

Official Report (Hansard)

Tuesday 21 February 2012
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Northern Ireland Assembly

Tuesday 21 February 2012

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

Members observed two minutes' silence.

Executive Committee Business

Marine Bill: First Stage

Mr Attwood (The Minister of the Environment):

I beg to introduce the Marine Bill, which is a Bill to provide for marine plans in relation to the Northern Ireland inshore region; to provide for marine conservation zones in that region; to make further provision in relation to marine licensing for certain electricity works in that region; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Budget Bill: Further Consideration Stage

Mr Speaker: I call on the Minister of Finance and Personnel to move the Further Consideration Stage of the Budget Bill.

Moved. — [Mr Wilson (The Minister of Finance and Personnel).]

Mr Speaker: As no amendments have been tabled, there is no opportunity to discuss the Budget Bill today; Members will be able to have a debate at Final Stage. Further Consideration Stage of the Bill is, therefore, concluded. The Bill stands referred to the Speaker.

Official Statistics Order (Northern Ireland) 2012

Mr Wilson (The Minister of Finance and Personnel): I beg to move

That the Official Statistics Order (Northern Ireland) 2012 be affirmed.

Members, the Order that comes under your consideration today is part of a wider programme of work implementing the Statistics and Registration Service Act 2007.

The aforementioned Act established an independent United Kingdom statistics authority to promote and safeguard the production and publication of official statistics. The Act defines official statistics as those produced by Government Departments and associated Crown bodies. The legislation also allows the scope of official statistics to be expanded by the introduction of an order specifying statistics produced by certain persons as being official statistics.

The Statistics and Registration Service Act 2007 created a new non-ministerial Department, the Statistics Board, which operates under the name UK Statistics Authority, to promote and safeguard the production and publication of official statistics that serve the public good. The Act extends to Northern Ireland. Under section 6(1)(a) of the Act, all statistics produced by Government Departments, the Scottish Administration, a Welsh ministerial authority, a Northern Ireland Department and other Crown bodies are designated as official statistics.

Sections 6(1)(b) and 6(2) of the Act allow orders to be made by a Minister of the Crown, Scottish Ministers, Welsh Ministers or a Northern Ireland Department to specify other persons as producers of official statistics. The UK Statistics Authority is required to monitor the production and publication of official statistics and to report

relevant concerns to the person responsible for those statistics as defined in section 8 of the Act. At the request of the appropriate authority, which is defined in section 12(7), the UK Statistics Authority must assess and determine whether the code of practice for statistics has been compiled in relation to any official statistics and, if so, to designate those statistics as national statistics.

The designation as official statistics has a number of impacts on producers of statistics. First, the production and publication of the official statistics is subject to monitoring and reporting by the UK Statistics Authority. Secondly, the persons producing official statistics that have not been designated as national statistics are, as a matter of good practice, expected to comply with the standards in the UK Statistics Authority code of practice for official statistics, which sets out the procedures that must be followed in producing and publishing national statistics. Official statistics designated as national statistics require the producers of those statistics to fully comply with the code in order to maintain that designation. Thirdly, the persons producing official statistics must comply with the relevant rules and principles relating to the granting of pre-release access to official statistics as applicable to them and, in relation to the official statistics designated as national statistics, must do so as if these rules and principles are part of the code of practice. Lastly, the person responsible for any official statistics in respect of which an assessment has been made under section 12 of the Act must provide the UK Statistics Authority with such information about the statistics as it may require.

The benefits of being designated a producer of official statistics include a recognised status for the statistics that are produced. It also signals to Government, the Assembly and other users that the statistics are produced to appropriate standards, and it raises the profile of statistics and the importance of quality within the organisation. Furthermore, it clarifies the importance of the statistics for policy use, and it confirms the authoritative nature of the figures.

The Act allows any Minister to bring forward an official statistics order. However, in the interests of making most efficient use of parliamentary time, the Cabinet Office Minister brought forward the UK order on behalf of all Government Departments. In the case of Northern Ireland, I

have brought forward the legislation, as Minister with responsibility for statistics.

The proposed order applies wholly to Northern Ireland devolved statistics, as defined under section 66(4) of the Act. With the agreement of the Cabinet Office, four criminal justice bodies previously listed in the Official Statistics Order 2010, which was brought forward by the Cabinet Office, will now be included in the Northern Ireland order to reflect their devolved status. Targeted consultation was carried out with the bodies included in the order. That was undertaken by senior departmental statisticians who consulted directly with bodies sponsored by their Department.

As required by the Act, the UK Statistics Authority was consulted on the draft order. Ministers were briefed on bodies included from their respective areas, and they are content.

The bodies included in the order are as follows: Agri-Food and Biosciences Institute; Arts Council of Northern Ireland; Chief Constable of the Police Service of Northern Ireland; Council for the Curriculum, Examinations and Assessment; Livestock and Meat Commission for Northern Ireland; Northern Ireland Cancer Registry at Queen's University, Belfast; Northern Ireland Housing Executive; Northern Ireland Library Authority, Northern Ireland Policing Board; Police Ombudsman for Northern Ireland; Probation Board for Northern Ireland; Regional Business Services Organisation; Sport Northern Ireland; and Regional Agency for Public Health and Social Well-being.

The order was considered by the Committee for Finance and Personnel, and no objections were raised. I, therefore, recommend that the Official Statistics Order (Northern Ireland) 2012 be affirmed.

Mr Murphy (The Chairperson of the Committee for Finance and Personnel):

Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. I will not go over what the Minister outlined. His speech held the Chamber in such rapt attention that there is no point in my repeating it. The Committee, as the Minister stated, considered the proposal to make the order at its meeting on 26 October 2011 and had no objection to the policy proposals at that time. The formal statutory rule, which is before the Assembly today, was considered at the Committee's meeting on 1 February 2012, together with the accompanying report from

the Assembly's Examiner of Statutory Rules. The Committee agreed to recommend that the Official Statistics Order (NI) 2012 be affirmed by the Assembly. I, therefore, support the motion.

Mr Cree: It is hard to follow that exciting subject. Is the Minister satisfied that all relevant statistics have been covered?

Mr Wilson: I thank Members for the part that they played in this stimulating debate. Obviously, it has generated wide interest in the Assembly. I welcome Members' remarks and, indeed, the help of the Chairman and members of the Finance and Personnel Committee in carrying out the scrutiny of the order.

In answer to Mr Cree's question, there were extensive discussions with all Departments. We looked at the bodies that are associated with Departments and produce statistics that we deem to be official. All but two of those consulted agreed to be included in the order. Translink and the Equality Commission were the only bodies that decided not to be included in the order at present. However, as I said, there is provision for the list to be extended, and I hope that, eventually, both organisations will come in under the umbrella of the order.

Those were all the issues raised. Therefore, I thank Members for their support and commend the motion to the Assembly.

Question put and agreed to.

Resolved:

That the Official Statistics Order (Northern Ireland) 2012 be affirmed.

Private Members' Business

Indigenous Fish Stocks

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

Mr Swann: I beg to move

That this Assembly notes that a number of indigenous fish species, including salmon, are being exploited by both legal and illegal fishing to the point where stocks are no longer sustainable; calls on the Minister of Culture, Arts and Leisure, in partnership with other relevant Departments and following consultation with key stakeholders, to develop an action plan, which includes actions required by the North Atlantic Salmon Conservation Organization, to improve the sustainability of relevant fish stocks in the forthcoming and subsequent seasons; and further calls on the Minister to work in partnership with all relevant stakeholders to deliver the action plan.

10.45 am

I thank the Business Committee for giving us the time to debate this important issue. This debate is timely, given the recent work in the Committee, the Minister's statements and petitions, letters and lots of lobbying across the country. There are many people who have welcomed the debate, especially those who recognise the serious risk to many fish species in Northern Ireland waters.

Although there has been much focus on the plight of the salmon, it is clear that it is not alone in being taken to the point of extinction. Some may see today's debate and the measures being introduced by the Minister as signs of victory; they are not. It is a disgrace that we as a society have come to the point where we have to debate how close to extinction we are taking salmon or how much we are decimating dollyhagan, pike, pollan and a host of other fish.

In bringing this debate forward, we in the Ulster Unionist Party want to ensure that after today no one is left in any doubt that it is due to the actions of some and the inaction of others that this debate is necessary. We will highlight how we have come to this desperate situation. My party colleagues Sandra Overend and Danny Kinahan, who have both invested a lot of time

in this cause, will further develop the debate to highlight the ecological, environmental and conservational aspects and the missed potential and wasted opportunity through angling tourism in Northern Ireland, which is as important.

I start, not by talking about salmon or nets, as some might have thought I would, but by highlighting the status of another of our iconic species: the Lough Neagh eel. The Lough Neagh eel was awarded the much sought after protected geographical indication status. However, behind that good-news story is the fact that the Lough Neagh eel is under severe threat.

Climate change and other factors far outside the control of this Administration have brought us to the point where the eel population is no longer sustainable. Only by direct intervention, through stocking, and a comprehensive eel management plan overseen by Europe does that fishery still exist. However, that may change, because if the eel management plan does not improve the situation, we may be back here considering the future of that fishery. That is one of the reasons why the entire Lough Neagh eco system is so important. Officials have told us that 20% of the fished biomass can be harvested from Lough Neagh and still leave a sustainable fishery. The problem is that they do not know the starting point, and they can only guess what is being harvested.

In the last financial year, Department of Culture, Arts and Leisure (DCAL) bailiffs found 45,000 metres of illegal nets in Lough Neagh. To give Members some idea of what distance that makes up, it would be the same as running an illegal net from Belfast City Hall to Ballymena town hall. Those are monofilament nets that the fish cannot see, can catch tonnes of fish at a time and cost only a few pounds. That is not a sport, nor is it culture or someone's tradition; it is criminal, and it must be ended. We know that we have a problem in Lough Neagh: we do not know the scale, but an intense effort by the relevant bodies is required to establish a baseline for all the species in the system.

I know that the Minister and others would be disappointed if I did not raise the plight of the salmon. In the Minister's own words:

"Wild Atlantic salmon are in decline, and face the very real threat of extinction. The combined weight of scientific evidence, coupled with the possibility of heavy European fines, shows that continued exploitation of this species – for commercial or leisure purposes – is unsustainable."

However, there is confusion, which the Minister must clear up today with simple, explicit and clear language. I ask the same question as I did yesterday: will she confirm that all DCAL waters and derelict waters will have a mandatory catch-and-release policy this season?

Like the situation with the eels, we did not arrive at this point because of a few nets off the coast or a few anglers catching and killing salmon in our rivers; we are here because of the breakdown in the salmon ecosystem. Once, 30% of salmon that left our rivers returned; now less than 5% do so. That is barely sustainable. Take out the number that are caught, and the salmon will be extinct from our waters in a few years' time.

It is our duty to ensure that we in this place influence the factors that can influence so that we do not drive the salmon population to the same extreme as that of our eels. Just as a few are asked not to net salmon, many thousands of anglers understand that circumstances may dictate that they will never be able to catch and kill a salmon from our rivers again. I have no doubt that the Minister will continue to be lobbied by those with different views, just as previous Ministers were.

It was reported in the 'News Letter' on 8 October 2008:

"I am told on good authority that the netsmen are quietly confident that Mr Campbell will rule in their favour. A formidable delegation from the netsmen to the Minister a fortnight ago was led by Ian Paisley Jr and included North Antrim businessman Seymour Sweeney. They do not expect a decision for some months but they are reasonably confident that their views will prevail and the netsmen will be back in business next year and in succeeding years."

Therefore, Minister, another point that requires clarification is exactly with whom responsibility lies for licences for nets off the coast. Officials told the Committee for Culture, Arts and Leisure last week that they cannot issue them. In a press release on Friday evening, however, the Minister said that the decision had not yet been taken. Will she clarify when she will make the final announcement so that everyone, including the individuals who applied for net licences, can know where they stand?

Mr O'Loan, when in this place, lobbied for the netsman, as did Mr McKay. They argued for the rights of those who hold licences to take fish. Even when told of the perilous status of the species, it appears that people seek to

uphold an absolute right to net the last salmon returning to our rivers. They are not alone. There are those who fish with rod and line who likewise consider that they have the right to take and kill the last salmon returning to our rivers. However, many more enjoy the sport but respect the fact that it is nature's bounty and not man's, and it must be protected.

We hear much about rights across all areas of government on a wide range of topics. Some will seek to make this about rights, but it is not. It is about responsibility — the responsibility to introduce measures that ensure that we pass on to future generations an environment in better condition than that in which we received it.

For those who have heard but still do not understand, listen to the words of a Cree proverb:

“Only when the last tree has died and the last river been poisoned and the last fish been caught will we realise we cannot eat money.”

To clarify, those are the Cree Indians, not Leslie Cree.

There is a saying that success has many fathers but failure is an orphan. Many groups want to be the fathers of the fact that the issue is now so high up the agenda. I am not one of those fathers. Rather, I am more of a midwife bringing the issue to the fore in the Chamber and in Committee. Like a good midwife, however, I will say to all the fathers that the hard work is only beginning and your responsibilities far outweigh your rights.

Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure): As Chairperson of the Committee for Culture, Arts and Leisure, I welcome the opportunity to speak in this important debate and to support the motion.

I will outline some of the discussions that the Committee has had on the conservation of indigenous fish species, particularly salmon. On 12 January 2012, the Committee took evidence from the Ulster Angling Federation. At its most recent meeting, on 16 February, it received briefings from the Department on its efforts to conserve indigenous fish species and from the North Atlantic Wild Sea Salmon Fishermen's Association (NAWSSFA).

The motion calls on the Minister, in partnership with other relevant Departments and in consultation with key stakeholders, to develop an action plan in line with the actions required by the North

Atlantic Salmon Conservation Organization (NASCO) to improve the sustainability of relevant fish stock.

The Committee heard that the European eel stock and wild Atlantic sea salmon are in decline. The eel stock has been in decline since around 1980 and shows no sign of recovery. A number of causes for the decline have been suggested, such as oceanic climate changes, habitat loss, predation, over-exploitation, pollution and parasites. In 2007, the European Commission adopted European eel regulations to establish measures for the recovery of eel stock. The Department set out its plans for conserving eels in three eel management plans that were agreed by the European Commission in March 2010. The Committee understands that the Department will review those plans later this year to ensure that the measures are effective. The Committee looks forward to hearing the outcome of the review.

The Committee is in no doubt that measures must be taken to preserve salmon stocks, as recent scientific evidence suggests that the wild Atlantic salmon is under threat of extinction. The Committee recognises that there are a number of reasons for the decline in salmon but that the main cause is oceanic ecological changes, resulting in low marine survival.

Nonetheless, the Department has asked recreational and commercial fishermen to do their part to halt the exploitation of salmon during the 2012 season by agreeing to voluntary conservation measures in the short term, which will allow the Department time to consult on options to preserve the species.

The Department has told the Committee that, if DCAL does not take urgent action to address the exploitation of salmon, there is a risk that it will be in breach of the EC habitats directive and may be subject to significant infraction fines of up to £350,000 a day. Therefore, doing nothing is not an option.

The Committee believes that the preservation of salmon is paramount. Nonetheless, it appreciates that salmon conservation is a complex and emotive issue, with opposing stakeholder views on the way forward. Therefore, the Committee recognises the significant challenge facing the Department. However, it is imperative that the Department manages these matters sensitively and effectively.

Anglers wish to retain their right to fish recreationally and to further develop the tourism strand of angling. On the other hand, netmen wish to preserve their long tradition for nets fishing. However, both groups recognise that conservation measures must be taken to ensure the sustainability of salmon stock in the long term. The Department must engage in meaningful dialogue with all stakeholders to try to secure their buy-in to the voluntary proposals and to agree on the way forward.

The Committee has heard that the Department cannot issue licences to the netmen, as that would be in breach of the EC habitats directive. The Committee is aware that, ultimately, the decision now resides with the Minister, and it has written to her to ensure that she has a sound and legal basis, should she take that course of action. The Committee also asked the Minister that all measures be explored in a timely, effective and robust manner to ensure that the European Commission does not levy infraction fines on us. The Committee fully understands the wider implications on public services if that were to occur. Further, the Committee has called on the Minister to ensure that all stakeholders in the process are treated equitably and that the conservation measures adopted by the Department are fair, balanced, enforceable, open and transparent.

The Committee understands that the Department will commission research on the stock of other fish species to advise on wider policy and conservation measures. The Committee welcomes that approach and looks forward to hearing the outworkings of that research. I support the motion.

Mr Ó hÓisín: Go raibh maith míle agat, a Cheann Comhairle. Beidh mé ag labhairt ar son an rúin inniu. Thank you. I will speak in favour of the motion.

Over the past few weeks and months, members of the Committee for Culture, Arts and Leisure have been lobbied and presented with a number of opinions as to the future of fish stock, in particular, the Atlantic salmon, which year-on-year and for generations have battled up our rivers to spawn and procreate. That wonder of nature never ceases to amaze and inspire us all. However, it is obvious to all of us and, in particular, to anglers who have witnessed it at first hand, that the salmon population in our rivers is in serious decline. Indeed, as a lifelong angler in both sea and game modes, I have

seen the gradual demise of the salmon stocks throughout the 1980s and 1990s. In the years since, that has been followed by a much more serious and, some might say, terminal decline in fish numbers. That is a major challenge for us all. The strategy that NASCO adopted some years ago was intended to halt the falling numbers, but still they continue to fall.

The fact is that there is no simple solution to the issue, and there are competing and various theories as to how best to approach the matter. There is a raft of reasons for that, and it is easy to point fingers of blame at others. The trials and tribulations of the salmon are many and must be addressed. Those include the destruction of redds through gravel extraction; the needs of habitat enhancement; the removal of traps, groynes and barriers in rivers; the potential introduction of catch-and-release schemes; the reduction of pollution and eutrophication; the removal of escapee fish; and poaching. They also include hydroelectric schemes in rivers; effective management of inshore netting; enforcement on the high seas feeding ground; and last but not least, although some may not agree, a cognisance of climate change and of the shift in oceanic currents. That list is not exhaustive, and exploitation in all its forms must be halted. Recent scientific evidence also points to a decline in natural marine survival.

Therefore, all that points to the need for a collective approach to ensure the survival of the Atlantic salmon.

The Minister asked commercial netmen not to reapply for their licences and recreational anglers to adopt a voluntary catch-and-release policy. In many rivers, including my own, the River Roe in County Derry, responsible and concerned anglers have already unofficially adopted a catch-and-release policy. They must rightly be commended for that.

11.00 am

The half dozen active nets off the north coast and County Down may not be issued with licences this year, but is that enough? We are told that there are 275 active inshore nets in England and Wales and 50 in Scotland. This question must arise: are those nets catching Irish fish, and do those fish come from rivers in SACs in Ireland, thus breaching article 6 of the EU habitats directive regarding mixed bag fish, which is the reason that the nets have been suspended?

We must stop killing salmon and, indeed, other endangered species if there is ever to be a recovery in numbers. Pollan, eels and dollaghan are all getting to critical mass for survival in fresh water. Indeed, the humble trout is no longer as prolific as it once was. At sea, the Atlantic cod is, for many, a scarce commodity. The time has come for all those with an interest in the preservation of our indigenous fish species to come together and work for the benefit and enhancement of our rivers, lakes and waterways. Perhaps a single agency such as DEFRA, as witnessed elsewhere, might be a more prudent way of dealing with all waterways issues, rather than having input from the plethora of agencies that we have at the minute: DCAL, DOE, DARD, the Rivers Agency, the NIEA, NI Water and Waterways Ireland, to name but a few. That does not take into account the riparian owners or, indeed, the absentee landlords who extract tax and contribute very little to the upkeep and enhancement of our rivers and loughs. I am thinking particularly of a small club on the River Bann, which contributes somewhere in the region of £8,000 per annum among 30 members.

Angling is the world's number one pastime and contributes greatly to the economy and the tourism product here. Without fish, that will simply be no more, and future generations should never forgive us for our neglect. A Cheann Comhairle, I support the motion.

Mrs McKevitt: In a previous life, before I entered this Chamber, I was a councillor in Newry and Mourne. We received numerous representations from local fishing clubs on helping to preserve endangered species of fish. Top of that list were concerns about the dwindling number of salmon, unable to make their way back to their birthplace to spawn. To highlight the issue and help promote healthy rivers, many of my colleagues and I took up the invitation to join local club members in stocking the rivers with thousands of trout and salmon fry. We were also involved in a project to reintroduce pearl mussels to fresh water.

As you will be aware, Mr Speaker, Northern Ireland's longest river, the Bann, rises in the Mourne above the Spelga reservoir, flows down through Hilltown to Banbridge and Portadown into Lough Neagh and into the Atlantic Ocean at Portstewart. Thousands of keen anglers along the route of the Bann and every other river across Ireland are owed a debt of gratitude for

the manner in which they maintain our riverbeds and banks, try to maintain stocks and, indeed, provide valuable advice to us politicians. It should also be noted that they do that voluntarily, not because they are remunerated but because they are passionate about the environment of our rivers and preserving stocks.

This issue is one of the most concerning that I have had to deal with since taking my seat on the Culture, Arts and Leisure Committee. We have heard from representative groups, not least the Ulster Angling Federation, which has challenged DCAL policy and the European Union environment directive in Brussels. It did not do so lightly but made it very clear that, for a good number of years, it was not receiving the support from DCAL that it should have been receiving. Its major concerns simply received lip service. I realise that not all the blame can be pointed at DCAL, but it is the Department that issues licences and is, therefore, pivotal in ensuring that our obligations under the EC habitats directive and the NASCO protocols are implemented. DOE, DARD, the Loughs Agency, the Rivers Agency and other key stakeholders have a role, and the motion calls on the Minister to bring all interested parties to the table to develop and deliver an action plan.

Illegal activity must be strongly tackled — excuse the pun. In its area of jurisdiction, the Loughs Agency has seized a substantial number of nets, boats and cars. DCAL needs to get up to speed in dealing with illegal trade. If more resources are needed, they must be provided.

I fully support the motion and emphasise the speed at which things must be progressed. We cannot afford to let stocks dwindle any further. We certainly cannot afford the penalties that might be applied by Europe. Having said that, after receiving a briefing from DCAL officials last Thursday and having listened to representations from netsmen, I have grave concerns about how the issue has been dealt with. I ask the Minister to meet that group as soon as possible.

Mr McCarthy: I thank Robin Swann, Danny Kinahan and Sandra Overend for bringing this important motion to the Assembly. I welcome the opportunity to speak on the matter. We cannot ignore the decline of indigenous fish stocks. I support the motion's call for an action plan. I also welcome the call to work with all relevant stakeholders in the formation and delivery of that plan. It is vital that all

stakeholders are involved in it. The key point that we must bear in mind throughout the debate is that everyone from the Department to local anglers should be involved. All of them would like to halt the decline in fish numbers and see a return to sustainable fishing.

It is regrettable that current policies are failing to prevent the decline in numbers of north Atlantic salmon in particular. Recent scientific data also suggest that, without immediate and effective action, we could be heading for infraction fines for being in contravention of the EU habitats directive. That reminds me of a few weeks ago, when the Assembly talked about the modiolus in Strangford lough and the possibility of infraction fines. Let us hope that we can do something to improve the situation in both areas. In light of that, it is essential that the Minister and her Department take swift action to produce an overarching plan that identifies effective ways to address the issue. As the motion states, it is essential that the drafting of the action plan should involve close consultation with all the main stakeholders and experts. Not only will that ensure that the process is inclusive, it will harness the full knowledge that is available. That takes on added significance because, as far as I am aware, the decline in salmon stocks, particularly during their time at sea, is not fully understood. Although it is easy to blame overfishing as the sole cause for stock depletion, it must also be noted that climate change is thought to play a significant role. For example, rising sea surface temperatures and the subsequent scarcity of food is thought to impact on the number of salmon at sea. Nonetheless, that serves only to highlight the scale of the challenge and the need for immediate action.

The Minister and her Department must take a robust lead and see through the successful implementation of the action plan. I am sure that she will. Again, that must involve the inclusion and co-operation of all relevant stakeholders and experts. The need for a holistic and inclusive approach to that must not be underestimated. The Alliance Party is happy to support the motion. It is a fact that further insufficient action will simply not be enough. The Minister must lead the way in drawing together all those who are in a position to see a return to sustainable numbers. I support the motion.

Mr Irwin: This issue has generated a lot of concern among the fishing fraternity. The matter has

been raised with me on a number of occasions by local anglers and, indeed, anglers from other constituencies. The main area of concern is, obviously, the sustainability of north Atlantic salmon. Indeed, there are real fears about current levels of the species. We know that the Department has been monitoring the situation for some time. Statistics were recorded at Bushmills salmon station that point to a steady decline in returning salmon from 30% in 1997 to fewer than 5% today. That is, obviously, a cause for considerable concern. I agree fully with the motion's call for the need to look at the issue.

Lord Morrow: I thank the Member for giving way. He referred to the salmon stock prior to 1997, which was around 30%. Today, it has declined to around 5%. It raises this question: what has the Department been doing? I know that the present Minister was not in place in 1997, but what has happened between 1997 and today? Is it not ironic that we are begging for action to be taken on a voluntary basis, despite the fact that we have the Fisheries Act (Northern Ireland) 1966? That legislation seems to be inadequate. Why is there no legislation to deal with the present decline in salmon stocks?

Mr Speaker: The Member has an extra minute.

Mr Irwin: I thank the Member for his intervention, and I concur with his concerns on the issue.

I agree fully with the call in the motion to look more closely at the issue. Given the precarious nature of the situation, the directions issued by the Department on catch and release are a reasonable response. However, it must be noted that there is a much more wide-ranging issue at hand, and we must not simply look at Northern Ireland in isolation. Northern Ireland is a member of the North Atlantic Salmon Conservation Organization. Many other countries in that organisation are in the same position and have the same concerns about sustainability. We are talking about a wild fish that travels through a vast swathe of ocean, and international scientific research shows that north Atlantic salmon are, unfortunately, dying at sea at an alarming rate. That is an internationally accepted reality. With that information, we must consider Northern Ireland's position within that wide-ranging picture. Given the concern of local anglers and angling organisations —

Mr Swann: I thank the Member for allowing me to make an intervention. We all accept that the wider ecological problems in the north Atlantic

have a major effect on salmon numbers. Does he agree that that is why we must do all that we can to ensure that the 5% of salmon that return to our rivers gets to the spawning beds, so that they can get back out to sea to increase stock levels?

Mr Irwin: I thank the Member for his intervention. I concur that we need to do all that we can so that that can take place.

It is clear that the Minister has a lot of work to do in turning the situation around. I am concerned by the commonly held view that the Department has systematically failed to listen to the anglers and angling organisations who have, year on year, raised concerns with DCAL. It appears that, in recent weeks, the Minister has suddenly woken up to the fact that a potential fine is looming, and she now appears to be clutching at straws in an attempt to navigate a way around the issue. Indeed, one could say that she is all at sea.

The matter is a serious one. Net applications have been applied for, and DCAL must make a quick decision on those. I urge the Minister to get on top of her brief and to act in the best interests, first and foremost, of the salmon stocks and of anglers and legitimate netmen in Northern Ireland. Salmon stocks cannot be allowed to continue to plummet. I urge action to conserve the north Atlantic salmon and greater co-operation with all the countries in the NASCO. I fear that our reputation as an angling destination and, in particular, a location for salmon fishing may be at risk because of the adverse publicity that this matter has generated. We do not want to be seen as a region with scant regard for conservation. I support the motion.

11.15 am

Mr McMullan: Go raibh maith agat, a Cheann Comhairle. I support the motion, which deals with fish stocks and, in particular, salmon stocks within the DCAL jurisdiction. Conservation levels have been established in rivers within the remit of DCAL. Unfortunately, those monitored rivers — I emphasise the word “monitored” — have failed to achieve conservation levels in most years since 2002.

As stated, the long-term monitoring of salmon survival during the marine phase of their life cycle at the Bushmills salmon station shows a decline to 5% in the past 15 years. It is on the back of that information that the present Minister of Culture, Arts and Leisure moved

quickly and firmly. In a written statement of 17 January, the Minister stated:

“After careful consideration of all...scientific research and data...the continued commercial exploitation of wild Atlantic salmon and killing of salmon...by rod and line in the DCAL jurisdiction is currently untenable. Authorising...exploitation would be inconsistent with the Departments obligations under the EC Habitats Directive and with NASCO guidelines. This could lead to significant infraction fines being imposed by the EC.”

Mr Speaker: I ask the Member to bring the microphone closer to him.

Mr McMullan: I am sorry, Mr Speaker. What did the Minister do? That has been lost on Members this morning, with one saying that the Minister has to move on the issue and that she is all at sea. However, that Member has missed the boat. The Minister has moved more quickly than the tide has come in or gone out. I will make it clear once again: the Minister has called for voluntary catch and release by the rod and line men and for the netmen voluntarily to give up their nets this year to give us a breathing space so that we can sit down and talk together. It is not solely down to the Minister to sort out the problem. As the motion rightly states —

Mr Swann: Will the Member give way?

Mr McMullan: I will in a wee minute. I am just getting into it.

Lord Morrow: You are just getting into the flow of it.

Mr McMullan: I will come to you in a minute, so wait there. *[Interruption.]*

I am glad that Members are taking such a keen interest in conservation, and I am quite happy with some of their comments. There are other people involved whom we have not mentioned. We have mentioned DCAL and the local angling clubs. Local angling clubs are the lifeblood of the rivers. They keep the stocks going and the whole thing moving. That has been lost on Members a little bit. However, private owners in the jurisdiction do not have to record any fish catches. That came out of the research that was done. There is no requirement for private fishery owners to make catch returns, but there is a requirement on licensed anglers to record their catches. We have to look at that.

Mr Swann: Does the Member accept that there is no requirement on private fishery owners to keep those records because they run commercial enterprises and stock their waters out of their own pocket? Judging by his responses to earlier interventions, the Member is beginning to flounder, never mind get lost in the flow. He asked for clarification, but one of the problems that we have today is that, although the Minister called for voluntary catch and release, which was commended, her Department has yet to clarify whether that voluntary catch and release will be mandatory in DCAL-managed waters. Many angling clubs are waiting to see whether the Department will make their waters mandatory catch and release before they make that commitment.

Mr Speaker: The Member has an extra minute.

Mr McMullan: I thank the Member for his intervention. However, we have to wait until the Minister speaks. We cannot play to the gallery, so to speak. *[Interruption.]*

Mr Speaker: Order.

Mr McMullan: We need to operate the scheme successfully. Putting everything else aside, we are all serious about fish conservation, which is central. However, we need an element of trust and for everyone to work together. We all agree on the need for immediate action, but we have another potential problem. I return to the issue of the private owners. We need them and The Honourable The Irish Society to be involved up front.

Mr Ó hOisín: I thank the Member for giving way. Does he agree that there are many private interests that have inherited fishing rights from 300 and 400 years ago but do nothing to enhance the rivers except to extract what is possibly a post-colonial tax on local fishermen?

Mr Swann: Oh, come on. Now you are playing to the gallery.

Mr Speaker: Order. The Member's time is almost up.

Mr McMullan: I thought that I was getting extra time, Mr Speaker.

Mr Speaker: You have already had extra time.

Mr McMullan: I hope that, when all is said and done, we can help the Minister to sort out the problem.

Mr Speaker: The Member's time is up.

Mr McMullan: She has been the first Minister to deal with it, and I hope that we can all get behind her.

Mr Frew: I am thankful for the opportunity to speak on the motion, which relates to a serious issue for all concerned with salmon and fish stocks. I received a great number of representations from local anglers in my constituency of North Antrim who fish all the rivers in that constituency. As someone who grew up a stone's throw away from the Kellswater river and now lives even closer to the Braid river and whose son is a keen angler at the age of 10, I know how important this is to the fishermen and anglers of our rivers. It is important that we discuss this serious issue and that the Department and the Minister take on board everything that is said. Having talked to all the people involved, I think that there is awareness that we cannot keep doing the same thing.

The issue has different aspects and spheres. There is the illegal netting on Lough Neagh, commercial salmon netting on the north coast and the bag limit of two rod-caught salmon per day from 1 June to 31 October every year. Add to all those aspects and conditions the wider aspects of global warming and what is happening to our sea species, not only salmon but most fish stocks. Add to that the problems that our main trawler industries have in Kilkeel, Ardglass and other places —

Miss M McIlveen: Portavogie.

Mr Frew: Portavogie — thank you very much — that are struggling and are stymied by quotas because of the present fishing rights. We have to get to a point where all our fishing is sustainable, not least fishing of salmon in our rivers and the north Atlantic.

Illegal netting is a major issue for DCAL. I received a letter from the Minister on the issue a couple of months ago. There were 61 boat patrols between June 2009 and March 2010. Between April 2010 and March 2011, there were 104. There were 16 illegal nets seized in the first period, and 33 illegal nets seized in the second period. The length of illegal nets seized in Lough Neagh in the first period was 8.5 km, and it was 22.3 km between April 2010 and March 2011. That is a major issue that DCAL must get to grips with.

We also have to look at commercial salmon netting on the north coast. Having spoken to

people involved, I know that that they are also very aware of the issues around salmon stocks. They are prepared to work, as the motion calls for, to develop an action plan that would be put in place by DCAL. It is essential that that action plan is put in place. The entire spectrum of the angling community from young to old will tell you that we have such a great prospect for our tourist industry here. This can attract people from all over Europe, America and the world to Northern Ireland to hobby fish. We need to base our action plans on that eventuality.

Mr I McCrea: I thank my colleague for giving way. Will he join me in commending the lobby group that was set up for having the desire to ensure that the issue of salmon species is brought to the fore and, indeed, that tourism potential is the real focus for the local community?

Mr Speaker: The Member has an added minute.

Mr Frew: Thank you for that intervention, Mr McCrea. Yes, I certainly will. I commend all who are involved in this campaign, including the many who have come to speak to me in my office, written to me or taken the time to ring me to tell me how important an issue it is for them. I have met people from all the river clubs and angling clubs in and around the Ballymena area and wider afield. So, I know particularly well how important that issue is to them.

We all want and need the same thing: decent salmon stocks. I believe that most anglers in this country are conservationists and have that in mind. There is evidence to suggest that there are anglers who catch fish in an irresponsible way, and I think that the clubs themselves are the first to agree that that is the case. However, they are trying to manage that and to turn it round through catch-and-release schemes. Not all clubs have bought into this yet, but I hope that they will do so. The onus is most definitely on the Minister to tackle the issue, to make a difference here and to make sure that we can reverse the trend of declining salmon stocks.

Mrs Overend: I am pleased to join my colleagues Robin Swann and Danny Kinahan in bringing the motion to the House today. This is an important issue not only for the environment and the ecosystem in Northern Ireland but for our economy. As the Ulster Unionist Party's enterprise, trade and investment spokesperson, I want to draw on Members' support in calling for the Minister of Culture, Arts and Leisure to work in partnership with other Departments

to develop an appropriate action plan that will enhance the tourism potential.

Tourism is an industry to which we must pay particular attention, considering that visitor numbers have decreased and revenue from that source has fallen in recent years. Recreational angling could play a part in rejuvenating that aspect of our economy. However, to date, that has not been the case. In the draft tourism strategy, which has remained in draft form since early 2010, angling is mentioned briefly as one market segment that is included only as a short-term priority, and it did not even make it into the action plan at the end of the document.

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

A report published by PricewaterhouseCoopers in 2007 highlighted the potential positives from angling for the Northern Ireland economy. It stated that, in 2005, recreational angling was worth £20.5 million per annum and predicted that that would rise to £71.4 million per annum by 2015, with opportunities to create up to 2,464 jobs. An estimated 30,000 anglers participate each year, and, according to figures from the 2005 season, the average spend of an angler during that season was over £1,300. Fishing holidays and sport fishing tourism are also booming international business opportunities. That gives some indication of the capacity for growth in that sector.

Mr Beggs: The Glens Angling Club in my constituency of East Antrim recognised the importance of conservation and introduced a catch-and-release scheme a number of years ago. It has also improved spawning grounds and ensured that there is an accurate fish count with the use of a counter. Does the Member agree that it is surprising that the only sizeable run of fish occurred during rough weather, when it was not possible for the nets to operate? Does she also agree that the tourism and economic potential of fishing tourism greatly exceeds the benefits for the few who currently fish with nets and endanger the species?

Mrs Overend: I thank the Member for his intervention. I certainly agree with him and commend the action of the people in his constituency.

I will go back to the PricewaterhouseCoopers report. It highlighted a number of recommendations and suggested that consideration be given to the strategies used in other regions. Northern

Ireland can learn from the rest of the United Kingdom. Figures show that angler gross expenditure across the whole of England and Wales was just under £1.2 billion, with almost 38,000 jobs created across those regions. It is also estimated that Scottish anglers spend a total of £131 million on angling, which consequently generates hundreds of jobs. At a time of budget reductions and job losses, developing potential areas of growth is key to tackling unemployment and to growing the economy. The identification of angling as an integral part of our tourism strategy would undoubtedly generate income and create jobs. However, that is only the direct impact. The indirect economic benefits are also attractive, with local businesses being supported. One of my local angling clubs, in the small village of Coagh, told me that, when over 400 anglers came to fish for dollaghan in the Ballinderry river, they all spent money in the local shops, cafes, garages and hotels.

Who can deny that angling has the potential for great economic benefits?

11.30 am

In 2002, when Coagh Angling Club won the British Urban Regeneration Association award for its work on the Ballinderry river, it was disappointed by the response from government when it urged them to promote salmon and dollaghan fishing across the Province. It feels that it is no further forward 10 years later. I urge the Minister to work with the Department of Enterprise, Trade and Investment, particularly on the development of a strategy promoting angling tourism.

During the length of the campaign, I have been most impressed by the selfless attitude of anglers from numerous parts of Northern Ireland, not only from the No to Salmon Nets in Irish Waters group but from anglers in Coagh and Moyola in my constituency and the Foyle system in the north-west, as well as the many whom I spoke to at the information day that was organised so expertly by our DCAL expert, Robin Swann. I congratulate them on taking responsibility for the future stocks of indigenous fish species and recognising the flailing stocks, with the hope that their actions will put pressure on the Assembly and the Minister of Culture, Arts and Leisure to ensure future stocks for generations to come. Numerous angling clubs have voluntarily decided to have a catch-and-release scheme, and I commend them for doing

so. However, that cannot be done without a long-term strategic approach from the Loughs Agency, the Salmon and Inland Fisheries Forum, the Northern Ireland Tourist Board, the Environment and Heritage Service and DCAL.

In conclusion, I call on the Minister to take the lead on the issues raised today. It is not too late to turn the tide and still build on a strong fishing tourism industry in Northern Ireland. We need to develop and encourage the angling community to boost tourism, and the rest of the UK illustrates the potential benefits that that can bring. Northern Ireland can offer some of the greatest natural waterways in Europe.

Mr McMullan: Will the Member give way?

Mrs Overend: I am almost finished, sorry. It is my last sentence.

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

Mrs Overend: Northern Ireland can offer some of the greatest natural waterways in Europe, and, with the right emphasis, angling could be a very successful driver for tourism.

Mr Byrne: I support the motion, and I commend the Members who tabled it. I also commend the fishing interests that have created such a stir since last summer. There is now a strong lobby from the fishing fraternity because the river system is in crisis. The motion calls on the Minister and other relevant Departments and stakeholders to develop an action plan, which is crucial for the future of our river system. I commend the main lobby bodies, including No to Salmon Nets in Irish Waters, which was set up in July 2011 when three young men, Andrew McGall, Mark Tierney and Seamus Donnelly, set up a Facebook page to open up a public debate about the crisis in our river system. That is one of the main reasons why we are debating the subject today. Foyle Association of Salmon and Trout Anglers (FASTA) is an umbrella body that represents around 12 fishing clubs and associations in the Foyle system. It recognises the crisis in the Foyle system.

There is confusion in that the Department of Agriculture and Rural Development is in charge of the overall river system in Northern Ireland, while the Loughs Agency, which is an intergovernmental cross-border body, is charged with management and licensing in the Foyle system and the Carlingford system. However,

the Loughs Agency is in the Department of Agriculture and Rural Development (DARD), yet the Minister of Culture, Arts and Leisure, who, I am glad to say is present for the debate and is taking a serious interest in the issue, has responsibility for the licensing of fishing in Northern Ireland.

Mr Beggs: Will the Member agree that what he has just said illustrates that there is a need to reorganise how fishing is run in Northern Ireland and to try to bring it under one Department, rather than many, as is currently the case?

Mr Byrne: I agree with the Member. That is why the motion calls for co-ordination and asks the Minister of Culture, Arts and Leisure to co-ordinate between all of the stakeholders. Unfortunately, the fishing stocks, certainly on the Foyle system, have gone down by 80% in the past 15 years. We have now reached a crisis point where the different clubs and, indeed, the privately owned water associations realise that, unless there is co-operation, crisis will not be averted. We are calling for a sustained and managed approach to conservation and the management of the rivers. The Omagh Anglers Association has 800 members, and the club has been going since 1942. All the people who are involved in that club have the best interests of fishing at heart, but they realise that there is a crisis. Anglers on the Finn, Mourne and Glebe, all of which are in the Foyle system, have been calling out for years for what was the Foyle Fisheries Commission to recognise the deteriorating state of the river system. They feel strongly that the senior management of the commission, which has been replaced by the Loughs Agency, did not take the crisis seriously.

I pay tribute to the river bailiffs who work for the Loughs Agency. They are consistent, dedicated and do the best that they can to make sure that illegal fishing does not take place. All clubs involved in the Foyle system feel very strongly that the licensed net holders at the mouth of the Foyle and between Strabane and Derry have, for years, been allowed legally to exploit the river. They have depleted stocks so much that all those who fish upriver are being denied the chance to engage in what I would call legitimate fishing on the rod. Many of the clubs have been involved in catch-and-release systems for a long time. Many have behaved responsibly and operated a voluntary system. However, the time has come for statutory action, statutory co-

ordination and good statutory management of our river system.

I am glad that so many in the Chamber are taking the issue seriously and wanting, at last, to have a co-ordinated approach. The fact that so many interested parties from the fishing fraternity are in the Public Gallery is testimony to the serious situation that the river system is in. The time has come for action. I am glad that the Minister is present, and it is fair to say that she has taken a keen interest in the lobbying over the past six months. We all have to help and co-ordinate our efforts to make sure that, at long last, a sustainable, managed system is put in place to protect the river system into the future.

Lord Morrow: I find the debate quite interesting. However, as we look at the motion, I think that there is a danger that we will throw the baby out with the bath water. It is ironic that we are having the debate today. Northern Ireland has come through 40 years of tumult and trouble, and it is ironic that we now find that we have to change our fishing and angling patterns and do things completely differently. Why are we saying that? It is patently obvious that we are doing it because, in my opinion, illegal fishing is the biggest source of our problem here. I do not for one minute believe that the person who goes out with a rod and line is the problem or the cause of the reduction in salmon stock.

Mr Beggs: Will the Member give way?

Lord Morrow: Right, OK. Come on.

Mr Beggs: Will the Member accept that the licensed nets and the licensed bag nets that scoop up virtually all the fish in some of our bays adversely affect rivers in my constituency, such as the Dun and the Glenarm? Does he accept that legal, licensed nets are also a problem?

Lord Morrow: I hear what the Member says. Had he waited for a moment or two, I might have made a similar, but not identical, point.

At the outset, I should declare that I am a member of a number of angling clubs. So I do not come to the debate as a garden centre person who has never held a fishing rod in his life and sees one only when it is sitting on a table or hanging in a butcher's shop. *[Interruption.]* Do you want to say something? Does the Member want to speak? Is it you, Mr Nesbitt, or your colleague?

Mr Deputy Speaker: Order, please, Lord Morrow. I will chair the meeting.

Lord Morrow: Maybe the Members will show me the same respect as I showed them, but they know little about that, I suspect.

Many MLAs who are not directly involved in angling do not fully appreciate what angling means to, for instance, a young fellow who goes out to fish and might aspire to catch a salmon. It may well take him the greater part of his lifetime to accomplish that. The Minister is now asking for a voluntary scheme. I heard the same quarter talk in the same sentence about a mandatory and a voluntary scheme. To me, one contradicts the other. I do not know how you can talk in the one sentence about something that is mandatory and something that is voluntary. Quite frankly, I think that the two are opposites. So, what we are being asked for today is a voluntary ban on fish kill.

However, is it not true that we have illegal netting going on and that we have bailiffs who, at times, risk their very lives to ensure that those illegal nets are not in operation? Indeed, some of them have nearly had their life taken when they have gone to enforce that and to try to gather the nets from the various rivers, where they are scooping up salmon at a considerable rate.

In January, the Minister answered a number of questions on this. It was ironic that the questions that she was dealing with were very similar. It was also noted that the three Members — I will not mention their names — all come from different facets of life, yet they asked very similar questions. The questions were about the 1966 Fisheries Act. The Minister says that that is a robust piece of legislation, and it is. There was an admission that there is a gap in it, but the one encouraging thing that she said was that it was constantly under review and that it would be upgraded and reviewed constantly. However, it has to be said that, since that Act was brought in, there have been many EU directives on fishing. I want to hear from the Minister today whether her Department is now compliant with all those directives, and, if not, when she intends bringing forward the necessary legislation to ensure that it is.

Joe Byrne touched on some of the issues that I think are important. We have a rivers system here in Northern Ireland that I believe does not receive the proper status that it is entitled to. That rivers system is one of our natural

resources, but, if you go to one of those rivers, you will very often find all sorts of debris being washed down from the remains of an old worn-out car, for example. That is then deposited into our rivers. Does anyone here believe for a second that that is the way to treat one of our natural resources? Yet, I seldom, if ever, hear of anyone who is brought before the courts for that type of activity. I hear about pollution and about the farmers who are brought to court from time to time.

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

Lord Morrow: I sometimes think that they are an easy touch, but I do not think that they are the greatest criminals as far as the destruction of our rivers is concerned.

Mr G Robinson: This is an issue that local angling clubs in my constituency have been discussing with me over the past three years. Those discussions have included contacting the current and previous Ministers in different Departments and arranging meetings. I am pleased to support the motion. I am acutely aware that the leisure fishing sector has an important role to play in helping to boost our tourist industry in the years to come, but fishermen will come only if they are able to catch fish, especially the north Atlantic salmon.

I welcome the Minister's reassurance in her response to a question for oral answer that I asked a couple of weeks ago about the assistance that her Department gives to local angling groups that are engaged in restocking rivers. That is one small measure in what must be a larger overall protection strategy. Another important part of a conservation strategy must be to look at the impact on sustainability of salmon nets on the north coast. I urge all Members to support the motion, as the importance of local species, especially salmon, will be the basis for developing the tourist potential throughout Northern Ireland.

11.45 am

Mr I McCrea: I welcome the debate here today as well as the lobby group that has come along. I commend it in its efforts to ensure that the debate was brought to the Floor.

As my colleague Lord Morrow said, and it is very difficult to follow a man who has spent most of

his life up a river or down a river, or whatever it is called in fishing terms —

Lord Morrow: And in it.

Mr I McCrea: At times, he has been in it and felt the effects of that. I am not a fisherman, nor am I associated with fishing whatsoever. Personally, I find it hard to understand how anyone could find the patience to stand in or at the side of a river and catch nothing other than a cold. However, as Lord Morrow said, sometimes it takes a lifetime for people to catch the fish that they want to catch.

I had the privilege of attending an event in Stormont in January to hear directly from people in the lobby group who shared their concerns. For me, it delivered home the message that there is a problem and that we as a legislature need to do what we can to ensure that it does not continue. I also had the opportunity to attend a public meeting in Castledawson in my constituency. It was evident that the people who were there were the lifeblood of the angling community. There were many years of angling experience in that room, but most importantly, the passion with which each individual spoke on this issue was evident, and they should be commended again for their actions to ensure that we have this debate.

The Minister and others who have more of an interest in fishing, certainly more than me, have heard the issues around the need to protect the indigenous fish stocks and more so the north Atlantic salmon.

Mr McGlone: Does the Member accept that many fishing clubs not only sustain the stocks in the rivers but contribute in a very meaningful way to a lot of other environmental projects along the edges of the rivers and in the local communities? I am thinking particularly of the clubs at Ballinderry and Moyola. That must be placed on record; without those clubs, a lot of other issues would suffer.

Mr I McCrea: I wholeheartedly agree with my constituency colleague, and I am more than aware of the issues that he raises. Others have spoken of the tourism potential of angling and its importance.

I support the motion. A number of years ago a friend told me that men and fish are alike; they both get into trouble when they open their mouths. That says it all for me.

Mr D McIlveen: I am not going to say anything about the Member's mouth, but I wonder whether he agrees that, although the lobby group that has been formed has to be commended, some Members in this Assembly have sought to politicise this issue, which may have caused some of that good work to be in some way discredited? Does he agree that that is reprehensible?

Mr I McCrea: I think that is an important point, and I have spoken with members of the lobby group to ensure that politics is not made part of it. I know from speaking to people involved with it that that is not something in which they want to get involved. Anyone who tries to bring politics into this issue is not doing so in the interests of the angling community.

I support the motion and look forward to the Minister's response.

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Go raibh maith agat, a LeasCheann Comhairle. This has been a very good debate. To quickly tally up, although I will stand corrected by the Official Report, there have been 13 Members speaking and seven interventions, loads of quotes and plenty of puns. I think that the Hansard report will be a joy to read tomorrow. I think that all the contributors pointed out that this motion has cross-party support. There were a couple of comments made, particularly the last one, that I am not too sure about. However, I agree that the politicisation of angling and fishing rights is regrettable.

I thank Robin Swann and others for tabling the motion and Members for their concern. The concern about supporting the sustainability of our indigenous fish species has been very clear throughout the debate. My Department, which has responsibility for the conservation and protection of salmon and inland fisheries, is already doing much in that respect. Some people may feel that it needs to do more, and that is where we get into further discussion, particularly between the Committee and the Department, about what else we can do. If we all take a can-do attitude, in an appropriate and respectful environment, that will be the way forward, and it is what we need to do. There would be an acknowledgement of the significant staff and financial resources that have been committed to salmon and inland fisheries at a time of budgetary constraint.

The statutory basis for responsibility for the conservation and protection of salmon and inland fisheries in the North is found in the Fisheries Act 1966, as amended. When originally drafted, the Act was intended to reflect the fact that salmon and inland fisheries were lawfully possessed and enjoyed as such under title. Statutory provisions were drafted to stop poaching or other activity that might directly and locally impact on that property. The Act also introduced a licensing regime covering both commercial fishermen and recreational anglers that sought to generate a revenue stream to fund enforcement of the provisions.

I welcome, in particular, the comments made by Joe Byrne and Lord Morrow in tribute to the enforcement officers on our waterways and rivers. I am sure that the enforcement officers will appreciate the fact that they were mentioned throughout the debate in appreciation of the service that they provide.

Regular inspections have been, and are, carried out at commercial dealers, fish retail outlets, and hotels and restaurants to ensure that freshwater fish being sold have been legally caught. Such monitoring will be ongoing. Indeed, such enforcement activities are a first step in preventing the impact of over-exploitation and illegal fishing on fish stocks. However, the management of fisheries is complex, as almost all Members who contributed pointed out. Many of the factors that impact on fisheries' management are outside the control of my Department and, therefore, depend on co-operation with other Departments. Sustainability is at the core of modern fisheries' management.

The DCAL strategic approach — with partners — to regulate fisheries and conserve, enhance and, indeed, restore fish habitats aims to ensure that the fish populations that support our salmon and inland commercial and recreational fisheries are sustained within safe biological limits. To target our activities effectively, we must know the state of fish stocks, and, to do that, DCAL commissions the Agri-Food and Biosciences Institute to carry out monitoring and research. The science confirms that populations of two of our most important indigenous fish species — eels and salmon — are currently outside safe biological limits. That, again, was mentioned by many Members.

Mr Swann: Minister, I just want to clarify something. You mentioned two species, but

does your Department have any intention of monitoring levels of other fish species in Lough Neagh, such as dollaghan, perch and roach?

Ms Ní Chuilín: The ongoing monitoring and evaluation needs to continue with a specific eye on other species. If the evidence suggests that other species are endangered, as I think is the Member's point, and if that is proven, we will bring forward management plans for those species. Therefore, the answer to the question is yes. Key to that is proving that the species are endangered and that, like eels and salmon, their levels fall outside the safe biological limits. It is currently under review.

The motion calls for the development of an action plan, and I can confirm to the House that my Department has had in place plans for the conservation of eels and salmon. In reference to the point that Mr Swann has just made, I hope that other species may be added to that, if the need is proven by scientific evidence.

Indeed, in September 2007, the European Commission adopted the EU eel regulation, which aims to establish measures for the recovery of the European eel stock. My Department's programme for the conservation of eel stock is set out in three eel management plans, which were approved by the European Commission in March 2010. The implementation of the plans has not been without pain, as people know. Indeed, it resulted in the closure of the commercial eel fishery at Lough Erne.

The Neagh/Bann eel management plan provides a scientific rationale that the conservation target is being met due to prudent management of the fishery under close regulation and subject to ongoing monitoring. The Department is working on the input to the review of the eel management plans by the European Commission and, later, we will learn whether the management measures we have taken to conserve eel stocks are achieving the conservation objectives set out by the European eel regulation.

Long-term monitoring of survival of salmon during the marine phase of their life cycle conducted at the Department's Bushmills salmon station shows a decline in salmon returning to the River Bush to spawn from around 30% in 1997 to less than 5% today. Many Members made reference to that. The North of Ireland, through the European Union, as a jurisdiction of a member state, is party to the North Atlantic Salmon Conservation Organization, which aims

to conserve, restore, enhance and rationally manage Atlantic salmon stocks through international co-operation. We are expected by the EU to work towards the objectives of NASCO agreements and resolutions.

DCAL has developed an implementation plan, also known as the salmon management strategy, which was approved by NASCO five years ago. Three focus area reports have also been produced, which detail the actions that have been taken. In conjunction with the Agri-Food and Biosciences Institute (AFBI), conservation limits have been established for a suite of rivers, which represent the index of river types under DCAL's jurisdiction. The monitored rivers have failed to achieve conservation limits in most years since 2002. NASCO guidelines state that fishing on stocks that are below the conservation limits should not be permitted. That applies equally to commercial netting and recreational angling.

AFBI has also determined that licensed drift net and bag net fishing for salmon off the County Antrim coast are intercepting mixed stocks of salmon from rivers monitored by DCAL, as well as salmon from the Foyle catchment area. After careful consideration of all the available scientific research and data, it has been concluded that the continued commercial exploitation of wild Atlantic salmon and the killing of salmon caught by rod and line under DCAL's jurisdiction is untenable. Authorising such exploitation would be inconsistent with the Department's obligations under the EU habitats directive and NASCO guidelines. That could lead to significant infraction fines being imposed by the EU. That was mentioned by many Members. If those fines were levied, it would have a real impact not just on our fisheries but on our wider public services, so it is incumbent on all stakeholders to work together to make sure that salmon stocks are more sustainable for the sake of salmon and to avoid cuts in our public services.

I recently called on stakeholders to support a range of voluntary conservation measures for 2012. I will need to get back to Lord Morrow in writing on some of his specific questions during his intervention and his main contribution. It would take too much time now, but I will get back to him about what has happened since 1997; I have a list. The point is that we have asked for a voluntary cessation this year to help us repair gaps in legislation. That is under review. We will consider what subordinate

legislation is necessary to take this forward. It is not just about catch and release; it may include not catching salmon at all. We need to be clear about what we intend to do beyond this June. We will make a decision within the next few days. A decision is imminent not only on the way forward on this, but on issuing licences for commercial nets. In response to the question that Mr Swann asked yesterday and the points that he raised in proposing the motion, I hope that that clarifies some of the issues that he and Lord Morrow raised.

I have written to commercial fishermen asking them for a voluntary cessation for salmon fishing in 2012, and, through the Salmon and Inland Fisheries Forum, we have asked recreational anglers to practise catch and release for salmon in 2012. Early indications are encouraging, with a number of angling clubs and anglers expressing support for voluntary catch and release. Indeed, Members mentioned that some of those policies have been operational for some time because the anglers who are on the rivers all the time know the state of the fish stocks, probably well before many other people.

12.00 noon

My Department is also involved in vital habitat enhancement works on the areas of rivers in which salmon spawn and their fry develop. My Department will consider whether changes to the way in which fisheries are regulated are necessary in light of population changes and will consult stakeholders on any proposals.

What has come out throughout this debate is the collaborative work that has begun. That needs to happen and needs to be strengthened for the further development of proper fishing and understanding of policies around recreational and commercial fishing.

Rather than go through a lot of issues that have been covered by most of the Members, I will respond to one of the questions that was asked and clarify that I will continue to commit departmental resources to fisheries, with a focus on conservation and protection in line with competing priorities. So, I will stand up for people who are involved in the angling community to maximise the impact of our work to sustain and grow the fish stocks in our waters.

Sandra Overend and other Members asked whether I would work and liaise with other

Departments, particularly around the economic regeneration and sustainability that angling can bring to small communities. For some communities, angling is the main business. I will do that.

I assert that my Department is already well advanced in the development and implementation of the sustainability action plans. However, much more work needs to be done, and I am taking a can-do approach. The door is open. There is a collective responsibility, and I am happy to take the lead on that. I see that the Member who tabled the motion is smiling, so I hope that he understands the commitment —

Mr Swann: Will the Minister give way?

Ms Ní Chuilín: No, I have already given way. My time is running out, and I have a few final comments to make.

I thank Members for their contributions. The number of Members who contributed shows the commitment and love that people have for angling and conservation and the commitment and respect they have for our waterways. Whatever difficulties there have been in reacting to the issue in the past, since I have come into the Department, I have made it a priority. I do not think anybody, regardless of what political party they come from, can disagree with the fact that I have taken action not just because of the possible threat of European fines but because it is the right thing to do.

I am delighted that the motion has been debated today, and I look forward to further discussion with the Committee and other Members on the issue.

Mr Kinahan: It falls happily to me to make the winding-up speech. On behalf of the other Members who tabled the motion, I thank my colleagues for all the efforts they have put into this issue. I also thank the Ulster Angling Federation, the No to Salmon Nets group, FASTA, FISSTA, the 5,300 people who signed the petition and everyone else behind it. I also congratulate the Minister on the work that she has done to date and, particularly, for saying that she will work under that can-do heading. We will keep her to that. I am also keen that she has made the issue a priority.

As I go through some of my points, I will make other little points. The motion calls on the

Assembly to note the number of indigenous fish species, but we also need to control legal fishing and completely stop illegal fishing, which is no longer sustainable. That is what we have to remember.

We also call on all Departments to work together to develop an action plan. We want to see an action plan put in place as soon as possible because we want to see the fish stocks improved in partnership with all stakeholders.

Sometimes I wonder whether we have understood the enormity of the task. It is not just about, as in my case, the Sixmilewater and its tributaries and Lough Neagh. It is not just about eels, salmon, dollaghan, pike and pollan but about lobster, crab and sea bass. It is not just about pollution and the care of rivers and loughs or inland or offshore angling. It is about the whole ecosystem and what we humans do to it, both destructive and constructive. It is about all that we do that affects fish stocks.

As a councillor, which I am no longer, I sat on the Lough Neagh Advisory Committee. It was an excellent body, which, sadly, is defunct due to the previous Environment Minister's not keeping it in place. On that body we had academics, sportsmen, businessmen, environmentalists and other people who were keen on everything to do with Lough Neagh. We sat down to discuss and manage the largest inland lough in the UK. It taught me something true, which is the importance in politics of the need to find the balance between all the needs and all the users. When it comes to fish stocks, we have, at present, lost that balance.

We have no data and I mean no data on fish stocks in Lough Neagh. I fought for nearly three years to get DCAL to properly tackle the netting that was stopping the fish going up our rivers. I congratulate those concerned on the work that has gone on, but we need more.

Mr McMullan: Will the Member give way?

Mr Kinahan: Yes, when I get to the winding-up part of my speech.

In October 2011, in response to a question for oral answer that I asked, the Minister said that 24,572 metres of nets had been removed from Lough Neagh alone. As an estimate, that would probably get you from the City Hall in Belfast to the courthouse in Antrim where, I hope, those

who are engaged in illegal netting will end up. Next door to it would be even better.

We need not just data on fish stocks but legislation. I am glad to hear that legislation is coming. We need new legislation, something that pulls it all together, and more power and access to fishing premises so that those enforcing can do their job properly. Therefore, I ask the Minister to talk to the Justice Minister and to look at how we can do that better. The police need more powers, the enforcement teams need more resources, and, most importantly, Ministers and everyone must show the will.

We sense a small victory in what has been going on over netting, but, in the past day or two, there have been hints that there was an attempt to roll back slightly. It is good to see voluntary catch and release, but we must enforce catch and release, because only mandatory will work. There was a rather barbed remark about The Honourable The Irish Society, which puts a lot of resources into the rivers. That was extremely wrong, because the society does a great deal and helps the schools in Londonderry. However, there are private people who fish who need help to make their decisions, which will happen through a mandatory, not a voluntary, scheme.

As I said, we need all Departments working together. I know all of you know this, but I will reiterate it. We have DCAL with the licences and the fishing; DARD with the Rivers Agency and the Loughs Agency; the Department of the Environment with the cleanliness of the rivers and enforcement; and DRD with the sewage and the water. Last week, the Ballynure fishermen met with those involved in the Ballyclare waste project, and they have agreed to share information. So, there is an example of people working together.

We also have the councils with their local issues, their responsibilities for cleanliness and, where they have them, biodiversity officers. All councils should have such officers. We also have the legislation that comes through from the UK and, south of the border, from the Irish and through Europe. We need to pull all that together because, at the moment, it is a muddle. We have the Fisheries Act (Northern Ireland) 1966, which many of you referred to and which one Minister who is not here has said is not fit for purpose. Some aspects of fishing are included in the Foyle Fisheries Act (Northern

Ireland), which dates back to 1952. I was not born then — nearly.

It is time for new legislation. We have the Marine Bill coming through at the moment, but we need everyone to work together, not just the Departments. We need all the MLAs — all of you in here and your colleagues. We need all the councillors to pull together. We need everyone to work towards the same aim. We need the fishermen to work together, whether in the north, south, east or west. Everyone, all the stakeholders, must work together, and do not forget that there are others too: the birdwatchers, farmers and rambles. The whole of Northern Ireland is watching what we do with our rivers. I go back to one of the key points: we need an action plan, and we need to get it in as soon as we can. I have written here, “Yes, you can, Minister”. So, Minister, I add that to your “can do”.

There are resources. In Europe, £5 billion is available, possibly more, to support fisheries, aquaculture and bottom-up local development. That financial provision was written in such a way that it seemed to be there only to help coastal fishermen, but, when the Fisheries Minister was here the other day, we asked him about it, and he said that the landlocked countries in Europe are all pushing for their share. We should push for our share for inland waterways to make sure that we get a good share of that £5 billion so that we can manage our fisheries into the future. It falls on all of us to get to know the regulations and to fight together. There is a great deal that we need to do.

I would begin to wind up, but a Member asked me whether I would give way. Would you still like me to?

Mr McMullan: I thank you for giving way. I think that the whole House agrees that such an action plan needs to be put into operation now. Would you agree that a part of that plan needs to be a central register of all fishing rights and land ownership of inland rivers and waterways?

Mr Kinahan: I thank the Member for his suggestion. I point that to the Minister and to all those who should pull together in the action plan. If that is the sort of tool that is needed and it is all agreed on, that is the way we should go.

I am going to run out of time, but I thank everyone for their input. Everybody agreed, and we have laid down the plans for the future. Let

us all keep our eye on the ball. We need an action plan, data, urgency and all Departments to pull together. We need to be in touch with Europe and to understand everything that goes on there. We need all stakeholders —

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

Mr Kinahan: We need you to grasp the moment and have the will. Grasp, if necessary, the Ministers and make everyone pull together to save our fish stocks.

Question put and agreed to.

Resolved:

That this Assembly notes that a number of indigenous fish species, including salmon, are being exploited by both legal and illegal fishing to the point where stocks are no longer sustainable; calls on the Minister of Culture, Arts and Leisure, in partnership with other relevant Departments and following consultation with key stakeholders, to develop an action plan, which includes actions required by the North Atlantic Salmon Conservation Organization, to improve the sustainability of relevant fish stocks in the forthcoming and subsequent seasons; and further calls on the Minister to work in partnership with all relevant stakeholders to deliver the action plan.

12.15 pm

Organ Donation

Mr Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. One amendment has been selected and published on the Marshalled List. The proposer will have 10 minutes to propose the amendment and five minutes to make a winding-up speech. All other Members who are selected to speak will have five minutes.

Mr Wells: I beg to move

That this Assembly calls on the Minister of Health, Social Services and Public Safety to undertake a review of organ donation.

At the outset, I will say that we are more than happy to accept the SDLP amendment to the motion. We will not press it to a vote.

On 18 July 2011, Declan Quinn, aged 37, was killed in a hit-and-run incident in Coalisland, County Tyrone. He carried an organ donor card, and following his tragic death no fewer than seven of his organs were transplanted to those on the waiting list. A four-year-old girl who was born blind and had never seen her parents had Declan Quinn's corneas transplanted onto her eyes and saw her parents for the first time. Another young girl, who had cancer, received a new liver. In the midst of a tragic situation, Declan Quinn's relatives had the comfort of knowing that his death had brought life and a much better quality of life to others.

Declan Quinn carried a donor card. As of 3 February 2012, 515,659 people carry such cards, including myself, which is 40% of the population. So, great progress has been made in that respect. I will give a few examples of what has occurred in recent years. There has been a significant increase in the number of kidney transplants. There were 59 in 2008-09 and a 39% increase to 70 in 2009-2010. In the year to date, there have already been 77. So, progress is being made on kidney transplants. In 2010-11, there were 21 liver transplants, four heart transplants, four lung transplants and one combined heart and lung transplant. All those operations were performed on Northern Ireland residents but were carried out in Great Britain because we do not have the facilities to carry

out transplants other than kidney transplants. Sadly, there are 300 people in Northern Ireland waiting for transplants, including 186 who are waiting for kidney transplants. Even more sadly, in 2010-11, 17 people died while on the waiting list for a kidney donor. In 2011-12, there have been nine deaths so far. In the United Kingdom, three people die every week because they are unable to find a suitable donor. That is how serious the situation is.

When this debate was announced in the media, I received several items of correspondence from people who have been caught up in this difficult position. I have their consent to read into the record some of what they said. Karl Partridge from Crossgar said he had been on the waiting list for a liver transplant for two years. He finally got the opportunity for a transplant three weeks ago in King's College Hospital, London. His liver was badly diseased due to a problem called PSC, which gradually eroded his health and lifespan over a 12-year period. In his case, the operation was a remarkable success. He has been home for three weeks and is recovering. He says:

"It has been a life-transforming experience and I will be able to be fit and active again once I recover my strength."

I have known Karl for 30 years. I was on the phone to him this morning, and he is absolutely delighted with the success of his operation.

I also received a letter from a young gentleman called Jonathan Tate, who is 21. He has been on the UK transplant list since the end of January 2011. He is awaiting a heart transplant. He was born with congenital heart disease and had open heart surgery three times, most recently in July 2010. He has also had his pacemaker replaced. In 2009, he was taken into hospital with heart failure, and his condition has continued to deteriorate. His lifestyle has changed dramatically. He ran his own business as a personal trainer, but now he struggles to socialise, cannot attend football matches and is on many forms of medication. So, we have an example of someone who has had a successful transplant and someone who is desperate for a transplant.

The reality is that there simply are not enough organs for transplant in Northern Ireland. It is as simple as that. We need to address how we can increase the number of donors and the number of organs that are available. The reason why I tabled the motion and believe that it is particularly relevant is that the Welsh

Assembly has introduced a proposal for what is called "presumed consent". It is actually called "presumed consent, the soft option". It is important that we understand what that means. Presumed consent means that you are on the register unless you opt out. If you have moral, religious or philosophical objections to having your organs used for others, you sign a register to opt out. However, when it comes to the point of transplant, your friends, relatives, parents or whoever is closest to you are consulted about that decision. That is known as the soft option, in which there is still an opportunity for friends and family to say that they are not in favour. Eight of the 10 countries with the highest rate of transplants have opt-out legislation. That has been a key factor in the increase in numbers.

I will look at the arguments for and against opting out. I accept and understand the tenor of the SDLP amendment. I know that there are sincerely held views on the issue, and I will certainly not decry or argue against what will, undoubtedly, be said by Members opposite. However, there are arguments for and against opting out. The debate is on the issue of presumed consent. It is not a pragmatic debate about supply and demand; it is a debate about the relationship between the state and the bodies of those who have passed away. A number of countries in the European Union have adopted versions of the opt-out organ donation system. They include Austria, Spain, France, Sweden, Denmark and Norway. Wales has entered into debate and is consulting on changing the legislation. As I said, there are two overarching options: the soft option and the hard option.

Mr Campbell: I thank the Member for giving way. I am following with interest what he says. He talked about eight of the 10 countries having an opt-out clause. Is he aware of whether any of the eight with an opt-out clause have the soft option or a variation of that?

Mr Wells: All the countries that I listed have the soft option, with the exception of Austria, which has what is called the hard option. That is the opt-out scenario, which means that the family's wishes are not taken into account at the time of transplant. I do not think that anyone in the House will suggest the hard option. I believe that, if we are to make any move to deal with the problem, we will retain the soft option. However, the fundamental difference with the soft option is that, if you do not want to be involved, you register to opt out.

If I went under a bus tomorrow morning, I would not care one iota what was done with my organs. I know that they could be used to improve the lives of other people in Northern Ireland, and I would be delighted. However, I know that some in the Chamber have a different view and, therefore, are not comfortable with the soft option. It has, however, led to a significant increase in the number of donors in the rest of Europe.

Mr Ross: I thank the Member for giving way. He has been very measured in what he is saying. However, will he acknowledge that two countries with the soft or opt-out option, namely Sweden and Norway, do not have better donation rates than the United Kingdom, even though they operate that system?

Mr Wells: That is a valid point, although Spain, which was one of the earlier countries to have an opt-out clause, has had quite a dramatic increase in the number of organs available. So there is considerable variation, and it is not a black-and-white issue as far as —

Ms S Ramsey: I thank the Member for giving way. I know that his time is nearly up. It is important to acknowledge that Spain also appointed hospital transplant co-ordinators to talk to families dealing with critical incidents.

Mr Wells: I agree, and there is a lot of interest in the Spanish model. If we are to consider a review, we will have to look at the situation in Spain.

Unfortunately, I have taken so many interventions that most of my time has gone. I hope that others will be generous during their contribution and allow me to intervene to make a few extra points.

We have one fundamental difficulty in Northern Ireland. Many people put their name down or opt in for organ donations, but, when we consult their relatives, 40% of them say no.

Mr Deputy Speaker: The Member will bring his remarks to a close.

Mr Wells: No matter what system we opt for, we will have to deal with that issue.

Mr Durkan: Go raibh maith agat, a LeasCheann Comhairle. I beg to move the following amendment: At end insert

“which should consider all options for increasing organ donations and carrying out a clinical ethics consultation on the introduction of an opt-out scheme.”

I welcome the DUP's support for the amendment. I also welcome the DUP motion, as it gives us the chance to debate an extremely important issue.

Any initiative that ensures ethical and sensitive action on increasing organ donation must be supported and embraced by the House. It is most welcome that the Minister has stated his commitment publicly to increase the number of organ donors in the North. As of two weeks ago, around half a million people residing in Northern Ireland were on the UK organ donor register, and I acknowledge the altruism and foresight of those people. We must also acknowledge the efforts to educate the public on the importance of organ donation and to attract people to sign up as donors. However, although we have seen an undoubted increase in the number of donors, it has not been fast enough and has not managed to address our need. Ironically, the fact that healthcare has improved so much has led to higher life expectancy and, perhaps, a lower rate of registered donors dying. Whatever the situation, hundreds of people are still on waiting lists for life-prolonging, life-improving and life-saving transplants. I know that other Members will focus on the suffering and anguish of those people, and the amendment explicitly sets out to alleviate that suffering.

We cannot let people wait for heart, liver and kidney transplants. They do not have time to wait. Patients with acute liver failure die within 72 hours without a transplant. In the UK in 2006-07, 3,000 patients' lives were saved by receiving an organ transplant. Sadly, 1,000 people died while awaiting such a transplant. We must deal with the issue as a matter of urgency. It truly is a matter of life and death.

Another area that gives us cause for concern is that, in the absence of a sufficient number of deceased donors, there has been an increase in living donation. Although that is a life-saving option for some, unfortunately it carries high risks. The risk to the donor fluctuates depending on the organ, although it is obviously a risk that brave people are prepared to take to save a loved one. However, in the interests of public safety, it is a risk that we want to avoid.

The National Institute for Health and Clinical Excellence has identified the need to consider organ donation as part of the usual end-of-life care planning. It has identified that, when people do not have sufficient capability to make decisions about the end of their life, others

should, before death, seek to establish a way to facilitate organ donation that is in a patient's interest. NICE has also identified that consent should be appointed before death or from a representative afterwards. We are duty-bound and morally obliged to explore the options available to increase the number of transplant donors in Northern Ireland.

Recommendations from the organ donation task force stress the importance of organ donation being a UK-wide service, with co-ordination between locally based doctors and co-ordinators across the UK. I also urge further co-ordination and co-operation with the Dublin Government on the issue, and I commend the Minister on his attitude and actions with regard to North/South co-operation on healthcare issues. The Welsh Government are undertaking an approach based on a soft opt-out system that sees the removal and use of organs and tissues as permissible unless the deceased has made his or her objection to that clear during his or her lifetime. This is presumed consent. Now is the time for Northern Ireland to take a similar investigative approach to such options. I am aware that other countries have legislated for an opt-out system for organ donation. In Singapore, for example, the introduction of the Human Organ Transplant Act has seen a huge growth in survival rates through deceased organ donation transplants. Closer to home, European countries have seen similar correlation between legislation and donation, although, in his intervention, Mr Ross said that that is not always the case. I do not think that, anywhere, an opt-out system on its own will suffice; there has to be ongoing education and co-ordination as well, as Ms Ramsey pointed out.

12.30 pm

We must be cautious of such change, given the fact that, in the UK, in 40% of cases relatives do not consent to donation. It is a very sensitive issue at a very emotional time for families. That highlights the need to ensure that, whatever path we go down, we do so completely ethically and afford sensitivity to the families of diseased people.

Campaigns to promote organ donation and to encourage organ donors are to be supported fully, and I take this opportunity to encourage the public — indeed, every Member — to make sure that they are signed up and to carry a card. You could save or transform someone's life.

Mr Deputy Speaker: The Business Committee has arranged to meet immediately upon the lunchtime suspension. I therefore propose, by leave of the Assembly, to suspend the sitting until 2.00 pm.

The debate stood suspended.

The sitting was suspended at 12.31 pm.

On resuming (Mr Speaker in the Chair) —

2.00 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Strategic Investment Board

1. **Mr Kinahan** asked the First Minister and deputy First Minister when all the appointments to the Strategic Investment Board will be made. (AQO 1358/11-15)

Mr M McGuinness (The deputy First Minister): The Strategic Investment Board (SIB) currently consists of a chairman and five non-executive directors. One non-executive director post is vacant because of the resignation of a board member. However, that does not interfere with the operation of the board. In addition to the non-executive directors, the chief executive holds an executive director post on the basis of his position. The current chair of the board is due to complete his term of office in September 2012. Therefore, I expect that current vacancies and the chair's post will be filled by that time. Later this afternoon, the First Minister and I will meet the SIB as part of our routine engagement process. We intend to have formal quarterly meetings with the board.

Mr Kinahan: I thank the deputy First Minister for his answer. I noted in his answer that there are still some vacancies. Have any other public appointments been outstanding for long periods? If the deputy First Minister cannot list them all now, is it possible to have that in writing?

Mr M McGuinness: Obviously, the supplementary question is more wide-ranging than the original question. Therefore, we will communicate with the Member to inform him of any outstanding appointments.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Given that the current process for appointing the chair of the Strategic Investment Board rests with the board itself, have the Ministers given any consideration to widening the appointment process?

Mr M McGuinness: The simple answer is yes. The current chair's term is due to expire in September 2012. It is our intention that a competition to recruit a replacement for David Dobbin will commence in spring 2012 and that the post will be filled by September 2012. We intend that the appointment of a new chair will be by public competition under the code of practice for public appointments. It is also our intention to recruit for the vacant post on the board at the same time.

Mr Eastwood: What progress has there been in filling current and forthcoming vacancies on the Ilex board?

Mr M McGuinness: Obviously, the Ilex board issue is ongoing. As many people will be aware, the chair of the Ilex board, Sir Roy McNulty, stepped down on 15 February 2012. The competition for a replacement has commenced. It is hoped that the board's new chair will be in post by the summer. Arrangements are being made with current members of the board for an interim chair.

Mr Speaker: I warn Members that supplementary questions must relate to the original question. The Member just got away with that one. *[Laughter.]*

Programme for Cohesion, Sharing and Integration: Culture

2. **Mr McCarthy** asked the First Minister and deputy First Minister for their assessment of the role of culture in the programme for cohesion, sharing and integration. (AQO 1359/11-15)

Mr M McGuinness: The First Minister and I have shown a great deal of personal leadership to ensure that everyone works together to promote good relations. Our commitment to drive the good relations agenda and collaborative working across political parties has been demonstrated in the establishment of a five-party working group to develop our strategy for good relations. The working group convened on 27 September 2011 and meets weekly. The First Minister and I remain committed to cultural diversity. We recognise that respect and tolerance towards different cultures is a sign of a healthy society. That commitment will be reflected in the cohesion, sharing and integration (CSI) strategy. We are determined to reach agreement on all outstanding issues and hope that the process will conclude soon. All parties must play their

part to complete that process. It is an important strategy for the Executive, and we must all focus on the work ahead to ensure that we finalise the CSI strategy soon.

Mr McCarthy: I thank the deputy First Minister for his response. I acknowledge the good work that is being done. As regards the culture of language, will the deputy First Minister tell the House how two separate language strategies instead of one fully comprehensive strategy can contribute to the promotion of a CSI that we can all support?

Mr M McGuinness: I think that the Member will be well aware that the reason for that has its historical roots in previous agreements, as far back as 1998. In the course of the worthwhile discussions that are taking place between the five political parties, there will be an opportunity to air all of those issues. I am fairly confident that the way in which the five parties are working — I understand that there will be a further meeting of the CSI group later this afternoon — will produce a successful resolution to many of the difficult issues that many thought were beyond us. I work on the basis that those things can be resolved and that we can reach agreement. Hopefully, the five parties will be able to sign up to that agreement.

If the Member has a particular concern about any language issue, I would advise him to raise it through the Alliance Party representative on the body that will meet later today.

Mr Humphrey: Does the deputy First Minister agree that, unlike the 'A Shared Future' document, which sought to neutralise in order to create better community relations, the CSI document should reinforce the need for tolerance and celebrate cultural diversity and identity in Northern Ireland?

Mr M McGuinness: I absolutely agree with the Member. Given the circumstances that exist and the journey that we have all travelled over the past five years, in particular, in this institution, it is hugely important that we recognise that issues of cultural expression are central to building a united community that is strengthened by its diversity. Cultural expression must be encouraged in the context of respect, inclusion, interdependence and diversity. It is only when culture is expressed within that framework and in accordance with those principles that we will be able to build a diverse society that is equipped for the future.

I think that we all have to come at this from the perspective of having our own allegiances and aspirations. However, we have to also recognise that others have aspirations and allegiances, and it is hugely important that we all show respect for each other's allegiances. I do not believe that that is beyond us. We have shown by our work in this institution over the past five years, and particularly since the Assembly elections of last year, that we have the ability to work together and to take on challenging issues. I believe that our people, who voted for all the people in this institution, are delighted when they see us reach agreement after agreement on issues that many thought we were incapable of reaching agreement on.

Mr Gardiner: What issues are causing a delay with the processing of CSI?

Mr M McGuinness: The CSI document went out for consultation, and the First Minister and I made it clear from the beginning that we would listen very carefully to the criticisms and other opinions that were expressed about it. That would allow us to face the issues and deal with them in a sensible way. Given that some of the parties were at odds with the original document, I think that the decision to bring all the parties together was sensible. From the discussions that have been held between the parties, it is clear that there are a number of issues that create difficulties and problems — flags is just one example. That body has been in existence since September of last year. It is continuing its work, and the vibes that are coming out of it are encouraging. I hope that we will see a successful outcome sooner rather than later.

I know that there is a temptation among Members to jump into TV studios to debate these issues. As someone who has been involved in negotiations for well over 20 years, I have always found that the most productive dialogue and debate takes place behind the scenes rather than in front of the TV cameras.

FM/DFM: Foreign Direct Investment

3. **Mr McKay** asked the First Minister and deputy First Minister what visits they are planning this year with a view to attracting foreign direct investment. (AQO 1360/11-15)

Mr M McGuinness: Members will be aware that growing the economy and tackling disadvantage is at the heart of our Programme

for Government. Attracting and maintaining high-quality foreign economic investors is a key component in that work.

Approximately 14,000 people here are employed by US-owned companies. Our visits to the United States over recent years have played a vital part in securing a wide range of investments. We have built up important personal relationships with senior executives in a range of companies that are providing a significant number of jobs here, including the New York Stock Exchange, Chicago Mercantile Exchange, Citigroup, HBO and Universal Studios. Just last Friday, the First Minister and I visited the New York Stock Exchange's Belfast operation to meet its global CEO, Duncan Niederauer. The company employs 300 people in the heart of Belfast, and Mr Niederauer reaffirmed our positive working relationship and his company's ongoing commitment to Belfast.

On Sunday, the First Minister and I met the vice-premier of China at an official dinner in Dublin Castle. We will want to develop further that very important relationship in the coming months and years. It is vital that the First Minister and I continue the important work of building relationships and delivering jobs. Next month, we will travel to the United States and Canada over St Patrick's Day, when we will continue to promote our economic strategy at the highest levels of the Obama Administration. We plan to meet the Canadian Prime Minister, Stephen Harper, to build on our strong historical, cultural and economic links.

We also have plans to travel to the economic powerhouses of India and the United Arab Emirates in April, to meet existing and potential investors and to build trade links, ensuring that local firms have all possible assistance in developing export markets. Working closely with other Departments, we are acutely conscious of the importance of putting our economy on the global stage. We plan to do all in our power to harness all opportunities.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I thank the deputy First Minister for his answer. Certainly, it is important that we encourage not only the growth of foreign direct investment but our indigenous small and medium-sized enterprises. Given the emergence of economic superpowers such as the BRIC (Brazil, Russia, India and China) countries, can the deputy First Minister give us an indication of

the importance of such countries to trade here, particularly India and the United Arab Emirates, which he mentioned?

Mr M McGuinness: For the past four years, India has been a growing and important market for us in the manufacturing and service sectors. Many companies are now exporting there and a significant number have set up joint ventures and manufacturing partnerships. Others are using the market as a potential source for products and services, helping to improve their cost competitiveness in third markets and sustaining employment here.

Indian companies are major investors and an important source of foreign direct investment for European countries. Invest NI opened its offices in Mumbai in 2007 and has recently expanded its operations to include Bangalore. It should also be noted that GDP growth in the Indian market has averaged over 8% over the past five years, so it is a market with enormous potential. We will also travel to Dubai, which is a key trading hub for local companies, which have been winning new sales for the past 25 years. Dubai has taken on additional global importance as a distribution management hub.

Invest NI has had an office in Dubai since the mid-1990s, and in recent years that has expanded into an incubation centre that supports the accelerated growth of sales by resident local companies that are offered office space at a very competitive rental cost and assistance in legally employing staff and setting up their presence. Currently, there are six companies in that centre, and, from there, they operate across the region.

Mr G Robinson: If any jobs accrue from foreign direct investment, can we make sure that the north-west benefits from it, particularly Limavady, which has lost so much industry in the past few years?

Mr M McGuinness: We are all very conscious of the way in which the north-west, including Limavady, has been hit by recent job losses. That is something that we have to consider very seriously. Obviously, all Members know that, in the context of Invest NI's work with foreign direct investors, it is the investor who makes the decision about a location. That is why we decided last week that important infrastructural projects such as the construction of the A5, A2 and A8 would go ahead, as well as the important building work at the Ulster

Hospital, Altnagelvin Area Hospital and the hospital in Omagh. It is hugely important that we have proper infrastructure in place so that we can attract foreign direct investment. The construction of new roads will appeal to those who are contemplating coming to our shores.

2.15 pm

Mr Swann: Following a previous visit to the US, a statement was made to the House outlining the importance of the creative industries. In light of that, why has the creative industries innovation fund been allocated less money over a longer period? Why is there no mention of the screen industry in either the Programme for Government or the economic strategy?

Mr M McGuinness: Nobody appreciates the importance of the creative industries more than the First Minister and me. It is fair to say that we are spending more money on it now than at any time in the past. Our Programme for Government includes the construction of the new theatre for movie making at the Paint Hall, which several millions have been poured into. We have seen a very significant return on our investment. It is estimated that, for every £1 of assistance provided from the public purse, almost £8 of expenditure was generated for the local economy, including wages and salaries of cast and crew, restaurant and hotel bills, facilities hire, transport hire and construction costs. We will continue to encourage the creative industries to come here. The fact that we have proven successful in recent times is testimony to the seriousness with which they take our project.

Mr Byrne: I thank the Minister for his answers, particularly his comments about the importance of infrastructure. What is the current situation regarding discussions with the Treasury about corporation tax? Does the Minister agree that a reduction in corporation tax would be a major incentive for Canadian and American firms? PayPal's announcement of 1,000 jobs in the Republic today is a clear indication of the importance of corporation tax.

Mr M McGuinness: All Members will be aware that all parties in the House are absolutely supportive of the need to bring about a reduction in corporation tax. It is very clear from speaking to potential investors on our numerous visits to the United States that devolution of corporation tax powers to us would have a huge impact on attracting foreign direct investment.

Therefore, it is a key priority for us. It is still a work in progress, and there are still meetings taking place. Officials work consistently with the Treasury and others to ensure that we will, hopefully, have a decision sometime this year. It is a vital part of attracting foreign direct investment. As recently as yesterday, the First Minister and I were involved in discussions at the Cabinet Office with the Deputy Prime Minister and representatives of the Scottish and Welsh Administrations. On the margins of that, we had discussions with others about the importance of getting this matter resolved from our perspective.

Ministerial Subcommittee on Children and Young People

4. **Mr Molloy** asked the First Minister and deputy First Minister for an update on the work of the ministerial subcommittee on children and young people. (AQO 1361/11-15)

Mr M McGuinness: With your permission, Mr Speaker, I will ask junior Minister Anderson to answer this question.

Ms M Anderson (Junior Minister, Office of the First Minister and deputy First Minister): Go raibh míle maith agat. The ministerial subcommittee plays a crucial role in ensuring that the needs of children and young people remain at the heart of the Executive's priorities. It continues to drive forward the implementation of the Executive's 10-year strategy for children and young people. The subcommittee, in developing the new 2012-16 action plan, will deliver on meeting our commitments under the 10-year strategy and the UN Convention on the Rights of the Child. The subcommittee is applying a more strategic approach by identifying and delivering actions that are strongly focused on outcomes and will truly add value and make a real difference to children's lives.

To ensure effective delivery of the action plan, subcommittee members are reviewing the structures. We are simplifying and streamlining those structures to facilitate greater joined-up working within government, involving the right people to deliver on the right outcomes. By integrating efforts across all Departments in that way, we can ensure maximum impact on priority issues so that children's and young people's needs are attended to.

Mr Molloy: I thank the junior Minister for her reply. Will she outline how the Department proposes to work with the newly formed children and young people's strategy and strategic partnership and in the context of the ministerial subcommittee and the action plan emanating from the 10-year children's strategy?

Ms M Anderson: We very much welcome and support the establishment of the Children and Young People's Strategic Partnership and the work it has done in producing an integrated plan for 2011-14, focused around the six high-level outcomes of our strategy and, as you said, the UN Convention on the Rights of the Child. We will work with the partnership to identify how best the ministerial subcommittee can support and enhance the work that is being taken forward. We will fully involve the partnership in the review of the structures and in the development of the 2012-16 action plan.

Mr Nesbitt: At the risk of straying too far from the main question: has the Minister had a chance to review the Northern Ireland Commissioner for Children and Young People's response to the Programme for Government with regard to this area, which seems quite critical?

Ms M Anderson: We were very mindful of what the commissioner said. Indeed, we responded to that and refuted some of the comments. Unfortunately, however, those comments were not carried in full. The commissioner is, in fact, mistaken in assuming that the 10-year strategy for children and young people and the Bamford mental health review have been omitted. Both of those important issues are included in the building blocks for the Programme for Government. The document contains several commitments, across a range of priorities, relating especially to children and young people. Those commitments include plans to increase the education performance of young people from disadvantaged backgrounds and to support young people into employment by providing training and skills. In addition, we have committed ourselves to implementing an integrated and affordable childcare strategy while ensuring availability of at least one year of preschool education for families who want it. Furthermore, we have stated our intention to reduce child poverty by fulfilling our commitment under the Child Poverty Act 2010.

It is important to note that the Programme for Government is still in draft form and is out for

consultation until 22 February. All responses will be considered before agreeing the final document.

Mrs D Kelly: I am disappointed in the junior Minister's reply, because what we are really hearing are recycled commitments, not new ones. If the Office of the First Minister and deputy First Minister is really committed to childcare, why has it not made that a statutory commitment? Can the Minister outline the budget for the implementation of the childcare strategy?

Ms M Anderson: The Member will be aware, as we certainly are, that Mr Agnew from the Green Party is proposing to bring forward a private Member's Bill with regard to children's rights, which will place a statutory duty on Departments and agencies to co-operate in the delivery of services for children. Responsibility for the planning and delivery of children's services is currently a matter for the Department of Health, Social Services and Public Safety. Delivery of services is co-ordinated through the Children and Young People's Strategic Partnership, which comprises all the agencies that are working to improve children's outcomes.

Junior Minister Bell and I have been working very hard to address the issue. We have had a number of meetings with stakeholders and others working in this field. Cross-departmental structures associated with the ministerial subcommittee are driving forward work in a number of areas, including assisting young people who are not in education, employment or training and safeguarding children. It is our intention that the new action plan will include focused cross-departmental intervention and support. The subcommittee is also committed to targeting resources — the Member asked about that — at children and young people who need our help the most. The work that we are doing to identify priorities for the new action plan will assist in the targeting of resources at areas that will provide additional benefits to the most disadvantaged children.

Race Relations

5. **Mr Ross** asked the First Minister and deputy First Minister to outline the work that is being carried out by their Department to improve race relations. (AQO 1362/11-15)

Mr M McGuinness: We remain committed to creating a society in which racial diversity is supported, understood, valued and respected;

where racism, in any of its forms, is not tolerated; and where we can all live together as a society and enjoy equality of opportunity and equal protection. We continue to develop a new racial equality strategy by working closely with the sector through the racial equality forum and panel that we established to ensure that the voice and needs of all communities are heard and responded to. We remain committed to supporting the sector through the minority ethnic development fund, which totals almost £1.1 million for the current financial year. That fund has been instrumental in ensuring increasing participation of minority ethnic people in all aspects of our society. We intend to move to a longer-term funding cycle that will allow greater stability in the sector and a more strategic approach to meeting the needs of minority ethnic communities. In addition, we continue to legislate to meet our commitments under the Programme for Government, EU obligations, case law requirements and emerging issues. In the near future, we will bring forward legislation to meet EU obligations to amend the Race Relations Order in order to prescribe the circumstances in which unlawful discrimination in employment under that order applies to seafarers on ships and hovercraft.

We support, and are members of, the Unite Against Hate campaign, and we are working towards a relaunch of a more strategic and in-depth version of the campaign. We are also committed to working closely with the Department of Justice and the Police Service to ensure that we tackle sectarian and racist attacks. We continue to promote Traveller and Roma inclusion, and we welcome the contribution to our economy and society of all minority ethnic people and remain committed to protecting their rights.

Mr Ross: Can the deputy First Minister give a practical example of how the minority ethnic development fund has helped ethnic groups in Northern Ireland to participate more in wider society? How does he see the fund developing as they move towards a longer-term funding model?

Mr M McGuinness: Applications for a newly reshaped minority ethnic development fund, covering a longer funding cycle, will be initiated in the coming months. The fund is being reshaped in line with the results of a detailed evaluation of its operation over the past seven to eight years. We intend that the new fund will take into account many of the issues that

groups in the sector raised as part of the evaluation, thereby meeting their needs. We are conscious that any gaps in funding may have a detrimental impact on the sector, and officials are examining options to minimise any such impact.

Ms Ruane: Go raibh maith agat. Thank you, Mr Speaker. I welcome the deputy First Minister's comments about the Unite Against Hate campaign. It is important that we do everything that we can to ensure that there is no toleration of attacks in our society. Will the deputy First Minister provide us with more information on that campaign?

Mr M McGuinness: We propose extending both the lifetime of the Unite Against Hate campaign for a further three years and its scope. That will allow us to build on the positive results of the initial campaign. By consolidating the existing co-ordinated multi-agency response to the problem of hate crime here, the campaign aims to raise awareness of the damage that it causes, to lead to a change in the underlying attitudes that facilitate it, to reduce its occurrence and to mitigate its impact.

Mr Durkan: Given recent controversies in the English Premier League, does the deputy First Minister believe that racism is an unsaid problem in parts of the North's sports scene?

Mr M McGuinness: I do not think that it appears to be as big a problem as it is in the English Premier League, but we are all very conscious of the fact that we live in a time when there is ongoing sectarianism and racism and when incidents can flare up at any moment. Therefore, it is essential that we as legislators ensure that we are moving forward in a way that means that we are legislating to ensure that this is stamped out and that we support the police in their apprehension of those who would be involved in such activity, which is so detrimental to our society.

Mr Speaker: Question 6 has been withdrawn.

A5 Dual Carriageway

7. **Mr Doherty** asked the First Minister and deputy First Minister what discussions they have had with the Minister for Regional Development in relation to the construction of the A5. (AQO 1364/11-15)

Mr M McGuinness: We are very pleased that, last week, the Executive agreed a £492

million plan for strategic investment in road infrastructure, including improvements to the A5. Over the next four years, Roads Service can bring forward significant elements of the A5 dual carriageway projects, the sections between Derry and Strabane and Omagh and Ballygawley, along with the A8 Belfast to Larne project and a scheme to dual the A2 Shore Road at Greenisland. Last week's Executive agreement also includes significant upgrades, totalling £90 million, to our healthcare infrastructure in Belfast, Derry and Omagh.

Those schemes will create or safeguard more than 3,000 jobs over the next four years. The generation of a substantial number of construction jobs for the successful contractors and subcontractors will have an immediate impact, and we will all be able to see that. That significant investment will generate an estimated £1.6 billion in additional spending — a major economic boost that will assist the construction sector in a particularly hard time for the industry. Spending will impact on other aspects of the economy, including services, and, through the spending of those in employment, the retail sector. That is a visible manifestation of the Executive working collectively to deliver the commitment of stimulating the economy.

2.30 pm

The A5 road upgrade will develop our international trading opportunities and make us more attractive to inward investment. In particular, engineering and manufacturing clusters in the west will gain easier access to the port of Belfast. Benefits will also be generated by improving transport links with Derry, specifically opening up Strabane's possibilities, enabling much needed economic development and spin-off jobs locally.

Agriculture and Rural Development

Mr Speaker: Questions 2 and 3 have been withdrawn, and written answers are required.

Flood Prevention

1. **Mr McGimpsey** asked the Minister of Agriculture and Rural Development to outline the

preventative measures her Department is taking to tackle flooding in areas of significant risk. (AQO 1372/11-15)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Go raibh maith agat, a Cheann Comhairle. Rivers Agency focuses on three key areas to tackle flooding in areas of significant risk: prevention, protection and preparedness. First, the agency aims to prevent damage from flooding by providing advice to the public and to Department of the Environment (DOE) planning. That enables informed decisions to be taken that should avoid development in areas at risk from flooding. Secondly, the agency provides protection to existing properties at flood risk through the ongoing maintenance of existing drainage and flood-defence systems and, where viable, the construction of new defences. Thirdly, Rivers Agency prepares for flooding by working with key organisations to develop flood-risk management plans and a co-ordinated response to flood events. The updated flood maps also provide information to the public who may be at risk, because that understanding will enable them to be better prepared to react when a flood event occurs. I am convinced that, by working together, we can manage flood risk to reduce its impact on people, property and the environment.

Reducing flooding risk and minimising the damage caused by flooding will continue to be a priority for Rivers Agency. I have made available an additional £1 million funding for 2012-13 to help with flood alleviation measures throughout the North. I am pleased that the additional funding will enable the Ballygawley scheme to start construction this summer. With that additional funding, Rivers Agency has updated its capital programme, and, as a result, the Beragh scheme is scheduled to commence construction in the 2013-14 financial year. It is my intention to seek out every opportunity to secure additional funding for flood-risk management, and, if necessary, I will take that to the Executive.

Mr McGimpsey: I thank the Minister for that comprehensive answer. Bearing in mind that significant flooding has recently occurred in Belfast, particularly south and east Belfast, can she assure the House that watercourses in those areas will be properly maintained to allow the free flow of water? Furthermore, bearing in mind that a key part of the management of flooding was that provided by Belfast City

Council, can she assure us that there will be proper ongoing liaison with that council as we work together to ensure protection for those areas of Belfast?

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. I assure the Member that Rivers Agency will continue to liaise with Belfast City Council on such projects. Regular maintenance is carried out, and areas that have been identified at risk are subject to even more inspections to make sure that, where possible, the risk is minimised. We will continue to work with our partners, whether that is Belfast City Council or DOE.

Ms Boyle: Go raibh maith agat, a Cheann Comhairle. What are the next stages of the floods directive for the significant flood-risk areas?

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. By December 2013, the Department is required to complete the detail flood-hazard and risk maps for the significant risk areas, which are defined by European regulation. Those maps are even more detailed than those currently available and will clearly identify property and infrastructure that is at flood risk. By December 2014, the Department will also have flood risk-management plans drafted for all those areas, and those will be finalised by December 2015 in line with the requirements of the EU floods directive.

Mr Byrne: I thank the Minister for her answers in relation to Ballygawley and Beragh. Will she outline whether the negotiations with the people of Beragh are going ahead and when the design scheme will be completed?

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. The Member will be aware that, just a number of weeks ago, the Rivers Agency was out once again at a meeting with concerned residents and people who have an interest. Roads Service was also there, along with all the key players who could bring some benefit to the type of project that is needed in Beragh. As I said, as a result of the additional funding that we brought to the Rivers Agency, we can commence that project for construction in 2013-14. All that work is going on at the moment. The detailed scheme design is being worked up, but residents are being fully informed of that process as it goes along.

Broadband: Rural Areas

4. **Mr Flanagan** asked the Minister of Agriculture and Rural Development, in light of her recent meeting with BT Ireland, how she intends to improve broadband access in rural areas. (AQO 1375/11-15)

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. As I have stated many times in the House, rural broadband is one of my priorities. Connection to good-quality broadband is more important than ever for businesses in the current economic climate and more so for rural businesses that suffer by virtue of their isolated rural locations. It is a key economic driver, and is recognised as such. It is through broadband that the isolation can be eliminated, or at least reduced, as businesses use the internet to create shop windows for a much wider customer base.

As the Member stated in the question, I met the chief executive of BT Ireland last week to discuss broadband issues, and I have a commitment from him that BT will investigate issues with broadband coverage in rural areas as a priority. It has also undertaken to assist my Department in putting together lower-level analysis of the coverage in rural areas so that we can best target our resources when we get the opportunity to do so.

To underline my commitment to rural broadband, I have also recently announced that the Department of Agriculture and Rural Development (DARD), through the Department of Enterprise, Trade and Investment (DETI) project, will invest £5 million from the rural development programme. It is of the utmost importance to me that that funding be used specifically to target rural areas and areas that we deem as hot spots, where people can only get fewer than two megabytes of lines. We have also started a process to encourage more rural businesses, including farmers, to connect to broadband, but that will work only if they can access existing broadband. Those are the projects that we are looking at. As I said, it will continue to be a priority in the Department.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her extensive answer. I also commend the leadership that she and her Department have shown in trying to target investment into deprived black spots. The extra funding of £5 million will go some way towards making a massive difference. The Minister will be aware of the alternatives

to fixed-line broadband, albeit at a premium price. What plans does her Department have to reduce the high cost of broadband in deprived rural areas?

Mrs O'Neill: Go raibh maith agat, and thank you for the supplementary question. That is an area that I have looked at. Everybody wants access to fixed-line broadband, and that is right and proper; however, until we reach that stage, people have to avail themselves of satellite services, which are more expensive to install and which carry a higher monthly fee. I have asked officials to look at that.

I want to investigate the merit of running a scheme that could assist people with the installation costs so that they can access the satellite broadband service until such time as they can get the fixed-line service, or if they are convinced of the merits of the satellite service. Often, it is about perceptions as much as anything else. That is something that I have asked officials to do, because I am keen that we get to 100% coverage and that rural people are no longer excluded from that vital service. In this day and age, everybody wants access to broadband.

Mr Frew: I thank the Minister for her answers so far. I know that the rural development programme is now part of the broadband issue, as are the strategic projects that she has asked for throughout the council areas. What has she done to assuage the fears and concerns of the local action group members and joint committee members who have been working on projects so far that their projects will not be pushed aside for those strategic projects and the rural broadband issue?

Mrs O'Neill: I do not look at it as an either/or situation. There are many viable projects, and we are working our way through a long list of applications. It is not a question of either broadband or projects. The fact is that we are in danger of underspending in the rural development programme, so taking in areas such as broadband access was a logical way to enable us to spend that money wisely for the benefit of the wider rural community: the farming community and rural dwellers. We will continue to work with the JCCs and LAGs and ensure that they come on board, but the measures that I have taken to try to make sure that we encourage as much spend as possible have been broadly welcomed.

Mrs Dobson: I note that the consultation on tranche 3 of the farm modernisation programme includes the possibility of increased points for online submissions. Does the Minister think that it is fair that farmers without broadband access, who have, it could be argued, greater need to modernise, could be penalised when trying to apply?

Mrs O'Neill: We are encouraging as many farmers as possible to fill out all applications and forms online. I recognise the problem of not everybody having access to broadband, and that is why it is available in our DARD Direct offices, which, as you will know, are scattered across the North. We hope that nobody will be left out because they cannot access broadband to apply online. Our services are there for people to use.

Farm Modernisation Programme

5. **Mr Murphy** asked the Minister of Agriculture and Rural Development to outline any plans she has for tranche 3 of the farm modernisation programme. (AQO 1376/11-15)

Mrs O'Neill: The farm modernisation programme has proved to be extremely popular with and beneficial to the farming community, and news of the third tranche has been much anticipated. That is why I announced last week that, in line with my Department's equality scheme, a consultation on the equality impact assessment (EQIA) of tranche 3 will run until 18 April.

Total funding of £5.5 million has been announced, which is an increase of £1.4 million on the amount previously announced. That will provide significant support and a much-needed boost to farmers and the wider economy in the current difficult economic climate. The third tranche of the farm modernisation programme will open when the EQIA consultation exercise, administrative procedures and scheme documentation are complete. My intention is to retain a simplified application and assessment process, ensuring that red tape is kept to a minimum.

Mr Murphy: Gabhaim buíochas leis an Aire as a freagra. I concur with the Minister's view that it has been a very popular programme, and I am heartened that she is intent on keeping the red tape involved to a minimum. The programme has been of significant benefit to farmers and the rural economy. Will the Minister outline whether there is likely to be a tranche 4 of the farm modernisation programme?

Mrs O'Neill: The current focus is on getting tranche 3 out and getting farmers to apply. However, I will continue to monitor the spend on all parts of the rural development programme from now until 2015 and make any changes that might be necessary. I also want to look at the effects of tranches 1 to 3 and take into account any recommendations from their analysis. When we have developed the agrifood strategy, for example, issues might be identified that tranche 4 could benefit. We will keep it under review, but my mind is not closed to opening tranche 4 if we can.

Mrs D Kelly: The Minister outlined what has to be done. However, given that her predecessor announced tranche 3 funding last year, will she explain why there has been such a delay? When will we know the definitive date on which tranche 3 funding will be made available to farmers?

Mrs O'Neill: Part of the delay was because I had to seek approval from the European Commission to amend the rural development programme in order to make the funding available. I received that approval late last year and immediately went out to consultation with stakeholders in November and December. We turned it around pretty quickly in that we were able to launch the EQIA last week. We will, hopefully, be able to launch very soon after that finishes, which I expect to be by 18 April. While the EQIA is ongoing, we are updating and pricing the list of eligible equipment. Therefore, no time is being wasted in getting the scheme up and running as quickly as possible.

2.45 pm

Mr I McCrea: The Minister referred to the £5.5 million and gave an update on some of the dates. Will she detail if she has had any discussions with banks and moneylenders in respect of ensuring that when the £5.5 million is available, it can be spent, and that money that needs to be borrowed will be available?

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. Officials have been working with stakeholders, which is anyone who is involved in the process. When the scheme is launched, it will be important that people can avail of the funding as quickly as possible. There will be small grants of £500 right up to £4,000, so, hopefully that will make it accessible to everybody and they will be able to get involved, no matter what sector of the industry they are involved in.

Mrs Overend: The eventual announcement of tranche 3 is very welcome. Will the Minister indicate whether she believes, as her permanent secretary said, that it will soak up demand for small-scale grants? I am also interested to hear her initial thoughts on tranche 4.

Mrs O'Neill: I will take those questions in reverse. In respect of tranche 4, as I said, the agrifood strategy will be a good opportunity to identify challenges and issues for the industry, which may help us to shape the thinking of what tranche 4 will be. However, my priority for the minute is to get tranche 3 opened and get people to use the funding.

In respect of your first question around selection criteria, some of the things that I want to bring out at tranche 3 include getting young farmers and young people in the farming community to avail of succession-type grants. Therefore, we are looking at prioritising the points that will be awarded for young farmers coming forward. That is something that the industry very much welcomes.

Animal Welfare: Slaughterhouses

6. **Mr D McIlveen** asked the Minister of Agriculture and Rural Development to outline how her Department safeguards the welfare of animals in slaughterhouses. (AQO 1377/11-15)

Mrs O'Neill: Welfare of animals at slaughter or killing is subject to the requirements of European directive 93/119/EC, which is implemented in the North by the Welfare of Animals (Slaughter or Killing) Regulations 1996. The directive sets out the basic requirements for the operation of slaughterhouses in order to prevent any unnecessary suffering for animals prior to and during the slaughter process.

Veterinary officers from my Department, as official veterinarians, are present in all approved slaughterhouses during times of slaughter each day and as part of regular audits. The official vet's role includes verification that the slaughterhouse operator fulfils their full obligations under the directive. Most establishments here have designated animal welfare officers to ensure high welfare standards, and I very much welcome that.

In addition to the inspection of all animals ante-mortem, the official vet conducts checks throughout the day to confirm that animal handling and treatment from time of arrival until

time of death is appropriate to the species and complies with legal requirements.

Enforcement action is taken where necessary. That may include verbal or written advice or warnings, or, when necessary, a recommendation for prosecution. If official vets see animals arriving at a slaughterhouse showing evidence of welfare problems having arisen on a farm or during transport, the incident will be reported immediately and the necessary follow-up action will be taken.

To ensure that animals are killed humanely, no person can slaughter animals in a slaughterhouse here without going through an assessment and licensing process. Slaughtermen are licensed by my Department under the Welfare of Animals (Slaughter or Killing) Regulations 1996, which ensure that anyone who handles animals in a slaughterhouse has an adequate level of knowledge, training and competence.

Mr D McIlveen: I thank the Minister for her answer. I am sure that the Minister will be aware that some legislators have taken action to ensure that there is mandatory CCTV in some slaughterhouses. I wonder if that is a direction in which her Department will consider going in the future.

Mrs O'Neill: There is no evidence in the North to suggest that compulsory CCTV should be introduced. There are 20 slaughterhouses here, and 13 have already installed CCTV. A further two plants have CCTV in place but not in the stunning area. There are five remaining meat plants, but they are small.

Last year, I met Animal Aid campaigner Kate Fowler, and we discussed the implementation of CCTV in slaughterhouses. I made the point that I would consider it and keep it under review if I felt that it was necessary. I know that other legislators are looking at the issue. In the South, they have no plans to bring in compulsory CCTV. I know that, in Britain, there have been a number of highly publicised cases. However, I think that you have to look at it in a different context, because we are very local here, and we have a vet in every slaughterhouse who sees the process through. At this stage, I am not convinced of the need for CCTV.

Mr Cree: This is a specialist subject for me. Is the Minister aware of the considerable concern for the welfare of the industry that exists among

farmers due to the proposed introduction of the full-cost recovery of fees for meat inspections in slaughterhouses? I understand that such fees do not apply in the Republic of Ireland.

Mrs O'Neill: I am aware of the issue that the Member raised. It is not directly related to the question, so I am happy to write to him about it. We are always very mindful of the costs, and we are always very mindful that costs should not be put on to the farmer. I have raised that issue with other Departments. I am happy to write to the Member and to keep him up to date with what is happening with that matter.

Rural Poverty

7. **Ms J McCann** asked the Minister of Agriculture and Rural Development to outline the main elements of the programme to tackle rural poverty and rural isolation. (AQO 1378/11-15)

Mrs O'Neill: Under the DARD anti-poverty and social inclusion framework, a package of measures worth £10 million was successfully implemented over the 2008-09 to 2010-11 Budget period. Following agreement of the 2011-12 to 2014-15 Budget, I confirmed my commitment to tackling rural poverty and social isolation by allocating £16 million to build on the successes of the early work and develop other interventions. I am delighted to say that tomorrow I will be launching the revised tackling rural poverty and social isolation strategy and the associated action plan. Those will set out in detail the focus of that important work and how it will work out over the next Budget period.

I am pleased to say that, over the past 10 months, intervention on the ground has continued through the provision of concessionary travel for SmartPass holders on rural community transport; maximising access to grants, benefits and services by supporting home visits by trainer enablers to our most vulnerable rural households; funding the rural support charity to provide assistance to rural families and farms facing difficulties; and rural community development regional and local support of over 800 groups. In that period, the development of rural schemes has been ongoing, and I am pleased to announce today that all those schemes have acquired the necessary approvals, with activity under way or due to commence in this financial year. So, I think that those are an exciting range of projects, and I look forward to bringing them to fruition in the time ahead.

Ms J McCann: I thank the Minister for her answer, the detail she gave and the specific action that she is considering to tackle rural poverty and exclusion. Has the Minister been working with other Departments on the issue?

Mrs O'Neill: Yes. I thank the Member for the supplementary question. It is key that we set out the strategy, the action plan and what we want to achieve, but we also have to leverage in funding from other Departments. Some of the projects that I will be launching tomorrow are testimony to that. We are going to work with the Public Health Agency in getting into farmers' marts and rural communities to carry out health checks. However, there are other schemes. We will work with the Department for Social Development on a fuel poverty initiative and try to increase the energy efficiency measures of hard-to-reach and hard-to-heat homes. I think that those are all positive examples.

There is a new initiative on boreholes for people who cannot get access to safe drinking water. We are going to announce a scheme with the Department for Regional Development. That scheme will allow people to be able to access funding and to get access to mains water, which, in this day and age, you would think most people would automatically have, but, in fact, some do not.

So, I am excited by the project that we have launched, and I look forward to seeing it through. Key to the delivery of all this is working in partnership with other Departments.

Mr Beggs: Does the Minister acknowledge that successful rural primary schools that are integrated into their local community play a significant role in reducing rural isolation and rural poverty? What representations has the Minister made to the Minister of Education to ensure that that is taken into consideration as the future of primary schools is being assessed?

Mrs O'Neill: The Minister of Education can speak for himself, but he is very aware of the benefit of a rural primary school and the wider benefits it brings to that community. I know that he will be mindful of that when he is taking any decisions on the way forward. I am from a rural community, so I am aware of how our school is the community centre. It is all those things to the rural community. I am sure that the Minister of Education is also very mindful of that.

Mr McCarthy: Officials from the grant-giving bodies visited the Agriculture Committee a number of weeks ago. Concern was expressed that, although applications were coming in, quite a lot had been returned or refused for one reason or another. Is the Minister content that applications are being encouraged, and as much finance is going to rural development as is required?

Mrs O'Neill: Go raibh maith agat, a Cheann Comhairle. I assume that the Member refers to the rural development programme and how that money is being spent. As I said before in the House, I am eager to ensure that every penny of that money is spent and not a penny is returned to Europe. I took action to try to get the local rural development groups to deal with all the applications that they have on the table because some are sitting with quite a backlog. We have seen a really good improvement in that over the past couple of months since I took that action. I commend the groups for responding.

It is vital that we get that money spent in the best way in our rural communities. That is my intention and that of all the groups administering the fund.

Mr Durkan: Are any specific programmes targeted at rural youth, given the high levels of youth unemployment and emigration?

Mrs O'Neill: Absolutely. I am quite excited about the new youth employability programme that we are about to launch as part of a wider package. It involves taking in young people who have been out of work for some time and working with industry partners; so businesses are getting involved. It will help to develop young people's core skills, which, hopefully, will give them that wee bit of confidence and encourage them to get back into the workplace. Taking part in that training will give them some skills to take back to the workplace.

Market Gardening

8. **Mr McNarry** asked the Minister of Agriculture and Rural Development what plans she has to develop the market gardening sector.
(AQO 1379/11-15)

Mrs O'Neill: My Department already provides considerable support to the commercial and amenity horticulture sectors.

College of Agriculture, Food and Rural Enterprise (CAFRE) development advisers work closely with horticulture growers. They provide business support for vegetable, protected crops, top fruit, soft fruit and amenity horticulture crops, including ornamental crops and cut flowers. They deliver training, knowledge and technology transfer, and business development planning support to the horticulture industry. CAFRE staff also offer support through the provision of benchmarking and business development packages.

Recently, my Department assisted the top fruit and the potato sectors to achieve recognition under the EU protected food name scheme. New season Comber potatoes/Comber earlies and Armagh Bramleys have achieved protected geographical indication (PGI) status under EU law.

DARD supports the growth and development of the agrifood sector through the implementation of the rural development programme. One element of that is the EU agricultural and forestry processing and marketing grant scheme. To date, the Department has paid £5.03 million to support horticulture related projects under that scheme. The processing and marketing grant (PMG) scheme is open for applications until 24 February.

Representatives from the horticulture industry had the opportunity to input to the list of items included under tranche 3 of the farm modernisation programme. They are also included in the consultation process. A range of horticulture related items has also been supported in previous tranches of the programme.

The Department supports co-operation and collaboration within the horticulture industry. I recently attended a meeting with the Horticulture Forum and gave a commitment to ensure ongoing support for it. In addition, DARD, in conjunction with the Countryside Agri-Rural Partnership, manages the supply chain development programme. That programme supports growers working together to improve their supply chains.

Mr McNarry: I thank the Minister again. I did not need to ask her for a plug for Comber spuds, and I thank her for recognising that that status has been given to that particular part of the industry. It greatly advances our agricultural food business in that area. Can she say specifically, if not now, perhaps in written answer, what promotion and marketing tools are

available from her Department to the market growers and gardeners?

Mrs O'Neill: I outlined in my initial answer some of the areas of support that the Department provides. However, I am happy to write to the Member and give him more detail on the ins and outs of it. The processing and marketing grant scheme has been very beneficial to the sector. I am happy to give the Member more detail on that.

3.00 pm

Private Members' Business

Organ Donation

Debate resumed on amendment to motion:

That this Assembly calls on the Minister of Health, Social Services and Public Safety to undertake a review of organ donation. — [Mr Wells.]

Which amendment was:

At end insert:

“which should consider all options for increasing organ donations and carrying out a clinical ethics consultation on the introduction of an opt-out scheme.” — [Mr Durkan.]

Ms S Ramsey: Go raibh maith agat, a Cheann Comhairle. I welcome this debate on organ donation. In contrast to yesterday's debate, in fairness to DUP Members, they are not going to divide the House today. This is a very important motion.

We need to recognise, as I am sure the Minister will do so, the huge gift that those who donate their organs give to people across this island. Due to organ donation, there are many men, women and children, not only across this island but across the world, who have received the opportunity of a new life. As the proposers of the motion and the amendment touched on, the impact on people who receive an organ donation cannot be underestimated. The impact on those who take the ultimate step of allowing the organs of their loved ones to be donated should not be underestimated either.

There are a lot of issues around this subject in society. The proposer of the motion highlighted some statistics from across the world. I am in favour of organ donation, but I am not in the position in which a loved one of mine has just died. So, when we look at the opt-in and opt-out issue, we also need to look at education and how we let people know at such a vulnerable time in their lives that being involved in organ donation gives the gift of life or the gift of a better life to others. It is important that we recognise the human aspect involved.

The proposer of the motion mentioned the thousands of people who are on the organ donor register in the North. However, when you

compare that with statistics across the world, and I thank the people from Research and Information Service for the information they gave us, our rate of registration is probably one of the lowest. We also have people who genuinely, for a number of reasons, do not agree with organ donation. As I said, there has to be a balance between allowing people to grieve after suffering such a traumatic experience and allowing them to take part.

Mr Wells: Will the Member give way?

Ms S Ramsey: I will give way, because you gave way to me earlier.

Mr Wells: Does the Member accept that the vast majority of people who do not sign up for organ donation have no great moral or philosophical problems with it: they just never get round to doing it? There are very few people in the United Kingdom or the Irish Republic who have a moral problem with donating their organs. It is because of apathy that they do not sign up. Therefore, surgeons day and daily are dealing with people who have perfectly good organs that they cannot use because those folk never got round to signing up.

Mr Principal Deputy Speaker: The Member has an extra minute.

Ms S Ramsey: I agree with Mr Wells. Organ donation is not a discussion that we have in general with our families. People do not say, “Tonight I am going to discuss with my family what they want to happen to their organs when they die”. A lot of people do not like to talk about death.

The other issue is that, unless we have that conversation and start that education process, we will be faced with this problem year in and year out. If one of my loved ones died, I would be unsure of what they wanted, so I would be afraid to make a decision. So, it is right that we have that conversation, strategy and education process and that we start them at an early age.

Organ donation has had a bad time over the past number of years. In this jurisdiction, we have had the organs retention inquiry. So, some people shy away from it now. If we start the conversation about organ donation earlier, it will become part of everyday life and will not be something that people do not want to talk about.

Mr McClarty: Does the Member accept that an opt-out situation forces people to make

a decision on whether to opt out or let their organs go forward for donation?

Ms Ramsey: Probably, but there are a multitude of reasons. If you look at the motion, the issue is about looking at all of these scenarios in their context. People in Spain were given the opportunity to opt in or opt out and that did not necessarily make a difference. However, employing people to deal with families and act as a family liaison officer at that critical and crucial time has increased organ donation in Spain by, I think, 30%.

Allowing that to happen was one step, but it was not the biggest step needed. Other issues and factors needed to come into play. We need a holistic approach at an earlier age. When we spoke about cancer 10 years ago, it was whispered. Now that we have had education and information, people are talking about the survival rate for cancer. Cancer is no longer —

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

Ms S Ramsey: I support the motion and the amendments.

Mrs Dobson: I thank the proposers for bringing the motion to the House to enable us to debate an issue that is very close to my heart. I speak not only as an MLA but as a mother of a successful kidney transplant patient. Three years ago, my youngest son, Mark, had a kidney transplant. If Members will indulge me for a moment, I would like to speak briefly about his story.

Mark suffered from kidney disease since he was born, but when he was 13 years old he entered renal failure. He was told that he would need to undergo a transplant operation within one to three years. At home, we had always lived with Mark's kidney disease and adapted our lives around it, but I cannot relay the emotional shock it delivers to a family to hear that your son needs to undergo life-saving surgery at such a very early stage of his life.

However, Mark is one of the lucky ones. He waited for 10 months for a successful donor organ to be found, and in February 2009, aged 15, he underwent the five-and-a-half-hour overnight operation at the Royal Hospital for Sick Children. We do not know who the donor of Mark's kidney was, and we probably never will. Even so, we thank their family every single day for giving Mark the gift of life. As they endured

the indescribable grief of losing a loved one, through donating an organ they gave the selfless gift that enabled us to have a healthy and fit son who is able to enjoy life to the full.

Since his transplant, Mark and I have visited and become friends with countless dialysis patients and their families to give advice and to talk about his experience at what can be for them an extremely traumatic time. I think particularly at this minute about Justin and Sharon Weir, constituents of mine from Donaghcloney.

Patients struggle daily with the physical effects, mental trauma and considerable financial loss, which for many comes from being unable to work. The end result is low self-esteem and the stressful cycle of enduring what seems like endless medical treatment. It is heartbreaking to watch patients go through the daily routine of being on dialysis, with the long journeys to hospital and the never-ending wait for the phone to ring with the news that an organ has become available.

As a family, we endured that wait, and nothing quite prepares you for the elation of finally receiving that call. However, I know many patients through our charity work who are into their second decade waiting to receive an organ. I think in particular of one such patient, a colleague of mine, William Johnston, from Bangor, of the Northern Ireland Kidney Patients' Association. That highlights the extreme importance of increasing organ donor numbers.

The House and, specifically, the Health Minister must take all necessary steps to increase the number of available organ donors and to build on the hard work and tireless dedication of so many local people who give freely of their time to promote organ donation. That includes the work of the charities of the Transplant Forum and the Public Health Agency.

Mr Wells: I make this intervention because I want to hear the end of your speech.

Mrs Dobson: Thank you very much.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mrs Dobson: We must be absolutely certain that the steps we take will not damage their vital work or lead in any way to a loss of trust among the public in relation to the donation of organs.

Last Friday, 'The Economist' published an article on that issue, which highlighted a staggering statistic: although 90% of the British public approve of organ donation, only 30% have signed up. In our local trust, I am aware that we have regional clinical leads and nurses who are specifically trained in organ donation, and that each trust has an organ donation committee in place. That is a start, but we must build on that important work if we are to see organ donor numbers rise dramatically. At the moment, the numbers are rising, but far too slowly.

Last year, as a newly elected MLA, I was proud to launch here at Stormont the Transplant Games, which were held in Belfast. The publicity generated from the games enabled Northern Ireland to reach the very significant local milestone of half a million donors on the register. However, as I said, we need to do more to maintain that momentum.

As I speak to patients waiting for transplants, transplant recipients, clinicians and organ volunteers, I continue to hear the incredibly persuasive argument for more and more trained transplant co-ordinators to operate at our hospitals and local health facilities. Through their specialised training, they can speak directly to families going through an extremely traumatic time to discuss organ donation and how the death of their loved one can pass new life on to another.

There are 288 local people currently waiting for a transplant. No one knows if or when they will join those numbers. I urge people to ask themselves one question: if you are prepared to receive an organ to save your life, are you prepared to give an organ to save someone else's? A fact that most people do not know is that —

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

Mrs Dobson: On behalf of my family and families across Northern Ireland, I appeal directly to the Minister to raise awareness and channel all his efforts to increase the number of organ donors.

Mr McCarthy: If ever there was a reason for people to donate organs, Jo-Anne Dobson's story, which we heard today, is one. We thank her very much for sharing that with us. I wish her every success in her work as she goes along, and that her son will make a good life for

himself, as I am sure he will. His family must be proud of him.

I thank the Members for bringing this important issue to the Assembly, and the amendment, which we support.

We can all play our part in the promotion of organ donation in Northern Ireland. As Jo-Anne told us, 288 people in Northern Ireland are awaiting the life-saving gift of an organ, which, if received, could help them to live with their loved ones for many years. I have enormous sympathy and hope for all those who find themselves in that position. By highlighting the issue in the Assembly today, I hope that progress can be made and, sooner rather than later, many more organ donors will come forward, thus saving the life of as many patients as possible. I pay tribute to all the medical staff involved. I am sure that Jo-Anne would agree that the doctors, consultants and all the people involved in getting Mark back to health have to be congratulated, and we give them all the support that they deserve.

Northern Ireland has always been regarded as a region where people are caring and generous. I have no doubt that, if given all the information on safeguards, dignity, etc, our people will continue to give. If the motion is passed, and I have no reason to believe that it will not, and a review is undertaken with all scenarios taken into consideration, I am sure that our people in Northern Ireland will respond positively.

Presently, as I understand it, the donor card is the main method of getting people to sign up. It has worked satisfactorily until now, and we must thank all those government organisations that push for organ donation through their correspondence. I am sure that Members know what I am talking about. When you get an application form for a driving licence, for instance, you have the opportunity to sign up to be a donor. We are very grateful for that.

3.15 pm

The amendment calls for the consideration:

"of all options for increasing organ donations".

It also refers to the "introduction of an opt-out scheme". I can go along with that, as long as every possible precaution is taken. There can be absolutely no room for error. It was, I think, Sue Ramsey who mentioned an incident that I recall from a number of years ago. After

the unfortunate deaths of their babies, some parents discovered to their horror that, without any discussion, debate or permission, the children's organs had been stored for future use. That caused an outcry. Sue mentioned that during the review of organ donation at the time.

Mr Wells: Does the Member accept that there is a world of difference between the organs of a child being taken for experimentation without the parents being consulted and someone voluntarily giving their organs to enhance the life of someone else after their death? I do not think that we should muddy the waters by trying to compare the two. They are totally different.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mr McCarthy: I take the point.

Ms S Ramsey: As the Minister is here, I want to mention the process of education. Unfortunately, when the donation or retention of organs is mentioned, we think of the bad issues. Education of the public is important, and I agree with the Member's intervention.

Mr McCarthy: I just mentioned that incident because the last thing that we want is for people to suffer any more than they already have. I know that, for the parents, it was like their baby was dying for a second time, and some of those affected came to me. We must take every precaution, regardless of what direction we take. We want organ donations to increase, but every precaution has to be taken. The situation that I described must never happen again, as it would make people uneasy, suspicious and more likely simply to say no to organ donation. I am against such horrendous situations, and I would be totally against any plan to remove organs without the family's permission.

As the Deputy Chair of the Health Committee said, in Wales, the result of consultation on the opt-out system is anxiously awaited, and, after that, the publication of the report. Our population could digest the outcome of those and make better decisions.

I pay tribute to the 'Belfast Telegraph' for its Sign Up, Save a Life campaign last year. Now, the number of people signed up to save a life here stands at over 0.5 million. That is a fantastic result, and I appeal to everyone to continue with that.

In conclusion, I support the motion and the amendment, and I hope that the review will be positive and help to save the lives of people who depend on a donor to remain with their families for many years to come.

Mr Dunne: I welcome the opportunity to speak on the very important matter of organ donation. It is a very sensitive issue, and it is right and proper that we have a mature and sensible debate. It is welcome news that organ donation is on the increase throughout the United Kingdom. However, there is still room for improvement. The reality is that transplants save lives.

Organ donation is a very delicate issue, and we need to take great care not to increase the trauma of already grief-stricken loved ones when death comes to a family. Sadly, the statement rings true that in the middle of life, we are in death.

Obviously, one major element of a review of organ donation would be the possibility of introducing an opt-out system, which Wales is seeking to introduce. I have reservations about presumed consent on such a sensitive issue as organ donation. I believe that donation should be a gift, not a duty. Doctors have also raised concerns about the slack definition of death required to harvest organs. We must be cautious and ensure that the need for organs does not compromise the care of those who are critically ill.

There is also concern from Churches and other organisations over presumed consent of organ donation. Those concerns need to be taken on board in any review of organ donation in Northern Ireland. The Archbishop of Wales, Dr Barry Morgan, has warned of an opt-out system undermining the positive image of organ donation. He stated:

"Giving organs is the most generous act of self giving imaginable but it has to be a choice that is freely embraced, not something that the state assumes."

One of the most effective measures in improving donation rates is to promote public awareness of the importance of organ donation. As with many public health issues, more could be done to educate our young people on the subject. That could be done in schools and in further and higher education institutions, but it could be extended to workplaces and community organisations. We should be doing more to sell

the benefits of organ donation and make known the dangers of not thinking seriously about it, which often happens as a result of a lack of knowledge.

Many do not think seriously enough about organ donation during their life, and I am sure that it is only when people find themselves in a position of critical need that they begin to think seriously about it, and then it can often be too late. The profile of the current donation system and organ donor register could be greatly increased, and there should be greater public awareness of the register right across the age profile of people here. The current Carry the Card campaign could be evolved and improved, having become somewhat outdated. It should be more user-friendly and interactive, with greater use made of IT and mobile phone facilities, all aimed at reaching more potential donors and making donation more socially acceptable. A television campaign would go a long way to increasing that social acceptance. More could also be done to make transplants more effective. Northern Ireland has a particularly low conversion rate, which needs to be improved.

Organ donation is a complex issue. Any review should take on board all views and assess the benefits of a range of measures before taking any rash decisions, which could do more to damage public health than improve it. I support the motion and the amendment.

Mr Brady: Go raibh maith agat, a LeasCheann Comhairle. I, too, support the motion and the amendment. As Gordon said, this is a very complex subject. I have to say that it is something that I did not really understand a lot about until I read some of the information.

I have attended the transplant group at Daisy Hill Hospital, where there is a very good renal unit, which people from the Twenty-six Counties also access. I talked to people in the group. I have a school friend who had a transplant and takes part, very successfully, in the transplant games. I also had a colleague who donated a kidney to his father. However, organ donation is something that living donors should decide themselves to do. Where a family is put in a position in which they have to make a decision, obviously that decision becomes that much harder.

I did not understand a couple of things, although perhaps I have not yet heard the answer. I presume that, as they get older, people's organs become less effective for organ donation.

Therefore, I also presume that younger people are continually needed to sign up for organ donation, and age is a thing that I do not think that anybody — *[Interruption.]*

If I can make the point before Mr Wells gets up, because he might want to comment, I thought it a very magnanimous gesture for him to say earlier that he does not care what happens to his organs after he passes away. However, I am sure that we may find a few wee caveats in his will as to whom they may or may not go. I will give way.

Mr Wells: I do not think that the donor card allows you to state who your organs go to.

Mr Weir: Not Mickey Brady.

Mr Wells: Yes, not Mickey Brady. I do not think that that would be on the card. However, there are some of us who would like a transplant of his hair at some stage.

To return to being serious about this important issue, my understanding is that the liver regenerates. In fact, Dr Karl Partridge, who spoke to me this morning, got the liver of a 63-year-old, and it is functioning perfectly well and will last him a lifetime. Therefore, for some organs, no, it does not matter what age the person is, provided the liver is in good working order.

Mr Brady: I thank the Minister — the Member — for his intervention. Sorry; Freudian slip. I think that there was more concern about to whom your organs might not go, as opposed to whom they might. I will leave that there.

There are other issues. People who have had blood transfusions cannot subsequently give blood. I wonder whether there are issues around that, and I am sure that someone will be able to inform us about that later. It is certainly a very complex subject. I ask the Minister to consider that.

Although an opt-out system would put more people on the donor list, and should be supported, I think that the biggest problem is getting the next of kin to agree to transplantation, because tragic circumstances pertain at that time, particularly when relatives get bad news, usually as a result of an accident. People may not be in the right frame of mind at such times to agree to donation.

The relevant point was mentioned that Spain has introduced a system of having transplant

co-ordinators in every emergency hospital. That could happen at trauma units here. Transplant committees in trusts have also been mentioned, and that is obviously a great step forward. Those people are trained in grief counselling to talk to relatives of donor-card holders. As was mentioned, Spain introduced the opt-out scheme 10 years ago but saw only a modest increase in donations. However, since the new system was introduced, there has been an increase of over 30% in the number of organs for harvest. That is the kind of model that the Minister could look at to increase the number of donations, because it is a very sensitive and delicate subject. Obviously, the way forward needs to be treated sensitively.

Mr Ross: Irrespective of one's views of the merits or otherwise of an opt-out system, we, of course, should — I think that this debate will — encourage a greater understanding of the issues. We should educate more people about the need for donations and ensure that the current system is made more effective and efficient. We should, of course, encourage those who wish to do so to carry a donor card but, more importantly, as other Members said, encourage them to talk to their loved ones so that they know what those individuals' wishes are in the event of death.

I certainly encourage the Minister to examine how we can encourage more people to get on the organ donation register, but I also encourage him to investigate whether the present system is efficient enough and to ensure that we get a translation from potential organ donations to actual transplant stage. However, I have a number of concerns about moving towards a model of presumed consent, and I wish to focus my remarks on those. My colleague Mr Dunne said that it is about a competing argument between whether it is a gift — I listened to the moving speech by Jo-Anne Dobson about the gift of life — or whether it is a duty. I believe that moving towards a system of opt-out raises some serious questions about the power and the role of the state over the individual. One would have thought that some Members would have cherished the principles of the Magna Carta and the limitations of the state over the individual and shown more resistance to moving towards a position in which the state assumes ownership of people's organs. It cannot be stated in strong enough terms that presumed consent is not actual consent. It is very important that we take note of that.

Mr Wells: Will the Member give way?

Mr Ross: Certainly.

Mr Wells: Aligned to that would be a register, held in Northern Ireland, which anyone who had problems with presumed consent could join to make it absolutely clear that their organs could never be used in any circumstances. Surely that is the safeguard, provided it is properly advertised and people are aware of it. That would prevent the state from assuming ownership of organs, and that, surely, must be worth considering for the future.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mr Ross: I thank the Member for his comments and, indeed, for his balanced tone, but I would not be confident that an individual's failure to opt out of the system should be taken as informal consent. In fact, we could not be sure that it is not because of a lack of understanding of the system, the policy or the process. We cannot take that as consent, which is a key issue. Indeed, I think that we could place additional burdens on grieving family members rather than removing it.

I turn to some other issues that have been mentioned. First, the vast majority of people support a move to an opt-out system. I read the British Medical Association's remarks, which quoted a figure of 90% of people being in favour of presumed consent.

It is reasonable to assume that, if that were the case, those people would have no difficulty in carrying donor cards. If they do not carry them, we have to find out why. What can we do to encourage the individuals who support this system to carry donor cards? If we could encourage them to do so, there would be no need to move towards a presumed consent model.

3.30 pm

It is also important that we challenge some of the statistical presumptions that we have heard. There is an assumption, which I heard during the debate, that moving to an opt-out system would automatically increase the level of organ donation. I cited the two examples of Norway and Sweden, where, although there is an opt-out system, there are lower rates of donation than here in the United Kingdom. I listened to the point that Ms Ramsey and Mickey Brady made. They are correct: often, Spain is cited as having

a higher level of donation. People credit that to an opt-out system, but the reality is much more complex. Closer examination reveals that Spain's higher rate has less to do with the legal framework in which it operates and more to do with the donation and retrieval system, a high level of public awareness and, indeed, some of the measures that have been put in place, to which the two Members referred. Indeed, the 1979 legislation, which was introduced to move towards presumed consent, lay dormant for many years, and no opt-out register was ever created. The real impact was those key organisational changes in the late 1980s.

There are also questions about whether moving to an opt-out system would deliver the anticipated outcome. The former Prime Minister Gordon Brown established the organ donation task force in the final years of his Government. Its report was published in 2008, and it made it absolutely clear that presumed consent was unlikely to increase organ donation in the United Kingdom and, indeed, risked diverting substantial resources. It would have cost around £45 million to set up and many more millions of pounds in subsequent years. The task force feared that it would divert money from other areas, money that could be used to promote organ donation.

Even more significantly, the task force's members came to the review of presumed consent with an open mind. They were happy enough to go along with moving towards that system. However, after examining the evidence, they determined that the benefits of moving towards presumed consent were less obvious and that the entire issue of donations was a multidimensional one that could not be taken so simply. Crucially, that task force reached clear consensus, which was that an opt-out system should not be introduced and could impact negatively on donation rates.

The other very important issue that the Assembly must look at is that of potential donors becoming actual donors, which other Members also mentioned. NHS Blood and Transplant documented in its 2010-11 activity report that, in some cases, around 90% of potential donations were lost because medical staff failed to approach family members for consent or authorisation or because other criteria were not met. That is an alarmingly high rate. We can, therefore, confidently deduce that

there are massive inefficiencies in the process used by health authorities throughout the UK.

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

Mr Ross: If those inefficiencies were improved, even by a fraction, there would be no need for a move towards presumed consent.

The Minister should examine all possibilities, and, of course, that is his responsibility. However, I urge caution and ask him to resist moving towards a position in which he legislates for the state having further control over individuals and a system not proven to improve donation rates.

Mr McCallister: Contributions to the debate from around the House have been very interesting. At least, there is one common thread: all Members agree that we need to do something so much better. Mr Wells, in his opening remarks, set out some sad statistics and facts. Every year, for example, 17 people are lost. We heard a moving story from my colleague Jo-Anne Dobson about her very personal experience with her son Mark.

Of the issues on which I want to focus, the principal one is ensuring that, whatever happens, the wishes of individuals are met and respected. Sadly, that does not happen at present. The fact is that the families of 40% of people who carry a donor card subsequently refuse to let the organs be used. That is a pretty alarming statistic, notwithstanding the very difficult times in which such decisions are made. All of us in the Chamber and beyond — those who watch or listen to the debate later — should always be thinking about having that conversation with their family. That point was made by other Members, but it needs to be reiterated. People must make sure that their family, their next of kin and their loved ones are in absolutely no doubt as to what their wishes are. Carrying a card may not be enough when the percentage is 40%. People should have that discussion with their loved ones so that there is no question about their views. I hope that it never happens to anyone — no one ever does — but you never know; therefore we want our views to be well known to those who have to make that decision.

The debate about presumed consent or the soft opt-out was made strongly by Mr Wells. We need that radical rethink so that we can up the

numbers of organ donors. We also need to do all the things that Mr Ross and Mr Dunne talked about, such as looking at the number of transport co-ordinators and examining where the system works well and where it falls down. A proactive review by the Department will be useful.

Mr Ross: Will the Member give way?

Mr McCallister: I was coming on to your other remarks.

Mr Ross: I thank the Member for giving way, and I am sure that he will come to my other comments later. Does the Member agree with me that, irrespective of your view of opt-out or opt-in systems, the first stage should be making sure that the current voluntary system is efficient and effective? Does he further agree that, if that fails, we can then have a conversation about taking the dramatic step of moving to an opt-out system? The first step should be to make sure that the current system is efficient.

Mr Principal Deputy Speaker: The Member has an extra minute.

Mr McCallister: Thank you, Mr Principal Deputy Speaker. I do not think that anyone is overly precious about how we how do it, as long as the system works and we up the number of donors. Mrs Dobson said that 90% of those surveyed in the UK believe in organ donation, yet only 30% of us are on the register. That is a huge gap that needs to be filled, and we need to look at how we can do that.

I do not accept Mr Ross's point that an opt-out system would somehow be evidence of the great state coming in. At the risk of showing unionist unity, I share some of his civil libertarian views; however, I do not see the state coming in and somehow taking charge of people's organs. It is not as though the state is saying, "Thank you very much, we will have a couple of kidneys from you and something else from you". That is not what would happen. Mr Wells's liver might be in better shape than that of some other Members, but that is a very different debate. I do not agree with Mr Ross's point, and I do not see that the state would be overstretching itself if we were to move to a soft opt-out system. The rights of every citizen should be respected.

Ms S Ramsey: I said earlier that education is key, and other Members mentioned that. Years ago, there was a rumour that, if people carried

an organ donor card, it was less likely that additional steps would be taken to save them if they were involved in a serious accident. That is why education is key.

Mr McCallister: I hope that it was just a rumour and that people would do all that they could to save someone's life. It goes back to the point about respecting the individual's wishes to donate or not.

We need to make it easier for people to get on to the organ donor register, and we have tried to do that by including organ donation consents on driving licences. It is one of the things that people tend to put off like making a will or doing that DIY job around the house. It goes on for months and years until the wife gives you such a hard time about it.

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

Mr McCallister: We need to make it easy. I support the Minister's review. I also support the motion, the amendment, which was well worded, and the taking of all steps, including looking seriously at a soft opt-out.

Mr P Ramsey: I welcome the opportunity to participate in such a hugely important debate. One could only be impressed by the personal witness given by Jo-Anne Dobson about her son Mark.

Unfortunately, 1,000 people died last year on the National Health Service waiting list for organs. A further 1,000 people risked their life to donate a kidney. They were so desperate watching their loved one die slowly that they chose to take the risk of major surgery themselves. When dramatic and tragic statistics such as those demand that more can be done, more should be done.

The SDLP acknowledges that, since 2000, because of the hard work of healthcare professionals, there has been a consistent rise in the number of people registering to become a donor. There has been a subsequent continuous rise in organ donations. We also want to pay tribute to the families of those who have donated their organs. Jim Wells gave a prime example of a young man who, having lost his life, contributed to so many other people's lives. I have spoken to many people in my constituency whose lives have been saved and whose quality of life has been improved

dramatically, and they are deeply grateful to the donors for that.

The organ donation task force set a target of a 50% increase in donation rates between 2008 and 2013, as Alastair Ross mentioned. He acknowledged the very good work being carried out by the Minister, the Department, the Public Health Agency, the health trusts and organ transplant teams in striving to meet those targets in recent years. A recent BMA report raised two key issues about the 50% target. The first is that current measures are not on track to bring about that 50% improvement, and, secondly, even when the 50% improvement is achieved, people will still die unnecessarily. It is obvious that more needs to be done to save lives.

BMA studies showed that, when asked — we know that the facts are clear — 90% of people said that they would be willing to donate their organs in the event of death but only one third of those people have got round to registering for that purpose. That leaves families in a difficult situation when asked about organ donation, because they do not necessarily know what their relative wanted to do. We also know that 40% of families who are asked to donate their loved one's organs say no. That means that 30% of potential donors never get the chance to donate.

Mr Wells: The Member has hit upon one of the most crucial issues. Yes, 40% say no, but, in other jurisdictions in Europe, when specially trained staff have been employed who have a way with dealing with people going through that trauma and can explain donation to them, it increases dramatically. I agree with Alastair Ross: our first step must be to make certain that the best possible person is dealing with those families and can explain the situation to them. That may not be a consultant; it may be someone totally different with bereavement training. That is what we need to tackle immediately to increase donor numbers.

Mr Principal Deputy Speaker: The Member will have an extra minute.

Mr P Ramsey: I thank the Member for his intervention. The SDLP amendment asks the Minister to give consideration to improving the current donation rates, including an opt-out system of donation. Members talked about the system that is under consideration in Wales and the Spanish model. We acknowledge that the BMA now supports an opt-out system as a means of maximising donation rates.

Nevertheless, I take the point, made by Kieran McCarthy in particular, that we need to ensure that all ethical issues are addressed. It is clear that precautions must be taken and there must be no room for error.

As a number of Members said, Spain has the highest rate of donation in Europe. Incidentally, it used to have the lowest rate, so it has obviously done something right. There are several reasons for that, one of them being the introduction of an opt-out system, which has created a subtle and positive shift in attitude towards organ donation in that region. Donation becomes the usual rather than the unusual option for people, and it eases the burden on families and medical staff when discussing organ donation. Anyone with a strong objection to being a donor will be able to opt out, and their reservations and intentions will be clearly known. In our current system, 90% of the population —

Mr Brady: I want to raise a point that has probably not been addressed. It is a logistical point, in a way, and is something that the Minister might take on board. I am not sure how to deal with it. The donation of organs would, presumably, delay a wake and a funeral, which may be a factor. It is something that people may not have thought about, but it has been raised before. I just wanted to make that point.

3.45 pm

Mr P Ramsey: Mickey Brady makes a fine point. In Ireland, we have a tradition of a wake. It is very important to families, who want to see the body at home. If the body is not at home, it is not a wake. The point is very valid.

The SDLP supports a proactive approach involving the medical profession, patients and the general public. That is how Spain transformed its donation issues. It is vital that we have investment in health service infrastructure, such as an increase in the number of ICU beds, and, as a number of Members mentioned, it is vital that we continue to train and provide specialist teams of donation advisers in main hospitals.

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

Mr P Ramsey: I appeal to the Minister to come forward with creative and imaginative ideas to increase donation rates. I support the motion and the amendment.

Mr Poots (The Minister of Health, Social Services and Public Safety): First, I thank Jim Wells, Pam Lewis, Gordon Dunne and Paula Bradley for bringing the issue to the House. Jim Wells, at the outset, articulated very well why we need to do more. He set a very useful tone and context for the debate. It has been a very interesting and useful debate. We have heard diverging opinions within parties and the same opinion across parties. It has been a very open debate in which people have given their thoughts and views, and that is a good thing.

I come to the debate with some experience of the issues. Having lost my mother, who was in intensive care at the time of her death, I have some understanding of what families go through at that time. I know the trauma, challenge and disruption that may be involved in seeking to get permission from families for the removal of organs, when all that is in their mind is the loss of a loved one for whom they cared so much. At the same time, my mother had huge problems with her liver all her life. Would a liver transplant at an earlier point in her life have saved it? I do not know.

I also recall very well news coming through to our household about my father's brother losing his kidneys. A number of years later, news came through to the home that they had found a suitable transplant. He received a transplant in the late 1970s and is still living to this day. I have to pay tribute to Dr Douglas and Professor McGeown, who were leaders in the field in the Belfast City Hospital. Many people are alive today as a result of their magnificent work.

I want to refer to another friend of mine, the sister of my best man. As a young student, she went off to a Third World country and picked up something. It did not seem to be that big an issue, but it did huge damage to her liver over time. She received a liver transplant, but she was too low when she got it. She had deteriorated too much when she received it and, as a consequence, passed away around four months later. Her husband believes very strongly that, had she received a liver transplant at an earlier point in her life, she would still be alive. All those experiences guide me on this issue.

We have heard the argument about not taking something that does not belong to you. I believe that that is right. It is inappropriate to assume that you have consent to remove organs from someone's body. At the same time, I am very

clear that, if something happens to me, I want to give others the opportunity to live, as opposed to my organs being donated to the worms.

Organ donation is vital. Jo-Anne Dobson brought her personal experience to the debate, and it is good to see her son with us today. Few of us will have failed to notice the amount of press that the issue has received in recent times and the harrowing stories of those desperately in need of organs. I visited Libby Nash, who writes in the 'Belfast Telegraph' on a weekly basis. That young lady's hopes that an organ is coming have been raised, I think, four or five times. She was set to fly over to England, and then the whole thing was dashed. It is certainly hugely challenging if you live every day with the hope "Could it be today?". Therefore, I am clearly of the opinion that we need to do more in respect of retrieving and transplanting organs for those who need them.

I should say that we have a relatively good story to tell in Northern Ireland. However, the programme here needs to be as successful as others throughout the United Kingdom, and that has perhaps been the case in more recent years. Although the number of Northern Ireland organ donors is on the increase, I would like to see it increasing further. In Northern Ireland, for example, kidneys are the only solid organs transplanted. Patients requiring other organs are, therefore, referred to the appropriate centres in the UK or sometimes in the Republic of Ireland.

The live donor programme is something that we can be very proud of. In the UK, there is a very small, highly specialised programme of live liver transplants that is primarily for children. It is recognised that deceased donors are preferred. However, there are only around 20 of them in the UK. There was a live lung transplant programme, but that was discontinued due to the risk to the donors. In Northern Ireland and across the UK, we have live donor programmes for kidneys. The live donor programme has been a real success story in Northern Ireland, and that is largely down to the efforts of nurse Haslett. That very successful programme has seen the number of living donors rise from 10 in 2008-09 to 51 in 2010-11.

I heard how Mr Ramsey described the live donor programme, and I beg to differ on this occasion. Live donor transplantation is remarkably more successful than deceased

donor transplantation. Therefore, I think that the opportunity to give a friend or relative the gift of life is a very worthy consideration. The percentage of kidneys still working after five years is 84% for live donor transplants, as opposed to 66% for deceased donor transplants. The percentage of kidneys still working after 10 years is 77% for live donor transplants, as against 58% for deceased donor transplants. In respect of patient survival, 83% of those who receive live donor transplants are still living after 10 years, whereas only 61% of those who receive deceased donor transplants are. So, live donor transplants are a huge success story, and we should be very proud of the work going on at Belfast City Hospital to achieve that. There is a three in 10,000 risk to donors, and the risks are largely due to bleeding, infection, blood clots and so forth. So, we want to encourage the number of live donor transplantations to continue to grow.

It has been the case in Northern Ireland that some kidneys from deceased donors have been refused. Some 184 kidneys were offered to patients in Northern Ireland, but, for a variety of reasons, we were not able to receive them. That may sound like an alarming figure. There are quite a lot of good reasons why that should not have happened. Around 100 kidneys were refused for donor reasons, such as age, high-risk behaviour, history of cancer etc, and the surgeons looking after the transplants, therefore, did not believe that they were suitable. We were not able to receive another 10 kidneys either because the recipient just was not ready for the surgery at the time or because there was the prospect of a live donor. Another 47 kidneys were refused for organ-related reasons such as damage, poor perfusion or unusual or difficult anatomy. Around another 20 organs were refused because we did not have the operating space or the surgeons at the time. I feel very sad about the fact that 20 people who could have had a kidney transplant in Northern Ireland in the past two years did not. To address those logistical difficulties, we are seeking to recruit two additional surgeons. That will hopefully ensure that we refuse fewer kidneys because we do not have the logistical base to carry out transplants.

Mr Durkan mentioned North/South co-operation. We are part of a UK-wide system that is overseen by NHS Blood and Transplant. It enables our patients to benefit from organs donated in the rest of the UK and vice versa, which gives us a

very large pool. That is a good thing. Patients in Northern Ireland have the opportunity to join the ROI transplant register, but they cannot be on both registers at the same time. In addition, ROI retrieval teams may be available when one is not available in the UK, and a protocol is in place for us to use that resource. There have been only two occasions when the UK retrieval teams have not been available, and that was due to severe weather conditions.

In 2006, the organ donation task force report made 14 recommendations and indicated that we needed to increase organ donation by 50% by 2013. The current national increase is 31%, so the increase of 50% is progressive. We in Northern Ireland are considerably ahead of that. In Northern Ireland, work on the ODTF recommendations was taken forward by the local implementation group, which was chaired by the Public Health Agency and made up of commissioners, clinicians, NHSBT, voluntary organisations and the DHSSPS. Immense improvements have been made in recent years, and each trust now has in place a clinical lead for organ donation and there is a team of 14 specialist nurses in organ donation. In addition, a regional clinical lead has recently been appointed.

We recognise, in each instance where organs are donated, that that has been a tragedy for some family. We welcome the fact that, although there were only 21 donors in 2008-09, there were 40 donors in 2010-11. The increase being sought in the report has been met and exceeded in Northern Ireland. We need to get the rest of the United Kingdom to that position so that that large pool of organs that I referred to might be available to us.

I applaud those who have been involved in that very effective work to date, and we could do more about donations from people who die from circulatory problems rather than from those who die as the result of some major trauma or accident. Although the ODTF reports have a further year to run before the target for increasing donations to 50%, the programme delivery board recently published its final report, which showed that the recommendations have been embedded into the normal business of the health service. Work is ongoing towards reaching the target.

Much has been made of what has happened elsewhere on the issue of opting in and opting out. In Spain, the opt-out model has not come

about recently. It was introduced in 1979, and Spain has the highest donation rate in Europe. However, the evidence is clear that it is not purely due to the opt-out legislation. It was only after 1989, when Spain introduced a comprehensive, nationally organised donation system, that donor rates increased. The increase in donations could be attributed to the increase in public awareness and, indeed, the available funding. Therefore, it is important that we consider all the options to build on the vast improvements that have already taken place in Northern Ireland. We need to recognise the improvements that have been achieved, and, in looking to how we proceed in the future, we need to take full cognisance of that. Wales has proposed an opt-out system and has just completed a public consultation on that.

Although we recognise that we need to go further to all the advances that we have made in organ donation in recent times, we need to have an open debate. I trust that this is one of the early points in the debate on whether an opt-out in Northern Ireland should be considered. It needs to be considered in the context of what has been achieved and what can be achieved without legislation. That includes having greater public awareness and having the appropriate professional teams in our hospitals to advise people in a compassionate and caring way about how they might best be able to help others to have life and how that can be a reflection on the person that they have just lost.

4.00 pm

So, given that this is a truly sensitive issue, I think that we need to manage people's expectations in a way that means that, for people who are desirous, should something unforeseen happen, their relatives can give life to others after that tragedy in their life. We need to make every effort to ensure that we maximise the numbers that are doing that, and it will be a course of work for us to continue to discuss how we can achieve that in the coming months.

Mr McDevitt: I thank colleagues from across the House for their contributions to the debate this evening. As Jo-Anne Dobson illustrates, when an issue such as this touches a family, it does so in a very real and serious way, and I commend Jo-Anne for using the platform that her seat here affords her to keep the issue on everyone's agenda. As the Minister points out, it has touched us all. I am sure that I am not the only one in this House who has had to confront

the reality of making an informed choice in a less than clear situation. I have done so not once but twice in recent years in the case of my own parents in the Republic.

This is a sensitive debate, but it is an exceptionally important one. To Alastair Ross's credit, he has raised the basic issue at the heart of the debate, which is ultimately about competing rights and responsibilities and about the extent to which the state can and should have an involvement in the collective well-being of everyone in it. It is a debate about whether we consent to being part of a jurisdiction conditionally or whether we consent to being part of a whole that is greater than the sum of its parts. It is also a debate about whether we are willing to entrust the state with certain powers allowing it to act in the best interests of society, as we do in so many other aspects of our life. That is not an easy thing to do. I listened attentively to a 15-minute contribution from the Minister, and I know one thing for sure: he has not come to a view on the matter, or, if there is a view, he is certainly reluctant to share it with the House.

As many colleagues will know, because I bore you about it a lot, I had the great benefit of moving to Spain as a young boy just after the 1978 constitution was introduced. The law that the Minister referred to is one of the first laws introduced by the new free democratic Spain under a socialist government. That law is very much founded on those principles of citizenship and is rooted in a French model of the state. It allows the state to take certain responsibilities and secures the consent of the people to operate it. Of course, no law is a solution in itself; it needs systems. The Minister is absolutely right: it took a generation to realise that, unless you put some systems behind a duty or responsibility, you do not really see change.

The one thing that seems very evident from today's debate — this is the harsh fact that we need to reflect on — is that, in the vast majority of states where there are successful high transplant rates, the foundation is a law of presumed consent. It appears to me that there are not a huge number of states that are achieving very high transplant rates where there is not a foundation of presumed consent. The question then becomes twofold, and the first is about the law. I respect deeply Mr Ross's libertarian views. Indeed, our livers have suffered on at least one occasion for the sake of debating those views in private, but we have to

accept that taking a decision about a statute is only the first decision that we will probably need to take. The second and real challenge becomes whether the state wishes to operationalise that statute and put the resources behind it and the systems in place that will ensure that those duties are exercised in a fair and equitable way. That is a way of absolute informed consent, even if it is presumed, and it is a way that seeks to give the maximum amount of protection to such a critical decision. It would be an awful tragedy if we did not move on from that today and begin to explore the ethical and legal issues around a concept such as presumed consent, rather than get hung up on the debate about whether or not it is a good foundation. Wales has succeeded in doing that, and we have an opportunity to do the same. I think that it would be a lovely testament —

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

Mr McDevitt: — to the House in its new form if it is able to take an issue such as this and debate it in an informed way.

Ms P Bradley: The motion calls on the Health Minister to undertake a review of organ donation in Northern Ireland. The Assembly is not dealing with this issue in isolation. As Members said, in Wales, a White Paper examining how donors give organ donation consent has just ended its consultation phase.

I thank Members for what Mr Dunne called a mature and sensitive debate. I pay special thanks to Mrs Dobson for sharing with us the story of her son Mark. It is often forgotten that we have lives that go on outside the Chamber. I know that I speak for everyone when I say that I hope that Mark has a very full life ahead of him.

Mrs Dobson also said that organ donation has been called the gift of life. That was evidenced in the 2011 British Transplant Games, which highlighted how the gift of an organ can transform a life. For a registered donor, it is inexpensive, but for a recipient, it is the one thing that no amount of money can buy. It can also bring amazing comfort to a donor's family. In Northern Ireland at the start of this month, 226 people were waiting for some form of transplant. In 2011, sadly, nine people in Northern Ireland died as a result of a scarcity of donors.

The organ donation task force contends that it should be possible to increase post-death organ donation for the entire United Kingdom by 50%.

Just think what a difference that would make if one of our loved ones was waiting for an organ. It is important to remember that organ donation is not simply a local issue; organs donated in Northern Ireland can be sent to other regions of the United Kingdom and vice versa. The issues that need to be addressed to ensure that the process works to its best capacity have already been reviewed in the organ donation task force's report.

There are, however, some startling statistics relating to Northern Ireland that increase the need for a review of organ donation. As Jim Wells said, the positive statistics show that 77 people received kidney donations in 2010-11, while a further 30 people from Northern Ireland received transplants from other centres in Britain. That total of 107 is up on the previous year's figure of 77 transplants.

As Members said, the shortage of deceased donors needs to be urgently reviewed, as 51 of those kidney donations were from live donors. The lack of deceased donors means that people are risking a major procedure to help a loved one. For kidney transplants, the risk of death to a donor is one in 3,000; with live liver donors, that risk increases to one in 100. What a decision for any family to have to make.

As Mr McCallister said, we have a responsibility to have those conversations with our families and loved ones, and we call for an increase on the register. He also mentioned that many of us say that we will get around to putting our names on the register. It is like making a will or doing something around the house. Many of us feel that we want to be donors, but I, sadly, am like many others and have not registered. We need to push for more people to register. We must have a review to address how we can ensure that more deceased donors who can donate do donate. The review needs to be pursued sensitively and with care to ensure that no one feels unduly pressured to donate their loved one's organs.

The number of potential donors identified in Northern Ireland last year through brainstem tests was 68; of those, 64 families were approached for consent to the organs being used. The number of potential donors identified after circulatory death was 54, yet only 15 families were approached and asked to donate. That is just over one quarter of potential donor families being asked to donate. That highlights that something is not working in the

system to maximise the number of donors. In an ideal world, all potential donors should be approached and given the option of donation.

We as an Assembly should work towards ensuring that we can perhaps first follow the Welsh example of changing our current opt-in system to one of the two opt-out systems in place in 22 other countries.

Mr Ross raised various issues around the opt-out system, and that is a good example of why this review needs to take place. A sound evidence base needs to be sought in order for us to make a full and informed decision through an informed debate, as the Minister said.

Secondly, we can promote the transplantation of organs in a positive light. Mr Durkan commented on the various media campaigns that have run successfully over the years and should continue to do so. Finally, we can see what we can do to expand the ways that people can access the organ donation register to sign it while the review takes place. There are a number of ways that a person can register. As Mr Dunne said, this needs to be a little more innovative, and one of the most innovative that I have come across is through the Boots advantage reward card. When you sign up for that card, you can register to be an organ donor at the same time. That may be something that other large organisations need to look at.

Organ donation is a gift that is cherished, not just by the individual who receives but by their family and the donor's family. We as an Assembly need to ensure that we are working to maximise the opportunity to give and receive this gift. As Mr Durkan said in his opening statement, we have a moral responsibility and are duty-bound. I therefore support the motion's call for a review of organ donation as well as the amendment.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly calls on the Minister of Health, Social Services and Public Safety to undertake a review of organ donation which should consider all options for increasing organ donations and carrying out a clinical ethics consultation on the introduction of an opt-out scheme.

Motion made:

That the Assembly do now adjourn. — [Mr Principal Deputy Speaker.]

Adjournment

Home Help Services: County Fermanagh

Mr Principal Deputy Speaker: I remind Members that the proposer of the topic shall have 15 minutes. The Minister will have 10 minutes in which to respond. All other Members who wish to speak on this occasion will have up to 10 minutes.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I missed how long I have to speak, but however long it was, I doubt that I will need it. I thank the Minister for coming. I know that he has a very busy schedule and that he has just finished an important debate on organ donation, so I am glad that he is here to listen.

The gaps in home healthcare provision in Fermanagh are a massive issue. The problem has been going on for many years, and, to be honest, I am heartbroken dealing with tales from distraught citizens who cannot access the most basic level of health and social care services, particularly in the most rural areas of Fermanagh.

There are clear gaps when one looks at where home help care is available and where there are problems. One of the main reasons behind that is the terms and conditions for those employed in the profession. Those employed as carers are passionate people; they are dedicated to what they do and are committed to those for whom they care. However, the poor rate of pay and the low or often non-existent rates of mileage payments make it very difficult for people to become a carer, particularly in rural areas where they have to cover a considerable number of bad roads to get to see someone who needs help. Those gaps in home help provision are seriously impacting on people and putting the quality of their lives at risk, particularly those who live in rural areas and who are very vulnerable and in their later years. We now have a situation in which the health budget is being cut significantly, in real terms, and that is

putting massive stress on the health and social care budget.

4.15 pm

I can quote one example of a lady in Garrison who had a fall recently and became paralysed. As a result, she needed 24-hour care and had to spend nine months in hospital. She would have much preferred to spend that time at home, and the medical practitioners in the hospital were happy to release her to be cared for in the community so that she could live at home with her husband. However, unfortunately, there was a complete lack of home help provision in Garrison at that time. Therefore, that poor lady had to spend nine months in hospital unnecessarily. It impacted not only on her quality of life but on the healthcare budget, because she had to stay in hospital at huge cost and for an unacceptable reason.

If the Department of Health, Social Services and Public Safety (DHSSPS) were to take an innovative look at the issue and provide proper home help provision in many rural areas, it would save itself huge sums of money. The problem is probably not confined to Fermanagh, but I am well aware of it in that area. However, the Minister and his officials will be in a better position to speak about it.

I introduced this adjournment debate to make sure that the Health Minister is aware of the issue. There are issues in Fermanagh, and probably in the wider Western Trust area, as a result of the recent tender award and subsequent legal challenge that is going on there. Due to that legal challenge, we are quite constrained in what we can talk about. However, there are issues with the Western Trust and its level of communication with agencies and with the independent and voluntary sector that provide home help services on its behalf.

People at the front line of delivering home help have voiced repeated concerns that the trust is creaming off the easiest or least problematic patients, who live in easier to access areas, and that it is leaving the more difficult, less profitable patients to the agencies and the community and voluntary sector. The result is that it is much more difficult for people who are doing the job voluntarily to continue doing it, and it is leaving those who are often in the most vulnerable position isolated.

I think I have outlined my concerns well enough at this stage. I am really here to listen to what the Minister has to say, to see whether he is aware of the issue, and whether he will take urgent action to address it as soon as possible, because these are people's lives that we are dealing with. I feel that the issue can be addressed quite simply, and I know that there is ongoing rationalisation of home help provision contracts in the Western Trust. Therefore, I look forward to hearing what the Minister has to say. I thank him once again for coming here this evening. Go raibh maith agat.

Mr Elliott: I thank Mr Flanagan for bringing this adjournment debate here today. I start by recording my thanks and appreciation to all home helps and staff who work in the community and deliver services to the wider public. Last year, during the really heavy snow and frost, those people went out every day for very little compensation or financial support and drove along the back roads, byroads, high roads, low roads and streets of Fermanagh and beyond to deliver home help care and support to the most vulnerable people in our society. It is only right that we record our appreciation to all those carers and support workers.

It is interesting to note that in the Western Trust area, which covers Fermanagh, the number of people who are being supported by the statutory sector and receive domiciliary care has fallen from 2,861 in 2008 to 2,328 in 2010, but the figures for people who receive care from independent providers appear to be reasonably stable. That other figure highlights a reduction of almost 20% in the number of people receiving that level of care from the statutory sector. I assume that Minister Poots will clarify or correct this, but my calculation is that 10%, or thereabouts, of the total health budget in Northern Ireland is spent on social care.

We need to move away from a discussion solely about domiciliary care to a much wider discussion about how we treat, respect and deal with what is an ageing population in Northern Ireland. The proportion of older people in Northern Ireland living in nursing homes is three and a half times higher than that in England and Wales. I wonder whether proper assessments are being carried out to establish whether those people are better suited to being at home or somewhere else, which would cost the Health Department less and, indeed, wider society.

The recent Compton review makes specific allusion to the fact that charging for domiciliary care will soon be considered. That is a significantly controversial issue and something that I believe would resonate widely with the public and bring forward a wider public debate. I know that the system that they are using in Fermanagh and, I am sure, other areas, is changing. I am sure Mr Flanagan will recognise that from his constituency workload that comes in. Many people who needed domiciliary care had one person go in to them, and they got used to that person. Now, by and large, they are changing to a rota system. Obviously, people will not have the level of consistency with a rota system that they had in the number of previous years. It is something that older people in particular will find very difficult to get used to. As the change takes place, grows and gets more frequent in use, it will, probably, be easier for those people to come to terms with the system, especially if they have never been used to one person being with them consistently. I recognise that difficulty that exists at the moment.

Mr Flanagan referred to the legal proceedings around the contract for domiciliary care for independent providers. I am led to believe that a date has been set for that legal case; it is sometime in May. Obviously, we await the outcome of that.

We had the privilege of having a very good domiciliary package for my late father. It is only when you experience it at first hand that you realise the real need for such a provision in the community and how much those people do, sometimes for fairly little reward. As we live in an ageing society, it is something that we must come to terms with.

As I said earlier, we must look at the bigger picture. How do we deal with an ageing population in Northern Ireland? We must look at the domiciliary care issues, bed-blocking in hospitals and care providers in nursing homes and residential care. We must also look at the difference between nursing homes in the statutory sector and those in the independent sector and consider whether one of those sectors offers cost savings or better care provision.

I welcome the discussion and the debate, although I think it is only a start to the much wider debate that needs to be had on the ageing population.

Mr Byrne: I support the topic for debate that has been proposed by Mr Flanagan. It is very appropriate. I support it primarily because a relative of my wife died in Fermanagh last October, and I saw at first hand the level of care that home helps can provide. The home help service has been cut and decimated too much. Very often, it has been one of the Cinderella parts of the social care system. I feel that home help services always get cut first when social care and community care package cuts are brought in. There are many families that greatly depend on home help, but if the carer who comes into a house has only 15 or 20 minutes allocated, it is virtually impossible for that carer to provide the level of care that they want to.

In large towns, agencies can provide a bank of care workers, and very often they manage the system quite well. However, out in scattered rural areas, people depend on individual members of the community who provide a home-help service. I know a lady who looks after five different people in the Glenelly valley. She told me that trying to look after five people every morning and afternoon is a nightmare. Were she not so generous with her own time, she would not be able to cope. She gives more than the 20 minutes allocated to each person. The carer, and her interest for the patient, is being exploited. That is something that the Minister and the Department should examine.

In some cases, families realise that the home-help service is not adequate. Very often a social worker will come and assess the case and has to recommend that the person is put into residential care. That is largely because the home-help service that the family gets is not for long enough, or is not sufficiently sustainable, so that the family and the social worker must decide that the person has to go into residential care. That is often a missed opportunity, and it leads to greater costs. If there were a more adequate home-help service, it would not be an issue.

I support the debate and I thank the Minister for being here.

Mr Lynch: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I also support the debate brought by my colleague Phil Flanagan. I am sorry for arriving late; I was at another event. I did not catch all the debate, but I will echo much of what Joe has said. I will point out a number of key issues. Since I received

notice of this debate, I have been speaking to a number of carers and other people. Thank God, none of my family has yet had to receive care.

I know the person whom Joe Byrne was talking about; she comes from the town of Lisnaskea. The problem is the time limits. Carers will tell you that they are barely out of the car and sometimes, though the client is barely out of bed, they have to move on to the next client. It is impossible to get someone out of bed and dressed in that time, particularly if that person has dementia or Alzheimer's disease. I do not mean to be disparaging, but the client can be awkward and the carer may have to move on to the next client without having even made the person a cup of tea. Those underlying problems often mean that those people are disadvantaged. A carer told me of a case where she went in and her client was sick but, because there was insufficient time, the carer had to move on to the next client and there was not time to call a doctor. The sick client had to wait another four hours until their next carer visit.

There is another issue, which may have been mentioned before I came into the Chamber. A lot of the carers get no travel expenses. Those people work for the minimum wage; they have to pay tax out of that; and, if they have to pay travel, it is very difficult to get anyone to drive any sort of distance. That is particularly a problem in Fermanagh, it being a very rural constituency. It is not worth their while.

Joe is right. Sometimes, carers go beyond the call of duty and give that bit of extra time — more than is required of them — because they have a relationship with the person for whom they are caring.

Those are two key issues for the Minister. We are talking about a cornerstone of the health system. Those people, in their late years, are some of the most vulnerable in society. We should protect them, and put in place the means for them to have the best quality of life.

Mr Poots (The Minister of Health, Social Services and Public Safety): I thank the Member for securing the debate.

One of my key priorities is to ensure that, wherever possible, people are helped to maintain their independence at home. That is vital, and everyone should have a choice about the care they need and how that need will be met.

The message that we have been receiving loud and clear in the Department is that people want to continue living independent lives in their own homes for as long as it is practical to do so.

4.30 pm

Looking to the future, our population of over-65s is set to more than double in the next 50 years. In 2008, we had 248,500 people aged 65 years and over. That represents 14% of the population, and it will increase to 24% by 2041. A man reaching 65 today can expect to live another 17 years, while a 65-year-old woman can expect to live another 20 years. I see that Mr Wells is with us; vegetarians can anticipate a further seven years. That is according to Mr Wells, I might add.

To ensure that we have the resources to care for those older people who may need social care, we must modernise the services that we can offer them. In order to achieve that, I have firmly committed to continuing to transform the way that the services are delivered in our communities to ensure access to high-quality services that are close to home. 'Transforming Your Care' illustrates the range of issues that we need to face.

I have committed to taking forward a fundamental review of the direction and funding of adult social care in Northern Ireland, starting over the next few months with the publication of a discussion document that sets out the issues that we need to debate so that we can take all this into account.

A key element of the way that our social care has developed in recent years has been the expansion of flexible and responsive domiciliary care services. Domiciliary care has incorporated the former home help scheme, and it provides help with a range of services, such as personal hygiene, continence management, problems of immobility, food and diet, including assistance with eating, and simple treatments, including assistance with dressing and getting in and out of bed.

Through our mixed economy of care, which is a partnership between the statutory sector and the independent and voluntary sectors, we are helping more people than ever to stay at home and to avoid admission to hospital or residential care. Over 23,000 people in Northern Ireland, including over 4,500 in the Western Trust area,

are in receipt of domiciliary care packages at a cost of £155 million.

In Fermanagh specifically, the trust provides social care in partnership with several independent and voluntary organisations. In 2010-11, the Western Trust delivered on average 21,240 care hours each week through 17 service providers at a cost of £11.52 million. The Western Trust provides about 40% of domiciliary care services, with the independent sector providing the remaining 60%.

An analysis of recent home care referral activity demonstrated that, over a two-month period, the Western Trust facilitated 661 referrals trust wide for new home care cases or increases to existing cases. Of those, 182 — or 27.5% — were in Fermanagh. That figure is higher than in the other three localities, clearly demonstrating that home care is routinely accommodated in Fermanagh.

It is estimated that 550 domiciliary care workers are employed across Fermanagh. That compares favourably with the trust's other three localities. In 2011, the Western Trust delivered home care services worth £18.9 million. Approximately 24% of that, which is around £4.6 million, was spent in Fermanagh. Based on the local population figures, the per capita expenditure on home care in Fermanagh is currently higher than it is in the other trust localities.

The projected increase in the number of older people has been well documented. Unfortunately, however, the resources that are available to us will not increase accordingly. So, with that in mind, as well as the need to reform and modernise the services on offer for older people, the Western Trust last year tendered for independent home care provision.

A key objective of that tender process was the opportunity to reform the home care service delivery model and commissioning arrangements to generate efficiencies, thereby increasing access to home care services across the trust area. However, a subsequent legal challenge has meant that the trust has been unable to progress that key reform. It is hoped that that matter will be resolved soon, enabling delivery of the benefits that the trust expects to be delivered. The trust assured me that that tendering process is not an attempt to bring about a reduction in domiciliary care services in County Fermanagh. Rather, it is to improve commissioning arrangements and produce a

more effective model of service delivery for a greater number of people.

Although the primary care responsibility must be to those at greatest risk, I recognise that preventative, low-level support can avoid deterioration in an individual's situation. I therefore expect the health and social care service to develop methods of risk assessment to help it to identify those where risks to independence appear relatively low but are likely to become more serious over time. I am keenly aware that we must strike a delicate balance between the necessity to respond to urgent and intensive needs and, at the same time, ensure that people with lesser needs do not unnecessarily slide into dependency for the want of early intervention.

Domiciliary care, with all its component parts, plays a vital role in maintaining independent living. However, other services are actively involved, such as intermediate care, which is designed to bridge the gap between hospital care and health and social care in the community; rehabilitation and re-enablement services; community meals; remote tele-monitoring and assistive technology; and many services provided by the community nursing and primary care teams, to name but a few. I also pay tribute to the tireless work of the many thousands of unpaid carers who help to support loved ones in their homes. I do not take such support for granted and do not believe that it should go unrecognised.

Above all, it is crucial to take into account the perceptions and wishes of the individuals themselves and their carers about how they wish to have their care delivered, by whom and in which setting. As we look to the future, I expect to see a real move towards a greater personalisation of people's care packages, reflecting their own and their carers' wishes as well as needs. Direct payments represents a start in that direction but, currently, as a scheme, does not go far enough in its ambitions and is not attractive enough to service users. Clients need to be helped to work with trusts to create and manage tailored packages of care that suit their circumstances and preferences. Fitting the client or patient into the nearest available service is not good enough. People expect more say, more control and more choice in how their needs are met. That is what they told the 'Transforming Your Care' team and what they are telling us every day.

Clearly, tough decisions will have to be made to ensure that we are able to meet the needs of the very vulnerable in our community and the challenging financial commitments in this difficult economic climate. However, I am firmly committed to continuing to transform the way that services are delivered in our communities to ensure access to high-quality services close to home, whether in County Fermanagh or any other part of Northern Ireland, so that people's needs are met in as flexible and responsive a way as possible.

Adjourned at 4.38 pm.



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