advice, and then, to satisfy himself further, go to the Attorney General. That is not an unreasonable position to adopt, but that was not adopted by the Minister. Regrettably, he issued statements that, I believe, were unhelpful in the process. He knew that the amendment was coming from some members of the Justice Committee and other Members, and that, therefore, it was not an Executive amendment.

I am saddened today. We had a real opportunity to do something very positive: to protect mothers and their unborn children. For all sorts of reasons — I am not going to say spurious reasons — that were presented today and that, I believe, do not carry great weight, we have wasted an opportunity to protect the most vulnerable in our society: women in crisis pregnancy and their unborn children. That is sad. I hope that people will reflect very carefully on what they have done. It has not been good for those children or their mothers, and it has not been good for the House.

Mr Speaker: Before we proceed to the Question, I once again remind Members that a petition of concern has been tabled in respect of the amendment. Cross-community support is, therefore, required.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 53; Noes 40.

AYES

NATIONALIST:

Mr D Bradley, Mr Byrne, Mr Durkan, Mrs D Kelly, Mr McGlone, Mrs McKeivitt, Mr A Maginness, Mr P Ramsey, Mr Rogers.

UNIONIST:

Mr Allister, Mr Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Ms Brown, Mr Buchanan, Mr Campbell, Mr Clarke, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Ayes: Mrs McKeivitt and Mr Wells.

NOES

NATIONALIST:

Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr Lynch, Mr McAleer, Mr F McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr Maskey, Mr Molloy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ruane, Mr Sheehan.

UNIONIST:

Mr Copeland, Mr Kinahan, Mr McCallister, Mr Nesbitt, Mrs Overend.

OTHER:

Mr Agnew, Mrs Cochrane, Mr Dickson, Dr Farry, Mr Ford, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy.

Tellers for the Noes: Ms Lo and Ms Ruane.

Total Votes	93	Total Ayes	53	[57.0%]
Nationalist Votes	35	Nationalist Ayes	9	[25.7%]
Unionist Votes	49	Unionist Ayes	44	[89.8%]
Other Votes	9	Other Ayes	0	[0.0%]

Question accordingly negatived (cross-community vote).

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

New Clause

Mr Deputy Speaker: We now come to the second group of amendments for debate. With amendment No 2, it will be convenient to debate amendment Nos 3 and 7. Those amendments deal with allowing Magistrates' Courts to operate on Sundays in exceptional circumstances.

Mr Ford: I beg to move amendment No 2:

After clause 12 insert

"Criminal proceedings on Sunday

Criminal proceedings on Sunday

12A.—(1) *Section 7 of the Sunday Observance Act (Ireland) 1695 (which prohibits the service or execution on a Sunday of any writ, process, warrant, order, judgment or decree, except in certain cases) and any rule of law preventing or restricting the holding of a court on a Sunday do not apply, at any time when this subsection is in operation, in relation to—*

(a) the holding of a magistrates' court for the purpose of exercising any criminal jurisdiction; or

(b) anything done in the course of, or in connection with, the exercise by a magistrates' court of any criminal jurisdiction.

(2) Subsection (1)—

(a) comes into operation on such day as the Department may by order appoint; and

(b) ceases to be in operation one month after that day.

(3) The Department may by order made at any time when subsection (1) is not in operation provide for that subsection to come into operation again on such day as is appointed by the order.

(4) Where subsection (1) comes into operation on a day appointed under subsection (3), it ceases to be in operation one month after that day.

(5) An order under subsection (2) or (3) requires the approval of the First Minister and

deputy First Minister acting jointly; and no such order shall be made unless—

(a) the Chief Constable has requested the Department to make the order; and

(b) the Department, after consulting the Lord Chief Justice, is of the opinion that such exceptional circumstances exist as to justify the making of the order."

The following amendments stood on the Marshalled List:

No 3: In clause 14, page 13, line 36, after "subsection (2)" insert

"and section (Criminal proceedings on Sunday)".— [Mr Ford (The Minister of Justice).]

No 7: In the long title, after "judiciary" insert

"; and to permit criminal proceedings on Sunday at certain times".— [Mr Ford (The Minister of Justice).]

Mr Ford: I will also speak to the consequential amendment Nos 3 and 7. Amendment No 2 is the substantive amendment that will allow Magistrates' Courts to sit on Sunday in exceptional and strictly defined circumstances, in particular, to deal with any severe disruption that might arise in and around the upcoming G8 conference in Fermanagh in June. Amendment No 3 includes the substantive amendment into the commencement provisions and allows commencement by order of the Department. Amendment No 7 will reflect the substance of amendment No 2 in the long title of the Bill.

7.00 pm

The G8 conference attracts many people who want to get their point across, and the great majority do so within the law. But we know from the experience in other countries that we need to be ready for the very real public order issues that may ensue. For example, eight years ago in Gleneagles, 350 people were arrested on the first day alone. If significant numbers of public order offences were to be committed at the G8 conference, we would need to ensure that our court systems could operate swiftly and effectively. I am sure that Members will agree that it will be essential that, during the G8 conference, our policing and court systems operate smoothly in the eyes of the world.

Under current law, anyone arrested on a Saturday for a summary offence is held in police custody right across Sunday for appearance at a Monday court. That is because, at present, Sunday courts operate only in limited circumstances. The law governing Sunday court arrangements is quite old, dating back to the Sunday Observance Act (Ireland) 1695 — in section 7 to be precise — and, effectively, permits business to be done only for cases involving indictable offences, breaches of the peace and acts of treason.

Summary offences, particularly public order-type offences which might arise at the G8 conference, are subject to the weekend limitation and cannot be brought to a Sunday court. Those can be quite serious offences, and many summary offences can attract up to six months' imprisonment. Therefore, we need to be able to bring those public order offences to court swiftly if any such exceptional circumstances were to arise. That is what amendment No 2 seeks to achieve.

International experience from previous G8 conferences indicates that, during these events, there can be increases in public order offences being committed by protestors. Public order offences such as riotous or disorderly behaviour and obstructive sitting and so on are a feature of such protests and, under current law, any such offences committed at a weekend could not be brought to court on a Sunday.

The PSNI has expressed a concern to me that, were significant public disorder to occur over a weekend during an event such as the G8 conference, it needs to be able to quickly move offenders from police custody and into the courts. Police custody facilities may be stretched as a consequence of being unable to present offenders before a court on a Sunday and amendment No 2 is designed to allow that Sunday sitting to happen.

If, for example, police cells were full on a Saturday evening, the police could bring those offenders to court the next day for possible remand into prison or release on bail. Police cells would then be freed up for any other arrests that might need to be made. There may be similar situations in the future and we need to be ready for such possibilities and to have our policing and courts legislation in alignment.

The proposed new clause will amend existing legislation and grant my Department an order-making power to permit Magistrates' Courts to be convened on a Sunday in certain circumstances.

I recognise that no one wants Sunday courts to become the norm; therefore, four specific conditions will need to be satisfied. First, the Chief Constable would need to make an application to my Department that a Sunday court was necessary. Secondly, my Department would then consult with the Lord Chief Justice. Thirdly, my Department must be satisfied that exceptional circumstances exist. Fourthly, the approval of the First Minister and the deputy First Minister acting jointly is needed before a Sunday courts order can be made. That is the proposed process.

The Sunday court would be able to deal with criminal matters only — not civil business — and the order would allow courts to sit on a Sunday for a one-month period. The order would automatically lapse one month after it had been signed.

Amendment No 2 gives the opportunity for other such orders to be made were other exceptional circumstances to arise. If, for example, significant and exceptional circumstances were to arise — the PSNI has suggested that the World Police and Fire Games might be worth planning for — then the power may need to be deployed again. The new provision — clause 12A(3) specifically — provides for this to cater for any future options.

However, I must stress that this is not a power that I would see being used on any sort of frequent basis. It is not my intention for Sunday Magistrates' Courts to become any sort of routine arrangement. Neither the police, the courts, the prosecutors, the Prison Service nor the judiciary, all of whom have been involved in the development of this proposal, would wish to see that.

As I stated earlier in the debate on amendment No 1, I acknowledge that it has not been possible to consult on this particular issue, but I believe that a request from the Chief Constable, with the agreement of the Lord Chief Justice, that requires us to act speedily on the only legislative vehicle that is available, should be accepted on the basis of need and the minor change to the operation of certain courts when other courts are available on a Sunday if necessary.

That is why there is the range of checks and balances in the provisions that I have made, the "quadruple lock", with which any application for a Sunday court must comply.

I remind and reassure Members that Sunday court sittings are not entirely novel. In certain circumstances — for example, serious or

indictable matters — courts already sit occasionally on a Sunday. They do not do so often, but they can and do, if needed. So there is nothing intrinsically new in such a practice. My amendment simply widens that slightly to allow, for example, for a major function such as the G8 to be properly managed, if that is needed. I seek the support of the House to introduce those limited changes via the Bill.

Mr Givan (The Chairperson of the Committee for Justice): The Minister has covered most of the issues. He addressed the issue of consultation, but the fact that this amendment was not publicly consulted on shows hypocrisy. It was approved through an urgent Executive procedure, which holes below the waterline the Minister's earlier flawed analysis, which he gave as a reason to oppose a reasonable amendment that a majority of Members supported.

That said, this party acts responsibly and takes the issue seriously. At the request of the Chief Constable, we recognise that, in cases of urgency, this is a reasonable request. However, we wanted to be clear that this was not a circuitous route that the Minister was taking to deal with flag protesters. When members of my party met the Chief Constable, we asked him whether he needed courts to be open on a Sunday to deal with the G8. Although he did not deny it, he seemed surprised that that was the only reason being put forward by the Department of Justice. So, because this did not seem to reflect the Chief Constable's thinking, we built in a mechanism whereby the First Minister will have a veto so that the power will never be abused, if that was ever the Department's intention. We will not oppose the amendment tabled by the Minister, but we have ensured that we have a veto to prevent its abuse.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. I will speak in support of the amendment and its provisions being used in the very limited circumstances set out by the Minister. I think that the quadruple lock that the Minister talked about provides protections. The basis on which we accept the need for this is that the best standard of any judicial process or human rights ensures that a person is detained for the shortest possible time, and the provision for courts to sit on a Sunday in certain circumstances reflects that.

The Chair, Paul Givan, talked about consultation, but sometimes you have to compare apples with apples and oranges with oranges. When the Chair tabled an amendment on the repeal of the offence of

scandalising the court, we all accepted that it was not the greatest or the most major legislation. Even trying to liken this move to our earlier debate does a disservice to that debate. I think that the Minister has accepted the need for consultation, and perhaps he will make a commitment that, if there are any circumstances that need further examination, he will ensure that there is proper consultation and come to the Committee with that, as appropriate.

Mr Dickson: I will also be brief. I just want to say, on behalf of the Alliance Party, that I am happy to support the changes.

Mr Allister: I have three observations to make. First, it is quite clear that, for decades, although we were passing through what were at times very intense periods of public disorder, we demonstrably did not need this facility. That leaves one wondering why, if, for 40 years of civil unrest, off and on, we did not need this facility, we suddenly need it now.

Secondly, we have the facility, when there are serious or indictable matters to be dealt with, for courts to sit on Sunday. So, if we have a fear of serious disorder, the facility already exists.

So far, I have not identified the urgency, nay the necessity, to do what the Minister wants to do.

The third point is this: if this is merely a precautionary measure in preparation for the G8 and the anticipation that there might be mass arrests, why does the provision contain repeat provisions whereby, when the G8 is long gone, it can stay with us in perpetuity, constantly renewed? If it is about only the G8, why is there not simply a sunset clause whereby it runs out? Why is there this necessity to make it in perpetuity but by another name, that of constant repeat applications? If, as Mr Givan said, the Chief Constable is somewhat surprised that he is being credited with this demand, it leaves one wondering why the Minister is bringing this proposition. Are there other reasons behind it, with the G8 merely an excuse? The Minister has some questions that he needs to address.

Mr Elliott: Mr Deputy Speaker, thank you very much for the opportunity to speak. The courts are already able to sit on Sundays to deal with indictable offences, where someone is accused of an offence that may be tried in the Crown Court. Indictable offences include common law riot and common law affray. Those are the sort of offences that arise during serious public disorder and, therefore, are already catered for

under existing provisions. So, I question the reasoning and the need for this at this stage.

If the courts are able to sit on a Sunday for all but less serious summary-only offences and you want them to be able to sit on a Sunday for those less serious summary-only offences, you must want to charge suspects with lesser offences. It concerns me that there may be an intention to charge people with less serious offences than would be possible on a more serious charge. It is time-bound for a month, and there are very significant difficulties with getting it in place, if they want to do that. They obviously have to go through the First Minister and deputy First Minister acting jointly. Clearly, the Justice Minister also has to have a role, and the Chief Constable has to consult with the Lord Chief Justice. It is a very convoluted process. God help us if some of those people are away on holiday or on a break on that Saturday. I do not think that it would happen.

We are willing to support the amendment. However, I would like the Minister to give us an assurance that he will conduct an overall review of these aspects and possibly take the opportunity, in the near future, to see if there are any better ways and better mechanisms by which to do this. I would like assurances from him now that people will not be charged with less serious offences than they could be at present.

Mr Ford: I am grateful to the Members who have made such brief and precise contributions to this element of the debate. I have no doubt that one who has just arrived will wish to intervene at some point to get his matter on the record. I suppose that I should also be grateful that, on this occasion, I am accused only of hypocrisy by the Committee Chair, given all that was said earlier today. I am grateful for the general support.

To be serious, I believe that there is a recognition around the House that this is being brought forward because there are specific circumstances relating to the G8, and possibly the World Police and Fire Games, that need to be addressed. I am very happy to give an assurance to Mr McCartney and Mr Allister that there will be proper consultation on similar issues in the future, where time permits. I am certainly prepared to consider whether it is necessary to look at a review, as suggested by Mr Elliott.

7.15 pm

I will deal with some of the substantive points that were made. Mr Allister said that we did not need such legislation for decades, which, to some extent, goes along with the points that Mr Elliott made about offences that are indictable as opposed to merely summary. However, the reality, as was seen at Gleneagles eight years ago, is that a very large number of people can be arrested simply for disorderly behaviour or obstruction: some of the offences that are summary only. That is the key problem that the police may have to address.

Frankly, many of those people may come from outside this jurisdiction, and we may need to seek to deal with them speedily. I am not sure that people who travel from outside will necessarily want to spend their time sitting in the sun in the Fermanagh countryside waiting two or three days, or even a fortnight, until their case comes to court if they had come a distance to make their protest, and that is why we need to ensure that courts are in a position to act speedily. It is not an issue that indictable offences cannot be covered. The issue is that there could be significant numbers who are merely charged with summary triable offences.

There is a question about whether there is a legitimate need and whether there is an issue with future activity, and I certainly believed that a request from the Chief Constable, supported by the Lord Chief Justice and an assessment from the Department, was a very adequate triple lock. The decision has been taken, following representations by the Executive, that there should be a quadruple lock that also involves the First Minister and deputy First Minister, and I have no doubt that they would respond appropriately if they believed that there was a genuine need for such a provision in a case made by the police with the support of the Lord Chief Justice.

Whilst we hope we will not need to use this law, we know that it will be available, if this is passed, should we need it. It would not become a matter of routine but would be there for potential use in the case of large-scale disorder in and around G8, where the situation is somewhat different from what we may have seen during years of troubles, when there may have been street rioting but not necessarily where large numbers of people could be arrested in a short period of time, as was the case at the G8 eight years ago and as has happened in other countries since then.

I thank the Members who expressed their support, whether slightly qualified or otherwise, and commend the amendments to the House.

Lord Morrow: Will the Minister give way?

Mr Ford: I had not quite finished commending the amendments to the House. In the interests of generosity, I will give way to the Lord Morrow.

Lord Morrow: I thank the Minister for that. When I got sight of the amendments and what the Minister intended to do, I wondered about the effects. The issue has been raised by Mr Allister. Can the Minister tell the House this evening whether the changes are now in perpetuity or are for a temporary period? Is it to cover the G8 summit and then to cease after that or will the changes be permanent once they are made today?

Mr Ford: I am happy to supply that clarification. The change will be a permanent change to the law, but, on any occasion on which the powers were used, they would only be available to be used for a four-week period. They would lapse at that time and cannot be renewed during their currency. I commend the amendments to the House.

Amendment No 2 agreed to.

New clause ordered to stand part of the Bill.

Clause 14 (Commencement and transitional, etc. provisions)

Mr Deputy Speaker: Amendment No 3 has already been debated and is consequential to amendment No 2.

Amendment No 3 made: In page 13, line 36, after "subsection (2)" insert

"and section (Criminal proceedings on Sunday)".— [Mr Ford (The Minister of Justice).]

Schedule 3 (Amendments: fingerprints, DNA profiles, etc.)

Mr Deputy Speaker: We now come to the third group of amendments for debate. With amendment No 4, it will be convenient to debate amendment Nos 5 and 6. Amendment No 5 seeks to ensure that an order governing the procedures of the commissioner for biometric material will be subject to affirmative resolution by the Assembly. Amendment Nos 4 and 6 are technical amendments.

Mr Ford: I beg to move amendment No 4: In page 31, line 20, leave out "under a disability" and insert "unfit to be tried".

The following amendments stood on the Marshalled List:

No 5: In page 31, line 34, leave out paragraph 5 and insert

"5. In Article 89 (orders and regulations) after paragraph (2) insert—

'(2A) An order under Article 63D(5)(c) shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.'— [Mr Ford (The Minister of Justice).]

No 6: In page 31, line 37, leave out "(b)" and insert "(c)".— [Mr Ford (The Minister of Justice).]

Mr Ford: This final group of amendments on DNA and fingerprints all consist of minor changes to schedule 3 to the Bill, which itself makes amendments to various statutes consequential on the implementation of the new retention framework.

The first amendment is simply a change in language, the need for which was identified by legislative counsel when drafting other amendments. The change is to the new article 53B of PACE, set out in paragraph 3 of schedule 3, which describes the categories of individual who will be treated for retention purposes as having a conviction, allowing their material to be retained indefinitely. This includes persons who have been confirmed as having committed the offence in question but will not be found guilty in a court because they are unfit to be tried. That is the language that a court in Northern Ireland would use, however the Bill as introduced used the language of a court in England and Wales referring to the person being "under a disability". Amendment No 4 corrects that error.

Secondly, Members who attended the debate at Consideration Stage will recall that I tabled amendments aimed at complying with the wishes of the Examiner of Statutory Rules that the prescribed circumstances be set out in the Bill rather than in an order. Those amendments were the subject of a petition of concern, so, in the event, I did not move them, and the Bill remains as introduced, with an order-making power to be exercised by my Department. As the Bill stands, such an order would be subject to the negative resolution procedure. In light of the comments of the Examiner, I have decided instead to make it subject to the affirmative

procedure, and amendment No 5 revises paragraph 5 of schedule 3 to that effect. This does not go as far as the Examiner would have wished, but it will require that such an order be debated on the Floor of the Assembly and, I think, represents a reasonable compromise in the circumstances.

Finally, amendment No 6 corrects a typographical error in paragraph 6 of schedule 3. Various other statutes contain references to both the PACE retention framework and that in the equivalent legislation in England and Wales. The purpose of paragraph 6 is to update one such statute, replacing references to the previous retention framework with corresponding references to the new framework. However, as introduced, it refers to the England and Wales legislation rather than our own, and the amendment simply corrects that. I seek Members' support for these three minor amendments.

Mr Givan: I have already stated the Committee's official view on a lot of these things, so I will not repeat them. I have no difficulty with the amendments that the Minister has tabled. I have only one question. Obviously, the affirmative resolution procedure is the result of a petition of concern that was going to block those amendments. Can the Minister advise whether that affirmative resolution procedure will be subject to a petition of concern? If it is, even though this is the compromise, it may well never come into reality because, if it was used previously, what is to stop it from being used in the affirmative resolution? Therefore, it will not have an impact. We will support the amendments.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. As the Minister and the Chair have outlined, these are technical amendments. Notwithstanding the other issues that we have articulated around the wider aspects of the Bill, we will support the amendments.

Mr A Maginness: On behalf of the SDLP, I support the amendments.

Mr Dickson: I support the amendments.

Mr Wells: This is almost becoming farcical. It is clear that there is cross-community and cross-party support for what the Minister is trying to do. Therefore, I do not see much merit in all of us standing up and saying the same thing.

Mr Ford: I am sure that the House is delighted to know that Mr Wells was capable of using different words from everyone else while saying the same thing. I am grateful that, when we get to this point in the evening, we seem to get unanimous support for some relatively straightforward things.

The only substantive point was the one raised by Mr Givan on whether a petition of concern could be applied to an affirmative resolution. Far be it from me to advise the Chair on proceedings in this House, Mr Deputy Speaker, but my understanding is that a petition of concern could be applied to an affirmative resolution or, indeed, to a negative resolution, if brought to the House by the Committee. The issue will be to see whether it is possible to get agreement around appropriate changes. However, I am grateful that, substantively, we have agreed round the House on the minor tweaks that need to be addressed in the legislation.

Amendment No 4 agreed to.

Amendment No 5 made: In page 31, line 34, leave out paragraph 5 and insert

"5. In Article 89 (orders and regulations) after paragraph (2) insert—

'(2A) An order under Article 63D(5)(c) shall not be made unless a draft of the order has been laid before, and approved by a resolution of, the Assembly.'— [Mr Ford (The Minister of Justice).]

Amendment No 6 made: In page 31, line 37, leave out "(b)" and insert "(c)".— [Mr Ford (The Minister of Justice).]

Long Title

Amendment No 7 made: After "judiciary" insert

"; and to permit criminal proceedings on Sunday at certain times".— [Mr Ford (The Minister of Justice).]

Mr Deputy Speaker: That concludes the Further Consideration Stage of the Criminal Justice Bill. The Bill stands referred to the Speaker.

I ask Members to take their ease for a few seconds.

Motion made:

That the Assembly do now adjourn. — [Mr Deputy Speaker.]

Adjournment

Woodlands Language Unit

Mr Deputy Speaker: The proposer of the Adjournment topic will have 15 minutes. The Minister will have 10 minutes to respond, and all other Members who wish to speak will have approximately five minutes.

Mr P Ramsey: Thank you, Deputy Speaker, and I thank the Business Committee for agreeing to this Adjournment debate.

I urge the Education Minister to intervene and categorically reject development proposals 233-236 of the Western Education and Library Board. In essence, those development proposals will close the fantastic Woodlands Language Unit at Belmont House School in my constituency and split the specialist service into six classes: two will be sited at St Anne's Primary School, two will be at Ebrington Primary School and two will be at Ballykelly Primary School.

I cannot speak highly enough of the wonderful staff and the dedicated facility currently at Belmont. The unit at the school has truly become a haven and a place of remarkable success and advances for the young people who attend and their families. The speech and language unit at Woodlands caters for pupils with specific language impairment that affects between two and three pupils in every classroom. The impact on the speech and language of a young person can be profound. They can be perceived as misbehaving at school when their communication skills are not developed to a level where they can understand instruction. That, in turn, affects their self-esteem, which can be devastating for many at such a young age. These young people are regularly perceived or, indeed, diagnosed as having social, emotional or behavioural difficulties. It can also affect their ability to interact with their peers. According to research, these children are less likely to complete secondary school and more likely to experience long periods of unemployment during adulthood.

Significantly, the impact on mental health can, unfortunately, be severe. Those adults who are

affected are also 50% more likely to develop depressive and anxiety disorders.

7.30 pm

That was the focus of the all-party parliamentary group on speech and language difficulties at Westminster at the end of February, when it supported the outcomes of the better communication research programme funded by the UK Department for Education. The programme identified that communication difficulties have a knock-on effect on school readiness, literacy and school performance, and put children at risk of a wide range of long-term consequences for literacy, mental health and employment. We owe it to our young people to have services in place that avoid those outcomes for them. Woodlands is that service.

I want to refer to the consultation response submitted to the Department of Education by the Royal College of Speech and Language Therapists, which has been doing sterling work for a considerable time in supporting parents and children locally and beyond. The college's response states clearly that children with speech and language impairment:

"need speech and language skills to be taught and this requires a communication environment that is attuned to their communication needs".

Having visited the Woodlands unit on many occasions and met parents and staff, I can say that it is the perfect environment and meets the needs entirely, holistically and uniquely, of all the children involved. The unit caters for 40 P1 to P4 children with speech and language impairment. The majority of those are at stage 3 of the code of practice, and 5% to 10% are statemented across Key Stages 1 and 2. Crucially, and more importantly, in going forward in a shared future, the unit is non-denominational, catering for Catholic and Protestant children in a respectful and therapeutic manner, integrated at an early age, which we would all aspire to.

The children attend the unit four days a week and attend their own primary schools on Fridays. A unique feature of the children who attend Woodlands is that they wear their own uniform, which fosters inclusivity and aids in embedding that young person in the unit as well as their own primary school. Four classrooms provide for a maximum of 10 children in varied teaching groups ranging from P1 to P7 but in

appropriately matched age groups, a point that I will come back to.

I want again to quote from the Royal College of Speech and Language Therapists' response on the features of the accommodation available at Woodlands:

"The building offers speech and language therapists the opportunity to work alongside teachers in the classroom setting, deliver small language group work and provide intensive speech and language therapy on a one to one basis. Dedicated speech and language therapy rooms enable children with the most complex needs to be withdrawn for individual work in a quiet location away from classroom distractions. The single central site reduces the need for duplication of assessment tests and SLC resources and means that the speech and language therapists only travel to one location."

Development proposals 234 and 235 respectively — that is, to move two classes to St Anne's Primary School and two to Ebrington Primary School — constitute, in the words of the experts at the Royal College:

"a closure of the language unit and not a relocation, as the proposed provision will not replicate existing services for the children and will not provide similar accommodation for the speech and language therapists".

What could be clearer than that?

As for the resources and accommodation available at St Anne's and Ebrington — two fine schools in our city — the Royal College of Speech and Language Therapists shares my concerns, and those of the parents and staff, about the available resources at those proposed locations. We know that a dedicated unit with a range of facilities is working wonders for the young people who need them, but what is not clear is the ability of the other sites in the other schools to provide that same service.

It must also be said that parents have approached me, having been greatly distressed that speech and language services for young people have, in some circumstances, taken place in a corridor. That is simply not acceptable, and it is entirely inadequate, when one looks at the Royal College of Speech and Language Therapists clinical guidelines on working environments. Crucially, the Royal College of Speech and Language Therapists raises concerns about the impact that new classroom configurations could have.

Working with young people who are grouped according to their primary school classes in groups of primaries one, two, three and four together and primaries five, six and seven together, as is planned, will:

"place additional linguistic demands upon a P1 child with SLI. P1 children without speech and language difficulties are generally not expected to cope with the demands of starting school in a mixed age group class."

They would be out of their depth, Minister. They would not be able to contend with it, particularly since a lot of the children have autism as well.

The Royal College of Speech and Language Therapists has made it clear in its response that mixed-age group classes will have a negative effect on the outcomes for children, and that is what we all should be mindful of.

Point 36 in the response quantifies the difficulties facing young people in the proposed new set-up. To summarise, children may be expected to cope with three different educational environments in the planned provision: their local school on a Friday; language class on one of the two proposed sites; and the mainstream class on the other two sites. That would be a burden for any young person, let alone those with clearly defined communication difficulties.

Proposal 236 on allocating two classes to Ballykelly is welcomed by the Royal College of Speech and Language Therapists. I welcome the opportunity to widen access to speech and language therapy services, but I share the concerns of parents that it will be a watered-down service. It will be reduced provision, as there are no plans for specific on-site resources at Ballykelly. That will mean that therapists will have to travel and might have no specific space allocation at the school. We know how that can affect the children. As such, that needs to be looked at again. I say that in the context of continuity and consistency of service and having the same speech and language therapist providing that service and training to a young person. A child could be looking at a different speech and language therapist every week. They would not know who was going to be attending them.

I will, if I may, deal with the idea that is being put to many parents of children in Woodlands. It has been put to them that Woodlands is in breach of the law and, as such, should be brought into line. We privately had a meeting

with the Minister on that last year. It has been said that children who are not statemented should not be in the confines of a special needs environment. I think that that is wrong, and, Minister, I think that you have it within your gift to change that going forward. Language units exist on similar special school sites across Northern Ireland in two other areas, and they are not being threatened by closure. Those schools are Killard House School and Harberton school. There is no threat that children who are not statemented will go to those schools or that that unique service is going to close down.

In touching on the Children's Order, I also want to put on record the distress that has been caused by the way in which the Western Education and Library Board (WELB) has dealt with this hugely emotive issue in my constituency. It is most important that the Minister hears that. It is simply unacceptable to me that we are asking parents to put their trust in the WELB to provide appropriate services for children that are anywhere nearly as good as those provided in Woodlands and that we are asking them to simply take the board's word for it. I am not prepared to take the board's word for it. I have found the communication that I have had with the board to be abrasive and cold. I am sure that that is not what the Minister expects from senior officials. It is certainly not what I expect for those families. Hopefully, today will mark a turning point in that attitude.

I place on record my gratitude, and the gratitude of all the children and parents, to the staff at Belmont and the language unit for their professionalism, dedication and support. They have passed the baton to us all in the House to give them the opportunity to preserve the haven that has been created in the city of Derry. I am reflecting and representing the parents in particular here today. Woodlands should not be closed; it should be built upon. Every school should have a Woodlands. Then, and only then, will we prioritise those children who are in need of communication support, and not rigid legislative provisions.

I am sure that we do not aim to strip our city of its single unit, which is much loved by the children and which has become a beacon of trust for families the length and breadth of the constituency and the north-west.

The widely cited Bercow review into speech and language therapy services in the UK concluded that the current service for providing support to children and young people with speech, language and communication needs is routinely described by families as a "postcode

lottery". It is our duty to ensure that that fate does not befall the families and children who use Woodlands or, indeed, any other specialist unit of its kind. Of particular interest is the report's observation that the requirements of children and young people with speech, language and communication needs and their families:

"will be met when, and only when, appropriate services to support them, across the age range and spectrum of need, are designed and delivered"

through what can be described only as a "continuum" of universal targeted and specialist services that are delivered by an appropriate specialist team of skilled and supportive workers.

In conclusion, the strength of feeling on the issue has been put to the Minister in the public petition that I submitted in the House almost a year ago to the day; it was signed by over 20,000 people in my constituency and the area that is served by Woodlands. We cannot ignore that. I invite the Minister to join the campaign to save the Woodlands speech and language unit and not only reject the development proposals but make changes to legislation so that no other community has to endure the stress and fear that people in Foyle have had in seeking to defend their children's much needed services.

In finishing, I want to quote the Minister of Education, John O'Dowd. He said:

"I am not against change if it makes sense. As the Minister responsible for education policy here, I am determined to make decisions that are in the best, long-term interests of learners."

I ask the Minister now: what is in the best interests of learners at Woodlands? It is the retention of the Woodlands centre. I appreciate that the Minister will meet a delegation with parents in April 2013. However, I urge him again to reconsider that project. Parents throughout my entire constituency and the north-west are championing the centre now because its service is so good.

Ms Maeve McLaughlin: I also welcome the opportunity to speak on this important topic. I want to put on record the contribution that the teachers, staff and, indeed, parents have played in Belmont House school and the Woodlands unit.

There is no doubt that speech and language provision plays a vital role for many children and young people throughout our communities and constituencies. There can be no doubt of the benefit of the provision to the lives of many children. Recently, I attended an event in the House on the benefits of speech and language therapy. Some of the young people had come through the Woodland unit, and the benefits to them were abundantly clear for everybody to see. The talents and achievements of those young people are the result of direct speech and language interventions.

As has been stated, the children who attend speech and language classes at Woodlands are enrolled in mainstream schools in the north-west and attend the facility, as has been pointed out, four days a week. They generally do not have statements of special educational need. I know that the proposer has given his view on the regulations. Children who do not have statements should not access the majority of their education under the management of a special school. That is reflected in legislation, although we can discuss the rights and wrongs of that. However, library boards and schools have a duty to comply with the legislation. As has been pointed out, the issue is subject to consultation. In any decision, as I am sure Members will agree, the needs of children must be paramount.

I am aware that the Minister — hopefully, he agrees with me — is due to visit the unit on 13 March 2013. I am sure that, like many, many decisions that have been taken in and around education, this decision or view will be based on the principle of equality of education for all.

7.45 pm

I call on people to exercise their right to respond to the consultation. I look forward to the conclusion of that process. What is clear is that any decision must be taken on the basis of enhancement of provision, with the child taking centre stage. As with many debates in education, this must not become about buildings, schools or facilities. It must be about proper and effective delivery for the child.

I welcome the focus from the Department, which I long to see throughout a number of Departments, on early years and early intervention. I also welcome the recent announcement about the nurture units, including one in Holy Family Primary School and one in St Brigid's, which affects our city and many others. It is important to point out that those involved in that lobby were very clear that that was not about the location of the facility but

about the quality and provision of service, which, in my view, is an important lesson.

One thing is very clear from the recent child poverty report and the statistics for the Foyle constituency: there is a clear link between poverty and educational attainment. We must, therefore, ensure that processes such as speech and language provision and early intervention programmes are targeted and are outcome-based for all our children and young people. Go raibh maith agat.

Mr Hussey: I apologise for arriving late, Mr Ramsey. I am not as quick on my feet as I used to be. As you can see, I represent two constituencies for the Ulster Unionist Party: West Tyrone and Foyle. There are those who say that I am big enough to represent two constituencies, so here I am again this evening. I always like the opportunity to debate items affecting the city of Londonderry and beyond.

I begin by congratulating Mr Ramsey on bringing this matter to the House this evening. I have spoken to several of my colleagues in Londonderry, and there is no doubting the strength of feeling about the fact that the service at Woodlands language unit has been provided to a very high standard. The unit is currently located in the grounds of Belmont special school in Londonderry. Again, I met those young people when they were here that day as well, and I have to say that it was an honour. Their love of life was there for all to see.

The current plan is to relocate the service to three schools, namely Ballykelly, Ebrington in the Waterside and St Anne's in the city side. That, I understand, will increase the availability of the service and allow up to 60 pupils to avail themselves of the service as opposed to the current 40. I understand that, with that increased provision, there will be an increase in the number of teaching staff. Educational psychologists have recommended the provision of such a service in mainstream education and have highlighted the benefits that accrue in respect of language and social skills. The three proposed sites will also benefit the users of the service, and children from the city of Londonderry, Strabane in my constituency of West Tyrone and Ballykelly in the East Londonderry constituency will benefit from the proposed changes.

Having read the proposals, I personally commend them, as I see the need for an expansion of the service for pupils with additional needs. Pupils from outside the city — again, I note that only 50% of those who

currently benefit from the service are from the city of Londonderry — will have greater accessibility, and there will be less disruption to their participation. Pupils from the city itself will also benefit from the proposed expanded service. Benefits from contact with mainstream education are a matter of record that is supported by research. There are models of good practice in the city that have been commended by the Education and Training Inspectorate (ETI) in the recent past, such as the work undertaken in Lisneal College.

According to the Education Minister, John O'Dowd, the location of a specialised language unit in Londonderry is unsuitable due to the Western Education and Library Board's (WELB) current policy of providing support for children with linguistic disorders in mainstream primary schools. He might not have said "Londonderry" when he said that, but I am sure that he really meant to.

The proposed changes, in my view, enhance the service that is available. It extends the service from one school located in the city side of Londonderry to schools in both the city side and the Waterside areas, with further provision in Ballykelly. The number of staff and places is being increased. That, to me, sounds positive, and for that reason, I am happy to support the proposals put forward by the WELB.

I take my only concern from the Royal College of Speech and Language Therapists (RCSLT). Again, it is the accommodation issue. The college states that, without having seen the detail regarding the proposed accommodation for the speech and language therapy service, it can comment only on its concerns. To date, it has not been informed of whether there will be dedicated speech and language therapy rooms. The RCSLT considers that, without dedicated speech and language therapy accommodation, the children will not receive the same level of provision as they currently receive in Woodlands. That is my major concern. Mr Ramsey covered it as well. I agree wholeheartedly that there should be adequate provision to ensure that the children receive the best possible education. That is the main thing.

Mr Ramsey, I congratulate you on bringing this before the House. I am happy to accept the proposals, with the one concern being the accommodation issue.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Like other Members, I thank Pat Ramsey for securing the debate. Although the Ulster Unionist Party does not have an MLA in Foyle, it is well represented by

Mr Hussey tonight, as has been the case in other Adjournment debates.

I think that all of us have, on at least one occasion, visited the school or have been present at a meeting with the school, the parents, the support staff and the children. That is not the issue; we have to restate that it is not about questioning the standards of anyone. As Mr Hussey alluded to, it is all about ensuring that the needs of children have primacy. Everything that we do has to be guided by the best interests of children. Pat Ramsey and Maeve McLaughlin said that we have absolutely no doubt about the key role that speech and language therapists play in the development of children. We have all seen that, either in Woodlands or from our personal experience.

Where there is statutory provision, professionals and educationalists have to be guided by it. We cannot argue for or be part of a process around legislation and guarantee people certain standards and then not be guided by it or feel that there can be another way around it. Whatever way we progress this, we have to remain focused on our ability to ensure that the needs of children remain centre stage. That should never be reduced.

The Minister is in a process of consultation. That will perhaps limit what he can say here tonight. We have to ensure that the statutory provision is adhered to. That means that, whatever decisions are made, it is about the quality of service being at the highest standards possible. Where that or best practice does not happen, it is our responsibility to step in. Mr Hussey quoted the Minister. I have absolutely no doubt that the Minister will be guided by the principle that, whatever we do, it must be in the best interests of children.

Mr Durkan: Go raibh maith agat, a LeasCheann Comhairle. As an elected representative of Foyle and a resident of Derry, I am well aware of Woodlands, the work that it does, and, most importantly, the children it helps.

For years, Woodlands Language Unit has provided speech and language support for children who do not have statements of special educational needs and are enrolled in mainstream primary schools. The dedicated and hard-working staff have helped hundreds of children with their communicative difficulties at a time, it must be said, when the Western Board and trust area has been historically under-provided with speech and language therapists and treatment.

The unit has changed the lives of those children and their families beyond recognition. I know some of those families and have seen at first hand how children have flourished through Woodlands. The improvement in their communication has been matched by improvements in their confidence and all-round demeanour. The service that Woodlands provides is clearly not broken. That is why it makes it difficult to understand the attempt to fix it.

Over the past year, while the axe has loomed over the unit, I have had increased interaction with parents, staff and children.

In fact, it was a Woodlands pupil who won this year's Voice Box joke-telling competition just across the Hall in the Senate Chamber.

All those I have spoken with and listened to just cannot understand the rationale that would see the closure of a unit with such a fabulous reputation and record of delivery. They wonder why, all of a sudden, the unit's location in Belmont House Special School has been considered unsuitable by the Western Education and Library Board. The proposals to effectively split the unit over three sites have caused even greater concern and confusion, not only to those directly affected — the staff, parents and children — but, as my colleague Mr Ramsey has outlined, the Royal College of Speech and Language Therapists. Many people have asked many questions, and it has to be said that there has been a great degree of frustration at the apparent obfuscation of the board locally.

I echo Mr Ramsey's appeal to the Minister to reject the development proposals that have caused and continue to cause such concern and that, ultimately, may increase difficulties for children, particularly through the mixed age group classes. We would love to have seen and heard all-party support for the retention of the unit today. We appreciate the attention that the Minister has given and is giving to the matter. We are hopeful that he will reach the right decision — the right decision for Derry, for the hard-working and caring staff, for parents and, most importantly, for the children at Woodlands now and the increasing number who will need this kind of help in the future.

Mr O'Dowd (The Minister of Education): Go raibh maith agat, a LeasCheann Comhairle. Development proposals (DPs) were published in the week beginning 21 January 2013 for the relocation and extension of the four speech and language classes at the Woodlands unit to six classes at mainstream primary school locations

in the controlled and maintained sectors. I cannot intervene until the development proposals process is complete. I am even limited in what I can say tonight about the development proposals, other than to give the following comments and to assure Members that their comments in the Hansard report from tonight will form part of my deliberations in moving forward.

Publication of the DPs initiated a statutory two-month consultation period, during which any interested parties may make their views known to my Department. As I have said, Members will appreciate that, during this two-month period, I am not in a position to comment on any of the detail associated with the proposals. Nonetheless, I fully appreciate the concerns that parents and local representatives have about the future of the speech and language provision. I also note that there is a divergence of views, even in this debate, about the way forward.

I welcome the views of all interested parties, including those now being expressed by Members. I reassure Members that I am aware of the report by the Royal College of Speech and Language Therapists. I have asked the Western Education and Library Board to provide me with responses to the issues raised in that report, and that will form part of my deliberations when I am coming to a decision on the matter.

As Members will know, I am visiting Woodlands Language Unit tomorrow morning to see for myself the work of the unit and to meet teachers and children attending the unit. As has been said, I have agreed to meet local MLAs and a representative group of parents whose children attend the unit as soon as possible.

I assure all interested parties that my primary concern in assessing the proposals will be the best educational interests of the children concerned. It will not be the needs of institutions. I fully appreciate that all concerned will be keen to learn of my decision on the development proposals, and I will endeavour to reach a decision as soon as possible following the end of the statutory two-month objection period.

I apologise to Members that I cannot say any more on the matter, but I have emphasised that I am in the middle of a statutory process. I have listened carefully to the comments tonight. As I said, Hansard will form part of the evidence that I will deliberate on when making my decision, as will my visit tomorrow and my

discussions with MLAs, parents and children at a future date. Thank you very much.

Adjourned at 7.58 pm.

WRITTEN MINISTERIAL STATEMENT

The content of this ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.

Health, Social Services and Public Safety

Follow-on 2012-15 Bamford Action Plan

Published at 10.30 am on Tuesday 12 March 2013

Mr Poots (The Minister of Health, Social Services and Public Safety): Mr Speaker, I am grateful for this opportunity to make a statement to this Assembly on the important matter of the publication of the follow-on 2012-2015 Bamford Action Plan.

Government Commitment to Bamford Principles

I am pleased to lead on the publication of this Action Plan on behalf of the Northern Ireland Executive. The Action Plan reflects the Executive's continuing commitment to the principles underpinning the Bamford Review and, in particular, the further support for those individuals (and their families) living with a learning disability and/or a mental health need. They are valued as equal members of society and have the same right to public services as any other member of our community.

Background

The Bamford Review of mental health and learning disability law, policy and services was commissioned in 2002 by my Department and reported to the Executive in 2007. The Bamford Review envisaged a 10-15 year window to deliver reforms to mental health and learning disability services. The first phase of the response to the Bamford Review, a cross-Departmental 2009-2011 Bamford Action Plan, has recently come to an end.

In May 2012, following agreement by the Executive, my Department published an Evaluation of the 2009-2011 Action Plan, which established that the joint working across Government Departments and the

Health and Social Care sector had achieved a great deal, and that 80% of the actions had been delivered. It also highlighted areas where services can still be improved, for example:

Local level cross-sectoral working;

A focus on outcomes, rather than outputs;

The ability to effectively monitor and measure achievement; and

Better information on the services available, in ways that are accessible to service users and carers.

Work to address these matters has been taken forward through the development of the follow on 2012-2015 Action Plan, which has been based on the lessons learnt from the 2009-2011 Evaluation, as well as consultative workshops, new research and evidence-based practice and the views of service users and their carers.

We are grateful for the ongoing work of the Bamford Monitoring Group. This is a group of expert people whose membership has equal representation from service users, carers and Patient and Client Council members. They, together with statutory, community and voluntary organisations, have commenced specific work on improving cross-sectoral working. As part of that work, two workshops were held in March 2012. What emerged from these workshops are the key service user outcomes which are now appended to the Action Plan. In addition, a new action seeking to improve cross-sectoral working has been added to the follow-on Action Plan.

Other work being actively pursued by Bamford stakeholders is the availability and accessibility of existing information for service users, their carers and families and how this can be improved. This work will be progressed within the 2012-2015 Action Plan.

I now want to turn to the pivotal importance of leadership, cross governmental and interagency working, in the context of the new Bamford Action Plan.

Leadership and Responsibilities

This Interdepartmental Action Plan places leadership and responsibility for continuing delivery of the Bamford Vision on my Department, DEL, DE, DSD, DRD, DCAL, DETI, OFMDFM and DoJ.

It contains 76 actions. These actions represent both ongoing work carried over from the 2009-2011 Action Plan and new actions arising from stakeholder engagements. The actions within Section B of the Plan are presented under the five main Bamford delivery

themes:

Promoting positive health, wellbeing and early intervention;

Supporting people to lead independent lives;

Supporting carers and families;

Providing better services to meet individual needs; and

Developing structures and a legislative framework

I accept that it is now 10 years since the Bamford Review started its work. Services users, their families and carers and the general public priorities and expectations have changed over that period of time. So too, have services and these continue to evolve in line with changing evidence of effectiveness and new technologies. Issues are emerging now which were not highlighted in the Bamford Review, but nonetheless these also need to be addressed. Such issues and related Actions are contained within this Plan and are set within the broader framework of reform and modernisation, as envisaged by Bamford.

For my own Department, reform and modernisation of health and social care, with a renewed focus on health promotion, early intervention and the provision of services closer to home is part of the proposed Transforming Your Care agenda. The consultation on this reform agenda has just closed but I want to assure you that, as we move forward, I will continue to strive for early intervention, a re-ablement ethos and personalised service provision to enhance the independence of those living with a mental health or learning disability.

As we progress, we need to be sure that we are achieving our aims, and doing the right things, right. Therefore, a focus on continued monitoring and evaluation remains important.

Future Evaluation

Through consultation and ongoing engagement with service users and their carers it has become apparent that the future evaluation of this Plan should be centred on the outcomes that matter to service users and families, rather than outputs.

Bamford stakeholders have ensured that the actions within this Plan are as far as possible measurable, outcome-orientated and, most importantly, in line with service user and carer needs and expectations.

The Interdepartmental Senior Officials Group, in association with the Bamford Monitoring Group, will develop a full Evaluation Model based on the themes identified by service users and their carers. It is envisaged that the future evaluation of this Action Plan

based on the Model will be taken forward by an independent body.

But resources are always an issue and it would be remiss of me not to highlight these constraints.

Financial Implications

Funding across the entire health and social care system continues to be a significant challenge over the Budget 2011-15 period. Pressures associated with meeting the needs of an aging population and the increasing number of people living with disabilities and long term conditions means that all HSC organisations must look to maintain, improve and develop services within the funding envelope provided to us. Indeed, Transforming Your Care will play an important role in achieving this aim. Notwithstanding this, during this budget period, the additional funding for mental health and learning disability services amounts to £9.2m; (£2.8m for mental health and £6.4m for learning disability). This funding is earmarked to continue the resettlement programme.

This contrasts sharply with the financial outlook at the start of the 2009-2011 Action Plan, when much more significant increases in funding were anticipated. The constraints on resources call for a renewed emphasis on reform, modernisation and redesign of the commissioning and provision of existing services and working collaboratively across government and other agencies. However, delivery of specific Actions will be contingent on further financial analysis, resource availability and prioritisation within respective departments.

Conclusion

In concluding I would wish to reiterate that the Executive remains committed to the promotion of independence and social inclusion for those, in our community, who are living with a mental health or learning disability. The modernisation and improvement of learning disability and mental health services, however, will only be fully realised through the commitment not just of health and social care staff, and an inter-governmental and agency approach, but also through the drive of service users, carers and the voluntary and community sectors.

The follow-on 2012-2015 Action Plan reflects a truly cross-cutting agenda, and therefore we need real involvement across all parts of Government in Northern Ireland. Leadership from responsible Ministers will be of paramount importance in order to deliver the full

Bamford Vision for these services.

I believe it is important that Government and those who commission and deliver services continue to be informed and guided by the views of those who use these services in order that we provide the right care, in the right place, at the right time.

Finally, and in closing Mr Speaker, I would like to take this opportunity to thank the many individuals and

groups who contributed to the development of the Action Plan and in particular the Bamford Monitoring Group of the Patient and Client Council for their invaluable assistance.

I commend this follow-on 2012-2015 Bamford Action Plan to the House.



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