

# Official Report (Hansard)

Monday 2 July 2012  
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# Northern Ireland Assembly

Monday 2 July 2012

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

*Members observed two minutes' silence.*

## Committee Business

**Mr Speaker:** Before we proceed, I inform Members that I have been notified by the nominating officer of Sinn Féin of a number of changes of Committee Chairs and Deputy Chairs. Ms Michaela Boyle has replaced Mr Paul Maskey as Chairperson of the Public Accounts Committee; Mr Daithí McKay has replaced Mr Conor Murphy as Chairperson of the Committee for Finance and Personnel; Mr Seán Lynch has replaced Mr Pat Doherty as Deputy Chair of the Committee for Regional Development; and Mr Phil Flanagan has replaced Mr Daithí McKay as Deputy Chair of the Committee for Enterprise, Trade and Investment. The nominations have all been accepted by the relevant Members. I am satisfied that the requirements of Standing Orders have been met and, therefore, confirm that the appointments take effect from today, Monday 2 July 2012.

## Speaker's Business

### Public Petition: Townlands

**Mr Speaker:** Mr Seán Lynch has sought leave to present a public petition in accordance with Standing Order 22. The Member will have up to three minutes to speak.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. I present a petition of over 6,000 signatures collected by Fermanagh Townland Heritage Group, which is a non-political, cross-community group established to retain Fermanagh townlands in everyday usage as an essential component of the address system. The 6,000 signatures represent over 10% of the Fermanagh population, and more will be added in the coming months. The petition represents a huge effort by a small group of people dedicated to our shared heritage and culture.

The petition calls for the restoration of townlands to the first line of an address. I understand that that is a matter of a minor adjustment to the Pointer database. I further understand that the change is supported by Fermanagh District Council. It will be in contact with the Minister after the summer break to inform him of that, and I encourage the Minister to look positively at the request.

The second part of the petition requests that the Minister and the Assembly amend article 11 of the Local Government (Miscellaneous Provisions) Order 1995 to allow for the numbering of individual properties in townlands. That would provide precise identification for any individual property. The inclusion of the road name in the second line of the address provides an additional aid to locations for those not familiar with an area.

Townlands are an ancient Gaelic method of land division dating back to pre-Norman times. They

were there long before parishes and counties came into existence. The first recorded evidence of townlands can be found in church records from before the 12th century, but it is believed that many have been in existence for over 1,000 years.

The townlands campaign is not against change. It wants a robust address system that is based on townlands but also incorporates postcodes and house numbers to ensure efficient and effective post delivery. Minister Attwood can make a historic decision. After thousands of years, he can be the person who eventually legitimises Fermanagh townlands as a legal form of address.

Mr Lynch moved forward and laid the petition on the Table.

**Mr Speaker:** I will forward the petition to the Minister of the Environment and send a copy to the Chair of the Environment Committee.

**Mr McCarthy:** On a point of order, Mr Speaker.

**Mr Speaker:** Is it a bogus point of order?

**Mr McCarthy:** No, absolutely not.

**Mr Speaker:** Let us hear the point of order.

**Mr McCarthy:** It is about townlands. I want to advise —

**Mr Speaker:** Order. I know where the Member is going, and it is certainly not a point of order. Let us move on.

## Assembly Business

### **Congress of Local and Regional Authorities of the Council of Europe: Regional Chamber**

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

*Resolved:*

*That this Assembly nominates Mr Stewart Dickson to be a substitute member of the Regional Chamber of the Congress of Local and Regional Authorities of the Council of Europe with effect from October 2012. — [Mr Weir.]*

## Executive Committee Business

### Suspension of Standing Orders

**Mr P Robinson (The First Minister):** I beg to move

*That Standing Orders 10(2) to 10(4) be suspended for Monday 2 July 2012.*

**Mr Speaker:** Before I put the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Orders 10(2) to 10(4) be suspended for Monday 2 July 2012.*

**Mr Speaker:** As the motion has been agreed, today's sitting may go beyond 7.00 pm, if required.

## Ministerial Statements

### British-Irish Council Summit: 22 June 2012

**Mr P Robinson (The First Minister):** In accordance with the requirements of the Northern Ireland Act 1998, I wish to make the following report on the eighteenth summit meeting of the British-Irish Council, which was held in Stirling Castle, Scotland, on 22 June. All Executive Ministers who attended the summit have agreed that I should make this statement to the Assembly on their behalf.

The Scottish Government hosted the summit, and the heads of delegations were welcomed by the First Minister of Scotland, the Rt Hon Alex Salmond MSP. The UK Government were led by the Secretary of State for Scotland, the Rt Hon Michael Moore MP. The Irish Government were led by the Taoiseach, Enda Kenny TD, and the Welsh Government by the First Minister, the Rt Hon Carwyn Jones AM. The Chief Minister, Senator Ian Gorst, represented the Government of Jersey, and the Chief Minister, Deputy Peter Harwood, the Government of Guernsey. Finally, the Isle of Man Government delegation was led by the Chief Minister, the Hon Allan Bell MHK. In addition to the deputy First Minister and me, the Northern Ireland Executive delegation included the Minister of the Environment. A full list of participants is attached to the statement that has been provided to Members.

The summit again underlined the British-Irish Council's unique and important role in promoting and developing links between its member Administrations and in providing a forum for consultation and co-operation on east-west issues. Member Administrations continue to consult, discuss and exchange information with each other on a wide range of matters of mutual interest. All parties at the summit welcomed the opportunity it provided to engage directly with their counterparts on issues of significant common interest and concern. The summit discussed the economic situation across each jurisdiction. The delegations each outlined the challenges they are facing and the actions they are taking in response to what is, despite some variations across the jurisdictions, a common picture of economic uncertainty.

The Council exchanged views and examined early progress on the various initiatives aimed at helping young people into employment in

each member Administration. That was also discussed at the previous summit in Dublin. In order to sustain and develop that important work, the Council agreed to commission and consider at its next summit in Wales specific proposals to develop further its work on youth unemployment or employment.

The Council reviewed in detail the work undertaken by the British-Irish Council marine energy work stream and welcomed the progress on advancing marine energy co-operation since the issue was last discussed in 2010. It noted the excellent progress that has been made in negotiations with the European Commission since 2010 and endorsed the formalisation of the EU-wide partnership for marine renewables through the establishment of an ocean energy ERA-NET collaborative action between member states and the Commission. The Council also considered how the issue of marine energy could be progressed at European level during Ireland's presidency of the European Union in the first half of 2013.

The Council noted the progress outlined in the update reports provided by each of the 11 BIC work sectors. They are set out in the communiqué. The Council had a brief exchange on the possibility of collaboration within the British-Irish Council on the issue of creative industries. Heads of Administrations asked the secretariat to prepare a scoping paper in time for the next summit on the potential benefit of BIC member Administrations co-operating in that area.

Finally, the Council noted the secretariat's progress since its establishment in Edinburgh on 4 January 2012 and endorsed the secretariat's business plan. At the conclusion of the meeting, the Council noted that the next BIC summit in November 2012 will be hosted by the Welsh Government.

**Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister):** I thank the First Minister for his update. Given, as he said, that the BIC is an opportunity to engage directly with counterparts on issues of significant common interest and concern and given the potentially devastating impact of welfare reform on the nations and regions of the UK, why was there no discussion on that key issue?

**Mr P Robinson:** Welfare reform was discussed at the Joint Ministerial Council meeting between the member Administrations. Obviously, it would

not be a matter for the Guernsey, Jersey and Isle of Man Governments. However, as the Member stood on a manifesto along with the Tory MPs who voted welfare reform through the House of Commons, we know what side he would have been on.

**Mr Campbell:** The First Minister indicated that the economic outlook of the various countries was discussed. Can he give us an update on the progress, such as it is, on corporation tax being devolved?

**Mr P Robinson:** We referred to the issue of corporation tax during the meeting, and we continue to take every opportunity we can to indicate how important it is to the Northern Ireland Administration that we rebalance our economy in Northern Ireland. It is one of the key issues for this Administration. We have pressed the case not only at JMC and BIC meetings but at a meeting of the working group dealing with corporation tax, which was held during the week. During that meeting, we could not reach agreement with the Treasury and NIO Ministers on all the issues, but we were able to agree on a considerable number of the working arrangements, should corporation tax be devolved and tax-setting powers be given to the Northern Ireland Administration. There are outstanding issues to be settled, particularly in relation to the cost of the Northern Ireland block.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Chéad Aire as a ráiteas go dtí seo. I thank the First Minister for his statement. Was there any discussion on the banking situation? I note that this has been a particularly difficult week for people who have accounts in various banks. I would appreciate an update on that.

#### 12.15 pm

**Mr P Robinson:** There were discussions on banking, but they related to issues that occurred earlier than the problems faced by Ulster Bank and, indeed, RBS customers elsewhere in the UK. I agree with the Member: it is inexplicable to many of us how it can take so long to resolve the issue and why it takes longer to resolve in Northern Ireland than elsewhere. Meanwhile, people are being refused easy access to their funds, and, in some cases, if they are out of the country, they cannot access them at all. I implore the Ulster Bank to put the necessary resources in place to get the matter finished within hours, rather than further days.



**Mr Eastwood:** I thank the First Minister for his statement. Can he give us any more detail about youth unemployment? Can anything be learned from other jurisdictions about alleviating it?

**Mr P Robinson:** I will be careful here. First, in relative terms — I underline the phrase “in relative terms” — the Northern Ireland situation is not as dire as that elsewhere in the United Kingdom or the Republic of Ireland. We have lower levels of unemployment and youth unemployment, although, to the deputy First Minister and me and the Minister who has responsibility for education and learning, those are still unacceptably high.

As First Minister, I always avoid stealing the thunder of Ministers who are about to make a statement, and I understand that Minister Farry will make a statement later on a strategy dealing with youth unemployment that is based on early interventions and looks at building up a covenant between the Government, the employer and the individual.

**Mr Lyttle:** I thank the First Minister for his statement. Will he elaborate on the nature of the discussions about potential collaboration in the creative industries?

**Mr P Robinson:** We were very pleased to take part in discussions on that issue, and we agreed that we would deal with it as a major focus of our next BIC summit in Wales. As everyone knows, the creative industries have become increasingly important in Northern Ireland. It is a significant growth sector, not only with the film industry coming to Northern Ireland or television series being produced in Northern Ireland but with the spin-off of that, particularly Project Kelvin, which allows people to create music in Northern Ireland and to have it on the west coast of America or, indeed, New York in an instant. That means that we have opened up the possibilities for people in the creative industries in Northern Ireland globally.

We also have people at the forefront of app design, which is a growing area in the creative industries. So, there is massive potential for us. If we believe that we can create partnerships and working arrangements with other Administrations that will be to our benefit, we will be happy to do that. Of course, one of the key factors has been the indication that the Chancellor gave about tax on major television productions. That had been a tax break for the film industry, but, with it being a tax break for

television, it should allow us to be much more competitive in bringing companies to Northern Ireland.

**Mr G Robinson:** Can the First Minister give the House an update on the establishment of the BIC secretariat?

**Mr P Robinson:** As I indicated in the statement, the secretariat officially went live on 4 January. Scotland won the bid and is taking it forward enthusiastically. It is good to see Scotland looking to the long term with its British heritage in taking the British-Irish Council secretariat forward.

We have six members of staff in place already. The UK Government and the Irish Government have put in senior officials to head up the office. The three devolved Administrations have placed a policy officer in the secretariat, so Northern Ireland has a policy officer seconded to it. In the medium term, we expect that the other three territories will provide us with a further member of staff.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I thank the First Minister for his statement. Can he give us some more detail and an update on marine renewables?

**Mr P Robinson:** I have to say that that is not an area of departmental activity in OFMDFM. However, I found the discussion of the possibilities to be vastly encouraging. I think that everybody knew that we had wind and waves around our shores. At the moment, that is probably one of the more costly forms of renewable energy; nonetheless, it is important and will play its part in our realising our legal requirements under UK legislation and our PFG targets.

As far as Northern Ireland is concerned, we are receiving bids at present for a 600-megawatt offshore licence. There is also 200-megawatt activity off Rathlin Island. So, there are real possibilities there. Our ultimate goal is to get in the range of 40% of our energy from renewables by 2020. That requires us to increase the amount from that source from about 1,400 megawatts to something in the region of 1,800 megawatts. That is a challenge for us. The Executive have set clear goals for that in the Programme for Government, and they intend to meet them.

**Mr Wells:** Can the First Minister give his assessment of the strengths of the economy

in Northern Ireland compared with other BIC members?

**Mr P Robinson:** We have very different economies in the BIC. We listened to some of the small islands lamenting the fact that they had 1.5% to 2% unemployment. You can understand that, in the kinds of arrangements they have, it is a very different problem to tackle. Compared with England, Scotland and Wales, we have a lower level of unemployment. We also have a lower level of youth unemployment, but we have a much higher number of economically inactive people, and, in that sector, you will find that almost 50% of young people are economically inactive. That is unacceptable. However, it is acceptable in one set of circumstances: Northern Ireland has a higher level of young people who are students than elsewhere in the United Kingdom.

We have to look at the causes of economic inactivity. The Minister for Employment and Learning will start to drill into that area when he deals with youth unemployment issues. The Executive are looking at other initiatives to reduce economic inactivity in Northern Ireland and to ensure that people are skilled up, educated and able to take the jobs that become available.

**Mr Kinahan:** I thank the First Minister for his report. When discussing the issue of helping young people into employment, did the Council discuss Zivildienst, as the Germans and the Swiss call it, through which the young spend a year serving their state during which they learn to have pride and learn their place. It is also a good way of getting people into employment.

**Mr P Robinson:** It was not discussed at the summit, though I have had discussions on those issues with the Minister of State, who is looking to bring a particular project to Northern Ireland. So there are possibilities there. I think that it is a good start in life. Making a contribution to society is better than remaining at home and watching television or sleeping in bed for half the day. The Minister for Employment and Learning will certainly look at that. However, given his responsibilities, he is looking more at ensuring that people are trained up and get the day-to-day experience of working life in order to take them off the economically inactive register.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for his statement.

Regarding youth employment, he said that the issue was discussed at a previous summit in Dublin. Can the Minister give an update on that?

**Mr P Robinson:** The discussion in Dublin set the ball rolling. Certainly, it was the Taoiseach's view that, having discussed the subject in Dublin, albeit more in the margins of a general discussion about the economy, we should not simply drop it but should take it forward to Scotland and have a more detailed discussion there. When we got to Scotland, the discussion was of sufficient merit and there was sufficient interest around the table that we decided to charge officials with bringing forward recommendations to our meeting in Wales. So, there has been a steady progression since Dublin of the merits of having a joint and combined approach and of learning the lessons from each other's Administrations on how we can assist in this area.

**Mr Buchanan:** I, too, thank the First Minister for his statement. I know that this has been touched on by Chris Lyttle, but will the Minister again elaborate on what benefits will be derived by Northern Ireland from greater collaboration on the creative industries within the BIC?

**Mr P Robinson:** The benefits for Northern Ireland of growing the creative industries can be best seen in HBO's series, which is moving forward at the Paint Hall — I think that it is now renamed Titanic Studios. The Executive constructed a second studio to take away some of the pressure that was building up in that area. That has created something in the region of 700 jobs. If we can build up and use further locations — many of the locations are outdoor — it gives us an excellent opportunity to take people who have a creative bent and use their skills and talents in a way that best suits the economy as a whole.

Sometimes, when we look at the creative industries, we think of entertainment more than anything else, but it is a key factor in our economy. When HBO comes, it spends tens of millions of pounds in our economy. It employs people and takes services from within our economy, so it is all very supportive of the Executive's overall main priority, which is to build and rebalance the economy in Northern Ireland.

As far as the benefits of collaboration are concerned, the one thing that any of us who have been involved in politics realise is that, the more you speak to other people who do

the same kind of things as you but maybe in a slightly different way, the more you learn lessons that you can build into your own *modus operandi*. That can help us to do things better, sometimes at a lower cost.

**Mr Allister:** The communiqué refers to ongoing work that needs to be undertaken:

*“to achieve greater integration of wholesale British Electricity Trading and Transmission Arrangements (BETTA) ... with the Single Electricity Market (SEM) ... to realise the full benefits of interconnection”.*

Is that an acknowledgement that all is not as well in the functioning of the SEM as it should be? What action needs to be taken to achieve better integration between the wholesale British arrangements and the single electricity market?

**Mr P Robinson:** It is an acknowledgment that, as in every form of life, including the Member's own, everyone can do better.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank the First Minister for his statement. He touched on the issue of youth employment and unemployment and has referred to the fact that the Employment and Learning Minister will make a statement to the House later. Was the issue of emigration arising out of youth unemployment touched on? If so, was there any discussion of the long-term social impact that it will have?

**Mr P Robinson:** There can, of course, be emigration outside the islands to other parts of the world, but there is also the movement of young people within the United Kingdom. Our young people, particularly after we have taken them through education and, in many cases, higher and further education, are a massive resource and one that we are very keen to ensure is not lost to the Northern Ireland economy. That is why the Minister will make his statement with the support of his Executive colleagues: to ensure that we have people who not only have the skills to take up a job in Northern Ireland but recognise that they should see their future here, as opposed to elsewhere in the world.

### 12.30 pm

**Mr McClarty:** I thank the First Minister for his statement. Will he advise the House if he has experienced any opposition from any of the constituent members of the BIC, namely

England, Scotland or Wales, to our application for a reduction in corporation tax?

**Mr P Robinson:** At a political level, I have not experienced any opposition. I think there is a concern that one of the devolved Administrations will be enthusiastic for Northern Ireland to get that power because they want to get it for themselves, and that might have an overall impact on the decision that will be taken by the Cabinet. However, the Treasury Minister, the Secretary of State for Northern Ireland and the people who we have met from the UK Government have been supportive and are looking at moving forward in a positive way. The First Ministers of Wales and Scotland are both enthusiastic that Northern Ireland should be able to move forward.

It is to the benefit of everybody that we are able to pay our way in the world and that we are less of a burden on the UK Treasury. All that the Northern Ireland Administration need to be sure of is that the cost that there will be to our block grant, because of the Azores ruling, is not such that it sets back the public sector functions that we have to carry out and that need to be carried out at the front level of service. If there is a reduction in our block grant, that will clearly have an impact elsewhere. The money has to come from somewhere. Someone has to do with less. We have to be sure that the boost that we will get to our economy from having corporation tax lowered will be better than the fall that might take place from any loss that might occur as a result of a reduction in spending.

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

## Youth Employment Scheme and NEETS

**Dr Farry (The Minister for Employment and Learning):** This statement is on the launch of a new programme to help unemployed young people into the world of work, and some other measures to address those people who fall into the not in education, employment or training (NEET) category.

Members will recall that, in March of this year, the Executive approved my policy proposals targeted at 18- to 24-year-old unemployed young people, and, at the end of May, also endorsed the NEETs strategy — Pathways to Success. I have been in discussions with the Finance Minister over the resourcing of those new measures, and I am pleased that a business plan covering this and the next two financial years has been agreed. I warmly welcome the decision of the Executive to agree to the Finance Minister's recommendation of £5.8 million of funding in the June monitoring round to fully cover those costs during this financial year. The Executive are making the investment in the future of our young people, and, therefore, our economy, a key priority.

We should be clear on the scale of the task ahead and the reasons why we must act. Youth unemployment is a major and growing issue across these islands, elsewhere in Europe and further afield. At present, in Northern Ireland, there are around 20,000 unemployed 18- to 24-year-olds. Those young people who are unemployed but actively seeking work are only one aspect of those falling within the NEET category. There are also those who are economically inactive and are not engaged in education or training. Overall, the number of young people aged 16 to 24 who fall within the NEET category is around 46,000. Whatever way you look at it, in absolute terms, it presents a major challenge.

The raw numbers do not, of course, capture the personal impact of the ongoing difficult economic conditions on young people. Many young people find themselves unemployed, despite their education and training. Those are people who would have otherwise expected to be in work today if it was not for the economic downturn and reduced opportunities. Some simply need the chance to gain experience. It is a catch-22 position for those young people: they

cannot secure a job without experience, but they cannot get experience without a job. If we do not intervene, there is a real risk that the current generation of young unemployed people may become the long-term unemployed of the future. The costs of that in terms of impact on public finances and lost economic opportunities will be considerable. That is a risk that we are not prepared to take.

There is also a wider economic case for additional measures that link new interventions to the future skills needs of the economy. That is a vital step in preparing for the upturn in the economy.

One of the few assets that we have is the skills of our workforce. We need to develop those skills, as they can help to create the employment opportunities required to rebuild and rebalance the economy in line with the Northern Ireland economic strategy. If we miss that opportunity, we risk losing some of the added value already provided by our existing investment in education and training, as some skills that our workforce already has will go stale. Those are long-term effects that will be difficult to reverse. Measures are therefore needed to help young people to compete on a more equal basis with older, more experienced workers in a difficult labour market.

That having been said, it is important to recognise the difference between that type of youth unemployment and the issue of those young people who are NEET and facing obstacles to re-engagement. They require much more intensive support and more tailored interventions to overcome their barriers. The overall aspiration of the NEET strategy document, 'Pathways to Success', is:

*"by 2020, every young person will not only have an opportunity to access education, training or other preparation for employment but, to the extent that they are able, also avail of that opportunity."*

The strategy aims to deliver a three-tier package of measures to prevent young people falling into the NEET category in the first place; to help young people in the 16 to 18 age group, especially those facing barriers; and to assist unemployed young people aged 18 to 24 more generally.

I will start with new initiatives specifically for 16- to 18-year-olds. Although it is clear that the current Department for Learning and Employment (DEL) and Department of Education

provision is comprehensive and that the overall level of activity is demand-led, current provision may not fully meet the needs of some of our most vulnerable young people. Although much of what follows is intended to be additional to the existing provision, many programmes and strategies, such as essential skills provision, the Training for Success programme and courses at further education colleges, are also highly relevant, in addition to the role played by the Careers Service.

The additional measures include a community-based access programme that will engage and mentor young people using community and voluntary sector organisations; a new training allowance for 16- and 17-year-olds participating in existing programmes funded by the European social fund; an innovation fund to test new approaches, based on sound evidence aimed at piloting a range of other approaches to re-engaging those young people in the NEET category; and a new community family support programme that will focus on the needs of the most disadvantaged families to enable young people to re-engage with education, training or employment. We will invest £1.8 million in those initiatives in 2012-13, and £3.6 million and £4.6 million respectively in the following two financial years.

I will now outline the proposals for 18- to 24-year-olds. Overall, the proposal for the 18 to 24 unemployed age group aims to deliver up to 6,000 work experience, training and job opportunities annually by March 2015. The proposal comprises several elements. The first is enhanced support through improved diagnosis of skills needs and additional adviser time from both the Employment Service and the Careers Service. That is complemented by immediate additional referral and support for young people who have barriers to participation. Initially, 1,000 short two- to eight-week work experience placements, designed to ensure early engagement with the labour market, will be available. That will rise to 3,000 placements annually by March 2013. The cost of that element will be £200,000 in 2012-13, rising to £400,000 and £600,000 respectively in 2013-14 and 2014-15.

Four hundred training places will be offered, coupled with additional sector-based work experience of between six and nine months in sectors that have the potential to help rebuild and rebalance the economy. The number of

such training places will rise to 1,800 by 2014-15. While in training, young people will receive a training allowance of £100 a week. That will cost £1.1 million in 2012-13, rising to £5.3 million in 2013-14 and £6.4 million in 2014-15.

A total of 800 employer subsidies of £5,750 a year will be provided in sectors that have the potential to help to rebuild and rebalance the economy, provided employers agree to facilitate and enable further skills development. The number of employer subsidies will rise to 1,200 in 2014-15. The costs will be £2.3 million in 2012-13, rising to £5.75 million in 2013-14 and £6.9 million in 2014-15. My Department will also invest £400,000 in direct employer engagement this year, rising to £1.1 million in 2014-15. That will provide for marketing and developing a cadre of staff to manage employer engagement and participation in the various strands of the initiative.

That brings the total cost of the package of proposals for both age groups to £5.8 million in 2012-13, rising to £15.6 million in 2013-14 and £19.6 million in 2014-15. That is a major investment at an enhanced level relative to our neighbouring jurisdictions. Under devolution, the Northern Ireland Executive and my Department are doing more than any other region of the UK to assist our young people.

Members will note the strong employer emphasis in the initiative. There is a very sound evidence base for such an approach, locally and internationally. However, the success of the 18-24 initiative in particular will depend on the commitment of a large number of employers.

My Department is putting in place a strategic approach to engage employers in the private and the social economy sectors to secure the necessary work placements, training placements and, potentially, job opportunities and apprenticeships. Initially, we will target major indigenous employers and seek to recruit high-profile champions from key sectors to help to secure commitment to the initiative. The approach will be to ensure that a range of businesses and sectors are seen as equal partners with government in securing workforce development and economic growth.

I have had informal discussions with employer representative bodies to gauge the level of commitment, including but not limited to, the Confederation of British Industry, the Federation of Small Businesses, the Northern Ireland

Chamber of Commerce, Manufacturing Northern Ireland, the Construction Employers Federation, the Northern Ireland Council for Voluntary Action and the Bryson Charitable Group. Those discussions indicated that there is genuine interest in supporting the initiative, and a number of companies have signed up to offer different elements of the package. The public sector must also play a role; therefore, a variety of work placements will be sought in key parts of the public sector, such as health, education and local government. In discussions about the package, Executive colleagues have signalled their commitment to ensuring that their Departments and arm's-length bodies contribute to the initiative. Continuous communication and liaison between participating young people, participating employers and the employment service will be necessary to ensure that the right levels of quality and commitment are being maintained by all the parties involved.

Now that the resources are available, my Department will commence the initiative and will build its capacity to deliver over the coming months. The formal engagement of employers and clients will now begin. There will be a challenge to continuously improve the quality and range of opportunities that are available.

The focus of the whole initiative is on ensuring that young people who are currently unemployed are provided, at the earliest possible stage, with the skills to gain jobs, to compete for jobs that are created in the future and to retain employment and progress in jobs. The focus is also on reducing the short-term employment development cycle that many face. This is not only beneficial for the individual economically and socially but benefits society as a whole.

**Mr B McCrea (The Chairperson of the Committee for Employment and Learning):** It would, perhaps, be churlish not to welcome the proposals. However, I would like the Minister to address some issues, because, in light of the challenges faced by our young people, there is a danger of me being somewhat underwhelmed by what he has proposed. He highlighted the fact that there are 20,000 unemployed 18- to 24-year-olds and 46,000 NEETs overall. However, we appear to be looking for places for only 6,000 of them, which seems to be a drop in the ocean. The Minister stated that his Department and the Executive have done more for youth than any other part of the United Kingdom. Is the £1 billion that was allocated by

the coalition Government the unhypothecated money that will come to us, or is it additional money?

Towards the end of the Minister's statement, he mentioned the public sector. Given that people routinely talk to us about the public sector accounting for 65% of our economy, should it not be incumbent on our public sector to do more to give jobs to those with learning or other disabilities and NEETs? It is not enough simply to tag that on at the end of his statement.

Finally, I hope that the Minister will look at a more overarching approach to the issue. Surely we need to find a way to encourage our young people to make choices earlier in their careers so that employment prospects are available to them rather than putting on a sticking plaster when things go wrong.

#### 12.45 pm

**Dr Farry:** I think that I detected a welcome from the Committee Chair, so I thank him for that. I am somewhat disappointed that he is "underwhelmed" and regards the initiative as a "drop in the ocean". This is a substantial investment in the future of our young people. It is worth stressing that, in direct comparison, this region is doing more than any other UK jurisdiction. The scale of what we are doing in Northern Ireland, relative to our population, dwarfs what is happening elsewhere. Furthermore, we are taking the opportunity to build in a skills premium, so there is clear evidence of wider strategic thinking.

The Chair referred to the Barnett consequentials that arose from the youth contract in Great Britain last November. As he knows, it is important that we stress that those resources come to us unhypothecated, and the Executive determine how they will be distributed. It is worth stressing again that the investment — I quoted the figures that we agreed with the Department of Finance and Personnel in our business case — is of a greater scale than the Barnett consequentials that accrue to Northern Ireland from the youth contract. That is further evidence that we are doing more in Northern Ireland on the issue than are any of our neighbours.

The public sector is a key element. We obviously want to rebalance our economy and to have a more even split between the public and private sectors. However, I am impressed by the

willingness of public sector bodies to engage. Of course, we have wider programmes that are based on trying to ensure that we unlock everyone's potential and that those who face the barriers of a mental, physical or learning disability are able to access employment. A lot of good work is happening.

The statement is, of course, on youth unemployment and the resourcing of initiatives that we are taking forward. We recently published the NEETs strategy for Northern Ireland, which is a key objective of my Department. We also have a full suite of programmes that addresses the needs of young people. The Chair highlighted careers, and I appreciate the fact that the Committee wants to look at that area, for which policy has been in place for a number of years and responsibility is held jointly with the Department of Education. We need to consider that as we look to the future to ensure, in particular, that it provides enough accurate labour market information and engages people at an early stage.

**Mr Deputy Speaker:** I remind Members that a Chairman is set a level of latitude that is not available to other Members, so it is one question per Member.

**Mr Buchanan:** I thank the Minister for his statement. I welcome the strong employer emphasis for 18- to 24-year-olds in the initiative. Will the Minister tell the House what targets are in place to measure and monitor the success of 18- to 24-year-olds finding full-time employment? We do not want a short-term fix. We want something in place that will really deliver in getting our 18- to 24-year-olds into full-time employment.

**Dr Farry:** I thank the Deputy Chairperson for his comments and his general welcome. He is quite right to stress the critical importance of employers in the programme: it will not happen without the co-operation of employers. I have been impressed by the attitude of employers who recognise the opportunities that may come to their business from taking on a young person. At present, a lot of them are caught in a trap where they are unwilling to take the risk because of the costs associated with doing so. Hopefully, the employer subsidy, which we are offering at a very attractive level, will make the difference when it comes to employers taking people on.

The Member is also right about the importance of measuring outcomes in that regard. We have existing programmes, such as Steps to Work, and we need to see a step change in the number of sustainable jobs from them. Intensive working with young people, particularly on their employability skills, will make that crucial difference and deliver improved outcomes.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for bringing this long and quite detailed statement to the House, and I welcome it. It has been very good to see the Minister trying to create a legacy in the short time he has been in the Department. Who knows how much longer he will be in it?

The creation of any kind of facility whereby young people have access to meaningful training and employment is very welcome, but we have to question whether there is any point unless there are proper jobs for them at the end of it. Does the Minister agree that the next step has to be the publication by the Executive of an overarching job-creation strategy that puts tackling youth unemployment and long-term unemployment at its core?

**Dr Farry:** I thank Mr Flanagan for his general welcome. It is worth stressing that the Executive have a comprehensive strategy in the form of the Northern Ireland economic strategy. There are two themes in that strategy: the rebalancing and the rebuilding of the economy. There is a recognition that, particularly in the short to medium term, there has to be a very strong emphasis on job creation. Jobs targets are set out in the Programme for Government. The Member, among others, will be acutely aware of the potential job opportunities that will come from a lower level of corporation tax, and it is important that we plan ahead for that.

He is right to ask what that means in the context of the demand not being there. A lot is happening to try to create that demand, and it is important that we are able to match our supply of skills with demand, and that is built into this initiative. Also, the Department's skills strategy highlights the need for a much more general upskilling of the population. All the projections show that people will need higher-level skills in the future and that there will be fewer opportunities for those with low or no qualifications. Already, even if you drill down into the unemployment figures for young

people, there is a very clear differential between those who have a higher level of qualifications and those who do not. There is almost a 2:1 advantage, which is strong confirmation that it is worthwhile for a young person to engage in training. If they do so, whether it is training through an apprenticeship or through further or higher education, their job prospects, even in these difficult times, are enhanced.

**Mr Byrne:** I generally welcome the statement from the Minister. At least it is something positive on tackling youth unemployment. Given that there are 46,000 unemployed people in the 16- to 24-year-old category, in the 18- to 24-year-old category, what about those who are graduating this week in civil engineering, quantity surveying and building cost estimation? What chances do they have of getting a work placement in the Department of Agriculture and Rural Development or bodies such as the Water Service, Roads Service or the Rivers Agency, where there is a very big shortage in design staff?

**Dr Farry:** I thank Mr Byrne for his comments. It is important to clarify that 20,000 of 18- to 24-year-olds claim jobseeker's allowance. When we talk about the wider NEETs category, 16- to 24-year-olds, we are talking about 46,000, but not all of those are claiming jobseeker's and, therefore, classified as actively seeking work.

I hope that there are job prospects for people who are graduating. The detail of that lies in the hands of my ministerial colleagues. However, it is worth reiterating that there is a general commitment across all Departments and public agencies to look at work placements. I have no doubt that those Ministers will take note of what Mr Byrne said.

**Mr Lyttle:** I welcome this multimillion-pound investment in employment and training for young people, which we must make a priority for the Assembly. I welcome in particular the additional training allowance for young people on pre-vocational schemes. The Committee for Employment and Learning has done a lot of work to lobby the Minister on that issue, and it is a welcome inclusion in the programme.

Why is it so important to take specific actions to address youth unemployment, rather than unemployment overall?

**Dr Farry:** I thank Mr Lyttle for his question and his comments. He is right to say that we have been lobbied considerably on the training

allowance by the Committee and a number of community and voluntary groups, and we have listened to those comments.

There was a desire, at one stage, that we would seek to extend education maintenance allowance (EMA) to capture that, and, at the time, I tried to caution that, perhaps, there were other ways to address the anomaly that exists in the system for those who are participating under the European social fund schemes. This training allowance is the response that allows us to take that forward.

We are, of course, addressing the issue of the wider unemployed population as a whole, and we will shortly move to a new employment programme for Northern Ireland, but there are very strong reasons why we want to concentrate a degree of our resources on addressing the needs of young people.

Some 28% of jobseeker's allowance claimants come from the 18 to 24-year-old category. That six-year cohort of the overall adult population accounts for almost 30% of those who are seeking work. There is a real concentration of unemployment among young people. Our profile in Northern Ireland is at the extreme end of the spectrum in that regard, so there are some very strong public policy rationales behind investing in young people at the scale that we are. We want to avoid a situation where we have a lost generation of young people, not just for their sake but for the health of our economy.

**Mr D McIlveen:** I thank the Minister for his statement. How do youth unemployment figures in Northern Ireland compare with those in England, Scotland, Wales and the Republic of Ireland? Perhaps he would offer some reflection on and analysis of those figures.

**Dr Farry:** I thank Mr McIlveen for his question. The figures in Northern Ireland, by and large, reflect the trends that we are seeing elsewhere in these islands. It is worth stressing the point that, in common with our neighbouring jurisdictions and in contrast to some other European countries, we have a real concentration of unemployment among young people, which is why we need to act.

The formal unemployment figures are only one part of that equation. The First Minister reflected on that in his response to the British-Irish Council summit. We have issues with regard to those people who are in the NEET



category, in that our figures are some of the highest in the UK, if not the highest. We also have the much wider issue of economic inactivity in Northern Ireland, for which we also have the highest figures. My Department, in conjunction with the Department of Enterprise, Trade and Investment, is commencing work on a new strategy for dealing with economic inactivity, which we hope to issue for consultation in the autumn of this year.

**Mr Douglas:** I welcome the Minister's statement. During a recent visit to Harland and Wolff in East Belfast, it was clear to me that there was quite a number of opportunities for young people. However, there seems to be a disconnection between DEL and companies such as Harland and Wolff. Bearing in mind the current strategy, what difference will the new strategy make in ensuring that those young people will have opportunities to take advantage of the initiatives that the Minister has outlined?

**Dr Farry:** I thank Mr Douglas for his comments. If there are any particular issues with employers, my officials will take note of that. In every challenge there is an opportunity, and we will ensure that that is followed up.

### 1.00 pm

The strategy aims to make a real difference by giving people the work experience and the employability skills that are so important in the increasingly competitive labour market. We have young people who have availed themselves of education and training and those who are extremely willing to engage in work. It is not a situation in which we are trying to force into work young people who would otherwise be sitting at home actively being lazy. There are people who really want to get into work but do not have the opportunities. Owing to the lack of experience, they are caught in a catch-22 situation in which they are not able to compete on equal terms with some older, more experienced workers, because they lack experience and employability skills. The intervention is designed to break that vicious circle.

It is also worth stressing that employers may be reluctant to take a chance by taking on a young person. They may be fearful of the cost implications and wonder whether they can afford it. Hopefully, the employer subsidy will create an incentive for employers to take on that young person. More often than not, we will find that employers realise that that young person adds

to the bottom line of the business and gives a real added value. Moreover, after the subsidy is withdrawn, I hope that the company will come to the conclusion that it wants to keep on that young person and support him or her fully.

**Mr Allister:** On the delivery of these aspirations, which are all very good, what part, if any, does the application of sanction play for young people who perhaps start on a project, a placement or a training exercise and then drop out? Do they simply revert to benefits or is there any inducement to ensure that they continue to attain the essential skills that they will need?

**Dr Farry:** I thank Mr Allister for his question, which creates a good opportunity to address the controversial issue of sanctions. We have exemptions through work experience regulations that allow young people to remain in receipt of jobseeker's allowance while engaging in the work experience initiatives. Sanctions are a massive distraction to that. We had the debate in England and Wales earlier this year, and employers clearly said that sanctions were becoming a distraction. Where sanctions are available under Steps to Work, they are applied in an extremely small minority: in less than 2%, and those are the most extreme cases. We do not propose to deploy sanctions to the initiatives that I announced today, except for a situation in which a young person engages in gross misconduct in the workplace. That clearly is unacceptable.

That goes back to the point that I made to Mr Douglas a few moments ago. We do not perceive the need to force people into work experience or to stay in work experience. We have a very good deal in resource terms, and we will be able to deal with a lot of young people. I fully expect that there will be great hunger and demand from young people who are out of work, realise the importance of getting into work and want to engage in work experience. We are talking about meaningful work experience for people, not about slave labour and exploitation by companies. It is about something that is good for the young person's opportunities and good for businesses. Through partnership, it will be a great success for Northern Ireland and the economy.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement. I have a number of concerns about the roll-out of the scheme, not

least over ensuring that there is no exploitation of young people. Thousands of people have been sanctioned through DEL or DHSSPS, so I ask you to check the figures that you have been given, Minister.

The important thing is to ensure that companies that take in young people provide meaningful employment and that the young people obtain the level of skills required to ensure that they can go into employment or an apprenticeship. Some of the stuff in the past has not given kids essential skills.

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

**Mr F McCann:** How can you guarantee that kids will not be exploited?

**Dr Farry:** I detected several questions there; it was a very creative effort. I answered the question about sanctions in response to Mr Allister. To be clear: sanctions are a distraction and a non-issue in relation to this initiative.

As regards Steps to Work, those are the figures. It would be only in the smallest subsection of cases that sanctions would ever be considered. We are not trying to force people into these opportunities. There is hunger out there for the opportunities to be taken forward. Progression is a key element. We are trying to get people onto the ladder. We want people to move onwards and upwards into different types of employment and further training.

The staff of the employment service will monitor exploitation very closely. It is a partnership with business. In the very rare circumstance of a company exploiting young people, we will intervene, remove those young people, look for other experiences for them and not use that company again. It is worth stressing that I do not see that being the situation because the companies that I have spoken to and the young people want this to work.

**Mr P Ramsey:** I thank the Minister and welcome the statement. I commend him for being able to draw down £6 million in June monitoring. Well done. I welcome, in particular, the Include Youth training allowance, which will hopefully satisfy those on the family support programmes.

The Minister will be aware that when the Committee carried out the NEETs inquiry, there was clear evidence that Scotland and Wales were doing it much better. Can you

assure the House that there is full buy-in from Departments? Would it not be better to have a NEETs-dedicated unit that reflects all Departments to reach the targets that the Minister hopes to meet?

**Dr Farry:** I thank Mr Ramsey for his questions and comments. He focused on NEETs, and it is worth stressing a number of points in that regard. First, when I took over as Minister for Employment and Learning, there was not a dedicated budget for NEETs. We had a commitment to produce a strategy, which, at that stage, was viewed as a better presentation of the existing work that Departments were doing. Over the past year, we have taken that forward and created a number of new initiatives, whether through my Department or those of my ministerial colleagues. We have now created a budget based on the June monitoring round and agreed the wider business case with the Department of Finance and Personnel.

Delivery will be key in taking forward the NEETs strategy. My Department is happy to provide the lead in that regard, as we did in the drawing up of the strategy. However, the implementation will be placed within a wider Executive framework. The Member will be aware of the Delivering Social Change framework that is emerging through OFMDFM and through which a number of strategies are being run to ensure that we have proper co-ordination and buy-in from Ministers. That is an appropriate vehicle to take forward the NEETs strategy and should preserve the already good buy-in to the strategy from Ministers.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire, agus is maith an rud go bhfuil sé inár measc inniu. I thank the Minister for his statement. However, I will point out that, in government, there appears to be a kind of myopia about youth emigration. The problem of youth emigration, which is having a detrimental impact, particularly on the vitality of rural communities, is not referred to anywhere in the statement. Does the Minister's Department have any idea of the scale of or the figures around youth emigration, particularly from rural communities? What is the Executive's and DEL's overall strategy to stem the tide of youth emigration?

**Dr Farry:** I thank Mr McElduff for his questions. It is difficult to achieve an accurate figure for inward and outward migration. Those figures are

not necessarily maintained under devolution, and, of course, within the framework on these islands, we have freedom of movement for young people. That said, I recognise it as an issue, and, ultimately, what we are doing on youth unemployment, NEETs, extra provision in further education, freezing tuition fees and investing in our local universities is about trying to maximise the number of our young people who will stay in Northern Ireland and build their careers here. Although we may not have mentioned the words directly, everything that we are doing is about investing in the future of our young people, investing in this region and asking them to make their careers here.

**Ms Lo:** Like others, I very much welcome the Minister's statement and commend him on his great commitment to helping young people to gain employment and work experience. In Great Britain, there is the youth contract, which has various programmes. How different are his proposed measures from those in the rest of the UK?

**Dr Farry:** I thank my colleague for her comments. It is worth stressing that we have learned lessons from others' experiences, whether in Great Britain or in the South of Ireland, and what they have done to assist young people. Of course, this issue is fully devolved to Northern Ireland, and we take our own decisions locally. It is worth reiterating that we propose to spend more on youth unemployment relative to all other jurisdictions on these islands. This is a bigger-scale intervention, and, as an Executive, we are making it a bigger priority than our colleagues are. That is a clear sign and benefit of devolution.

The second core element on which we are different from our neighbours is that we are building in a heavy skills premium, and we have a clear economic strategy in which we have identified the need to grow our economy. We have also, through my Department, identified the priority skill areas for the future of the economy, and we are trying to concentrate work experience opportunities in those key strategic areas so that we give young people the opportunity and so that we build, in a proper fashion, for the future economy of Northern Ireland.

**Mr Deputy Speaker:** That concludes questions to the Minister for Employment and Learning.

**Mr B McCrea:** On a point of order, Mr Deputy Speaker. Will you explain to me, perhaps through the Speaker's Office, whether the decision to call Members who have not been in the Chamber is a Speaker's ruling or a Business Committee ruling? We are already considerably ahead of our schedule — some 30 minutes ahead — and it is difficult for people to be here on time for the next bit of business. I understand that if a statement is made on time, it is only right and proper that you do not call people if they are not here for it. However, we need to look at that situation again if we are going to be so far away from our indicative timings.

**Mr Deputy Speaker:** As the Member quite rightly points out, they are indicative timings, and all Members of this Assembly should realise that. It is the Speaker's ruling, and it is custom and practice first to call Members who are in for the full statement. After that, those Members who were in for part of the statement were called.

## Education: Early Years Strategy

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom ráiteas a dhéanamh leis an Tionól. I want to make a statement to the Assembly on the outcome of the consultation on the early years strategy, the 0-6 strategy, and to indicate the approach that I intend to take to move that important work forward.

Investment in early intervention and early years makes sense. That is clear. There is growing evidence that demonstrates the importance of effective early interventions. We are learning more about the importance of brain development in the early years and the impact that positive early life experiences can have on overall outcomes. Although there is widespread agreement on the need for increased early years intervention and support, there is less consensus on how that might be achieved. I am keen to proceed quickly to finalise an early years strategy, and that will provide a clear platform for the development of future provision and will complement the existing policies that are already raising educational standards. Enough time has been spent debating and considering the issues, and the time has now come to decide the strategic approach to be adopted.

### 1.15 pm

It is vital that we continue to build on the positive actions that we are undertaking already. In May, I announced additional funding of £13.1 million for early years services over the next three years. That will expand Sure Start services from the current coverage of 20% to cover the 25% most disadvantaged wards in the North. In addition, it will increase the availability of preschool places and will help to close the gap in funding between statutory nursery provision and that in the community, voluntary and private sectors. That will mean that my Department's investment in early years services for 2012-13 will be £84 million. That compares with £73 million when the draft strategy was launched in 2010.

Over recent years, real progress has been made on the ground. For example, between 2006-07 and 2011-12, the number of children in funded preschool provision increased by over 2,000 and the number of statutory nursery settings increased from 307 to 319, resulting in over 400 more places, and over 1,800 additional funded preschool places have been made available in the voluntary and private sector.

Sure Start funding has more than doubled from £9.3 million to £22.5 million, and the Sure Start developmental programme for two- to three-year-olds, which was first introduced in 2007, will be delivered to over 1,600 children in their penultimate preschool year in 2012-13. We should recognise, too, the improvements that have been achieved in the quality of provision in our preschool settings as indicated by Education and Training Inspectorate (ETI) inspections and the chief inspector's reports. Those improvements have resulted from the clear focus that has been placed on early years since 2007.

The draft early years strategy was originally launched for public consultation in June 2010. Such was the interest in it that the closing date for the consultation was extended to January 2011. We received almost 2,000 responses from a wide cross section of interests. I welcome the focus that has been placed on the early years and the genuine appreciation that there was among respondents of the importance of those years to a child's development. We have had an opportunity to reflect on the views that were submitted, and decisions now have to be made about how to proceed.

As a next step, today I am publishing an analysis of the consultation responses, highlighting the key issues and priorities that have been raised. I have to report that although most respondents agreed that the strategy needed further work, there was not one clear, collective view on the best way forward. At a strategic level, some respondents, particularly the larger organisations, were supportive of the vision and aims but thought that integrated early years services needed cross-departmental support and should perhaps be centrally driven. Some respondents wanted us to concentrate on improving the early education system before embarking on a wider agenda. They wanted us to deal with issues in preschool provision and to prioritise the implementation of the 2006 review of preschool education. There were calls for more work with parents and families, as well as for greater recognition of the requirements of children with special needs and disabilities. The need for more outreach to families that are at risk of exclusion was also raised.

In the light of the varying views that were emerging, I considered some fundamental issues before deciding how to proceed. I believe that it is clear that the focus of a

revised strategy must be on the child and their needs. We must also reflect the Programme for Government priorities that recognise the importance of providing a year's free preschool education for every child. The progress on early years that I outlined provides a solid platform for the development of future work. I want to consolidate and build on the positive improvements to preschool education that we have delivered already. We acknowledge the need to intervene early in many children's lives to ensure that they do not start school already at risk of falling behind their peers. However, it does not fall to one single Department to do that; other Departments also have a role in giving young children the best possible experience. I recognise the importance of a more joined-up and co-ordinated approach to early years. To that end, I will proceed with a two-stranded approach to the early years issue.

The first strand will be the development of a revised strategy with a clear focus on early education and learning. I want to focus on what the Department of Education can do to ensure that young children are prepared, supported and encouraged to learn. By finalising an early years education strategy, I will complete a suite of educational policies that will drive educational reform, raise standards overall and close the gap between the highest and lowest achievers.

Education does not begin and end at the school or preschool gates. Children learn first and foremost from their parents or carers. In striving to make improvements and enhance early education, the role and support of young children's parents and carers is key. To support the work of teachers and early years practitioners, this autumn I will be launching an advertising campaign aimed at raising the value that local communities place on education. Education can be the route out of poverty, but only if parents, families and communities value it and are encouraged and enabled to support their children to get everything they can from it. If parents who aspire to a better future for their children do not realise the importance of good education, much of this work will be in vain.

The strategy will be outward-looking. It will require close partnership with other Departments, particularly the Department of Health, Social Services and Public Safety, to ensure that early years services are delivered effectively. I have held meetings with Minister Poots to identify areas of common interest and

to ensure that both Departments are working together effectively in the development of relevant policies.

Early support for children can make a difference. It helps to develop good emotional well-being and resilience and addresses special educational needs. I have asked my officials to engage with a range of key stakeholders, including the early years stakeholder advisory group, so that I can make final decisions about how the proposals can best be taken forward. These discussions will take place over the coming months, after which I will finalise my proposals by November.

I turn now to the second strand that I intend taking forward. In parallel with the development of an early education and learning strategy, I want to target early years support for those living in disadvantaged areas. The evidence of the impact of disadvantage on education outcomes is clear. School leavers who are entitled to free school meals consistently attain poorer education outcomes than those who are not. This is why I intend to engage with my ministerial colleagues to explore the potential for enhanced co-operation around early years intervention. It may well be that the new Delivering Social Change framework can offer a vehicle to target additional support to those with young children living in disadvantaged areas. The Delivering Social Change framework was included in the Programme for Government and is intended to co-ordinate the efforts of different Departments to tackle poverty and social exclusion. I plan to explore the potential of this group to bring together the efforts of a number of Departments to achieve enhanced collaboration and improve the delivery of early years services in areas of disadvantage. Through this mechanism, Ministers could work in a co-ordinated way to tackle some of the most fundamental and intractable problems in our community.

To conclude, the development of an early years strategy has proved a complex and challenging exercise, with conflicting views from many different stakeholders. The approach I have outlined today will build on the excellent progress made in recent years, not just in early years support and education but in the improvement of education attainment at all levels of our system. As with the review of special educational needs and inclusion, I am willing to listen and respond to the views

that are expressed through the consultation. However, the time has come for me to indicate clearly the approach that I intend to take. To begin with, I intend to ensure that we have a clear focus on early education and intervention, and on what the Department of Education can do in partnership with other Departments. The early years strategy will provide a solid platform for the provision of relevant services. Building on this, I will explore the potential of the Delivering Social Change framework to harness the work of different Departments and to target support and resources for early years services in areas of greatest need.

I will ensure that at the heart of all this work will be the aim of enhancing the quality of early education for our youngest children and their families. I am committed to ensuring the best educational early learning experience for all our children. Go raibh míle maith agat.

**Mr Storey (The Chairperson of the Committee for Education):** First of all, I thank the Minister for the pre-briefing that he gave to the Deputy Chair and me prior to the statement being made to the House.

It is with some degree of dismay that we come to the House today, many months and indeed years after the publication of a policy by the Department in relation to early years. To say that the process to date has been shambolic would be an understatement. What confidence can the Minister ensure will now be instilled in those providers who are paying attention to this announcement today that the Department that has brought us to the state that we are in at the moment will be able to deliver a clear, coherent vision and policy for preschool education, and that it will not be as it has been in the past?

In relation to the early years stakeholder advisory group, will the Minister explain to the House how he intends to ensure that that group, which has not to date engaged with the primary school sector that will ultimately be either advantaged or disadvantaged by whatever policy is set in train and set in place, will involve and listen to and engage with that sector?

**Mr O'Dowd:** I thank the Member for his question. Ideally, we would like to be further on in the debate over a strategy than we are. However, the consultation responses show that, even among the 2,000 respondents, there was little and, in places, no agreement on the way forward, which is regrettable. I accept the

responsibility: politicians and Ministers are elected to make decisions. I have outlined today the consultation responses, and I am making them available to the Committee, other Members and the public to study. Over the period ahead, my Department and I will engage closely with key stakeholders on the way forward.

However, we have not been standing still. As I said in my statement, it is worth noting that we are now spending £84 million on preschool services. When the consultation was launched, we were spending £73 million. There are 2,000 more children in preschool education today than there were two years ago. I have expanded Sure Start from 20% of the most deprived areas to cover 25% of the most deprived areas. Almost 2,000 children will enter the two- to three-year programme for Sure Start this year. Sure Start touches the lives of almost 34,000 children annually. Progress is being made in early years, but I accept that we need to move towards a strategy, and we need to have a firm strategy, not only from my Department but between Executive colleagues and their respective Departments.

The Member commented on the early years strategy group and its connections with the primary school sector. I will take what he said on board and investigate it further. It seems logical that both sections will engage with each other, and I certainly take that comment on board as our deliberations continue.

**Ms Boyle:** Go raibh míle maith agat, a LeasCheann Comhairle. I thank the Minister for his statement. Does he agree that Sure Start and the voluntary and private nursery sector are moving on with the provision of preschool places and ensuring that our children get the best possible start in life? Does he also agree that it should not just be the Health and Education Departments involved? All other Departments need to be on board in pursuing the strategy. The Minister is keen, but how keen are the other Departments?

**Mr O'Dowd:** I thank the Member for her question. Significant developments have been made in Sure Start and early years provision over the past number of years. Standards, particularly in the community, voluntary and private sectors, are rising. I made a significant investment in them in the early part of this year. I accept that investment is required. However, I also accept that there is responsibility on the bodies themselves to ensure that standards

continue to rise. The Education and Training Inspectorate will play a crucial and central role in ensuring that standards improve in all sectors of our education system.

How do I go forward with my Executive colleagues? I sit on a number of cross-departmental subcommittees. On each, the focus and discussion often centres on early years provision. Whether I am partaking in bilaterals or plenary meetings with my Executive colleagues, they accept that, in general, all Departments have a responsibility to ensure that we make investments in early years. I mean not simply investments in early years education but investments in all areas of a child's early development, because that is where the real results are proven to begin. Be it a child's emotional development and well-being, how it bonds with its parents and its family, and how it develops with others, studies show that those are the crucial years in the brain development of a child. We are engaged in discussions with my Executive colleagues that will have positive outcomes.

**Mr Deputy Speaker:** I remind Members that we are aiming for one question per Member.

**Mr Kinahan:** Thank you, Mr Deputy Speaker. I hope that you are not aiming that at me.

I thank the Minister for his statement and for his briefing beforehand. I am concerned about the fact that the Minister said that responsibility does not fall to "one single Department". We seem to be setting ourselves up for excuses in the future. Are we going to see one lead Department in time? Will we see a strategy from the Health Minister that fits to this Minister's strategy, with actions and timelines, by November?

**1.30 pm**

**Mr O'Dowd:** I assure the Member that that line is not there to offer excuses for my Department or any other Department not delivering on its early years commitment. It is just stating a fact. As I said to the Member who asked the previous question, the Department is around the table. I accept that, unless we get it right at early years, we are allowing difficulties to develop, not only for the individual child but for society as well. If we can get the early years right, the child's educational development will prosper, the child's health will improve and the child's interaction with their family and community will be much

improved. That child will be less likely, as a young adult, to end up in the justice system.

From a purely selfish, financial point of view, the right thing to do is invest in early years. From a moral point of view, the right thing to do is invest in early years to improve a child's life. I assure the Member that I am pleased with the engagement from my Executive colleagues on early years. I am more than pleased with my engagement with the Health Minister on early years. In the intervening period between now and November, I intend to intensify those discussions with my Executive colleagues.

**Mr Rogers:** Minister, thank you for your statement. I particularly welcome your words that we are moving towards a strategy. Like other Members, my concern is that every year it takes to get this strategy is five years in a young person's life. Parents, like schools, play a key role in early years education. Are there any plans to increase the provision of parenting programmes, such as the type of work that is being piloted by Sure Start and is happening in some of our nursery schools?

**Mr O'Dowd:** I reassure the Member that, as we have been developing the strategy, we have not been standing still. I emphasise the list of developments and improvements that have taken place, as outlined in my statement, and the significant financial investment we have made in early years over the past number of years. The Member mentioned Sure Start. He will be aware that, several weeks ago, I announced to the House that I have expanded Sure Start from the top 20% most deprived wards to the top 25%. We will monitor that programme as it rolls out. If the finance is available in the future, we will look at expanding that even further. At the moment, we want to concentrate on the most deprived wards.

Engagement around parenting is clearly an area that we want to see expanded and developed. Sure Start touches on those matters. A number of schools already use their extended school funding for parental engagement, which I encourage. I will examine that further under any early years strategy.

**Mr Lunn:** I thank the Minister for his statement. The figures that jump off the page at me are the 400 extra places in statutory nursery settings and the 1,800 in the voluntary and private sector. Given the evidence that outcomes are better in the statutory sector, does the Minister

have any plans to redress that balance over the years or improve the qualification levels of those teaching our children in the voluntary sector?

**Mr O'Dowd:** I intend to continue to focus on the community and voluntary sector. Previous inspection reports for that sector are mixed, but they have been improving. I take heart from the most recent Education and Training Inspectorate report on those facilities. It is clear that the vast majority of facilities provide an excellent service to our young people, but there are areas of concern.

Recently, I made a significant investment in the community and voluntary sector. I accepted that the sector's work was somewhat limited by the finances available. I accepted that there was a requirement for further investment, and I made it. With that investment, I expect to see markedly improved outcomes for all young people coming out of the community and voluntary sector. There are examples in the statutory sector I can point to where inspection reports are not glowing. There are many examples I can point to where the reports are glowing. Across sectors, we are improving all the time in the delivery of our educational services. However, I take the Member's point: those concerns have been raised previously, but I believe that we have a strategy in place to correct them.

**Mr Givan:** I thank the Minister for his statement. Locally, the Resurgam trust in Lisburn has carried out excellent work in our working-class estates to identify the need for early intervention. So we are ready to go on the co-ordination strand, which was the second strand that he touched on. We have a document — if he does not already have it, I will send it to him — that highlights the issue of the Department of Education, the Health Department and the Justice Department working together. When will Ministers and Departments co-ordinate and recognise that upfront investment and a long-term output will be required? Ultimately, that will not be delivered for a long time, and it will require Ministers to make big decisions.

**Mr O'Dowd:** I welcome the fact that your area in Lisburn is ready to go. If you want to send me a copy of the document, I am more than happy to go through it. I see a number of elements at play. In the Programme for Government, the Delivering Social Change element may be the umbrella under which a

number of Departments will be able to work together and finance initiatives. Recently, I have been in correspondence with a number of my Executive colleagues seeking their views on an early intervention fund. I do not want to go into more detail on that, because, in fairness to my Executive colleagues, the letter was sent only in the past number of days. I want to give them a chance to study it and to make their views known to me. There is the potential for a combined early intervention fund in a number of neighbourhoods, which will assist young people.

I emphasise again that I am confident that there is a view among Executive colleagues that early intervention and investment in early years represent the way forward, first and foremost, to improve young people's lives and, in the long run, to save government millions of pounds. If we get it right in the early years, a young person has a better chance of succeeding in life.

**Mr Agnew:** I thank the Minister for coming to the House with the statement. When the draft strategy was launched, it was the 0-6 early years strategy. At that time, my concern, with the strategy sitting in the Department of Education, was that, although some two-year-old children come into contact with DE, most children do not come into contact with the Department until they are three, four or even five years of age. The Minister mentions close partnerships with other Departments, including the Department of Health. Will the Minister guarantee that it will be a 0-6 strategy and will be not only a close partnership but a joint strategy with the Department of Health? One strategy for children aged nought to two, nought to three or whatever in the Department of Health and a separate DE strategy would not be acceptable to me, my party or, I believe, the children's sector.

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

**Mr Agnew:** Will the Minister guarantee that there will be genuine collaborative working, rather than two separate strategies?

**Mr O'Dowd:** It is important that Departments have common cause, which is to ensure that there is early intervention for young people to improve their life. I believe that a 0-6 strategy is still achievable; in fact, it will probably be more achievable in the future than it has been in the past. My discussions with my Executive colleagues thus far have been very positive,



and I will continue to work towards a 0-6 strategy. However, I have responsibility for young people from the age of three onwards. Other Departments have responsibility, to varying degrees, for children aged nought to three. I also fund the Sure Start programme, which is delivered by the Department of Health, and there is a good working relationship on how that is rolled out. However, I do not believe that the issue is about Departments protecting territory or budgets. We must ensure that we deliver on the existing co-operation and that we formalise a strategy on the way forward, which is a common cause across the Executive table.

**Miss M McIlveen:** Given the diversity of the early years sector, how will the Minister ensure that there will be equity in the way in which the various sectors delivering early years provision are assessed by the inspectorate?

**Mr O'Dowd:** Regardless of the setting that the inspectorate goes into, it has common inspection themes. The inspectorate wants to ensure that there are age-appropriate educational opportunities for young people in early years. There is no inspection process for a statutory setting, and there is no separate inspection process for a community and voluntary setting. The inspection process is there to ensure that an age-appropriate curriculum is delivered in those settings and proper standards are adhered to. Sectoral interests have been a difficulty in agreeing the strategy. As a Minister, I will move forward and listen to the different sectors, but I will make decisions on what I believe to be right for the sector and for early years. That will not always please everyone, but I will make them on the basis of information and consultation, and then we will move forward. The responsibility of Ministers is to listen and then make decisions, and that is what I intend to do.

**Mrs Overend:** We are touching on the same sort of question that I want to ask. How does the Minister propose to measure the success of his strategy? Will there be specific targets that can be measured and monitored at varying stages, or shall we have to wait until a child reaches the end of their education within your responsibility to find out how successful that child has been?

**Mr O'Dowd:** The ultimate test of how successful a strategy will be is when the child reaches young adulthood. Our Government are involved in many programmes of work, and it may take

10 to 15 years before we know the outcomes of them. We are working on an evidence base that I believe to be thorough and robust, so we can move forward.

As for measurements in the strategy, my main focus at the moment is getting the strategy. I will build in measures and outcomes within that and will report to the Assembly. However, my focus at the moment is to get the strategy down on paper, get it agreed and move forward with that, and we can build in measures in regard to outcomes etc.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his statement and commend him on the proactive approach he has taken to early years to date. The Minister and the Committee will be well aware of the criticism that came in following the publication of the earlier consultation. The Minister and the Committee were very keen to listen to those consultation responses, to take them on board and to ensure that a proper strategy was put in place that reflected the views of everybody. Have we genuinely learned anything from that process and from those responses? Does the potential exist for us to move forward with a joined-up strategy that enjoys the support of stakeholders and gets buy-in from other Departments?

**Mr O'Dowd:** Consultations by Departments are often treated with scepticism by the public and in the sectors. This shows that consultations have an influence on government. I could have come into the Chamber today and announced a policy that I believe to be the right way forward, ignoring the consultation responses. However, I am here today saying to Members and to the general public that we accept that the consultation responses are largely critical of the strategy set out, though there is no agreed way forward or common theme on the way forward from the consultation responses, and we want to take a short time to engage again with the stakeholders, the Education Committee and my Executive colleagues and then produce a firm strategy on the way forward. That is a clear indication that we have listened and are prepared to listen to move forward.

The key objective is to ensure that we have a strategy that is deliverable, makes a difference in people's lives and makes a difference in our society. As I said to one of the Members who spoke previously, the role of a Minister is to

make decisions. I will listen again in the short time ahead, and then I will make a decision on the best way forward.

**Mrs D Kelly:** Two years on from when the strategy was first launched, we are now hearing a response to the consultations. Does the Minister agree that that is shambolic, appalling and a dog's dinner? One wonders whether there was a strategy to begin with. How did he and his predecessor get the strategy so badly wrong in the first instance? Can he put some meat on the bones in respect of the time frame for November and an action plan?

**Mr O'Dowd:** I await the SDLP's response in the coming months. I have no doubt that the SDLP has an early years strategy sitting waiting to be wheeled out into the public domain to tell all the sectors how we will proceed. Having listened to the Member's question, I can say it seems her party knows how it should be done. Therefore, I will listen to the SDLP. I will study — *[Interruption.]*

**Mr Deputy Speaker:** Order, please. I encourage the Minister and the Member to address their remarks through the Chair.

**Mr O'Dowd:** I will study with interest the SDLP's early years strategy. I will take on board the elements of it that are workable and will go forward in a collective and agreeable manner.

**1.45 pm**

### **Access to Justice Review: Departmental Action Plan**

**Mr Ford (The Minister of Justice):** On 13 September 2011, I announced the publication of the final report of the access to justice review and invited views on its 159 conclusions and recommendations. I have considered the responses very carefully, and I am today publishing my formal response to the review, together with a departmental action plan setting out the 38 reforms that I propose to take forward in the life of this Assembly. The projects set out in the plan cover more than 100 of the 159 recommendations in the final report of the access to justice review. The plan will be a living document, and further reforms may be added to it if I conclude that they are necessary and that it is feasible for my Department to deliver results within a meaningful timescale.

When I was elected Justice Minister, I said that my goal is to create a better justice system for everyone: for victims of crime; for those who seek redress through civil law or who need the assistance of the legal system to resolve family or other disputes; for those called to give evidence; and for those facing prosecution as a defendant. The access to justice review has made a very significant contribution to my thinking about how to achieve that goal, and I am grateful to all who made submissions to the review team and provided comments as part of the public consultation.

Today, I want to set out the programme of work that I will take forward. I have set three strategic objectives in the departmental action plan: improving access to justice; bringing legal aid expenditure within budget; and improving governance and accountability. Although each of those three objectives is important, I want to stress the particular importance that I attach to the first: improving access to justice. It is, perhaps, inevitable that coverage of my statement today will focus on the aspects that are aimed at bringing expenditure within budget. However, the access to justice review was about much more than that, and so is my response. Indeed, half of the 38 projects in the programme are aimed at improving access to justice. That reflects my desire to see real and lasting improvement in the justice system and to ensure that the justice system plays its full part in creating a fair and just society. It is

also an indicator of just how much work will be needed to achieve that.

Another 12 projects are aimed at the second objective of bringing legal aid within budget. The high cost of legal aid has been one of the most common complaints that I have received from members of the public and from MLAs on behalf of their constituents. Few would deny that certain aspects of the arrangements for the provision of legal aid here have been too generous. The challenge that faces all of us who are committed to access to justice is to maintain and improve such access but to do so on a real value-for-money basis. I am determined that we will not go down the path being followed elsewhere, with budgets cut by reducing the scope of support for those who genuinely need assistance in accessing justice. Rather, we — elected representatives, the legal profession, and voluntary and community organisations — must work together to develop and deliver reforms that are effective and affordable.

The reform programme set out in the action plan also includes seven projects intended to improve governance and accountability. That is another area where there has been significant public concern, as well as critical reports by the Northern Ireland Audit Office and the Public Accounts Committee. The Justice Committee has also expressed its concern about accountability for legal aid expenditure. Addressing issues of accountability and ensuring that proper measures are in place to protect against fraud has to be a priority, and the plan reflects that. I am confident that my proposed reforms and other improvements in governance already under way will address the problem. If more work is required, it will be taken forward as quickly as possible.

When I published the final report of the review last year, I said that consultation would not hold up work to deliver necessary reforms, and it has not. I have already acted on some of the review recommendations, and work has begun on 25 of the 38 projects listed in the departmental action plan. Indeed, work on some of the review recommendations has been completed. For example, the review commented on the need for tight and precise criteria for decisions on how many counsel should be funded in cases in the Crown Court, and new, tighter criteria were introduced in April 2012. Experience to date

suggests that the new rules will save £2 million each year, more than originally anticipated.

The review recommended the introduction of a new power for the Legal Services Commission to recover money from convicted defendants where it becomes clear that they can afford to pay for their own defence. Since I became Justice Minister, Members and constituents have raised with me a number of high-profile cases where convicted defendants had received legal aid but it subsequently became clear that they were well able to pay the fees for their defence teams. I am pleased to tell the Assembly that I have made new rules to allow costs to be recovered in such cases and they were laid before the Assembly this morning. The rules, which will introduce recovery of defence costs orders, will come into force in the autumn after the start of the new legal term.

In other areas, good progress is being made. I accepted the review recommendations that my Department should seek to develop partnerships with the voluntary and advice sectors and that we should make more use of pilot projects. A pilot project to help people facing court action for housing repossession or eviction from rented accommodation, by way of grant funding for the Housing Rights Service, is now under way. In addition to providing funding, we have found a way of expanding the service to the whole of Northern Ireland, to areas where it was not previously available, and that is now being rolled out.

Work has also begun on developing an alternative approach to what are known as “money damages cases”. The review recommended that such cases, which include claims for such things as injury from tripping, should be removed from the scope of legal aid, once an alternative approach had been developed. The Legal Services Commission has been working for some months, in discussion with the legal profession and representatives of the insurance industry, to develop alternative arrangements, and good progress has been made. That is the kind of constructive engagement that I want to see replicated across the wider programme of work.

Other projects in the programme have the potential to bring yet further improvements to the justice system. The provision of early legal advice is very important in ensuring that both criminal and civil cases progress quickly and get the right result. The current system for

funding early advice, known as the “green form scheme”, is regarded by all, including the legal profession, as administratively time-consuming yet providing poor financial control. The plan includes a project to review the green form system and to develop a better approach. That should be widely welcomed.

I have also commissioned a mapping exercise to explore the current use of alternative dispute resolution mechanisms in the justice system. As I have said on many occasions, I believe that there is scope for better use of such approaches, both to avoid time-consuming and expensive court proceedings and, where appropriate, to support proceedings. The mapping exercise will begin work in that area.

I will also commission a review of the legal needs of young people. Although my Department gathers and considers a wide range of information about legal needs and experiences, it does not at present have sufficient understanding of the legal needs of young people and children. I do not believe that we should assume that they have the same needs as adults in the justice system. I am, therefore, commissioning research to ensure that the Department's policy development can be properly informed in respect of the needs of children and young people.

I turn to my second strategic objective: bringing legal aid within budget. Members are aware that there has been significant public criticism of the high cost of legal aid and that the Northern Ireland Audit Office has been critical of the extent to which expenditure has exceeded the available budget. Since taking up office, I have made significant improvements to legal aid, but more needs to be done. Although I have brought through reforms that will save £20 million a year, that is not enough to bring legal aid expenditure within the annual budget, which will be reduced to £75 million by 2014-15. The progress made in relation to criminal legal aid must now extend to civil legal aid, and the plan includes 12 projects that will make further savings of more than £8 million a year when fully implemented. I am confident that we can make enough progress on those reforms to bring legal aid within budget by 2014-15.

There will be a comprehensive review of remuneration for legal representatives in civil legal aid, with a view to putting in place more accountability, as has already been done for

criminal legal aid. I estimate that that work will deliver savings of some £4m a year. Work on that has begun. A review of the arrangements for funding legal representation in civil cases is already under way, and I plan to bring forward proposals for new criteria — again drawing on the criminal legal aid work — in the autumn. That project is expected to save some £3 million a year. A comprehensive review of legal aid fees in Magistrates' Courts is well advanced, and I plan to publish proposals for consultation in the autumn. A review of fees in the Crown Court will commence in January next year.

I have also commissioned work to consider the introduction of a fixed means test for criminal legal aid and to review the existing means test for civil legal aid. In developing proposals, I will consider carefully any impact on access to justice, to ensure that legal aid remains available for those who really need it. That work is under way, and I plan to publish proposals by next year. Taken together, I am confident that all the projects that focus on legal aid expenditure should bring legal aid within budget by 2014-15 and will ensure that it remains within budget thereafter.

My third and final strategic objective is the improvement of governance and accountability where there has been criticism by the Northern Ireland Audit Office, the PAC and the Justice Committee. Members have also raised this individually, through correspondence and Assembly questions. Seven projects in the plan aim to address it. They include the introduction of a compulsory registration scheme, whereby legal practitioners wishing to undertake work funded by legal aid must sign up to agreed standards, and improvements in the internal management information and IT systems operated by the Legal Services Commission.

The potential for fraud in legal aid has been a particular concern, as highlighted recently by the Comptroller and Auditor General in his report on the Northern Ireland Legal Services Commission's 2010-11 accounts. The action plan includes two projects that relate directly to the PAC and auditor's concerns, with one project specifically to address the issue of potential fraud. Accountability is a critically important issue for all Departments, and I will commission further work, if required, to ensure that proper accountability for legal aid is put in place and maintained.

I have today set out my reform programme in some detail. I believe that it can deliver real improvement in the justice system in a meaningful timescale. I will work with the judiciary, the voluntary sector, the legal profession, other Departments and statutory agencies to ensure that it does so.

**Mr Givan (The Chairperson of the Committee for Justice):** I thank the Minister for his statement. We will seek to support most of the recommendations when they come to the Committee. The Justice Committee has had a particular interest in legal aid and access to justice, not least because of the vast sums of public money involved and the concerns that many members have, given the repeated reports highlighting the abuse of the system that has taken place within the legal aid budget. There are a number of areas in which we welcome changes, not least on the two counsel matter and the fact that that will now achieve £2 million more than anticipated. The Committee initially hesitated about the approach the Department was taking on that and, together, people listened, and we found an approach that has now yielded a much better outcome for the taxpayer.

I ask the Minister why we are still paying for delay in the criminal justice system, in that a different fee is still applied whenever a case is contested. That has been dealt with in Scotland, resulting in a 40% increase in earlier guilty pleas at arraignment. Will the Minister give an undertaking to address the different fee structures that, some would suggest, incentivise the legal profession to contest a case, when the evidence in Scotland suggests that a composite fee would result in earlier guilty pleas?

**Mr Ford:** I thank the Chair for his positive words and, indeed, for the constructive engagement that the Department has had with the Committee as a whole on these issues. I should make one point. When he referred to the savings around two counsel being around £2 million more than anticipated, I fear that he did not include a comma. The correct phrase is “£2 million each year, more than originally anticipated.”

The Member referred to paying for delay. Unfortunately, at the moment, there are still cases going through the courts for which the fees were set under the previous arrangements. Obviously, those fees will reduce as more cases set under the new arrangements that were

agreed last year for criminal work come through and as we continue to work on civil legal aid.

The Member raises an entirely valid point about the experience in Scotland. We hope that we will have a project completed during next year for both the Magistrates’ Courts and the Crown Court, although the work on the Crown Court will potentially not be completed until early 2014. The work being done next year will look at the benefits of a single fee. I do not necessarily agree with the suggestion that lawyers might see advantages in cases being run to considerable length, although that case was put fairly forcefully when I met the Committee. The key thing is to see that we get the best possible value for money and that those who are going to plead guilty anyway should have no disincentive to do so at the earliest possible opportunity.

**Mr Elliott:** I note that the Minister mentioned a couple of times the issue of potential fraud in the system. Is he actually suggesting that there was fraud or maybe still is fraud in that legal aid system? Also, the Minister notes that there were 159 conclusions and recommendations, of which 100 are covered in the 38 reforms.

What were the 59 that were not covered, and are any of them significant?

## 2.00 pm

**Mr Ford:** I thank Mr Elliott for those questions, but I fear Members might complain if I were to go through the 59 recommendations. Actually, there are slightly fewer than 59 remaining, as over 100 recommendations are being taken forward. The simple reality is that this was an extremely large piece of work. It was a very complex report, and a lot flowed from it. Even a Department as efficient as the Department of Justice is incapable of dealing with everything all at once. The key issue was to see that the priorities were established and that things were moving very rapidly. As I said, a number of issues have already been covered completely.

On his substantive point, not being an auditor, I am not in a position to say whether fraud happened. However, Mr Elliott and others from the Committee will be aware that the potential for fraud has been highlighted by the Audit Office and the PAC. The Justice Committee has taken quite a close interest in that. It is more important that we close down any potential for fraud than for me to suggest that I know exactly

what was happening when I do not have that information.

**Mr Dickson:** I thank the Minister for his statement, which is very welcome. As a member of the Justice Committee, I agree with what the Chair said: you will certainly get our support in bringing forward these reforms.

I refer to the work with the voluntary sector and the comments that the Minister made, for example, with regard to grant funding for the Housing Rights Service. What other areas of the voluntary and community sector does the Minister see as valuable areas for co-operation?

**Mr Ford:** The key point that I highlighted was the good work being done by the Housing Rights Service in helping people avoid repossession through the advice that it provided, initially in the Royal Courts of Justice at Laganside, and which we are now in a position to roll out across other courts in Northern Ireland. I am sure that those of us who do not represent areas within the Belfast Court division appreciate the importance of seeing that such services are made available as well as they can be in every part of Northern Ireland. That was an example where advice that was provided informally — although unfortunately at the last minute in that case — had quite a positive outcome in that it avoided housing repossessions and helped people to make arrangements with their creditors, whether mortgage companies or landlords. Without being able to give any details of other projects, it is an example that we are seeking to replicate. There is undoubtedly a lot of good work being done by some local advice centres, by CAB and others, where sound legal advice is being provided that helps people to avoid problems and gives them access to justice without needing to end up in courts. That is the kind of work I am keen to encourage.

**Mr Weir:** Will the Minister expand a bit more on the alternative approach that is being taken in money dispute matters? Are there any opportunities for the application of an alternative approach to look at the hearing-loss claims, for example?

**Mr Ford:** The problem with having a document with 38 detailed reforms is that when someone asks you a question like that, it can be quite difficult to find the particular point.

I am not sure that it would be possible to make any significant changes to the way the

hearing-loss claims are being handled, given that a number of those are under way. However, clearly, they are an example of where a lot of money has been expended on legal fees rather than necessarily being to the benefit of those who suffered loss. The important thing in an alternative to money damages is to find an appropriate way of removing from the scope of legal aid for court adjudications such cases that result from, for example, negligence or tripping over pavements, which afflicts DRD. We need to look at whether there are insurance-based options or conditional fee options. There are a variety of possibilities for dealing with such cases and the potential to save £1 million a year from the legal aid budget. I cannot give much detail because that project is at an early stage, although the research is under way, but I hope to come back to the Committee during the course of the next year with information.

**Mr Anderson:** I, too, thank the Minister for his statement. He referred to alternative dispute resolution mechanisms. I accept that particular route has merit from various points of view, but will he assure the House today that there will be built-in safeguards for victims in that type of resolution and that it will not result in the criminals getting off lightly?

**Mr Ford:** I can certainly assure Mr Anderson that that is the case. Youth conferencing demonstrates how such mechanisms do not result in young people getting off lightly, as they are forced to face up to the consequences of their actions through, potentially, direct reparation and direct confrontation with the victims or representatives of the community. Those examples show how ADR can be positive in that field.

We must also consider civil disputes, particularly those that involve family matters. An adversarial court system may exacerbate poor family relationships, as opposed to seeking a way of mediation or another form of ADR that would assist with the process. If I may go back to my past career, I think that we have moved on from the days when one solicitor represented two parents and another solicitor represented the former health and social services board or, as is now the case, a health and social care trust. A number of QCs could be involved in such cases. The danger is that, the more lawyers you bring in, the more they have to justify their fees by advocating their client's case, rather than seeking the kind of informal,

quiet resolution that can often be brought about through a mediation process to much better effect for the family concerned.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. Thank you, Mr Deputy Speaker, and I thank the Minister for his statement. The Minister said that he has:

*“commissioned a mapping exercise to explore the current use of alternative dispute resolution mechanisms”.*

Has he included restorative initiatives in that mapping exercise?

**Mr Ford:** I thank Mr Lynch for his question. I certainly think that restorative approaches are a key part of alternative dispute resolution. As I said in answer to the previous question, youth conferencing is one very important aspect of that, and I think that we need to look at potentially extending it.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a chuid freagraí go nuige. Thank you, Mr Deputy Speaker, and I thank the Minister for his responses to date. The Minister referred, rightly, to the potential for legal aid fraud to be a particular concern, and members of the Justice Committee shared that concern. The Minister also referred to an action plan that includes:

*“two projects which relate directly to the PAC and auditors’ concerns, with one project specifically to address the issue of potential fraud.”*

Will the Minister please elaborate on the detail of that?

**Mr Ford:** I thank Mr McGlone for that question. It may be that elaboration will require more detailed discussions with the Committee in the autumn. It is clear from the Audit Office report that there are problems with the accounting mechanisms that the Legal Services Commission has the legal authority to carry through. It simply does not have the full powers that may be required to, for example, inspect the books of solicitors and counsel.

It is key that we look, first, at the voluntary register of those who are engaged in legal aid purposes and, secondly, at the potential for taking legal powers to enter offices and inspect books. There is clearly a concern that the potential for fraud is quite significant. In the

interests of those lawyers who claim properly, it is vital that we ensure that anyone who might be tempted to do otherwise is checked up on fully.

**Mr Allister:** I declare an interest as a member of the legal profession. I encourage the Minister by saying that any self-respecting lawyer will have no difficulty with his pursuit of fraud. However, I want to come to a different matter. The Minister has set his eye on bringing the reforms that were made to criminal legal aid to civil legal aid. Does that include attacking the granting of two counsel to plaintiffs, who will, very often, face two counsel that are paid for by insurance companies? Is he satisfied that the important matter of equality of arms will be retained in the pursuit of justice, or are we looking for justice on the cheap, with the result that it may suffer?

**Mr Ford:** I thank Mr Allister for his encouragement in ensuring that all lawyers are living up to the high standards that we expect. He may not have heard the early part of the statement, but, as others will recall, in the two years that I have been Minister, I have made clear and always referred to my desire to ensure that we maintain access to justice and that we do not go down the line of other jurisdictions by reducing the areas in which legal aid can be applied. That said, there are difficult choices. We have also seen circumstances in the past where, in criminal matters, two counsel may have been funded for the defence and only one for the prosecution. That is hardly equality of arms either. There are difficulties in getting the balance in all these matters, but I believe that the road that we are on will ensure that we maintain proper access to justice while recognising that it comes at a cost that must be weighed against the cost of every other part of the Department's budget.

**Mr Deputy Speaker:** That concludes questions to the Minister of Justice. I propose, by leave, to suspend the sitting until Question Time at 2.30 pm. The statement from the Minister of Health, Social Services and Public Safety will be made immediately after the question for urgent oral answer to the Minister for Regional Development.

*The sitting was suspended at 2.10 pm.*

On resuming (Mr Speaker in the Chair) —

2.30 pm

## Assembly Business

### **New Assembly Members: Ms Megan Fearon, Mr Declan McAleer, Ms Rosaleen McCorley, Ms Bronwyn McGahan**

**Mr Speaker:** Before we move to Question Time, I have been informed by the Chief Electoral Officer of the return of a number of new Assembly Members. Ms Megan Fearon has been returned for the Newry and Armagh constituency to fill the vacancy resulting from the resignation of Conor Murphy. Mr Declan McAleer has been returned for the West Tyrone constituency to fill the vacancy resulting from the resignation of Mr Pat Doherty. Ms Rosaleen McCorley has been returned for the West Belfast constituency to fill the vacancy resulting from the resignation of Mr Paul Maskey. Ms Bronwyn McGahan has been returned for the Fermanagh and South Tyrone constituency to fill the vacancy resulting from the resignation of Ms Michelle Gildernew. I hope that I have pronounced all those names reasonably well.

Each of them signed the Roll of Membership in my office earlier today and entered their designations. They have all now taken their seats, and I wish them well for the future.

## Oral Answers to Questions

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

#### **Social Investment Fund**

1. **Mr Easton** asked the First Minister and deputy First Minister when the screening for the social investment fund will be operational.  
(AQO 2283/11-15)

#### **Mr M McGuinness (The deputy First Minister):**

The social investment fund received Executive approval on 17 May 2012. That approval finalised many of the operational decisions of the fund. It also brought with it the priority of getting moneys on the ground as quickly as possible. The first step in doing that is to establish the steering groups within the social investment zones. Each zone will have one steering group, and each steering group will comprise a maximum of 14 representatives from the community, voluntary, statutory, political and business sectors.

Nominations for the community voluntary representatives opened on 11 June 2012 and closed on 29 June 2012. During the application period, officials held a series of public information seminars on the nomination process, and all the information was made available on the Office of the First Minister and deputy First Minister (OFMDFM) website. Events were held in each of the nine zones and were well attended, which indicated the level of interest in steering group representation and the fund in general. The First Minister and I will consider all community and voluntary nominations received. We anticipate being in a position to inform successful candidates by August. Once the structures are in place, we will commission the area planning process to identify objective need within each of the social investment zones.

**Mr Easton:** I thank the deputy First Minister for his answer. If communities identify issues such as mental health issues, educational underachievement and substance abuse as key priority areas, could such schemes and interventions be used as part of any plans for the investment zones?



**Mr M McGuinness:** We have made it clear from the very beginning that we see engagement with the community as very important. This is us responding to the needs of the community and the issues that they identify as priorities for them. All the subjects that you raised could be matters for consideration with the steering group.

**Mr Speaker:** I remind Members that if they are trying to get in for a supplementary, they need to continue to rise in their place.

**Mr Lyttle:** I thank the deputy First Minister for his response. How does he respond to the concerns expressed that some community groups have had as little as three working days between the final information session and the deadline for nomination to the steering groups?

**Mr M McGuinness:** The nomination process was conducted in a fashion that allowed people in communities to be very much engaged. If there is a difficulty around the time span that was used, that will have to be considered. However, the appointments to the steering group were very important to ensure that we were moving forward decisively. We recognise that it is important to deal with these matters in a way that ensures that enough time is given to communities so that they can put forward representatives who will deal with the issues that are of concern to them. Given the level of engagement and discussion over not just a matter of days or weeks but many months, many local communities have had ample time to consider how they will be represented on the groups. We are satisfied that the meetings, which were very well attended, reached a proper outcome because of the amount of time that people had to nominate.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an LeasChéad Aire as a fhreagraí ar na ceisteanna go dtí seo. Has any consideration been given to amending the boundaries of the zones to allow for areas that are naturally working together on common themes?

**Mr M McGuinness:** I have referred to that a number of times in the Assembly. The boundaries for the investment zones generated a major part of the feedback received, and the issues were raised at the consultation events and in written responses. We have sought to make the boundaries compatible with the local areas to ensure that there are direct linkages

with ongoing work in areas, and we have had representations from some areas, such as in Belfast, for which we took account of work that has taken place but does not fit easily within the Assembly boundaries for the four zones. Our officials are looking at how we can best address the issue to ensure that areas that already work collectively can continue to do so. Every now and again, issues around the designations of the zones and their geographical spread will crop up, but I am certain that officials will approach all that with considerable flexibility.

**Mr Durkan:** I thank the deputy First Minister for his answers so far. Will he give detail on the criteria to fill the membership of the zonal steering groups of the social investment fund?

**Mr M McGuinness:** A community and voluntary nomination process has been followed very diligently. The formation of the steering groups is under way, and nominations for the community and voluntary positions have just been closed. The next stage of the process is for the First Minister and I to select from the applications received, and that will be completed by August this year. Political representatives will be selected using the d'Hondt process. Statutory representatives, with the exception of the one council representative, will be determined once the priorities of the strategic plan have been identified and may work on a rotating basis. Business representatives will be identified by the steering groups and can come from large-scale business in the zone, smaller business enterprises or representative bodies, as the steering group deems appropriate. Support for the fund has also been registered by trade unions, and the Irish Congress of Trade Unions, the umbrella organisation for unions in Ireland that represents some 750,000 workers, responded to the consultation and wrote separately to the First Minister and I endorsing the ethos of community involvement and decision-making in local areas.

## EU Funding

2. **Mr G Robinson** asked the First Minister and deputy First Minister to outline the progress made in drawing down EU funding.

(AQO 2284/11-15)

**Mr M McGuinness:** The Executive intend to increase the drawdown of competitive EU moneys by 20% over the period to 2015, and that target will bring around £52.8 million of

additional EU funding to the region. In 2011-12, year 1 of the target, £15.8 million was secured, which was an increase of £4.8 million over the 2010-11 baseline of £11 million. That represents an excellent start to the Executive's Programme for Government commitment, and we expect further success this year.

In year 1, we also undertook substantial capacity-building, and four desk officers are now located in our Brussels office to provide dedicated support to Departments on identifying funding opportunities. In March, junior Ministers led a highly successful Brussels engagement programme, involving over 50 meetings, to make the Executive's voice heard at a time when the European Commission is preparing the next generation of EU funding programmes for 2014 to 2020. Departments are influencing negotiations on key funding sources for this period, such as the Connecting Europe Facility and Horizon 2020, which are potentially worth €50 billion and €80 billion respectively.

A few weeks ago, the First Minister and I met the European Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn, to press upon her the need for Horizon 2020 to be more accessible to our small and medium-sized enterprises (SMEs). During our discussion, the Commissioner advised us that our total drawdown from the seventh framework programme to date had increased from €36 million to €43 million, which is more excellent news.

**Mr G Robinson:** Does the deputy First Minister agree that EU funding helps to release much-needed funding for Northern Ireland's departmental budgets, particularly given the present harsh economic times?

**Mr M McGuinness:** Yes, I absolutely agree. We have been very focused in the meetings that the First Minister and I have been involved in with Máire Geoghegan-Quinn over a period. We have identified that much more work can be done by our Departments. Quite an amount of work is being done, and the opportunities are clearly there.

Providing a context for funding drawdown is essential. Benchmarking is the only way in which the Executive and Assembly can assess our true performance on realising new and additional EU moneys. We know that our absolute performance in year 1 of our target period has been good. We have delivered a significant increase in our drawdown. On a relative basis, however, the picture is still

unclear. So, for the year ahead, which is year 2, we will place greater emphasis on comparing our relative drawdown with the best performing regions in Europe. The statistical basis for comparison has yet to be agreed, but we will be looking to measure such things as drawdown on a per capita basis by EU funding programmes, using that to determine our performance against other devolved Administrations, the South and comparable regions in the EU.

It is vital that all our Departments are involved. I can report, as the First Minister has said previously, that all our Departments are very energised and knowledgeable about what needs to be done. The extra resources that we are putting into our Brussels office will be of great assistance.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. The Minister may have covered some of this subject in his answer. Will he outline the Executive's European priorities for 2012-13?

**Mr M McGuinness:** We published our European priorities for 2012-13 on 28 May. Our European priorities were developed to align closely with the Europe 2020 strategy, the European Commission's legislative and work programme for 2012 and our own Programme for Government. Innovation and technology is one of our four main European priorities. Supporting SMEs, increasing R&D and promoting creative industry and STEM — science, technology, engineering and mathematics — initiatives are all identified as key objectives for the year. We continue to work actively to increase our engagement in European networks, policies and funding programmes. Every Department was involved in drafting the Executive's European priorities and carries responsibility for their delivery.

The First Minister and I will continue to use every opportunity to influence the Commission and ensure that future EU funding programmes remain responsive to the needs of our region. A key consideration for this year will be to continue to monitor and influence, where possible, negotiations on key policies such as regional aid, the Connecting Europe Facility and the new EU funding programmes for 2014-2020.

**Mrs Overend:** As regards cohesion funding, the deputy First Minister will know that the Executive suggested alternatives to GDP as the determining factor for defining whether Northern Ireland is classified as a less developed, transition or more developed region. What were

those alternatives? What was the response from Europe?

**Mr M McGuinness:** We are making it absolutely clear that we recognise the challenges we face in relation to the changing face of Europe and even to the changing priorities that Europe itself is laying down. From our perspective, we hope for a Peace IV programme, and it is important that we focus on the need for that, given that there has been much speculation that, when it comes to an end, Peace III could be the end of a programme that has been very much involved in cohesion, particularly in border areas.

I think the fact that we have gained the support of the British Government and the Irish Government, as well as the representations made by the First Minister and me to Europe, means we can have a reasonable expectation that that programme will continue. We are always looking at other ways in which we can draw down support from Europe, and of course we have working parties under the Barroso task force consistently looking at new ways to ensure that we get the best result from our connections with the European Union.

2.45 pm

### Delivering Social Change

3. **Mr Molloy** asked the First Minister and deputy First Minister for an update on the Delivering Social Change framework.

(AQO 2285/11-15)

**Mr M McGuinness:** Mr Speaker, with your permission, I will ask junior Minister McCann to answer this question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** For some time now, Departments have been working hard to tackle poverty and social exclusion. However, all too often, these efforts have not delivered the step change that is necessary. Genuine efforts have been fragmented and dispersed over too many strategies, action plans and targets, and, at times, Departments have focused on their core issues without seeing the benefits of greater collaboration. The Executive agreed that we needed to find new ways to ensure effective cross-departmental working to tackle poverty and deprivation. We needed a framework for action that complemented the much larger social and economic policies that operate in this area, provided streamlined

governance with clear lines of accountability, and focused on delivering actions that add real value and achieve measurable improvements.

Delivering Social Change is a framework designed to support joined-up working in government and to reflect the leadership that has already been demonstrated on the ground. The framework is being laid by junior Minister Bell and me through the Executive ministerial subcommittees on children and young people, and poverty and social inclusion. The intention is that, once a year, the First Minister and the deputy First Minister will also chair these subcommittees. The Executive subcommittees are being supported by a programme board chaired by junior Minister Bell and me, with key Departments represented by key officials. To date, the programme board has met twice on a formal basis and has had a number of workshops. Its early work is focused on the identification of short-, medium- and long-term strategic actions that will help the Executive meet their Programme for Government commitments around tackling poverty, social inclusion and improving the life chances of children and young people. It is hoped that proposals with regard to initial priorities and actions under the framework will be presented to the First Minister and deputy First Minister for agreement by the end of the summer.

**Mr Molloy:** I thank the junior Minister for her response. Can she give an assessment of how Delivering Social Change is going to assist with the integration of policy across the Departments?

**Ms J McCann:** A key element of the Delivering Social Change framework is the policy project, which has a role in integrating policy more effectively. This means that we will not have all the multiple plans addressing the same issues in the same ways. We will have one strategic framework — our plan — and if more plans are required to fulfil statutory or other commitments, they will draw on the overarching plan. It has been very clear that we need to move away from the fragmented and dispersed policies. This is important because it will support a more joined-up approach and ensure that there is not an overemphasis on policies and strategies at the cost of delivery. It will also avoid duplication, whereby multiple planning documents address the same issues.

The emerging thinking from the strategic discussions to date has identified two key products that need to be developed. They are the Delivering Social Change framework document, which will identify the major issues together with recommendations as to how to address these, and the other one, a children and young person early actions document, which will provide details of initial actions or flagship services and produce early impacts.

**Mr Speaker:** Robin Swann. I take it the Member certainly wants to ask a supplementary question.

**Mr Swann:** Yes.

**Mr Speaker:** He needs to rise properly in his place.

**A Member:** He was. *[Laughter.]*

**Mr Swann:** Now, come on. Mr Speaker, are you going to allow that sort of heightism in here? Come on.

**Mr Campbell:** It is time for new material here.

**Mr Speaker:** Allow the Member to ask —

**Mr Nesbitt:** Sit down, Speaker.

**Mr Swann:** Thank you very much, Mr Speaker — I think.

Can the junior Minister explain further how the Delivering Social Change framework will work alongside the Programme for Government, the economic strategy and, as was mentioned earlier, in even more detail, the social investment fund?

**Ms J McCann:** Up to now, our work relating to children and young people has been guided by a range of strategies, action plans and conventions, such as the children and young people's strategy, the play implementation plan and the Child Poverty Act. We are still fully committed to them, but they now need to be taken forward through the Delivering Social Change framework. We are trying to move away from action plans with long lists of existing activities towards smaller numbers of cross-cutting and strategic objectives that can really make a difference and are additional to existing work across government.

Achieving sustained social improvement for children and young people with a reduction in intergenerational poverty means that Ministers

will work more closely together in the context of a longer-term view, which encompasses the next comprehensive spending review and Programme for Government period and the years beyond. That includes work to improve income and keep down household costs. In practical terms, we will have a Delivering Social Change framework that will take in the social investment fund and the other policies that are key to reducing poverty.

**Mr Rogers:** I thank the junior Minister for her answers so far. With reference to social change, will she give the reaction to the recent Equality Commission survey on discriminatory attitudes?

**Ms J McCann:** I do not have those details with me. I will write to the member if there are some things that I can explain further. The outcomes associated with the Delivering Social Change framework are a sustained reduction in poverty and an improvement in children and young people's health. We need to have that equality of opportunity for all our children, and that cannot happen until we reduce poverty and ensure that the life chances of all children are the same.

**Mr Agnew:** I congratulate the junior Minister on her appointment. With regard to delivering social change, I welcome the efforts made to co-ordinate cross-departmental working. However, we have heard today from the Education Minister, or at least got a hint from him, about the trouble that he has had in getting a truly cross-departmental strategy —

**Mr Speaker:** Could the Member come to his question?

**Mr Agnew:** — for early years. Will the Delivering Social Change framework ensure that we do not have single Departments dealing with cross-departmental issues?

**Ms J McCann:** I thank the Member for his congratulations.

We have already stated the outcomes associated with the Delivering Social Change framework, such as the reduction in poverty and associated issues right across all ages. Also included in that is the improvement in children and young people's health, well-being and life opportunities. The Delivering Social Change framework is the Executive's new delivery framework for social policy and our approach to reducing poverty and tackling social exclusion.

Therefore, it will deliver services in a more integrated and holistic way, as the Member said, because, in the end, that will have the greatest impact on the lives of children and young people — the lives that we are trying to change.

### Commissioner for Public Appointments

4. **Mr Nesbitt** asked the First Minister and deputy First Minister for their assessment of the work of the Commissioner for Public Appointments. (AQO 2286/11-15)

**Mr M McGuinness:** In 1995, the first report of the Westminster Committee on Standards in Public Life, which was chaired by Lord Nolan, recommended that there should be an independent commissioner for public appointments. That recommendation was accepted and current public appointment policy requires that there be a commissioner for public appointments. The office of Commissioner for Public Appointments was subsequently created by the Commissioner for Public Appointments Order 1995. That order sets out the commissioner's main functions, which include publishing a code of practice that sets out the process for making ministerial public appointments, auditing departmental public appointment processes to establish whether the code of practice is being observed, and investigating complaints. The commissioner also publishes an annual report that provides information on the work of his office. The current commissioner is Mr John Keanie, who was appointed by the First Minister and me and took up office on 1 August 2011.

The commissioner has an important role to play in enhancing and sustaining public confidence in the appointments process by holding Ministers and their Departments to account. He operates independently of government, sets standards for Departments to follow by publishing a code of practice, audits departmental appointment processes to check whether his code of practice has been followed, and investigates individual complaints and publishes his findings in an annual report. The commissioner provides an effective and credible external scrutiny role, which I am sure that everyone welcomes.

**Mr Nesbitt:** I thank the deputy First Minister. Will he outline what further actions his Department may be considering on foot of the Fair Employment Tribunal finding against the former Minister for Regional Development,

Conor Murphy, to guard against further discrimination in public appointments on the grounds of religious belief?

**Mr M McGuinness:** I am aware that the Fair Employment Tribunal found against the Department for Regional Development in a case involving the appointment of the chair of NI Water. The Department for Regional Development is considering the tribunal's judgement. It will, I am sure, wish to consider all the available options, including an appeal. The tribunal judgement raises a range of serious issues. The implications of the decision on public appointment procedures will be fully considered by all concerned. Any changes to the Commissioner for Public Appointments's code of practice arising out of the case are a matter for the commissioner.

**Mr Campbell:** The day after that handshake last week, the deputy First Minister talked about the history of nationalist inequality in Northern Ireland and that, for 40 years of his life, he was addressing that inequality. Is the inequality in appointments via the then Sinn Féin Minister Conor Murphy that was reported last week the change that he was talking about?

**Mr M McGuinness:** No. As someone from a community that was long discriminated against until these institutions were established, it is certainly not in my interests, or in the interests of anybody associated with me, to be involved in discriminating against anyone. I understand that, as a result of the ruling last week by the Fair Employment Tribunal, a number of people associated with whatever decision was made at the time are considering legal advice. At this stage, it is too soon to say what the outcome will be. However, I would be very surprised if there is not a very vigorous challenge to the decision.

**Mr F McCann:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline how OFMDFM public appointments are regulated by the Commissioner for Public Appointments?

**Mr M McGuinness:** Ministerial public appointments to the following OFMDFM public bodies are regulated by the Commissioner for Public Appointments: the Commissioner for Children and Young People; the Commission for Victims and Survivors; the Commissioner for Older People; the Ilex Urban Regeneration Company; the Strategic Investment Board; the Maze/Long Kesh Development Corporation;

and the Northern Ireland Judicial Appointments Commission. The Police Ombudsman is appointed by the First Minister and me, although the ombudsman's office is sponsored by the Department of Justice. That appointment is regulated by the Commissioner for Public Appointments. Although most public appointments are regulated by the commissioner, appointments to a tribunal are not. As a result, appointments to the Planning Appeals Commission, such as the recent appointment by the First Minister and me of a new chief commissioner, are not regulated by the commissioner.

**Mr Dallat:** Does the Minister agree that the manner in which public appointments are made can be a beacon of light for the future or a dark cloud of what happened in the distant past? Will the Minister ensure that, at all times, public appointments are beyond question?

**Mr M McGuinness:** Yes, absolutely. I have no difficulty with the Member's final remark. It is important, particularly against the backdrop of a new dispensation here, that all of us are rigorous in defending everyone's rights. Discrimination must be banished to the dustbin of history. If lessons are to be learned from individual cases, as opposed to the general situation that existed for far too long, it is in all our interests to ensure that those lessons are learned as we go forward. However, given that, in all likelihood, people are considering their options in relation to last week's finding, it is much too soon to say.

### Child Poverty Report

5. **Mr Cree** asked the First Minister and deputy First Minister why there was a delay in laying the annual child poverty report before the Assembly. (AQO 2287/11-15)

**Mr M McGuinness:** With your permission, Mr Speaker, I will ask junior Minister Jennifer McCann to answer the question.

### 3.00 pm

**Ms J McCann:** The Executive agreed the first annual report required by the Child Poverty Act 2010 on 31 May of this year. The report was laid before the Assembly on 6 June 2012 under a written ministerial statement from the First Minister and deputy First Minister. Since publishing the child poverty strategy in March 2011, we have started to develop a poverty

outcomes model that would reflect the separate inputs of all Departments. Junior Ministers sought to progress work to deliver the child poverty strategy on the basis of the approach recommended by the outcomes model. Ministers also developed the delivering social change framework, which I spoke about earlier, to deliver a sustained reduction in poverty and associated issues across all ages, and an improvement in children's and young people's health, well-being and life opportunities, thereby breaking the long-term cycle of multigenerational problems.

In the first year of delivering the child poverty strategy, progress has been made in developing that programme framework. Political agreement, administrative structures and a monitoring framework have been developed, and they will enhance the capacity of Departments to deliver on their commitments and to measure more accurately progress overall and the distinct contributions of individual Departments. Set in the context of the other work that was ongoing, the drafting of the first annual report was, regrettably, delayed.

## Education

### Schools: Area Planning

1. **Mr Hussey** asked the Minister of Education how he will ensure during the summer period that schools and their staff are kept adequately informed on progress with area planning. (AQO 2298/11-15)

**Mr O'Dowd (The Minister of Education):** Last September, I commissioned the boards and the Council for Catholic Maintained Schools (CCMS) to draw up plans for a network of viable and sustainable schools in their areas. I asked for plans for primary, post-primary and special schools. I now have the post-primary draft area plans, and those will be published for public consultation on Thursday 5 July 2012. I understand that the boards wrote to all schools before the end of the summer term to inform them of the commencement of the consultation. That will run for a full 16 weeks until 26 October, as it has been extended to take account of the school summer holidays.

The boards will be making an online facility available from September to complement the normal channels for response. The area

planning consultation offers an opportunity to reshape our education system for the future, and I encourage as many people as possible to respond.

It is important that the plans are considered from the perspective of all young people in an area and not focused on individual schools. I will want to be assured that the plans provide viable and sustainable schools, access to high quality education, and proposals that will enhance the curriculum offered for young people.

Following the consultation, boards will analyse the responses and submit revised plans to me for consideration in November. I anticipate that I will be in a position to approve the plans by the end of the year. As I have constantly stated, the interests of young people will be the primary focus throughout the process.

**Mr Hussey:** I thank the Minister for his answer. What communication plan will the Minister put in place to ensure that all interested parties are kept properly informed of all stages of the area planning consultations?

**Mr O'Dowd:** As I said, the plans will be going out to consultation from the end of this week. Boards were to inform schools of that process before schools broke up for the summer. I appreciate that it is over the summer holidays, but, alas, government cannot close down over the summer, and the Department of Education has to deliver a rigorous work programme, which requires us to ensure that we achieve a sustainable and viable schools estate. The plans will be out over the summer months for fairness to stakeholders. That will give them time for reflection and to study the plans. In September and October, those bodies will have an opportunity to come together in a more formal setting and discuss and debate the plans. They can do it over the summer, if they so wish. The education boards will be available to schools and other stakeholders, if further clarification is required over the summer months.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. What is the Minister's assessment of how the managing authorities have complied with the reference, in the terms of reference, to the area planning process on assessing the potential for cross-border models? At this stage, does the Minister know whether any of the proposals that are coming out in the consultation on Thursday include any cross-

border proposals, such as a cross-border area learning community?

**Mr O'Dowd:** I do not wish to make an assessment of plans that are just going out to public consultation this week. However, I would encourage border communities especially to involve themselves in the consultation process. If there are opportunities for cross-border working and cross-border planning that have not been included in area plans, there is an opportunity for elected representatives, community groups, schools and stakeholders to make those views known. When the plans come back to me after the public consultation, I will study them against the consultation responses and the terms of reference to ensure that all has been adhered to and that views have been taken on board. However, we are handing this over to the communities for their views on area plans to be heard. There are clearly opportunities for cross-border work along border communities.

**Mr Byrne:** Does the Minister agree that, when two primary schools agree to come together into a single school, as has happened in Omagh with the former CBS Primary School and Loreto Convent Primary School, it is very important that all services and systems help to enable sites to be adapted or changed? Does the Minister support the efforts being made to try to improve the buildings of those two schools at the moment?

**Mr O'Dowd:** I am aware that West Tyrone representatives met departmental officials this afternoon on that very subject. I will await a report from my departmental officials on the matter and then take whatever action requires to be taken.

The Member will be aware that, as part of my capital bills announcement last week, I announced a £4 million enhancement programme available to schools. It is targeted at schools that are amalgamating, coming together or enhancing services to schools in their communities, and that will come on stream from 2013 onwards. However, I will study the details that have come out of today's meeting and report back to Members collectively.

**Mr Lyttle:** Will the Minister give his assessment of how education and library boards have complied with the terms of reference guidance to explore shared education solutions? What is his understanding of the meaning of "shared education"?

**Mr O'Dowd:** As I said to a previous contributor, I will await the public consultation on the reports. When my officials report back to me, I will examine them through the prism of the terms of reference and the consultation responses to ensure that views have been taken on board and the terms of reference have been met. Those documents are now the education and library boards', and they are going out to public consultation under their remit. My responsibility is to ratify them at the end of the process if I am satisfied with them.

I was asked what my definition of "shared education" is. I hope to be in a position to announce in the near future membership of the ministerial advisory group, which was committed to under the Programme for Government. I have set aside terms of reference for that body, and I want it to examine the potential for shared education. I want the body to challenge the Assembly, individual Members, the sectors and the Minister over shared education and for it to ensure that we can exploit the full potential of shared education. Let it bring forward the conversation, instead of the Minister standing up in the Assembly before the group has even had a chance to meet to decide what shared education will mean.

## Newly Qualified Teachers

2. **Mrs D Kelly** asked the Minister of Education how he intends to create more employment opportunities for newly qualified teachers.

(AQO 2299/11-15)

**Mr O'Dowd:** I am keen to ensure that newly qualified teachers are afforded every opportunity to obtain full-time positions. The number and type of vacancies for which newly qualified teachers may be eligible to apply is primarily influenced by decisions made by schools on the basis of the funding that they receive under the local management of schools (LMS) common funding formula arrangements.

Data from the General Teaching Council in January 2012 shows that 70% of teachers who graduated here in 2007 have gained a permanent or a significant temporary teaching post; that is, employment for one term or more. My Department has taken measures to ensure employment opportunities for newly qualified teachers, including reducing intakes to courses of initial teacher education by almost 32% since 2004-05 and discouraging the re-employment

of prematurely retired teachers through provision of employer guidance and changes to pay, premature retirement, and LMS funding arrangements.

**Mrs D Kelly:** I am interested in the Minister's definition of "permanent employment". He said that 70% of teachers have been employed for one term or more, and that equates to a permanent position. I do not think any bank lender would equate that to being the case. Will the Minister assure us that teachers who get employment will have their needs met for their professional development in their early years, post-qualifying?

**Mr O'Dowd:** I do not think that this is the time to be taking advice from any of the banks, given some of their practices.

What I said was that data from the General Teaching Council in January 2012 show that 70% of teachers who graduated in 2007 have gained a permanent or a significant temporary teaching post, meaning that they have been in employment for one term or more. Clearly, we want to ensure that young and older people who go through teacher training achieve employment in teaching. However, we are dealing with one of the worst economic downturns in modern history. That is reflected in my budget, in the schools budget and in the opportunity that graduates and postgraduates in all fields have to gain employment in their respective areas. However, I am continuing to examine ways and means of ensuring that we have teaching personnel in our schools.

I am looking at how we train our teachers. As part of that, I am also looking at how to give our newly qualified teachers access to the workplace. I note that the Scottish Government's report into the provision of one year's training for newly qualified teachers has been completed and has gone back to the Scottish Executive. I believe that it was recommended that the course that they have in place should continue. It is estimated that that would cost the Executive here between £10 million and £17 million a year, but I will study the report to see what, if anything, we can learn from it.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. As a result of the recent changes that he introduced to their terms, how successful has the Minister been in reducing



the number of retired teachers re-entering employment?

**Mr O'Dowd:** We have made it significantly less attractive for retired teachers to come back into the workforce, given that their pay rates have been reduced. We have also emphasised the need for boards of governors to take on board the view, expressed in the Assembly and by the public, that newly qualified teachers should be given the opportunity, through substitute teacher and other cover, to increase their employability by making their CV more attractive. We have been successful, but, at the end of the day, boards of governors are the employing authorities in schools. They make the decisions about who they will employ and who they will take on board even on a temporary basis. My role is to set policy. As I said, I have made it more difficult and less attractive for retired teachers to return. I encourage boards of governors to take on board the views of the House and the public.

**Mr Elliott:** Given what the Minister said, is he content with the number of teacher training places that are being funded through local universities and colleges?

**Mr O'Dowd:** I have recently made my views on teacher requirements for the next year known to the Minister for Employment and Learning. There has been a reduction of 63, and that affects our universities. I am content that we have made the right decision at this time. I am aware that the Minister for Employment and Learning is to bring forward a review of the viability and sustainability of our teaching training programmes, and I await the outcome of that before making any further decisions.

### Primary Schools: East Belfast

3. **Mr Douglas** asked the Minister of Education what plans he has to allow some of the oversubscribed primary schools in East Belfast to expand. (AQO 2300/11-15)

**Mr O'Dowd:** In the current school year, five of the 19 primary schools in East Belfast were oversubscribed with first-preference applications in year 1, and 6 children remain unplaced. However, all the schools have spare spaces available in years 2 and 7.

Last September, I commissioned the boards and CCMS to draw up plans for a network of viable and sustainable schools in their areas.

I asked for plans for primary, post-primary and special schools. The planning process will enable the needs of each sector in a given area to be assessed. I am content for those plans to allow popular, oversubscribed schools to grow further. However, pupil numbers in any area are finite. The expansion of numbers in one school will inevitably result in a reduction in others, and planning must take account of that. I have received the boards' plans for primary schools. My Department will consider them and will work with the boards, CCMS and the integrated sector to progress them.

**Mr Douglas:** I thank the Minister for his comprehensive response. Does he agree that, given the potential increase in population in East Belfast as a result of the Titanic Quarter and other such proposals, there will be an increase in the number of children looking for places at schools there? Can he outline the timescale for the process that he mentioned?

**Mr O'Dowd:** For clarity, my last comments should have ended with the words "integrated and Irish-medium sectors". We brought forward the plans to garner local knowledge about population growth, the sustainability of schools and the spread of schools that is required in an area.

### 3.15 pm

There is an opportunity for the community and political representatives of East Belfast to make their views known in the post-primary sector. The primary school area plans will go out to consultation later this year, and my Department has received them. We are currently studying them, and then we will return them to the boards and ask them to send them out to consultation. So, that is an ideal opportunity for community and political representatives of East Belfast and other areas to make their views known. I think that that is a better way of planning than my Department simply stipulating the number of schools required in an area and how many children should be in each school. Let us hear the voices of communities on those things.

**Mr Kinahan:** In looking at the numbers of primary schools for the future, will the Minister review the Bain numbers and go for fewer, particularly in rural areas?

**Mr O'Dowd:** No. I have no plans to review the Bain numbers. We have the sustainable schools policy, which is a product of the Bain report.

It has been out to consultation and has been adopted by the Department. It is in place, and I think it is still a viable document.

This is not a numbers game; I have always said that. Others in the House and the media have sometimes referred to this as a numbers game. There are six criteria against which schools will be judged in regard to sustainability for the future, and that is how we intend to move forward. There will always be circumstances, especially in rural communities, where school enrolments will be well below the number indicated in the sustainable schools policy. However, when we match them against the other five criteria, it will be clear whether that school should remain and operate in the future.

**Mr A Maskey:** Go raibh maith agat, a Cheann Comhairle. The Minister has already referred to this in a previous answer, but will he elaborate on the opportunity for the other schools in the wider community of east Belfast to participate and make their views known in the planning process for the future?

**Mr O'Dowd:** We will set out the example of the post-primary consultation at the end of this month, and, as I have said, I accept that that is happening over the summer months. However, we cannot close down government for two months. The Department of Education and others have to keep working through a rigorous work programme. The primary school area plans are with my Department at the moment. We are going through them and making a number of checks on them to ensure that issues are clear, that there is a common theme and that they will be understandable to the public once they go out to consultation. We will send them back to the boards and ask the boards to put them out to consultation. At that stage, as with any other public consultation, the community and its political representatives should make their voices heard — and pupils and parents should make their voices heard too. I urge everyone to involve themselves in the debate, not simply about individual schools or the schools closest to them but about the future provision of schools in an area. It is not the quantity of schools in the area that matters but their quality. That is what will ensure the quality of education for our young people going into the future.

**Mr McDevitt:** I am sure that the Minister agrees that a school that is consistently oversubscribed

over a period of time is a school that, by definition, is meeting the demands of its communities. Will he, therefore, definitively outline whether he is willing to review the admissions policy for schools that are consistently oversubscribed over a period of time?

**Mr O'Dowd:** Every year, the Department of Education looks at the enrolment numbers for schools, and every year it contacts the boards, the CCMS and key stakeholders for advice on enrolment figures. It is then that the opportunity should be taken by schools and the managing authority, to discuss whether school numbers should be increased at an individual school. However, the methodology that I have set in place ensures that we do not look at individual schools. If we increase the numbers at school a, then schools b, c and d are affected, because there is only a set number of pupils in any area. So we want to know what the impact will be on schools b, c and d before we increase the numbers at school a. The area plans that I have set out give ample opportunity for all those questions to be debated and answered, and when the area plans are published, communities and schools will have a clear definition of the make-up of the schools estate in the future.

## Ministerial Appointments

4. **Mr Allister** asked the Minister of Education, in relation to ministerial appointments, what the respective success rates have been for Protestant and Catholic applicants since May 2007. (AQO 2301/11-15)

**Mr O'Dowd:** Since May 2007, there have been 244 ministerial appointments. The Department does not hold information on the community background of new applicants for boards of governors posts. That information is requested on behalf of the Office of the First Minister and deputy First Minister (OFMDFM) for monitoring purposes and only after the successful applicants have been selected.

Excluding applications for the 135 board of governors appointments and reappointments, there were 109 applicants from the Protestant community, including 10 councillor nominations for reappointments, and 53 of those were successful. There were 102 applicants from the Catholic community, including six councillor nominations for appointments, and 53 of those were successful. Five applications that were received are not included in those figures, as

the applicants' community backgrounds are not known or are other community backgrounds, and three of those applicants were successful. For the 135 boards of governors appointments and reappointments, there were 65 successful Protestant applicants plus 53 successful Catholic applicants. There were 17 successful applicants whose community background was other or not known.

**Mr Allister:** In welcoming the fact that there is apparently a greater degree of parity in those figures than there was in DRD under Sinn Féin control, will the Minister tell us specifically what the ratio of appointments by the Department to the Education and Skills Authority (ESA) in its various forms has been?

**Mr O'Dowd:** The numbers appointed to ESA are of such a small significance that, if I were to reveal the religious background of those successful applicants — I have not got the information in front of me — their identity would be known, and I am not prepared to do that.

**Mr Campbell:** Does the Minister appreciate the difficulty that he has been placed in courtesy of the outcome of the tribunal last week involving his former colleague Conor Murphy? Does he appreciate the extent that he will have to go to in order to ensure that the unionist community believes that there will be fair play in ministerial appointments by a Sinn Féin Minister?

**Mr O'Dowd:** The deputy First Minister outlined in detail where that Department for Regional Development case is. *[Interruption.]* Do you want to hear the answer?

**Mr Speaker:** Order.

**Mr O'Dowd:** I put this to the Member: if the Member had his way, there would be no fair employment tribunals, because the Member has always been opposed to those being in legislation. There would be no Equality Commission, because the Member has always been opposed to that. There would be no employment legislation whatsoever in this society, because the Member opposite has always been in opposition to any form of equality whatsoever being in legislation. That is where we would be in this society if the Member opposite had his way. No member of the public, no Member of this Assembly or anyone else would be aware of the appointment process of my Department or any other Department. I assure the Member of this: I share the views of

the deputy First Minister. I do not believe that there is a sectarian bone in Conor Murphy's body. *[Interruption.]*

**Mr Speaker:** Order. Allow the Member to ask a supplementary question.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. It seems that some Members have very long memories. They stretch back to May 2007. Does the Minister have any opinion on the comparative figures under direct rule, or, indeed, under Jim Allister and Gregory Campbell's Camelot of the old Stormont regime?

**Mr Allister:** Or under Martin McGuinness.

**Mr Speaker:** Order.

**Mr O'Dowd:** The record shows that any attempt to introduce fair employment or equality legislation in this society has been opposed by the two gentlemen who have previously questioned me in regard to this matter. It is quite clear that they would be happy to return to a one-party state that failed not only the Catholic community but the Protestant community on the island of Ireland. What we have in place now, despite their continued opposition, is a much fairer, much more equal society. I assure everyone in the House that I, and all of my ministerial colleagues, will comply with the rigour of the law.

**Mrs Overend:** When considering appointments within the Department of Education, will the Minister confirm how many applicants, and, indeed, successful applicants, have come from outside the Civil Service?

**Mr O'Dowd:** I apologise to the Member. I do not have those figures in front of me, but I will ensure that, if the figures are available, they are provided to the Member.

## Castle Tower School, Ballymena

5. **Mr McKay** asked the Minister of Education for an update on the proposed capital works scheme for Castle Tower School in Ballymena.  
(AQO 2302/11-15)

**Mr O'Dowd:** In my statement to the Assembly on 25 June, which outlined my plans for capital investment in the schools estate, I was pleased to announce that the process for building a new school for Castle Tower special school in

Ballymena will be advanced. Funding of up to £21.8m is available for that project.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. I think it is an understatement to say that last week's announcement was well received by the school and the local community in Ballymena. What assistance will the Department and the board provide to Castle Tower School to ensure that it can complete the necessary paperwork and administration so that the practical work is started on the ground as soon as possible?

**Mr O'Dowd:** As I left the Chamber last Monday, the first person I walked into was the principal of Castle Tower School. I introduced him to my head of capital development, whom he already knew. They are to meet in the very near future to see how they can progress this plan. I have also spoken briefly to the chief executive of the North Eastern Education and Library Board about the plan and how we can move it forward.

When I was in Ballymena last Wednesday visiting Castle Tower School to open its new sixth-form centre, I was fortunate enough to meet representatives of Ballymena council who also want to be involved in discussions and give any assistance they can in moving the Castle Tower School plan forward. I think that if we have goodwill and we all put our shoulder to the wheel, we will see Castle Tower going on to site even sooner than we would have expected or hoped. I assure the Member that it is budgeted for and it will be built. The only question is when it will be built.

**Mr Storey:** I welcome the Minister's announcement. He knows that I was not at Castle Tower School last Wednesday because we were welcoming her gracious majesty the Queen to these grounds.

I welcome the fact that the Minister has already had contact with the North Eastern Education and Library Board to move the plan forward. Can he explain what the implications will be for Braidside integrated school, which is adjacent to the existing property? At a time, there was a discussion around a new build for Castle Tower that would benefit Braidside integrated school —

**Mr Speaker:** Finish.

**Mr Storey:** — which is also in need of capital spend.

**Mr O'Dowd:** I assure the Member I do not feel snubbed; I was aware that he was elsewhere last Wednesday. As regards Braidside, I do not have the details in front of me, but I am happy to correspond with the Member on that matter. I do not want to give half an answer, so let us correspond on that matter and clear up any detail that needs to be cleared up.

### Nursery Schools: Placements

6. **Mr Girvan** asked the Minister of Education how many pupils were not successful in being placed in their first choice nursery school and are currently awaiting placement for September 2012. (AQO 2303/11-15)

**Mr O'Dowd:** By the closing date, 22,799 applications for final preschool age children were made for admission in September 2012. Over 84% of these children were accepted into their first preference setting, and 94% obtained a place from their list of preferences. Of those who participated fully in the two-stage admissions process, fewer than 20 children have not yet secured a preschool place. That means that nearly 23,000 children have obtained a suitable nursery place. Education and library boards are continuing to work with parents, guardians and preschool providers to try to secure places for the unplaced children in the coming weeks. My officials are also working with the boards to ensure there is sufficient provision of places across the North. I have a commitment in the Programme for Government to ensure that at least one year of preschool education is available to every family who wants it.

**Mr Girvan:** I appreciate that the Minister has undertaken a review of the July/August birthday issue. When will he look at the other criteria that are discriminatory against those from a working-class and poor working-class environment and appreciate that they are not being addressed under the current criteria?

**Mr O'Dowd:** These issues were examined in a review that I reported on to the Assembly in autumn 2011. The issue of how we change the criteria around social disadvantage is caught up with welfare reform. I cannot move until we have a definitive answer as to how the Assembly is progressing with welfare reform. Universal credit will have an impact on the level of earnings that I will set for low-income families, both those on what was unemployment benefit under the former benefit system, and those who

are working poor. Let us await the outcome of the welfare reform. I am part of an Executive working group on that matter and have a close interest in it. I assure the Member that I want to move to broaden the criteria, which I see as positive discrimination for those from low-income backgrounds.

**Mr Molloy:** How can the priority given to children from socially disadvantaged backgrounds assist in tackling educational underachievement?

**Mr O'Dowd:** It is clear from all the reports and evidence in the possession of my Department and from information that would regularly flow from other Departments that when you are from a socially deprived background, the chances of you succeeding educationally are limited because of that background.

If we, as a society, want to lift people out of poverty, it is clear that we will have to put the resources where they are needed. Education is a way out of poverty, and, if we invest early in young people who live in socially deprived areas, the outcomes will be positive for those individuals and for society.

Earlier, I made a statement to the Assembly about early years. I said that it was clear that, if we invest in early years, especially for socially disadvantaged young people, those young people are likely to become more productive. That is the benefit. They are also likely to become a more productive member of society, will have better health outcomes and are much less likely to end up in the judicial system. That is good for the individual and society, and that is why I believe that continued investment in socially deprived areas is the right thing to do.

### 3.30 pm

**Mrs Cochrane:** Although the Minister did not answer my priority question for written answer, I thank him with regard to the July/August birthday criterion. I made phone calls and found that out.

Following on from what others have said, has the Minister considered a scoring mechanism as a way to improve the application process and make it fairer?

**Mr O'Dowd:** The fact that I have not answered your question releases you from your bet. You will be aware that I have set the legislation in place that will annul the July/August birthday criterion. Members have until mid-September to

table a prayer of annulment, but I am not aware that any Member will do that. The legislation is now in place, and, by all accounts, the criterion is now annulled.

How a school sets its criteria is largely up to it. I set the broad criteria for schools, and they set the criteria below that. I will have to overhaul things as part of the Welfare Reform Bill. I will take the Member's comments on board at that stage to see whether we can bring forward a truly transparent and fair system for applications to preschool settings.

**Mr Speaker:** Order. That ends questions to the Minister of Education.

**Mr Campbell:** On a point of order, Mr Speaker. I would like your guidance on what redress Members have if they have been the subject of totally inaccurate and scurrilous comments, such as those just made by the Minister of Education. Should a Member like me table a question to try to establish what appointments were made by Ministers since the beginning of devolution and who made what appointments, on what basis and by community breakdown? That would allow us to establish where the discriminatory purposes really lie.

**Mr Speaker:** Order. Let me take a look at Hansard and come back either to the Member directly or to the House. *[Interruption.]* Order.

# Question for Urgent Oral Answer

## Regional Development

### Flooding

**Mr Speaker:** Mr Stewart Dickson has given notice of a question for urgent oral answer to the Minister for Regional Development. *[Interruption.]* Order. In view of the seriousness of the issue, I intend to provide more Members with the opportunity to ask a supplementary question than I normally would. I have to say that I have been lobbied by all sides of the House to widen this question out. I normally do not do that, but I intend to do it this afternoon.

**Mr Dickson** asked the Minister for Regional Development to report what steps he proposes to take to reduce the possibility of further flooding.

**Mr Kennedy (The Minister for Regional Development):** At the outset, let me say that my sympathies go out to those who have suffered flooding and its consequences. As you may know, I took the opportunity to visit affected houses, properties and businesses in South Belfast, East Belfast, West Belfast and Lagan Valley to see, at first hand, the effects of flooding on people and their properties. I understand the frustration and distress that people feel. I am also aware of the flooding episodes that took place in other areas of Northern Ireland, including Cushendall and, in my constituency, Armagh.

The priority of Northern Ireland Water and Roads Service has rightly been to prepare for any recurring events, to assist in restoring things to normal and to help those affected. Unfortunately, the spell of unusual weather is not yet over. The Met Office has just issued a “Be aware” yellow notice affecting the east of Northern Ireland, and further heavy downpours are predicted.

The immediate cause of events such as the flooding on 27 and 28 June can be easy to identify —exceptional rainfall in this case — but complex to draw the right conclusions from. We await the conclusions of all the operational agencies involved, following the standing down of emergency response plans. Roads Service and NI Water have begun the debrief process,

but many other agencies are involved: Floodline is the responsibility of the Department of Finance and Personnel; the drainage authority in Northern Ireland is the Agriculture Minister's responsibility; and local authorities are the responsibility of the Environment Minister. There are also other issues, such as the effect on power to this estate and, indeed, to Parliament Buildings. Clearly, there is a need for effective co-ordination between all those agencies.

The Executive will discuss the events of 27 and 28 June at their meeting on Thursday. It is right that decisions be taken in the light of the full picture. Any assessment of the bigger picture will need to take into account information; co-ordination between agencies, which I have mentioned; response capability; legal responsibilities; and, indeed, investment. It is also important to acknowledge the limits of what can be done. We cannot eliminate the risk of surface water flooding. Nonetheless, I think that there is a good case for asking the Executive to look at how increased investment in our infrastructure might help to improve drainage in our worst-affected areas. Where appropriate, we are looking at how interim measures could help to alleviate problems. We all — householders, the Rivers Agency, Roads Service, NI Water, councils and emergency services — have to remain vigilant to ensure that we can respond to any new events to the best of our ability. It is important that we take time, as an Executive, to consider our longer-term response to surface water flooding, if we are to take positive steps to improve matters to the benefit of all our citizens.

**Mr Speaker:** Before I call Mr Stewart Dickson, I advise Members that we do not want further statements in the Chamber. I encourage Members to come to their supplementary question quickly.

**Mr Dickson:** I am disappointed that it has taken a question for urgent oral answer to bring the Minister to the House today. Minister, would you agree that the actions taken as a result of the widespread flooding were totally inadequate, causing a great deal of damage and heartache? Will you explain the lack of co-ordination between your Department and others? Will you explain how you intend to put the necessary investment into modernising and maintaining our water and drainage systems to make them fit for the 21st century, and how you are going to do that —

**Mr Speaker:** I must encourage the Member —  
[*Interruption.*]

**Mr Dickson:** — without an appropriate charging system?

**Mr Speaker:** Order.

**Mr Kennedy:** I am grateful to the Member for his supplementary question and, indeed, his original question. There are issues around and lessons to be learned from the events of last week. Those issues are not peculiar or specific to the Department for Regional Development. There are interagency issues that have to be addressed, particularly concerning responses and the initial response. Floodline is the responsibility of another Department, and it is important that there is a co-ordinated response on behalf of the Executive so that we can put an effective response regime in place for the future. That is what I am about, and I hope very much that I will have the co-operation — I know that I will — of other Ministers and Members, including members of the Regional Development Committee.

**Mr Speaker:** Before I call Seán Lynch, the Deputy Chair of the Committee for Regional Development, I advise Members who are rising in their place for a supplementary question that we have a speaking list. Members need to come to the Table to get their name on the list. This is totally different from Question Time.

**Mr Lynch (The Deputy Chairperson of the Committee for Regional Development):** Go raibh maith agat, a Cheann Comhairle. As Deputy Chair of the Regional Development Committee, I record my thanks to all those who worked hard over the past week in the bad weather. Does the Minister accept that it was processes and not people that failed yet again? How does he intend to co-ordinate with his Executive colleagues to ensure that that is not the case in the future? Will he seek additional funding for the appropriate infrastructure as soon as possible?

**Mr Kennedy:** I am grateful to the newly selected Deputy Chair of the Regional Development Committee for his comments. In particular, I join him in paying tribute to staff and workers from all the agencies that were involved. A great many officials from the various Departments and agencies gave of their best to assist in very difficult circumstances through Wednesday and

Thursday and since. So, I join him in thanking all the people involved.

It is crucial that there is a co-ordinated and appropriate response from the Executive on the issue. I talked about the agencies that are involved and the Departments that have an input. However, the most critical issue is that the Executive can have confidence in emergency response systems. That may require additional financial support for our overall infrastructure. As Minister for Regional Development, I can think of a number of schemes that I would like to bring forward if the required finance were made available.

I very much welcome the comments that the First Minister made in the immediate aftermath when he said that there was a case for greater resources to be invested in the infrastructure to improve the systems that we have in place. That has to be co-ordinated. There is no quick fix, and there are no easy solutions, but it is important that the Executive address this with the utmost urgency.

**Mr Douglas:** I thank the Minister for his responses so far and for coming to East Belfast last Friday. One of the areas that he went to was the Bloomfield commercial park, where there are, I think, 14 businesses. That area could flood again tomorrow if there were enough rainfall. He mentioned exceptional circumstances, but does he agree that we need exceptional action to deal with this? Residents of Orangefield and other places that could flood again are asking me to say today that we need exceptional action from all the Departments.

**Mr Kennedy:** I thank the Member for his comments. I took the opportunity to visit areas of East Belfast, as well as the other areas that I mentioned. I saw at first hand the impact on householders and local businesses, who are clearly struggling, especially in the current economic climate. The emergency payments, which I welcome, have been triggered by my ministerial colleague Minister Attwood, but, in some cases, £1,000 will not go very far to address many of the issues that the flooding has caused. So, it is very important that the Executive look at this not only in the round and in a measured way but in a way that can give comfort to people that responses will be immediate and infrastructure projects that will help to alleviate or eradicate flooding issues can be brought forward as quickly as possible.

**Mr McGimpsey:** I thank the Minister for his statement and for his help during the flooding, particularly in South Belfast. I also put on record my thanks to Belfast City Council, the Housing Executive, Roads Service and the Water Service for their actions when they got into operation. The distress for householders caused by raw sewage flooding their house is a huge emergency and something that the Executive must take seriously.

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

**Mr McGimpsey:** Thank you, Mr Speaker. Will the Minister accept that the system is not fit for purpose, that you have a combined system that should be separate systems and that thousands of extra homes have been built in South Belfast? Does he agree that the only way that the problem can be fixed is through proper investment — I think the estimate is around £30 million — and that the Executive must find that investment?

**Mr Speaker:** I encourage the Member to finish.

**Mr McGimpsey:** Thank you.

### 3.45 pm

**Mr Kennedy:** I am grateful to the Member for his comments, and I thank him for the responsible way in which he and others in his constituency are helping the people most affected. I know that NI Water has earmarked schemes that it wants to carry forward in the south Belfast area. We are also looking at measures that will at least alleviate the potential risk of flooding in the area. We will continue to bring those forward.

I will not be slow or shy in putting forward the case at the Executive table for improved infrastructure and the need for additional finance for that requirement, given the experiences that people have had and that I witnessed last Thursday when homes, families and small local businesses were so severely affected.

**Dr McDonnell:** All our hearts go out to the people whose homes were flooded. I was particularly concerned with the Finaghy area of South Belfast and Greystown, Sicily Park, Marguerite Park and Orchardville. What I experienced in those streets was horrific, and I beg the Minister to do all that he can with the infrastructure to ensure that it does not happen again.

That is all down the road, but one thing that distressed me was the total failure of the agencies to integrate and work together. Can he give us some undertaking that we will create a joined-up government effort across all Departments — I am thinking of Northern Ireland Water, Roads Service, the Rivers Agency and even the police and the fire brigade —

**Mr Speaker:** I must insist —

**Dr McDonnell:** — so that there is no more passing of the parcel?

**Mr Kennedy:** I am grateful to the Member for his question and his comments. I had the opportunity to discuss with him further some of the issues affecting his constituency, and I refer him to the answer that I gave to his constituency colleague Michael McGimpsey.

What is crucial is that, at their discussion on Thursday, the Executive will, I am sure, want to bring forward a co-ordinated response, not just on overall infrastructure but on the issue of who does what and who responds quickly and immediately so that there is no buck passing or hand wringing and we get on with the job of dealing with the emergency at hand.

**Mr Givan:** I thank the Minister for the time that he spent in my constituency. He is aware that a large number of properties were affected in Lagan Valley. Will he undertake to investigate some of the circumstances in the Pond Park area, where a considerable amount of new housing has been built and there is a clear feeling that the necessary improvements to the infrastructure have not followed the increase in the volume of housing? Will he also investigate why DRD diverted sandbags that were en route to Lisburn to Belfast, when we needed them in Lisburn as well?

**Mr Kennedy:** I am grateful to the Member for his comments. The number of houses and properties that have been given planning permission with insufficient catch-up in the overall infrastructure was a contributing factor in last week's events and will remain so in the immediate short term. Clearly, there are spatial planning and overall infrastructure issues that Ministers and the Executive should address. I will raise the specific issues in Lagan Valley that the Member mentioned and reply to him.

**Mr A Maskey:** Go raibh maith agat, a Cheann Comhairle. First, I acknowledge that the Minister



visited a number of homes from Bloomfield to Pond Park, on the Lisburn Road and in Orchardville, Twinbrook and other areas. He saw for himself the damage caused to many people's homes and to small businesses in particular.

I would like the Minister to address two points. Obviously, he does not have responsibility for the range of agencies, but there are agencies that are within his remit. Has he met the heads of NI Water and Roads Service over the weekend or since then to address what many of us identify as their abysmal failure to respond to the crisis? There was due notice; everybody knew that the weather was going to get really bad. Has he met the heads of those agencies to examine their response? Most of us see that as none.

**Mr Speaker:** I encourage the Member to finish.

**Mr A Maskey:** Secondly, will the Minister confirm whether he has sought an urgent report from the agencies on what causes the problems in a lot of the locations? Clearly, there has been a lot of comment about —

**Mr Speaker:** I must now insist that the Member finish.

**Mr A Maskey:** I will finish on this point, Mr Speaker. There has been talk about large infrastructure projects. Not all of the problems —

**Mr Speaker:** I must insist that the Member take his seat.

**Mr A Maskey:** We need to identify those problems for those householders.

**Mr Kennedy:** I am grateful to the Member for his comments and questions. I have been in constant and ongoing contact through my departmental responsibilities with senior officials since the events of Wednesday and Thursday. I am also having the specific cases compiled on an area-by-area basis to see what, if any, early measures can be taken to alleviate some of the problems.

It is important that there is proper co-ordination among all the agencies. It is certainly my intention to pursue that at Executive level with Executive colleagues so that we can improve the co-ordinated response as part of any future emergency. I have indicated to the House that there is another weather alert. I think that we all accept that we are perplexed at times by the weather patterns. Nonetheless, if you are

impacted on in the way that I saw at first hand last Thursday, you will expect the Executive to act quickly to ensure that all possible measures are taken to alleviate and, hopefully, eradicate the risk of further flooding.

**Mr Dunne:** First, I advise the Minister of some flooding in the Holywood area of north Down. Will he clarify the policy of Roads Service on the supply of sandbags? It is important that we get clarification. They should be available so that people can protect their property at the early warning stage rather than during the flood.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am aware of the issue. There needs to be greater clarity about who provides sandbags as a measure of assistance to householders and at what point. There is an argument that, if a particular area is known as a hotspot where there is the risk of flooding, perhaps sandbags could be stored at a location close by, so that people can readily access them. I am prepared to look at that in conjunction with other Departments and Executive colleagues.

**Mr Beggs:** I thank the Minister for his responses so far. Will he ensure that all the agencies feed back to the root cause of the flooding so that, if there are failings, for instance, in Rivers Agency or in our rivers and streams, they are addressed at that point and any subsequent planning applications upstream in areas of flooding are seriously delayed or prevented until the necessary improvements have taken place?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He made a very valid point. Greater co-ordination between Departments in the assessment of planning applications and the input of the various agencies will become increasingly important. It is certainly a matter that I want to raise with Executive colleagues.

**Mr McMullan:** I thank the Minister for taking the question. I will go on record to thank his Department for its work in Ballymoney. I also thank the emergency services, the Rivers Agency and even the local lifeboat station. At one time, we had nine fire tenders in Cushendall's main street pumping out water. The word from Cushendall, the rest of the glens, Cushendun and Glenariff is this: "Here we go again". I make a heartfelt plea for you to please do something about this. I was a bit

disappointed that we did not hear any word from your office after I phoned it on Thursday to invite you down to the glens to show you the situation at first hand. That invitation stands today: I ask you to come into the glens to look at the problems there.

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

**Mr McMullan:** You mentioned the exceptional weather. We are getting this weather year on year, Minister. It is no longer exceptional. Go raibh maith agat.

**Mr Kennedy:** I am grateful to the Member for the points that he raised. I know that he was active in the emergency that applied to Cushendall and other areas in his constituency. If it is appropriate, I am happy to go to see the conditions that he described. I also join him in paying tribute to all the staff from the various agencies who were involved out on the ground, particularly staff from the Department and the agencies that are relevant to me. We need to continue to work on some issues to identify, as Roy Beggs MLA said, the exact source of the problem, to seek to eradicate it and to deal with it at source rather than continuing to run the risk of a “Here we go again” situation.

**Mr McDevitt:** Does the Minister agree that the people whom he met with colleagues and me in Sicily Park, Marguerite Park and Orchardville Crescent last Thursday morning are the victims of a systemic failure in drainage, sewerage and the policy towards informal culverts on undesignated waterways and covered rivers and that their situation will be improved only —

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

**Mr McDevitt:** — when a strategic, long-term investment programme, as well as a strategic emergency response programme to flooding, is owned and exists across all Departments?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I know that he was also out on the ground on Thursday. I joined him with constituency colleagues to look at some of the areas that he mentioned. Let me say absolutely that I would not be in any way pleased or content if it happened to my property. I would not want those conditions visited on anybody. I have absolute sympathy for those who have been affected by the flooding

episode that they have endured. Therefore, as a Minister with some responsibility — not entire responsibility but some, given the agencies that I am in charge of — I am determined to improve things. That makes it important for me to argue at Executive level and on the Floor of the Assembly for additional resources to improve the overall infrastructure to reduce the impact and danger of flooding. That is what I am about, and I expect Executive colleagues to agree with me when we have a discussion on Thursday.

**Mr Easton:** As the Minister knows, Ardmore and Tudor Oaks in my constituency of North Down have been affected. Will the Minister tell us what capacity there is for the Water Service to spend its capital money, considering that it seems to have handed money back over the past three years? Indeed, will the Minister tell us how much capital money the Water Service has handed back over the past three years?

**Mr Kennedy:** I am grateful to the Member for his question. NI Water wants infrastructure work and other projects to be carried out. Some of the moneys that were given back to DFP to reallocate involved efficiency savings programmes. Through good, efficient use of resources and by not spending money on capital projects on different budgets, it has been able to save money for the benefit of other Ministers.

NI Water is very keen to advance a range of schemes that will help the overall infrastructure, and I, as Minister for Regional Development, will support it in making those cases.

#### 4.00 pm

**Ms S Ramsey:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for the information thus far, and I, with party colleagues, will meet him tomorrow to get into the specifics. I thank the Minister for taking calls from elected reps during that time; that needs to be recognised. One of the failures that I saw in the Colin area was the lack of a co-ordinated response or approach to dealing with the issue there and then, and other colleagues have raised that. Even though it is not his responsibility, is the Minister taking on board the delay in Lisburn council kicking in, outside of what Belfast has done? People are saying that there seems to be a lack of a proactive approach to cleaning drains in the areas that have flooded. Is the Minister ensuring that his Department is out now, when we have this break

in the weather, proactively cleaning drains in areas that are inclined to flood?

**Mr Kennedy:** I thank the Member for her comments and question. She raises a very relevant point. It is important that as much structural maintenance as possible continues to be carried out, particularly in areas that have been affected, and I will reinforce my view within the Department that we should carry that out as quickly as possible. The Member will know that the maintenance budget for my Department has received a very severe cut, and, whilst we were glad of some relief last week from the Finance Minister in the area of structural maintenance for roads, there is, nevertheless, quite a gap compared with the record levels that we were able to spend last year. Within the resources that have been given to us, we are seeking to provide as much service as possible, and it is important that areas that have been recently affected are given some service and checking to ensure that gullies and drains are cleared as quickly as possible.

**Mr Lyttle:** The list of affected streets in east Belfast that have been systemically failed by the Government would be pages long, so I will not go through them today. I thank public servants and community volunteers, without whom many residents would have been left stranded during the flooding period. I thank the Minister for accepting my invitation, on behalf of my colleagues Naomi Long MP and Judith Cochrane MLA, to attend Bloomfield commercial centre. Given the damage that he saw at first hand to that business park, will he raise at the Executive table the possibility of emergency financial assistance for businesses as well as residents?

**Mr Kennedy:** I am grateful to the Member for his comments and the supplementary question. Indeed, I accompanied him and colleagues to Bloomfield park to see the impact at first hand. I will not make promises that I cannot keep. The overall response to the flooding crisis will have to be an Executive response. If there is to be a financial response to that, it will clearly involve the Finance Minister and the Executive as a whole. I have witnessed at first hand the impact on houses, homes, families and businesses, and I will report that to Executive colleagues on Thursday.

**Mr Allister:** It is obvious that the infrastructure has failed in many areas. It is equally obvious, from what the Minister says, that there is a

deficiency in capital spend on infrastructure. Why is it, then, that when he was allocating his budget, he chose to put the lion's share of capital spend into a project such as the A5 and not enough into water and sewerage infrastructure?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He will know, because I have oft repeated it, as have others in the House, that the A5 scheme is a priority for not just Regional Development but the entire Executive. That is the case, and it remains the case. I have indicated that I want to see increased resources made available to my Department and the other Departments affected, as we seek to address the issues of flooding and infrastructure failings that are so evident after the events of last week. I will continue to make the case, and I hope that, if there is the opportunity to do so on the Floor of the Assembly, the Member will give his support to that as well.

**Mr Agnew:** I thank the Minister for coming to the House today and addressing these questions. Each time that a Minister stands up and talks about exceptional weather and exceptional rainfall, it has less credibility as these events occur with increasing regularity. The extreme weather conditions that we are facing have, of course, been predicted for many years through climate change predictions. Will the Minister work with his ministerial colleagues to bring forward a climate change adaptation strategy, including such things as sustainable urban drainage systems, to ensure that we are not just —

**Mr Speaker:** I encourage the Member to finish.

**Mr Agnew:** — responding to these incidents but preventing them?

**Mr Kennedy:** I am grateful to the Member for his contribution. He has advanced those arguments before. Yes, I will, of course, take on board his comments. Exceptional weather patterns have developed over recent years. People will say that it becomes not an exceptional flood but an annual flood. That is why we have to be sure that we take all possible measures to mitigate the likelihood of these floods recurring and why a co-ordinated response involving the entire Executive is so crucial.

## Ministerial Statement

### Health: Maternity Strategy

**Mr Poots (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Deputy Speaker, I wish to make a statement on the publication of a strategy for maternity care in Northern Ireland for 2012-18.

In September 2011, a draft maternity strategy was issued for public consultation. At that time, the drivers for change were safety, quality, sustainability and the promotion of choice in maternity services, together with a focus on the maximisation of resources, especially human resources. Following consultation, which included a number of workshops and 132 responses from a wide range of interests, I now have pleasure in launching the final version of the strategy for maternity care in Northern Ireland for 2012-18.

The birth of a baby is a wonderful event. Most women and their babies experience high-quality services, but more can always be done to improve service provision. This strategy is about improving service provision and outcomes for mother, baby and the wider family, recognising that maternity services should be responsive to needs and be safe, effective and sustainable. The strategy has six desired outcomes: to give every baby and family the best start in life; effective communication and high-quality maternity care; healthier women at the start of pregnancy — that is, preconception care; effective, locally accessible antenatal care and a positive experience for prospective parents; safe labour and birth — intrapartum care — with improved experiences for mothers and babies; and appropriate advice and support for parents and baby after birth. Change is inevitable if we are to deliver on those outcomes. Such change has many component parts, but it is largely based around clinical leadership, service reconfiguration, continuity of care and multidisciplinary team-working, with the recognition that parents are partners in maternity care and part of the team-based approach.

We must support women and their partners to be as healthy as possible before pregnancy begins and facilitate them, by providing information and support, in making informed choices about what is best for them and their baby. That must include better antenatal

education to prepare prospective parents for parenthood, and information to facilitate them in making an informed decision about the place of birth for their baby. There is a need to provide prospective parents with a balanced description of the benefits and risks associated with the different types of maternity settings: midwifery-led units; home births; and consultant-led obstetric units.

Pregnancy is a normal physiological process. Therefore, for the majority of women, a culture of normalisation of pregnancy and birth offers them the best chance for a successful outcome and a positive experience for mother, father and baby. To that end, we envisage midwives as leaders in maternity care for straightforward pregnancies, working collaboratively with other members of the team, who include maternity support workers, consultant midwives, consultant obstetricians and other hospital doctors, health visitors, community nurses and primary care professionals, including GPs and pharmacists.

Women will be encouraged to make early, direct contact with their local midwife. Risk assessment throughout pregnancy and the postnatal period are of major importance so that women who are at higher risk of adverse outcomes are detected as early as possible to ensure that specialist care, appropriate to their needs, can be arranged as early as possible. Poor lifestyle choices and health inequalities contribute to adverse outcomes for both mother and baby, as does a range of other social, emotional and clinical factors. For women and families living with complex conditions, specialist maternity services may be required. There will still be a team-based approach, but women with complex obstetric conditions will have their care led by consultant obstetricians.

The majority of maternity care will be locally based. That means that most women will not have far to travel to access maternity care. Indeed, it may mean that some women will have less far to travel than they currently do, but a small minority of women who need specialist services may need to travel a little further to access the full range of specialist care appropriate to their needs. What is of paramount importance is the availability of the necessary services to secure the safety and well-being of the woman and her baby. As our services begin to be reconfigured, it is important that a networked approach to maternity

care be developed in order to maximise the multidisciplinary skills and expertise of staff and to enhance the use of technology.

The approach identified in this maternity strategy is consistent with the principles outlined in 'Transforming Your Care'. The strategy does not stipulate where services will be located, but, where smaller maternity units exist, the Health and Social Care Board and local commissioning groups, working with local people and trusts, will need to examine whether their service is sustainable in the longer term as a consultant-led unit. If not, consideration should be given to those units becoming free-standing midwifery-led units to promote a sustainable balance between accessible local services and sustainable consultant-led services. To maximise choice for women, and in keeping with a culture of normalisation of birth, where a consultant-led obstetric unit is provided, a midwife-led unit will be available on the same site. Postnatal care, provided by the maternity team in the community, will offer a woman-centred home visiting schedule, which will be responsive to need for a period of not less than 10 days and will include visiting by midwives and maternity support workers.

People expect a high standard of care at the pivotal time of the birth of a baby. For the majority of couples, that event occurs but a few times in their lives, and for the baby and family it has lifelong consequences. I am determined to see the strategy implemented. I have asked the Health and Social Care Board and the Public Health Agency to co-lead on the implementation of the strategy and to work with other health and social care organisations, and others, to effect change. My Department will be provided with an annual report on progress towards achieving the desired outcomes, which are underpinned by 22 objectives listed in the document.

In conclusion, the strategy seeks to promote choice for prospective parents and to provide high-quality, safe and sustainable maternity services, regardless of where one lives in Northern Ireland. I take this opportunity to thank the co-chairs, Dr Paul Fogarty and Professor Cathy Warwick CBE, for their major contribution. I also thank all those who contributed to the consultation process and the dedicated maternity staff whom we have working in our hospitals and in the community.

#### 4.15 pm

**Ms S Ramsey (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh maith agat, a LeasCheann Comhairle. Like the Minister, I also pay tribute to the dedication of maternity staff and staff in general who work in our health sector. I welcome the Minister's statement. Will he confirm, to settle some nerves, that the publication of strategies like this and others from his Department is not a cover for reducing or diluting services in local areas? The strategy states that the board will consider how to maximise choice. Will the Minister provide further details of how and where that might be shared in the border areas?

As a constituency MLA, it would be remiss of me not to ask the Minister for a further update on the regional women and children's hospital.

**Mr Poots:** This is not about downgrading services; it is about providing the appropriate service for what women want and need. We have a high rate of intervention in Northern Ireland in comparison to other places. The more work that a midwife can do with an expectant mother at an earlier point, the better. If things were well explained, better choices would be made by individuals. We want to work very closely with the parents of the baby to help them to come to the right decisions for the birth and for their care throughout the pregnancy and thereafter.

As regards the women and children's hospital, as the Member knows, the critical-care unit will be finished later this year and will be commissioned next year. From around the middle of next year, that facility will have three floors operating for those receiving postnatal maternity care, etc. That will relieve some of the pressure on the Royal Jubilee Maternity Hospital. We all know that it is under pressure, and that will help us to deal with that pressure. It will also assist us in how we consider proposals in the Belfast Trust area, and we will have to bear in mind the capacity of the Royal Jubilee Maternity Hospital for any proposals elsewhere in that trust area.

**Ms P Bradley:** I thank the Minister for his statement, which I welcome. He said that the birth of a baby is a wonderful event and that most women have a positive experience. However, it is not quite so positive for some.

What actions are being taken to support perinatal mental health?

**Mr Poots:** I am just back from the Ulster Hospital, where I was with a mother who gave birth at 10.40 am today.

**Mr McDevitt:** Congratulations, Minister.  
[Laughter.]

**Mr Poots:** Thankfully, I had nothing to do with it.  
[Laughter.]

They were very delighted parents, and they had a wonderful experience. That is the case with the vast majority of people. However, the Member is right: it is not the case for everybody. The maternity strategy acknowledges that there are a number of causes of increased risk of poor outcomes for mothers and babies. Sometimes, those involve social, emotional, biological or clinical factors. Perinatal mental health was not part of the maternity strategy, but is it being taken forward through the Bamford action plan, which is under revision. That plan recognises the importance of good mental health for the mother and its impact on the well-being of the new baby and the wider family. A subgroup on perinatal mental health is taking forward actions on the training of staff and the development of integrated care pathways, which includes early detection, intervention and treatment of mental illness in pregnancy. That integrated care pathway will be published in the coming years.

The majority of perinatal mental health services are located in the community, but it is recognised that a small number of women require inpatient mental health services. So, 'Transforming Your Care' supports the development of a regional plan to address the needs of mothers with serious psychiatric conditions. We are certainly giving consideration to that through capital build for mental health services in the Belfast Trust area.

**Mr Gardiner:** I thank the Minister for his report on those very sad occasions when mothers and fathers lose their children. I am sure that that experience will always live with them. Although we can try to forget about it to an extent, it will continue to live with the families. I welcome the Minister's statement. I encourage him to press forward and to raise the standard even further. I thank Dr Paul Fogarty and Cathy Warwick for their sterling work. The Minister mentioned —

**Mr Principal Deputy Speaker:** We need a question.

**Mr Gardiner:** — those names. Where is the Minister going to try to raise the standard yet higher so that, when people go into maternity units, they can come back out, hopefully with their baby in their arms?

**Mr Poots:** In the vast majority of cases, people have a good experience. Sadly, some have bad experiences. Sometimes, they can have the bad experience of a baby being born but left either physically or mentally harmed as a result of the birth.

Some people will question the safety of midwife-led units and the absence of obstetricians. In 2008-2010, a study in England looked at 65,000 low-risk women, which were cases that would have gone to a midwife-led unit. The study found that, for straightforward pregnancies, giving birth is generally very safe, with no adverse perinatal outcomes. For example, stillbirth in labour, early neonatal death or specified birth-related injuries were low, at around 4.3 events out of every 1,000 in the population. However, I understand that, for the parents involved, even four children out of 1,000 is very significant.

An action plan for performance measures will be put in place. The strategy acknowledges bereavement. I commend the work that is carried out by the South Eastern Trust, which has a bereavement nurse who specialises in dealing with parents who have lost babies. I know that families have found great benefit from that service, because I have met and talked to them. The trusts need to take cognisance of those things. Other trusts would do well to look at that service, which, in that instance, is provided in the South Eastern Trust.

**Mr McDevitt:** I welcome the statement, particularly the strategy's acknowledgement that midwives are to take a leadership role in cases where pregnancies are straightforward. Does the Minister accept that there is a workforce planning issue behind the statement? Although we are very privileged to have a very experienced group of midwives, unfortunately, the average age of a practising midwife in this region is maybe a little higher than we would want it to be. What steps does he envisage being taken to ensure that we get a new generation of equally talented midwives coming through?

**Mr Poots:** That certainly is an issue, and I have a number of things to say about it. Northern Ireland is in a much better place than any other part of the United Kingdom where midwives are concerned. There are very serious problems, particularly in England, which has an absence of midwives. At this point, we are still losing midwives to Great Britain, which is unfortunate. However, we have adequate numbers to cover the care that is required in Northern Ireland. Sometimes, we get the argument from people in finance, for example, that suggests that we probably have too many midwives. However, the good outcomes that we have will ensure that we have the right number. That is something that is worth maintaining.

There is always a challenge with workforce balance. The Department of Health is often criticised for giving support to young people for nursing, allied health and midwifery qualifications, but when they finish their degree or receive their qualification and are ready to go into the workplace, no jobs are available. That is that balance. Many people go to England or other places for work, and many of them return, having gained a number of years' experience. We will continue to attempt to manage the issue because it is important that we have the appropriate number of midwives for the future.

There are a greater number of births now than were predicted a number of years ago. In that respect, it is difficult to plan ahead for workforce requirements. Statisticians believed that the Northern Ireland population would go into decline, but the reverse is the case. The education sector now faces that issue: our primary schools are filling up well, but a considerable number of desks in secondary schools lie empty. We have a similar situation with workforce planning. I do not know what the birth rate per thousand of population will be in 10 years' time. We can make only a best guess based on the evidence from past years, but we need to do our best.

**Mr McCarthy:** Like other Members, I support and welcome the publication of the strategy this afternoon, particularly its six desired outcomes. Will the Minister tell us what extra measures, if any, he has taken to ensure that all the necessary public health messages about the dangers of smoking, alcohol and drugs reach young girls and women of childbearing age, even before pregnancy?

**Mr Poots:** The Public Health Agency has carried out considerable work, and will continue to do so, to get messages out. People who believe that it is all right to smoke during pregnancy must be living in a cave in which they do not hear these messages, because they are out there all the time. The latest message is that a baby can be harmed if the male partner in a relationship smokes. People need to take the messages on board and give them due cognisance and respect.

The public health agenda is very broad. Although it is not part of this action plan, messages will continue to go out. Our midwives will continue to work with people, and if they want preconception advice on folic acid or on other issues that can help them to have a better pregnancy, those midwives can offer advice. People are free to come to us, and there is absolutely no problem in advice being dispensed.

**Ms Brown:** I thank the Minister for his statement and his answers thus far. What resources are allocated to maternity services each year?

**Mr Poots:** The maternity strategy contains an evidence update on the safety of midwifery-led units. The total expenditure returned by trust for all the programme of care for maternity and child health in 2010-11 was £147.5 million, of which approximately £99 million related to maternity hospital services and community midwives. That figure does not include neonatal care, which amounted to some £18 million. We need to promote new roles and, when appropriate, move care closer to home and into the community. That will make best use of available resources. The strategy is consistent with the principles outlined in 'Transforming Your Care' in that it promotes a networked approach to maternity service provision and recognises that further development is needed to enhance information and communication technology and communications.

#### 4.30 pm

**Mr Brady:** Go raibh maith agat, a Leas Cheann Comhairle. I thank the Minister for his statement. As the outworkings of the strategy roll out, can he assure us that the lessons learned from the pseudomonas report will be put in place? As someone who represents a border constituency, I would like to know that efficient and effective maternity units, such as the one at Daisy Hill, will benefit from cross-border co-operation.

**Mr Poots:** In respect of cross-border co-operation, I was approached by an obstetrician in the new South West Acute Hospital, and he indicated that they have been approached by mothers-to-be from the South who would like to give birth in the new hospital. I completely understand that, and, if the Southern Government are happy to pay for it, we will be happy to provide the service. It will help to sustain and enhance the service provided locally. Therefore, I can see that there is considerable logic in helping to strengthen our services locally by providing services for others.

In respect of pseudomonas and neonatal deaths, the recent cases of pseudomonas in some of our neonatal units have caused huge concern for families. The trusts, the Public Health Agency and the Department are all working to implement the recommendations from the independent review. Although neonatal care was not part of the maternity strategy, nonetheless, there is a proposal from the Troop review that neonatal care should come under one organisation. Therefore, we will have one body looking after neonatal care, so it does not really matter whether the care is being provided in the Royal Jubilee, Altnagelvin or Craigavon; it will be part of a network. It is very appropriate that we do that.

**Mr Dunne:** I thank the Minister for his statement. Is he aware of the demand on services at the Ulster Hospital maternity unit, which was built just five years ago? At present, there is 40% overload in capacity. That became evident to the Health Committee during a recent visit.

**Mr Poots:** The Ulster Hospital maternity unit is very popular. It is a recently built unit, and that may contribute to its popularity. The South Eastern Trust has reviewed its workforce and has increased consultant cover in maternity units. It has recruited additional middle-grade medical staff and additional midwives. It has changed its rota to make better use of current midwifery staff across the trust. It is promoting the normalising of childbirth, as recommended in the maternity strategy, more midwifery-led care, where appropriate, fewer caesarean sections and more normal deliveries.

The South Eastern Trust has a robust plan in place to deal with busy periods. Senior midwifery staff assess and prioritise presenting women. There is an effective use of the day obstetric unit in managing pregnant women

and of adjacent gynae beds as overflow from maternity if needed.

As for where we go in the future, a strategic outline business case is being prepared by the trust. It is developing a case to expand the labour ward, induction bay and transitional care within existing space. That is expected to be submitted to my Department later this year. Following its receipt and the approval of the business case from the trust, with commissioner support, we will be in a position to consider the availability and timing of necessary capital funding for such a project.

**Mr D McIlveen:** I thank the Minister for his answers so far. Will the Minister outline whether he is satisfied that the strategy promotes a range of maternity choices for women?

**Mr Poots:** One of the objectives of the maternity strategy is to improve choice for women and their partners in how they access maternity care and where they give birth. Northern Ireland has been behind the rest of the UK in providing choice, particularly in respect of access to midwifery-led care. Recent evidence from the large Birthplace study indicates that midwifery-led units appear to be safe for the baby and offer benefits to the mother.

We will support women to make informed decisions about where they give birth by providing them with a balanced description of the benefits and risks of the different types of maternity settings. That will include information on midwifery-led units, home births and consultant-led units.

**Mr Allister:** In his presentation thus far, the Minister has said very little about costs and savings. Can he tell the House whether the strategy is cost-neutral, has costs attached or has savings attached? Can he quantify that? Does he expect any present maternity units to close as a consequence of the strategy?

**Mr Poots:** No; I am not expecting maternity units to close as a consequence of the strategy. Having more midwifery-led services will not cost us more money. In fact, it will probably cost us slightly less. However, that is not what this is about. It is not about cost but about providing the appropriate service for people. Greater numbers of ladies in Northern Ireland are giving birth by caesarian section, and I think that it would be good if we reduced those numbers, but we have not set a particular target for it.



The Belfast Trust area, for example, has a considerably higher number than other trust areas. We need to encourage people to look at the best outcome for mother and baby. That is what this is about. This is not a document about saving or spending money. It is a document about delivering the right service in the right place for the people who need it. That is what our focus must be at this time.

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

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

### **Mr Attwood (The Minister of the Environment):**

Mr Deputy Speaker, with your permission, I wish to make a statement, in compliance with section 52 of the Northern Ireland Act 1998, on the 15th meeting of the North/South Ministerial Council (NSMC) in environment sectoral format, which was held in Dublin on Friday 15 June 2012. The statement has been agreed with Danny Kennedy MLA, Minister for Regional Development. Minister Kennedy and I represented the Northern Ireland Executive at the meeting, which I chaired. The Irish Government were represented by Phil Hogan TD, Minister for the Environment, Community and Local Government.

The meeting followed a meeting of the NSMC in plenary format, on which the First Minister reported this morning. During that meeting, I made the points that the St Andrews review of North/South opportunities had not been concluded or published over five years after it was meant to have commenced and that some of us had not seen a piece of paper about how North/South opportunities could be expanded in the future. In my view, that is deeply unsatisfactory, given the needs of the island at this time of recession and the changing character of the global market, and I told the NSMC that that was my view.

The Council welcomed reviews in both jurisdictions of policies on the management of waste tyres and the opportunity for greater engagement on an all-island basis, with a view to maximising environmental benefits and deterring illegal operators. Ministers noted that a report on an all-island survey, led by the Department of the Environment (DOE), is expected at the end of July 2012. As soon as is appropriate thereafter, I will pass a copy to the Environment Committee. Consultants appointed by the Department of the Environment, Community and Local Government to conduct the review of the producer responsibility initiative model will specifically examine the issue of waste tyres in consultation with the Department of the Environment. I confirm to the House that the tyres action plan being developed will be informed by the all-Ireland tyre survey, by the work being undertaken by Dublin

for the initiative model and, indeed, by the Committee's interim report on this very issue in order to provide a cohesive action plan to deal with the issue.

Ministers also noted that arrangements are under way for the appointment of a new chair of the North/South market development steering group as a successor to Margaret Daly. I would like to acknowledge her contribution and thank her for it. It is a group defining market, economic and jobs opportunities on the island of Ireland in this critical issue. The Ministers also noted and endorsed revised terms of reference for the steering group, which will focus on strategic priorities with relevant experts co-opted to the group, as necessary, to deal with specific initiatives identified in the work programme.

It was reported that an update on the bulky waste reuse management feasibility study, led by the Dublin Department of the Environment, Community and Local Government, will be presented to the next North/South Ministerial Council environment meeting.

The Council noted that reports on the repatriation of waste from sites at Kilkeel and Newry during 2011 and 2012 are now with officials in Dublin City Council and include an outline of the lessons learnt for consideration when dealing with future sites. A further two sites have been identified for the 2012-13 programme, and planning for that work is under way. I assure the House that the authorities, North and South, including the environmental crime unit as a part of the Department of the Environment in the North, continue to investigate the illegality of such sites and to try to identify opportunities for prosecution of those who may be involved in that illegal activity.

Ministers noted that a tender for the procurement of landfill capacity has recently been issued by Dublin City Council for all remaining sites and is expected to be completed by July 2012. Clearly, that is critical in order to have the capacity for the waste on the far side of its repatriation to the Republic of Ireland. A further tender for the procurement of transport for remaining sites from 2013 onwards has issued.

It was reported that joint enforcement actions to deal with illegal operators is a priority for both Environment Ministers, and Departments continue to target resources on that. In advance

of the sectoral meeting, we received the report of the House of Commons Select Committee on 'Fuel laundering and smuggling in Northern Ireland', which made very challenging reading. Arising from that and as part of my response to it, I will meet tomorrow with the Minister of Justice in order to identify how DOE may further assist, if appropriate and possible, in dealing with the issue of illegal operators and fuel laundering.

The Council also noted that EU directives in the areas of environmental quality and protection generally contain provisions requiring co-operation between member states in relation to cross-border issues and significant trans-boundary effects. Ministers noted the current work on EU directives on air quality, industrial emissions and noise within each jurisdiction and noted the requirement for information sharing and joint action in certain circumstances.

We are about to commence a second phase of noise mapping, which arises from EU directives but clearly impacts upon the quality of lives of people on the island. Given that we have a border on the island, the noise maps address noise issues in and around a three-mile buffer zone of the border and cross-border roads. Beyond the second phase of noise mapping, there is a requirement to do a third. Minister Hogan and I will be looking at ways and means of procuring that work on an all-Ireland basis in order to reduce costs, given our common interests and the requirement for compliance with the EU directive. Today, I instructed officials to look at further opportunities in the work of our sector for shared tender and collaboration in order to reduce costs and get the full benefit. Ministers requested that officials should research further opportunities for mutually beneficial joint working in that area and present their findings to Ministers at the next NSMC environment meeting.

Ministers noted that co-ordination is ongoing in relation to the implementation of the current river basin management plans and the preparation of the second cycle of the plans required under the EU water framework directive. That is a matter that, I think, may become part of the narrative around the forthcoming European presidency of the Commission starting in January and finishing next June, around which I will have some further comments to make shortly.

**4.45 pm**

The Council noted that the North/South working group on water quality will receive regular updates, as appropriate, on EU policy developments in the area of water quality that may arise during Ireland's presidency of the European Union — not the Commission, as I indicated previously — in the first six months of 2013.

The Council welcomed the recent success of the respective awards ceremonies for Ireland and Northern Ireland under the blue flag and green coast schemes organised by An Taisce and Tidy NI. It is a postscript to yesterday's events up on the north coast, with the success of the Irish Open. All of the five beaches under assessment that are within the responsibility of Coleraine Borough Council are blue flag beaches — Portrush west, Portrush east, Castlerock, white cliffs, and, inevitably, I forget the fifth. That is the only county on the island of Ireland — Portstewart is the fifth — where all the beaches have blue flag awards. That is another statement about the scale and wonder of the Causeway Coast and about the opportunities, way beyond golfing, that that presents.

The Council welcomed the publication of the Environmental Protection Agency's state of the environment report, 'Ireland's Environment 2012', in June 2012, and looked forward to inclusion of the joint environmental indicators in the next publication of 'Ireland, North and South: A Statistical Profile' compiled and produced by the Central Statistics Office and the Northern Ireland Statistics and Research Agency.

Ministers noted the FP7 environment workshop organised jointly by InterTradeIreland, the Northern Ireland Environment Agency (NIEA) and the Environmental Protection Agency (EPA), which was attended by over 60 researchers, and provided an update and guidance on the July call for research proposals. That was an initiative that Minister Hogan and I took forward, given the opportunities of framework programme 7 (FP7), to draw down money for environmental projects. I have not seen Minister Foster's written statement to the House yet on FP7, but I think it is generally accepted that we are far behind the game when it comes to accessing the €50 billion fund that is FP7 in the residue of its life to 2014. Minister Hogan and I made it very clear to officials that we did not want that gathering to be a talking shop. We want to see outcomes, and we firmly instructed officials

to bring forward outcomes in order to identify opportunities for submissions following the July call for research proposals.

Ministers also noted the publication of a preliminary report in May 2012, funded by the EPA, on the environmental impacts of hydraulic fracturing, and that a more comprehensive programme of research is planned. The NIEA and Geographical Survey NI will be invited by the EPA to provide input to the scoping and steering of that work. I think that is very important, because, given that Lough Allen is a shared basin on the island of Ireland, we should, as far as possible, have a shared or mutual approach to dealing with the proposal for fracking. I can confirm again, if I have to confirm it again, that there will be no headlong rush to fracking. It will be on the far side of best evidence and best science that, in my view, a decision should be taken on that matter. When it comes to the responsibilities of DOE, all appropriate planning and environmental requirements will be complied with at all stages of the proposal. No planning application has been submitted yet. That is anticipated for some time this year. On the far side of the planning applications being submitted, an assessment will have to be made on whether they are article 31 planning applications, ultimately decided by the Minister, and a further assessment made further down the tracks on a public inquiry. I am not prejudging, in any shape or form, what may or may not be the call in that regard, save to comment that, on the issue of the North/South interconnector, there is currently a live Public Accounts Committee hearing in that regard.

When it came to issues of all-island energy, a precedent was set for public inquiry as a way of interrogating the evidence and hearing all views. While that may or may not happen in respect of the fracking proposals, I think it is sufficiently noteworthy that I bring it to people's attention.

The Council considered the recommendation of a selection panel for the appointment of a chief executive to the trade and business development body. A further announcement will be made in due course, following acceptance of the appointment. The Council agreed to hold the next environment meeting in autumn 2012, which will be very close to the commencement of the Irish presidency on 1 January next year.

I am not sure whether the First Minister reported it, but there were discussions at the

NSMC meeting and at the DOE sectoral meeting about the opportunities for staff from the North to become embedded in the life of the Irish presidency, both at departmental level in Dublin and, hopefully, in the Brussels system as well, in order to build up our capacity and understanding of the European opportunities that, as I indicated earlier, are in some ways unfulfilled.

**Ms Lo (The Chairperson of the Committee for the Environment):** I thank the Minister for his statement. I am very pleased to hear about the good co-operation between the two jurisdictions on a number of environmental protection actions. I particularly welcome the commitment to consultation between the two authorities on used tyres. As the Minister mentioned, the Committee has produced an interim report on the disposal of used tyres. Did the Minister discuss with his counterpart any practical ways to improve the audit trail of used tyres on the island, North and South?

**Mr Attwood:** We touched on the issue of the disposal of used tyres, but we did not interrogate it at any great length and did not touch particularly on the issue of an audit trail. However, those issues will be dealt with on the far side of the all-island survey, which, it is anticipated, should be concluded by the end of this month; the development of our action plan that will deal with the issue of audit trails on an all-island basis; the carrying out of further assessment of the interim report from the Committee; and trying to embrace and capture that in the action plan and in the work to be taken forward by the Council and on an all-island basis. If we deal with waste, water and so on more and more on an all-island basis, it is self-evident that we will have to deal with the issue of used tyres on an all-Ireland basis, and that includes how best to deal with the very difficult issue of ensuring the best audit.

**Mr Hamilton:** I want to ask the Minister about the regular fixture at these meetings of cross-border movements of waste. If I recall rightly, I think there are more than a dozen sites in Northern Ireland where waste has come from the South. Why are we working at a rate of what appears to be clearing two sites a year? Is it a fixed rate of two a year? If we work at that rate, it will be five, six or perhaps seven years before they are all cleared. Does he have sufficient funding from the Irish Government to do it, or is it a capacity issue?

**Mr Attwood:** I thank the Member. Waste is a regular feature in these reports. First, I should confirm that the two sites that have been identified are in the Clogher Valley. As I understand it, the assessment of the sites that remain, and that is a significant number, is that they are of a lesser scale and have a lesser impact than the ones that have been dealt with. We are dealing with significant illegal waste, but it is potentially, I hope, less significant than the sites that have been disposed of to date.

I do not have any criticism of the Irish Government on the operation of the framework agreement between the Dublin and Belfast Administrations about the management, disposal and financing of the repatriation of illegal waste. The heavy financial burden falls to the Irish Government. I occasionally hear mutterings and comments — this is bound to be the case, given the financial situation in the Republic — that maybe the framework agreement disproportionately favours the North. I obviously do not agree with that. However, if that is the view in Dublin, it has not formally raised it with me, and I have gently indicated that I hope that it will not raise it with me. Consequently, I have no criticism of Dublin's commitment to and financial backing of that enterprise. Subject to correction, I think that 90% of the cost is funded by the Dublin Administration.

Under the framework agreement, the programme of repatriation has been agreed. Although I recognise that the issue is acute and should be dealt with in a timely fashion and hope that there will be no undue delay, I am not inclined to try to encourage the Dublin Government, in all the circumstances that we face, to expedite that time frame. If there is a need, if something acute arises with a site on which there is illegal waste, or if I hear that there is any inclination to try to extend the period over which all the sites are cleared and the waste repatriated, I will look at that again. However, in general, I have no criticism of Dublin. Indeed, when there appeared to be the potential for some uncertainty over landfill capacity because of tender requirements in Dublin City Council over the past number of months, that potential problem was resolved and a tender was awarded.

**Mr Elliott:** I thank the Minister for his statement, in which he mentioned fracking. Can the Minister give us any more details on the comprehensive programme of research he

mentioned? That research appears to be being conducted on an ongoing and ad hoc basis, as opposed to being more significant and deeper research. Will the Minister give me some guidance, reassurance and confidence that it will be a more detailed research programme?

**Mr Attwood:** I thank the Member for his question. Although various streams of research are ongoing, I want to give the assurance that its character is not ad hoc. Taken in totality, the various streams of research will build up the best evidence- and science-based picture around the issue of fracking. So what are those streams of work? First, the Irish Government recently completed their own commissioned desktop study on fracking, which was undertaken by the University of Aberdeen. On the far side of that, it was quite clear that a much more comprehensive piece of work was required, and the Irish Government are now undertaking that work. We will sit on the steering committee for that work, and it may be that we will eventually be asked to contribute to it. However, it will very much be a shared undertaking and initiative in the lives of our two Governments in order to come to a bigger picture.

Secondly, the European Union is also undertaking its own research, and a representative from the DOE is involved in that. The scale of that research is greater than that which would be undertaken by the two Administrations on the island of Ireland in order to build up a European picture of the issue of fracking — Poland is all for it and France is all against it — and to build up the profile there.

Thirdly, although it is beyond the authority of the Northern Ireland Government and our role in Europe as a member of the European Union, the Environmental Protection Agency in America is undertaking two phases of work. The first phase will run up to Christmas this year and will look at the academic literature and the science of fracking, and the second will run from Christmas this year to Christmas 2014 and will look at case studies. Given the experience of fracking in America and various other places, that work will allow them to interrogate air quality, water and other issues. I met representatives of the Environmental Protection Agency on 16 March, who were enormously helpful. Clearly the scale of their research is in advance of even that which Europe is undertaking, not least because, in his State of the Union address in January, President Obama indicated that, subject to it

being safe, he was very much in favour of this method of extraction of reserves, even though he did not use the word “fracking”.

And so on and so forth, because, as people know, last week there was a further report on fracking experiences from one of the royal colleges. Put all that together and it seems to me that there is a lot of science. However, there needs to be a lot of science, because those jurisdictions that embraced fracking, particularly America, did so with very little regulation and, on occasion, very little protection in various states that were given the freedom to decide what should or should not happen.

#### 5.00 pm

On the far side of that, there will be a bigger science picture, around which people will come to their conclusions. From my point of view, that will be helpful. However, I repeat that all appropriate environmental assessments will be made. They will take as long as is needed, and those who think that this will happen quickly are wrong. A judgement will be made when it is right to do so, and that will take as long as is necessary.

**Mr Rogers:** I welcome the Minister's statement and his proactive approach to dealing with two issues in south Down — at Ballymartin and Mayobridge — that were a potential environmental nightmare. What progress has been made, through North/South co-operation, on dealing with the residue from laundered diesel?

**Mr Attwood:** I thank the Member for his question. His mention of Mayobridge refers back to a question from the Chair of the Environment Committee. We need to have robust enforcement to deal with a tyre problem where we have one. The person in control of a site in Mayobridge was certainly in breach of various environmental requirements under his licence. He was also in breach of certain conditions of the planning permission. However, the site operator has been fully regularised because of robust enforcement. I think that the community in that neighbourhood know that it was robust enforcement over two or three months that led to the matter being resolved. That only sets the standard against which the Department and the NIEA have to be judged in taking enforcement forward generally. That is why, last week, I held an enforcement summit in Church House in Belfast, at which people from outside and inside the Department were brought together to see

where we should go with enforcement. That was done not least because a Queen's University academic is of the view that, for all the embedding of European standards in the life of government in the North through directives, we are now at greater risk of infraction. People will dispute or may agree with that. Nonetheless, it was a health warning to us all to make sure that, when it comes to enforcement on the environmental side, we live up to the standards.

Fuel laundering is not part of the arrangements between the Republic and the North under the waste repatriation framework. The authorities inform me that evidence of fuel laundering residue being moved back and forth across the border is anecdotal rather than conclusive. Nonetheless, we discussed it, and one reason that fuel laundering was on the agenda of the NSMC meeting was to raise its profile after the issue arose in the previous environment sectoral meeting, not least because of the difficulties that were identified in a House the Commons Committee. That said, there are various other interventions to deal with the fuel laundering waste issue. We are about to start rolling out the fly-tipping protocol in 11 pilot councils around the North, the reach of which could extend to fuel laundering waste. Therefore, I acknowledge that there is a big issue around it and that environmental damage has been caused by it. It is on the radar of the North/South Ministerial Council's environment sector. It is clearly on the radar when it comes to North/South enforcement through the Organised Crime Task Force and other interventions. It is also on my radar, as shown by my rolling out of the fly-tipping protocol as a way for central and local government to work to resolve that problem.

**Mr Weir:** I thank the Minister for his statement, particularly the bits that were in the original statement. He welcomes the blue flag successes for Northern Ireland and the green coast schemes in the Republic of Ireland. What is the next step to improve beach quality, particularly in the blue flag context?

**Mr Attwood:** A protocol governs what can be included in a written statement, which I find quite frustrating.

**Mr Weir:** That is all too obvious.

**Mr Attwood:** Yes. The written statement has to reflect the communiqué, which is the agreed position of the respective Governments.

However, the agreed communiqué tends to be rather limited in what it can convey, so it seems appropriate, when delivering a statement, to give a sense of the flavour and conversation at a North/South meeting. Otherwise, the statement will be rather dry when, if it is given its full life, it can be the opposite. I hope that that will be the case when the review of the North/South bodies is complete, which is, allegedly, by Christmas. I hope that my commentary adds a bit of colour to the conversation that Minister Hogan and I had.

I keep saying that the scale of our natural environment on these islands is unsurpassed; I will touch on that issue in the debate on archaeological artefacts. An expression of that is the scale of the awards, blue flag and others, for the quality of our beach environment. This year, from memory, 24 beaches got awards, of which 13 got blue flag status and others got green awards, and so on. That is why, a few weeks ago, I joined Phil Hogan at a hotel in Portmarnock — not on the strand because the weather was not good enough — to hand out awards, including to Coleraine, which, as I said earlier, has five awards, all of which are blue flag. It is in the only county on the island of Ireland with so many awards.

However, there is more to do, which is why, at the three or four beach summits that I convened over the past year, we have considered ways to improve the beach environment, upscale our tidy beach strategy and look for coastal communities opportunities. Given all that, we are about to launch our first clean beach campaign. We have a website — [www.beachni.com](http://www.beachni.com) — that details the water quality in live time for all the beaches to demonstrate that our beaches are part of our natural wonder and are an indicator of tourism and economic growth.

**Lord Morrow:** My question is about the dumping of illegal waste, and I am particularly interested in two sites in the Clogher valley. It has been a long time since the sites were first identified, but it appears that we are not much further forward. Minister, your written statement says that the issue is a priority for your Department, yet you say that you “continue to target resources”. You do not seem to have the resources to tackle the problem and have not made resources a priority. What exactly has happened with the two sites in the Clogher valley?

**Mr Attwood:** I refer to my previous answer. There is a framework agreement between

the two Administrations, North and South, which governs how the repatriation of waste is managed and handled. I would be in breach of my ministerial duties and the Government would be in breach of their obligations under that framework agreement if we worked outside its scope. So we are where we are with the framework agreement, which was negotiated between the two jurisdictions before I became Minister. I work with the framework agreement because it is a good agreement, not least because the Irish Government have accepted their responsibility to fund the vast majority of the work and take the waste, and because Dublin City Council will dispose of that waste.

This framework agreement, in resolving the problem on one hand, managing the waste and covering the cost, falls heavily to the Irish Government. Look at how, for example, the waste was managed and disposed of in Ballymartin, where people went on site and discovered a very mixed picture of the waste that was deposited there. I went on the site, where huge holes had been discovered in various parcels of land where the waste had been dumped. It had not been dumped all in the one place where it could be dealt with in one intervention but had been dumped in various parts of the site and in various locations, which made the management of the clear-up and the repatriation of waste much more difficult.

I will not criticise the Irish Government. I think that they have lived up to their responsibilities in the framework agreement, and I welcome that, as should we all. Yes, people would like this matter to be expedited, but there is a framework agreement that governs what is to be done. I would have thought that, given Lord Morrow's local interest, he would have welcomed the fact that the issues at the two sites in Clogher valley will, come the end of the summer and thereafter, be conclusively addressed.

**Mr P Ramsey:** I welcome the Minister's statement, which was of some quality and was colourful without keeping to the script. Given the very serious issues that he has highlighted today, is he satisfied that there is sufficient co-operation with his Department, and is there scope for deepening those relationships and that co-operation?

**Mr Attwood:** As I said, the environment sectoral meeting of the North/South Ministerial Council is the one that, arguably, lends itself most

easily to North/South operations. Behind the somewhat dry words of the communiqué, you get a sense that there is a significant dynamic around North/South environment issues. Do I believe that we can do more? Yes.

Phil Hogan and I launched the Horizon study of the management of plastics on the island of Ireland nine months ago. Thirty per cent of plastics are recycled, and of that, only 30% are recycled on the island of Ireland; the other 70% go out of the country. That creates opportunities to protect our environment better on the one hand and job and economic opportunities on the other.

There is ongoing work on a strategy for bulky waste such as white goods, and how, on the island of Ireland, we can have a co-ordinated approach to the disposal of such items. Are there opportunities, arguably, for waste procurement? We are a small island, and, in the North, three waste procurement programmes are ongoing. A waste disposal facility is being built in the South, in County Meath, mindful of the trans-boundary issues surrounding the movement of waste between jurisdictions.

I believe that we can escalate all that, but the environment sector has shown good authority when it comes to the opportunities and scope for North/South co-operation, and there is more to come. I just hope that, come December, when finally, if at all, we get a report on the North/South review of opportunities to grow North/South co-operation, that also shows good authority and does not end up, again, failing to live up to its potential.

## Executive Committee Business

### Charities Bill: First Stage

**Mr McCausland (The Minister for Social Development):** I beg to introduce the Charities Bill [11/11-15], which is a Bill to amend the Charities Act (Northern Ireland) 2008; to transfer certain functions of the Department for Social Development to the Charity Commission for Northern Ireland; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

**5.15 pm**

### Budget (No. 2) Bill: Further Consideration Stage

**Mr Deputy Speaker:** I call the Minister of Finance and Personnel to move the Further Consideration Stage of the Budget (No. 2) Bill.

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

**Mr Deputy Speaker:** No amendments have been selected, so there is no opportunity to discuss the Budget (No. 2) Bill today. Members will, of course, be aware that they will have an opportunity for a full debate at Final Stage. The Bill's further Consideration Stage is therefore concluded. The Bill stands referred to the Speaker.

### Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012

**Mr McCausland (The Minister for Social Development):** I beg to move

*That the Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012 be approved.*

The regulations were laid before the Assembly on 20 January 2012. Young people face disproportionate difficulties in finding work during and after periods of recession. There is now a major youth unemployment problem, with some 26,000 young people in Northern Ireland having never worked since leaving school or college and 9,000 children growing up in homes in which no one has ever worked. The welfare system needs to be overhauled so that more young people can be supported to take their first steps on the career ladder. These amending regulations are an important part of that process. The work experience programme is the first in a set of initiatives that is being introduced by the Department for Employment and Learning in an overall reform of back-to-work support for recipients of out-of-work benefits. The Department for Employment and Learning (DEL) is introducing the work experience programme in response to the rise in youth and long-term unemployment. Minister Farry announced today that the programme will start immediately.

The work experience programme will be voluntary. It is aimed principally at young people aged 18 to 24 who are in receipt of jobseeker's allowance. The programme will, in time, be expanded to include claimants from all age groups and other age-benefit recipients as additional placements are secured. New provisions are required to enable the jobseeker's allowance claimants to be given the opportunity to gain experience in the workplace under the work experience programme. The purpose of the regulations is to ensure that participants on the programme retain their entitlement to jobseeker's allowance during their placement. People who are involved in such programmes have a better chance of moving off jobseeker's allowance if they continue their job-search activity. For that reason, participants will be asked to show that they continue to make an effort to find work.



Originally, it was the intention that a person who agreed to take a place on the programme and failed to attend, gave up the place without good cause or lost the place through misconduct would be liable to a benefit sanction. In line with the rest of the United Kingdom, the policy has been revised since its introduction. The decision has been taken that sanctions of two to four weeks will apply only to individuals on the work experience programme where they have been asked to leave by the host employer owing to gross misconduct. In taking that decision, I hope to ensure that work experience will benefit employers and young people. I assure you that no claimant of any age will be sanctioned for failing to take up a place on the work experience programme, for failing to attend or for leaving it, unless that person loses the place through gross misconduct.

In bringing forward these regulations, we are creating the framework to give young people the opportunity to boost their confidence, employability and prospects. All the measures are part of a wider commitment to make sure that all, especially young people, are given the right support to make the transition into the workplace, no matter which path they choose to get there. This is the only way to help people to work their way out of poverty and generate the long-term jobs that we need to build a sustainable economy for the future.

**Mr A Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for moving the motion to propose this regulation. Speaking on behalf of the Committee, I will say first that the Committee considered this regulation at length. Indeed, we considered it in discussions with officials from the Department for Social Development (DSD) and also invited officials from the Department for Employment and Learning to address a range of concerns that were expressed by members from — I think it is fair to say — across all the parties.

The range of concerns included those of members who were worried that, when young people were asked to go on these schemes, an element of coercion would be involved. They were conscious that they did not want to support the legislation if it meant that young people, in particular, would feel obliged or forced to take up some of these projects. I will go back to how the Department responded to those concerns in a second or two. Members were

also universally concerned that people would be asked to do what were not meaningful jobs and that the sense of getting job experience would, therefore, be diluted quite substantially. Members gave certain experiences and examples, and there was, in fact, a lot of media commentary on that around the time.

There were also concerns about the range of sanctions that would be imposed on people. As the Minister said, this was designed initially to involve young people up to the age of 24 but would eventually be rolled out to involve all people of all ages who are on jobseeker's allowance. Members were concerned at the range of sanctions that would be imposed on people for, for example, failure to keep up with a job that many would feel was not meaningful. The Committee reflected well the dilemma that everybody also has in that they want to ensure that every person gets an opportunity to experience work. It was mindful that it is often much easier for people to get a job if they can demonstrate that they have had employment previously and that their work record is good.

The DSD and DEL officials came to the Committee on a number of occasions and addressed all of the members' concerns. In fairness to the departmental officials, they all did their best at their personal and departmental level to assuage the concerns expressed by the various Committee members. On the basis of the concerns having been put forward and addressed, members, with varying degrees of reluctance, agreed that they were content that the regulation will be made.

This was one of the regulations around which reservations were tabled, and, in the aftermath of this protracted debate, the Committee was very concerned that it was putting significant reservations on the record and, while they were addressed, there was the issue of it being a matter of parity and the regulation having to be complied with anyway. Members again very judiciously expressed and teased out their concerns with the various departmental officials and, with varying degrees of reluctance, ultimately agreed that the regulation be made.

It is interesting to note that, as a result of the debate around this regulation and other similar types of regulations, the Committee agreed that it was not content that we routinely place reservations on the record but then reluctantly agree to something either because it was a

matter of parity or because certain assurances were received from departmental officials. As a Committee, we agreed that, from here on in, we would work with the Department and agree to build into the Committee's forward work programme a process for monitoring the outworking of the regulations.

I have pointed out before to this House that the Committee agreed to seek that structured approach with the Department. In other words, where we have expressed reservations — in some cases, quite fundamental reservations — you would hope that, when the implementation of the policy or regulation is worked out in practice, we would have from the Department a report in six months, nine months, one year or whatever was appropriate to each regulation, saying that the outworking of the regulation was either a, b or c and hopefully addressing members' concerns as unfounded. That is what we wanted to hear. Equally, if we were told eventually that some of the fears of members were well founded, that would lead to another discussion on seeking to change those rules and regulations.

The Committee deliberated on that considerably with the DSD and DEL officials and raised a range of issues. I have listed some of them, including whether the young people going into the schemes somehow or other felt obliged or coerced into them, and the Department officials tried to address that. We also did not want young people to go into what many thought, in some cases at least, were jobs that were not exactly meaningful. We also wanted assurances that the young people who were taking up the posts were not replacing employees who should have been employed there. In fact, any vacancies should have been made up by way of normal recruitment practices and the jobs filled as appropriate. Afterwards, the Committee was quite concerned when we heard organisations such as Tesco say that, from there on in, it did not want to take part in the scheme and would employ people directly. That seemed to contradict the concept behind the work experience project, which was that people were not going in to replace existing jobs or to fill vacancies that should have been filled by way of routine recruitment.

The Committee's last position on considering the matter was, with varying degrees of reservation or concern across all the parties, to agree that the regulation be made. Therefore,

we have had no opportunity to consider any further developments on the matter. The Minister has referred to some of the experience directly from Westminster, and the Committee for Social Development has not had an opportunity to consider any of that. I appreciate that the Minister is saying that there is now a change in how those sanctions, as outlined in the regulation, will be interpreted. All I can say on behalf of the Committee is that it has not had an opportunity to discuss or debate any of that, and all the members and parties will have their opportunity to address that issue today. So, on the record, the Committee, on earlier consideration, agreed that the regulation be made.

I will now speak as a party representative and an MLA representing South Belfast. One member was concerned about the matters and raised reservations, and, as I said earlier, credit must go to officials in both Departments for trying to address those concerns. However, we saw the outworking of this in London and then saw that the Department, following on from London, is now saying that the sanctions in the regulations will not really be applied other than for gross misconduct. I want to point out that, speaking as a party representative only, we had a long discussion at the Committee on good cause because people could avoid sanctions if there was good cause, and we had a range of discussions on what might constitute good cause. We did not have an opportunity to consider what might constitute gross misconduct, and some of that is referred to in annexes of various papers that have been recently produced. Speaking on behalf of Fra McCann and Mickey Brady, we, as members of that Committee, have not had an opportunity to consider those issues.

I wholeheartedly respect the Minister's personal commitment to this, in which he says that the sanctions will now be reduced to a certain category called gross misconduct, but it is very difficult to expect us — I certainly do not want to be in this position — to agree a regulation that will set in law a set of sanctions that will underpin a particular policy, even though we are being advised that, following what has happened in London, we will not implement or not enforce those sanctions.

I certainly could not support legislation which says, "We are going to have legislation to underpin a particular way of going", but in actual fact then say, "But in reality we are not

really going to do that". That would lead us to seriously flawed legislation. On the one hand, we are saying, "This is what the legislation provides for", but, on the other, "We are actually not going to enforce it, so do not worry about it". I am not saying that that, at all, is a cavalier approach from the Minister; far from it. I want to say to the Minister that I respect his personal commitment on this, but next year or in six months the Minister may not be in post. Someone else might be there, and we could have a different set of interpretations from a different Minister or a different head of the relevant agency.

### 5.30 pm

Our problem is that we have to look at this from the point of view that we are being asked to enshrine it in legislation. Bear it in mind that a lot of the reservations were raised across the board by all the parties. Certainly, my party was very firm about those reservations being put on the record. We were concerned, and yet we were given cast-iron assurances by the Department's officials. Lo and behold, at the end of the day, it transpired that the commitments given by the officials could not have been stood over. Hence, you have now a different set of circumstances. Now, I feel that that vindicates the members of the Committee who had those reservations, teased them out and raised them, I think, very constructively and certainly very robustly. Speaking from a party political point of view, I certainly do not want to support and will not support legislation that says, "We are enabling this legislation to provide these sanctions, but in actual fact we are really not going to enforce them".

We were given assurances. I do not second-guess the integrity of any of the officials who gave those assurances, because they gave them with the best intent available to them. We were told, "Here are the assurances we are going to give you", but, months later, we were then told, "Well, in actual fact, it did not really work out". Now, I think it is foolish to ask people to pass legislation on the basis that we are really not going to enforce it. At the end of the day, that is the legislation that will be there. It will be interpreted, I have no doubt, by at least some officials and will lead to tribunals and disputes and arguments. At the end of the day, the bottom line will be that the legislation will have been passed.

Again, I think that, regrettably, on this occasion, the reservations that were outlined, teased out and, we thought, addressed, actually were proven not to have been fully addressed. The outworking of them elsewhere proved that the reservations were correctly levelled and laid on the record. So, on that basis, our party certainly will not support this regulation. We urge the Department, respectfully, to go back to the drawing board on this regulation and bring back a regulation that we will be able to wholeheartedly put on the statute book. We want to make sure that young people and, as it rolls out ultimately, everybody who is on jobseeker's allowance will have the opportunity to taste what work is like, particularly those who perhaps have not had the opportunity heretofore.

We want to make sure that people are encouraged into work and that people who are in work or go for job experience behave responsibly. We also have to respect the employers who are willing to take on trainees and people on work experience. We want to make sure that people who have an opportunity to go on work experience are encouraged to do so. We want them to do it on the basis that they will have meaningful work experience, we want to make sure that that encourages them in the workplace, and we want to make sure that anyone who wants to sit around not doing any work really does not feel comfortable doing that. But it would be wrong for us to support legislation that we are being told from the outset will not really be enforced.

**Ms P Bradley:** I rise as a member of the Social Development Committee. With the rise in youth and long-term unemployment, it is paramount that we as an Assembly support and encourage back-to-work initiatives for those on unemployment-related benefits, especially young people. As has been said, this regulation was debated at length by the Social Development Committee, and I understand the concerns highlighted by the Chairperson here this evening. However, within any work environment there are rules, and I believe the regulation promotes an employment ethos of discipline and responsibility, which are qualities that many of our young people are unable to learn. For most, that is through no fault of their own. The regulation also provides an amount of protection for the host business and the time and the resources that they invest in providing such placements. I support the motion.

**Mr Durkan:** I oppose the motion. As the Chairman of the Committee for Social Development Mr Alex Maskey said, there was huge opposition to the legislation in Great Britain. It makes two amendments to existing jobseeker's legislation. There was massive media coverage of the backlash, which eventually forced the Government to backtrack a bit, removing sanctions for those who leave in the first week of work experience. Despite the huge negative publicity, I recognise that those work experience schemes are voluntary and not mandatory. However, the public perception was that a huge amount of coercion was involved.

In theory, we see the benefit of work experience schemes. They show people, particularly young people, the demands of the workplace and teach them the discipline required therein. However, the sanctions proposed for breaching that discipline are excessive. I heard the Minister state today that the only people who will be sanctioned are those guilty of gross misconduct; I welcome that commitment. However, that is not what is written in the legislation, so we cannot vote for it. What is written in the legislation is that those who leave during the first week will be exempt from sanction, but for many the novelty of work experience will not have worn off until after that. The removal of their benefit for two weeks, should they opt out after week one, is, in my opinion, draconian.

The objective of work experience should be to give young people suitable experience to help them when they enter the labour market. However, how can they seek employment if they are indisposed carrying out that work experience? Just how useful and relevant is the experience gained on those placements, and how many participants secure employment as a result? Furthermore, there is a concern, to which the Chair referred, that the scheme may be exploited by unscrupulous employers who, in effect, see it as an opportunity to utilise slave labour. The fact that they can get people to work for free will inevitably result in their hiring fewer people or reducing the hours of existing workers.

Although training and meaningful work experience benefit individuals and society as a whole, we need to focus more on actual job creation rather than on punitive and counterproductive sanctions. As the legislation is written, the youngest people — school leavers

— will be exempt from sanctions. Ironically, they could benefit most from the training aspect and the discipline of the scheme. Those who are sanctioned — I appreciate that it will be at the discretion of a decision-maker or employment adviser — will in turn become a burden on their family, many of whom may be on benefits themselves.

A breach from parity on this issue will not have the massive financial implications that we are often warned about. Today, we have been provided with a rare cost-neutral opportunity to show that we are a devolved Government capable of differentiating our policies from those of Westminster when we can see no logic in the coalition Government's proposals.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. My colleague Alex Maskey covered our views on the legislation well and comprehensively. It is a matter of record that I had strong and serious reservations about the legislation, which I continue to have. Without being too cynical or sceptical, from my many years of experience in dealing with social security legislation for which sanctions are in place, I know that, however they may or may not be put across, they will eventually be enforced. That is all I have to add.

**Mr Swann:** I speak on behalf of Michael Copeland, our member of the Committee for Social Development, who is inescapably absent from the Assembly today. We welcome the fact that the much-discredited work experience programme is being addressed. It is only right and proper that people should not be disproportionately penalised for taking part in work experience. We support today's regulations as simply corresponding to provisions contained in the regulations made by the Secretary of State for Work and Pensions. People will still need to show a demonstrable approach to seeking employment, and rightly so.

We have concerns, not least about the ambiguity of the wording. We are concerned that DWP and DSD have proposed regulations that have not been changed to reflect gross misconduct. We ask for clarity from the Minister on that. Should we take solely the Minister's word on the regulations? We need to ensure that, in all cases, parity is preserved.

**Mr F McCann:** I will be brief. Like Mickey, I raised serious reservations about this at quite a number of meetings. I voiced my concern

that young people were being asked to go into meaningless job experience for nothing and could be open to abuse by employers. In the aftermath of when we first raised the issue, a difficulty arose in England. It was pointed out that many, many young people had fallen into a trap set by the people who were supposed to be looking after their interests and placing them in meaningful employment. I say that for a reason. We say that we are trying to skill young people up to go into employment, but that employment does not exist. We say that we are trying to give young people an opportunity to be skilled up to go into employment, but many of them end up in a supermarket, because the training they get will not ensure that they go into employment that would give them a good, well-paid job to prepare them for the future.

There are serious difficulties in the proposals. I have a serious concern that young people will be placed in employment and not paid. Only a certain section of people will receive £100 for the work that they do. Young people will go into employment where they do not receive a wage and are expected to work long hours. At the end of the day, there will be no compensation for that. That has to be wrong. The other concern is around not being able to view the regulations that have been drawn up so that we can have a good opinion of what is being put in front of us.

There are a number of concerns that mean that we cannot support the motion as it stands. Ultimately, this is all sanction-led. If the regulations or legislation had said that provision was being made to ensure that people are not going to be sanctioned or asked to go into employment that has no end product for them, we might have considered it. Because that does not exist, we cannot support the regulations.

#### 5.45 pm

**Mr McCausland:** There were a number of contributions and a number of issues raised in the course of those. In particular, I will pick up on the points raised by the Chair of the Social Development Committee, Alex Maskey, who raised four or five issues.

The first issue concerned coercion and whether people were being forced or obliged in some way — certainly coerced — into participation in the scheme. The position has been made absolutely clear: this is an entirely voluntary scheme. There is no deviation or variation from that. There is no equivocation. It is entirely voluntary.

Therefore, the issue of coercion can, I suggest, be set aside.

The Member also raised the issue of media coverage. This was debated quite extensively in the media, particularly in Great Britain some time ago, and it received some coverage in local media at the same time. That coverage was around the issue of meaningful jobs. When you get into the area that we are in now, you are on safe ground in so far as the scheme is entirely voluntary and, therefore, people will have the opportunity to see whether the jobs that are available and being offered to young folk are meaningful. I think that discernment will be exercised by young people in that regard. If they do not wish to go into a particular place of employment or they feel that the work there would not be meaningful, they would have every opportunity to say, "No, that is not where I want to be". Therefore, I think that the issue about the nature of the jobs and whether they are meaningful has been addressed by the entirely voluntary nature of the scheme.

The issue around not replacing staff and filling vacancies was also raised. It was suggested that employers would simply use young people to undertake the task of filling shelves or some other fairly routine task. They might not perceive it as being meaningful, but, through doing it, they would, nevertheless, displace existing staff or enable the company concerned not to fill a vacancy. Again, since the scheme is entirely voluntary, I suggest that young people would have the opportunity to look for jobs that are meaningful and would bring them benefit. I do not have a concern in that regard. Public opinion and the opinion of the young people — all those things — will shape how this develops.

The issue for most people is around sanctions. Several Members referred to sanctions. The sanctions are very simple, and it is very clear: sanctions will be applied only in circumstances of gross misconduct, such as stealing, racial abuse or sectarian abuse. Those are the things you are talking about when it comes to gross misconduct. Those are things that, I am sure, everyone in the Chamber would say are unacceptable. It could be a matter of theft and dishonesty on the part of an employee; obviously, all of us would accept that that is unacceptable. I am sure that no one is going to condone racial abuse in any way, and the same applies to sectarian abuse.

Individuals will be able to leave the programme at any point if it is not right for them. If they go into it but think that the job is not meaningful or relevant for them, they can walk away from it, and they will not be subject to any sanction. The sanctions will apply only in circumstances of gross misconduct. A first offence in that regard will generate a two-week sanction — a two-week loss of jobseeker's allowance. That is only for gross misconduct such as theft or racial or sectarian abuse. A repeat offence within a 12-month period would generate a four-week sanction, but, again, only in the case of what is clearly and demonstrably gross misconduct. I think that I have addressed the core points that were raised by Alex Maskey.

Mark Durkan raised the issue of whether the scheme was voluntary or mandatory, and he acknowledged that the scheme was entirely voluntary. That is the core element: it is an entirely voluntary scheme. He spoke about suitable work and work that would be useful and relevant. The key there is that the young person going into a place of employment for some experience for eight weeks will be able to decide after a short period whether the job was suitable or relevant for them and will have the opportunity to walk away from that. I suggest, therefore, that the question of the suitability, usefulness and relevance of the work is covered by the voluntary nature of the scheme.

As regards exploitation by unscrupulous employers, people have used the term "slave labour". Again, it is a voluntary scheme. Therefore, the protections for the young person are built into it right from the beginning, and they can move away from it if they feel that they are not being given the right sort of opportunity.

**Mr Durkan:** Thank you for letting me in again. You said that added protection is built in for the young person, but, from what we have seen thus far, the protection is not written in.

**Mr McCausland:** The point has been made that the scheme is entirely voluntary. The very nature of the protection is the fact that it is entirely voluntary.

Other points were raised by Mickey Brady and Robin Swann, and Fra McCann spoke about it being sanction-led. I suggest that that is not the case. I suggest that it is a misunderstanding of the nature of the scheme. It is not sanction-led. The important issue right at the start is the fact

that it is entirely voluntary. I will go back to a number of other points.

**Mr A Maskey:** I thank the Minister for giving way. There are obviously a number of issues that he needs to address, but there is one issue that I would like to ask the Minister to confirm. We are asked to adopt a regulation that contains sanctions for a number of reasons. I accept the Minister's integrity, and I know that he said that, in actual fact, this will not in practice be enforced. However, we are being asked to enshrine in legislation something that is underpinned by sanctions that, the Minister says, will not happen in practice. I think that we are being asked to do something that goes against the idea of legislation.

I ask the Minister to reflect on one thing. A number of employers raced to the microphones as soon as there was a big public outcry on this. I dealt with the issue on a radio show one morning and remember explaining and defending the role of the Committee in all of this. The concept behind the project is that businesses were making a contribution, and they would bring young people in to give them relevant work experience. In the midst of all the furore around some examples that were trotted out publicly and showed some degree of exploitation or abuse of young people in the workplace by some small number of employers, I believe — I stand to be corrected — that, on one occasion in the middle of all that public outcry, Tesco made a public commitment that it was withdrawing from the scheme and, from here on in, would directly recruit people to those positions. At the time, I asked how on earth, if Tesco was in a position to say that it would directly recruit people to those posts, it was not displacing job vacancies or jobs that should have been recruited for. For me, that was a direct contradiction of what the scheme was supposed to be about and what the officials were giving us assurances on. In other words, no person was going to go in and ask to do a job that was displacing an actual vacancy.

**Mr McCausland:** One of the key points here is that there is a general acceptance that it is good for young people to have the opportunity of work experience. No one is arguing against that point. There are many young people who have had no experience of employment at all. They have not had that privilege, that advantage or that experience. They may well come from a background where they have not had the

opportunity of engaging with others in the home who are in employment because the fact is that there may be intergenerational unemployment and they come from a home where there is no one in employment at the present time. For them, getting that initial experience of being in employment, even if it is only for eight weeks, and the fact that they can experience that and demonstrate their capabilities and capacities is obviously a very good thing. The concept of work experience, I think, people buy into. If you buy into that concept, some scheme of this type is the only way in which it can be worked out. I cannot think of any other way in which you can actually deliver work experience to young people. People may have reservations about that, but, for a significant number of young people, getting the first taste of employment is a positive gain and advantage that should be highly valued. I certainly assure the Member that that will be very much at the heart of this. Furthermore, businesses will be monitored by DEL. I assure the Member that I will keep abreast of that to ensure that there is no abuse and no unfair or inappropriate treatment of young people. The scheme will be fully monitored.

I will pick up on a number of Members' points — quite a number were raised — and get back to others.

**Mr F McCann:** Will the Minister give way?

**Mr McCausland:** OK.

**Mr F McCann:** There are a number of points. The explanatory note seems to contradict itself. It states that sanctions will not be imposed, yet it then states that sanctions will not be imposed in the first week, leaving it open for sanctions to be imposed afterwards. One of arguments that we had was about the term “meaningful employment” and what the end benefit is for the young person. We are trying to bring high-quality, good jobs to people, and we are saying that people need to be trained for those jobs. However, some of the training that people will be asked to do will not train them for high-quality jobs; it will not even give them job experience. We also say that, in the past, there was gross abuse and young people who were given places got absolutely nothing out of them, not least no pay.

**Mr McCausland:** I accept the Member's points as legitimate concerns. However, as I indicated, the businesses that participate in the scheme

will be monitored by DEL to ensure that there is no abuse. That is quite clear.

A point was made about whether people, after eight weeks of their first experience of the employment scene, will gain a vast amount of experience and training in that place and be eligible for some really high-value, highly skilled job. You will not gain that in eight weeks, but what you will gain is an experience of the demands, requirements and routine of the workplace. I talk to young people and training organisations in my constituency, and one of the points they make is that young people who come out of school with no experience of the regular routine of employment and so on face a challenge. They need to be given that initial taste. It is only a taster and an experience of what it is like to be in the workplace. The Member is right to say that we are trying to bring high-value, high-end and highly skilled jobs to people. That is absolutely true, but, for these young people, getting that first taste of the place of employment is what this is about. If they can get that, they will get immense benefit from it. I am sure that, if the Member reflects on that, he will welcome it.

I go back to the notes that I took down. Alex Maskey spoke about coercion. I can assure the Member that this is entirely voluntary. He also spoke of his concern about meaningful work. I can assure him that this is about work experience, not about taking jobs. It is time-limited and a genuine opportunity. DEL officials, as well as my officials, will monitor that process and progress.

Paula Bradley commented that the regulations promoted an ethos of responsibility and discipline. That is really part of what this is about: people getting their first experience of the workplace, the discipline of being there regularly, the routine of employment and all the rest. That is critical for young people, as we move them to a place of greater employability.

Mark Durkan welcomed the fact that sanctions would not be applied unless the young person concerned was guilty of misconduct. I am intrigued by his concern that the very youngest jobseekers might benefit from a sanctions regime. Perhaps I took him up wrongly, but that is certainly the impression that he gave.

DEL has extensive processes in place to ensure that employers do not abuse the scheme or use it to fill real job vacancies. The scheme is totally

voluntary, and, therefore, good cause is not a factor. If individuals do not wish to participate, that is entirely up to them.

Fra spoke about meaningful employment in today's economic climate, and it is, of course, open to debate, but I contend very strongly that any work experience at all is beneficial and a help for any individual. It enables that individual to get acclimatised to the workplace and demonstrate a willingness to actively seek work.

### 6.00 pm

Let me pick up on some other points. Participation was mentioned. We were aware of the concerns of employers, and we were aware of the concerns of young people at an earlier stage. That is why all that concern was taken on board. We believe that altering the circumstances in which a sanction might be applied is appropriate and addresses genuine public concern. So, sanctions will be limited to reasons of gross misconduct. If a young person is sanctioned for gross misconduct, can they take it further? Yes; the normal decision-making process will apply and the young person can appeal to an appeals tribunal. I sincerely hope and expect that that would be exceptionally rare. We are talking about issues of dishonesty or sectarian or racial abuse. These are matters of gross misconduct. It is not about someone turning up late one morning, staying out too long at lunch break or not lifting as many boxes as he should have done or whatever the case might be. It is about gross misconduct.

The scheme is short term. It is only an eight-week taster session of employment. However, it can be extended, in certain circumstances, to 12 weeks, for example, where the young person has been offered an apprenticeship. To ensure that the young person is given the maximum support and fair treatment, decision-makers will be issued with new, detailed guidance relating to work experience and the sanction regime, and operational staff are also being issued with the relevant guidance. The decision to impose a sanction is made by a decision-maker in the Social Security Agency, not by an employer, because to put an employer in a position where he or she has to take a sanctioning decision would compromise that employer.

So, on the basis of covering all the qualifications that I have referred to, in particular in regard to the voluntary nature of the scheme, the protection —

**Mr Weir:** Will the Minister give way?

**Mr McCausland:** Yes.

**Mr Weir:** Does the Minister agree that this can be a very valuable experience for young people? We have a situation in which people's work patterns are somewhat changed. When the older generation — people such as me — left university, they quite often walked straight into a job. Does the Minister agree that we are now facing a situation in which, even for graduates, levels of unemployment are quite high? Consequently, employers will often look for direct experience. They will look for a balanced CV.

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

I will use an example from my own constituency. It is a personal example that should stand as a challenge to all MLAs. We should look at ourselves to see where we, as MLAs, can provide some work experience. A number of months ago, I heard from a constituent who was, effectively, seeking an internship. This was someone who had a particular career path in mind but, because of the current financial situation, was not in a position to pursue that immediately. In my office, we looked at facilitating an internship. I appreciate that a lot of this will be for people who have had no direct experience of work at all and who may, effectively, be of the not in employment, education or training (NEET) generation. However, this was someone with a masters degree who was unable to get a foot on the rung of the employability ladder. As such, I was able to facilitate that person. The regulations are up for debate today, and I appreciate that very genuine concerns have been raised in connection with them. Under those circumstances, that young graduate was able to take advantage of one of the forerunners of this scheme; the equivalent of a six-month placement whereby jobseeker's allowance could be supplemented by way of additional income. Consequently, as part of that, that person has been able to gain direct experience in an office environment. From the point of view of their employability and future work, that person is in a position where they can gain from that. When it comes to the CV, depending on whether they go into the particular career path that they want, that person has at least something that they can fall back on and show as part of their background.



We need to look at the issue from the perspective of affording opportunities to young people. The Minister has said that there will be no coercion, and the scheme adds to a jobseeker's experience. All of us acknowledge that the situation is very desperate for many of our young people. It goes beyond the NEETs generation to those who invested heavily in their education, seen a particular career path but have not been able to pursue it. Placements of that nature and that level of work experience can be of direct benefit to young people, so we need to look at it from that perspective. Does the Minister agree that it is a positive way forward that we should develop?

**Mr McCausland:** I agree entirely with the Member, who has stated the entire purpose of the regulations clearly, elegantly and comprehensively. The scheme is about giving people experience so that they can, as he rightly says, have that on their CV. Otherwise, their CV will be a blank sheet because they are not able to demonstrate basic experience of the workplace. It would enhance a young person's employability and future prospects.

I thank members of the Social Development Committee for their consideration of the regulations. I believe that they provide a young person who undertakes work experience with the ability to remain on jobseeker's allowance, and the sanction will be applied only in cases of gross misconduct. Through a very simple measure, we can open the door for many more young people to take that first important step into the workplace, allowing them their first opportunity to impress an employer and, in many cases, stay with that employer in the longer term. That is what the scheme is all about.

**Mr Weir:** I thank the Minister for giving way. I want to draw on an example from my personal experience. I am issuing a challenge about internships and asking a series of questions of various Departments about embracing the scheme and offering experience to young people at MLA level — there is a challenge to all 108 of us — and in Departments. The lack of response from Departments on internships was a bit disappointing. Quite often, young people at 15 and 16 years of age have tunnel vision and a narrow view of their career path.

**Mr Principal Deputy Speaker:** I remind Members that interventions should be short and to the point.

**Mr Weir:** A major advantage of the scheme is that it will lead some young people into situations and particular career paths. As the Minister said, it will give them a taster and bring them into different spheres of work that they had not previously considered. Indeed, they may end up pursuing a different career path than they had originally envisaged. Does the Minister agree with that?

**Mr McCausland:** I thank the Member for his positive and progressive approach, which I fully endorse and thoroughly welcome. So many folk seem bogged down in negativity today. *[Interruption.]*

It is always important to keep well in with the Chief Whip. The Member made the point that a young person has a CV showing what they have undertaken. He or she also has an opportunity to look at areas of possible employment that he or she might not otherwise have considered. Through that simple measure, we can open the door for many more young people to impress an employer and perhaps stay with that employer in the longer term. If so, that is what the scheme is all about.

I thank Members for their extensive interest in the regulations. I hope that they will back them and support the scheme.

**Mr Weir:** Will the Minister give way?

**Mr McCausland:** The Minister is more than happy to give way.

**Mr Weir:** It is important to ensure that we have the best possible scheme. The scheme has been tried out in other jurisdictions. Has there been a pilot scheme? Will the Minister indicate the numbers that he expects to take up the offer, and whether he is considering rolling out the scheme further? Does he see any geographical specification within that initial number, and is he part of that?

Can the Minister indicate what level of monitoring will take place to ensure the scheme's effectiveness? It is obviously better that, through previous interventions, if we can —

**Mr Principal Deputy Speaker:** Order. I remind the Member that interventions are to be short. Most Members are coming into the Chamber now anyway, so I think that we can continue with the debate.

**Mr Weir:** I will try to bring my intervention to a close. It is important that we have monitoring arrangements to make sure that everything is got right. The preference is to try to provide, and ensure that we have, a scheme that works from day one. Will the Minister indicate what level of piloting or trialling has happened to ensure that thought has been given to the original regulations?

**Mr McCausland:** The Member makes a number of valid points, as always. The operation of the scheme is the Department for Learning and Employment's (DEL) responsibility, and some of his questioning may be better directed towards Dr Farry. My responsibility is for the jobseeker's allowance aspect of the scheme. The scheme will be fully monitored by DEL and the Department for Social Development. We want it to be as effective as possible, and if there are things that need to be done in due course to make it more effective, they will be considered.

This is a great opportunity. It would be a pity if we were to conclude the debate on the negative note that there has been. Some people have become fixated on certain elements here: they cannot see the wood for the trees. There is a really good opportunity for young people here, who are often among the most disadvantaged; who have never had the opportunity of employment; who have no experience of going out regularly morning after morning to the workplace; and who do not know what is expected of them from an employer in a workplace — the requirements, the obligations, the commitments, the dependability. If young people can go into a workplace for eight weeks and demonstrate to an employer that they have those skills and abilities and that they have that level of commitment, they can put that on their CV and be in a much better place to seek employment.

I thank Members for their interest in the regulations. I hope that the Assembly will back and support the scheme. It is part of a wider commitment to making sure that all, especially young people, are given the right support to make that transition into the workplace, no matter what path they choose to take to get there. This is the only way to help people work their way out of poverty and to generate the long-term jobs that we need to build a sustainable economy for our future and especially for our young people here in Northern Ireland.

*Question put.*

*The Assembly divided: Ayes 42; Noes 37.*

#### **AYES**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Ms Brown, Mr Clarke, Mrs Cochrane, Mr Cree, Mr Dickson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mrs Overend, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Ayes: Ms P Bradley and Ms Brown.*

#### **NOES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Ms Fearon, Mr Flanagan, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McDevitt, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Mrs McKevitt, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr A Maskey, Mr Ó hOisín, Mr O'Dowd, Mr P Ramsey, Ms S Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Mr Brady and Mr F McCann.*

*Question accordingly agreed to.*

*Resolved:*

*That the Jobseeker's Allowance (Work Experience) (Amendment) Regulations (Northern Ireland) 2012 be approved.*

## Committee Business

### Archaeological Artefacts

**Mr Principal Deputy Speaker:** This is a joint motion from the Committee for Culture, Arts and Leisure and the Committee for the Environment. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes to propose the motion and 10 minutes to make a winding-up speech. All other Members who are called to speak will have five minutes.

**Miss M McIlveen (The Chairperson of the Committee for Culture, Arts and Leisure):** I beg to move

*That this Assembly notes that there are gaps in the policy frameworks and legislation relating to the excavation of archaeological artefacts from planning-led developments, particularly in relation to the long-term curation and storage of such items; and calls on the Minister of Culture, Arts and Leisure and the Minister of the Environment to address these issues, which straddle their Departments, and to gain a greater understanding of the material that has been excavated to date.*

I welcome the opportunity to debate the issues relating to planning-led archaeology. The Committee for Culture, Arts and Leisure and the Committee for the Environment agreed to table a joint motion today because of their joint concerns about the lack of statutory and planning policy provisions, which has led to issues around the ownership and long-term curation of archaeological artefacts and excavation records not being addressed. That is putting Northern Ireland's heritage at risk.

Indications are that approximately 1.47 million archaeological objects are being held by commercial companies outside the museum sector. That flies in the face of good practice guidelines laid down by the Institute for Archaeologists, which state that commercial companies are not suitable permanent repositories for artefacts. They are also inaccessible to the public and researchers and, therefore, are not to the public benefit.

Held in that way, artefacts are vulnerable to theft, decomposition or the disposal of assets should such companies enter into receivership. The threat of receivership is regarded as a serious issue, particularly in light of the renewed upsurge in licences. For example, if a company

holding collections goes into liquidation, all of its stored collections and archives could be discarded by receivers without any notice to statutory authorities.

There is also an issue with archaeological companies that reside in other parts of the United Kingdom and the Irish Republic. They could be excavating in Northern Ireland and then moving material outside of Northern Ireland. Although in theory the movement of material to Irish Republic requires an export licence, in practice, it is likely that that is not happening. Furthermore, the indications are that there is no clear handle on the movement of material within the UK either.

### 6.30 pm

This is an issue that straddles both Departments. Although there is provision under PPS 6 that requires a developer to apply for an excavation licence and record the remains, there is no policy relating to the deposition and curation of archaeological artefacts. PPS 6 makes no provision for the permanent storage and curation of archaeological archives that have resulted from developer-led excavation. Furthermore, landowners retain all rights of ownership to archaeological materials found on their land, with the exception of items that are classified as treasure.

The current legislation does not allow for the passing of archaeological archives produced through the planning process to local museums, except through a subsequent loan from the national museums. Although the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 and the Museums and Galleries (Northern Ireland) Order 1998 are designed to protect known archaeological sites, stakeholders have reported to the Committee that the majority of archaeological archives in Northern Ireland are produced as a result of the planning process through developer-funded excavation, which is governed by PPS 6.

Archaeological fieldwork must be carried out under a licence issued by the Northern Ireland Environment Agency. A transfer of title is then issued to seek transfer of the title of excavated material to the Department of the Environment. That is done on the understanding that it will be offered to the Ulster Museum. In practice, however, that does not appear to happen, and, even if it did, there is no statutory responsibility

for the long-term storage of excavated material by DCAL.

As proof that the system is not working, both the Ulster Museum and the NIEA have confirmed that they have not taken into their care any archaeological objects produced through commercial archaeological work since the formulation of PPS 6 in 1999. It is clear that responsibility for these excavated artefacts, carried out through developer-led activity, falls between DOE, which licenses the excavations, and DCAL, because accredited museums fall under its responsibility. There would appear to be a big black hole somewhere in the middle where an unknown number of artefacts, potentially of interest and value to our heritage, slip through into an unknown abyss.

In truth, no one knows the real extent of the problem. Concerns have been expressed that excavated artefacts are potentially being stored in bin liners or wheelie bins or are perhaps no longer in Northern Ireland. Developers are potentially holding on to artefacts without them being recorded, dated or categorised and not knowing what to do with them. Eventually, someone may dump them, and something of great value could be lost to Northern Ireland. The members of both Committees agree that that is totally unacceptable.

The issue was first brought to the Committee for Culture, Arts and Leisure by the Northern Ireland Archaeology Forum (NIAF) last September. In its letter to the Committee, it stated:

*“Excavation archives represent an invaluable resource not just to archaeologists and historians, but also to local communities throughout Northern Ireland. At the moment, because of a lack of resources, most museums in Northern Ireland are unable to accept excavation archives into their collections. It is not an exaggeration to talk of an impending crisis over securing the long-term future of excavation archives. We will have failed future generations if we do not find a means to secure this valuable aspect of our heritage.”*

The Committee for Culture, Arts and Leisure has taken the issue very seriously. It commissioned research from the Assembly's Research and Information Service to determine the current state of legislation, policy and guidance governing archaeological archives in Northern Ireland and to look at other jurisdictions. One thing that I noted from the research is that the problem is not unique to Northern Ireland,

particularly the problems deriving from the planning process. Unprecedented quantities of archaeological material and records have been created, partly because of a surge in developer activity over the past two decades. That has created challenges for traditional structures of legislation and museum provision across the UK and Ireland.

According to the Archaeological Archives Forum (AAF), long-term storage facilities are becoming increasingly scarce or pressurised. DCAL and the museum sector have warned that they do not have the capacity or resources to store artefacts in the long term. Despite those pressures, the research shows that protection is afforded to archaeological artefacts in other jurisdictions. In Scotland, for example, all archaeological artefacts may be claimed as the property of the Crown, and all such finds must be reported to the Scottish Archaeological Finds Allocation Panel (SAFAP). It, in turn, has responsibility for determining which archive repository will have responsibility for and assume ownership of the material archive. No such system exists in Northern Ireland. In the Irish Republic, the legal context is different: all archaeological objects are the property of the state. Guidelines on archaeological investigation were published by the Irish Government in 1999 and reiterate that any archaeological archives should be taken into state care.

The CAL Committee has been briefed by the Northern Ireland Archaeology Forum and the Northern Ireland Museums Council about their concerns relating to planning-led archaeology. The Committee also wrote to the Environment Committee, the Minister of Culture, Arts and Leisure and the Environment Minister expressing concern about the significant gaps in policy and legislation and the limitations of PPS 6. In order to move the matter forward, the CAL Committee facilitated a stakeholder discussion forum with key stakeholders in March. Members of the CAL Committee, the Environment Committee and representatives of DCAL, National Museums Northern Ireland, the Museums Council, the Northern Ireland Archaeology Forum, DOE planning policy division and the Northern Ireland Environment Agency took part in the discussion forum. During the discussions, it became clear that there was no overall responsibility for the archaeological excavation and storage process from the beginning to the end of the process. Although DOE is responsible at the beginning of the process, the lack of statutory provision

for the long-term destination of artefacts has contributed to the current backlog and storage issues, making it difficult to transfer material easily to the museums, which is a matter for DCAL. It is fair to say that everyone knows that there is a problem. However, no one knows the true extent of the problem. Until that is known, it is difficult to assess the impact of resolving the issue in terms of the costs and available capacity.

In support of the motion, I emphasise the need for dialogue between the Minister of Culture, Arts and Leisure and the Minister of the Environment to address the gaps in policy and legislation. If they are left unresolved, they will put our heritage at risk. I commend the motion to the House.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion regarding the excavation and storage of artefacts that are uncovered due to planning developments. The Assembly has a real chance this evening to lay down a marker for a change that is long overdue.

At present, the entire issue of our estate is disjointed. We do not have proper accountability. It was said to me that it is really a nod and a wink. For example, current Northern Ireland legislation states that any finds should be reported to the Ulster Museum, the Environment Agency or the officer in charge of a police station. The current legal programme does not allow for the passing of artefacts or archives produced through the planning process to local museums. The result is that the Ulster Museum and the Northern Ireland Environment Agency, as the Chair of the Committee rightly said, have not taken into their ownership or care any artefacts that have been discovered through licensed commercial work as part of the planning process since the creation of PPS 6 in 1999. That is an indictment of what is going on in the estate. We are losing, we do not even know what we are losing, and we do not even know the value of what we are losing.

In 2007, a survey of museum collections told us that approximately 1.8 million objects were held in 38 accredited museums here, with approximately 308,000 or 17% being classed as "archaeological". It is thought that there could be as many as five times the number of artefacts in accredited museums in the ownership of private commercial companies, and an unknown amount is most likely stored

outside the jurisdiction. We trail far behind Scotland, England, Wales and the Republic of Ireland. In the Republic, the finder of an object has 96 hours to report the find to the National Museum of Ireland. The policy gives leeway to licence holders to examine their finds, but the 1994 Act states that any find belongs to the state and must be returned to the National Museum of Ireland for ownership.

We must look at the planning law and make it more robust, but we cannot say that it is just the Planning Service that is at fault. There has to be a joined-up approach, which is why we want the Department of the Environment and DCAL to look at this. I agree with most of what the Chair of the Committee for Culture, Arts and Leisure said, but I would go a stage further. I would like a working group to be set up and led by the Environment Minister. All the main players should sit on that working group and compile a report on the way forward for this estate. If we start a blame game about which Department is responsible for what, we will still be debating it this time next year.

While we debate it, the procedures out there continue. We are still losing our heritage and history. We do not even know what we are losing, how much we are losing and where we are losing it to. If we know that so much is held in private collections and that licence holders have all this stuff, it is time that we found out what they have. There is nothing to stop those people selling the artefacts on the open market. They can make a large amount of money from it, but we should hold the artefacts for our people.

The main barrier is Planning Policy Statement 6 or PPS 6, which came out in 1999. It contains 15 operational policies dealing with protection and conservation. Within those policies are BH 1, 2, 3 and 4, which deal with the assessment and evaluation of the remains. PPS 6 makes provision in granting planning consent for a site known to contain remains. It requires developers to identify the impact of the development, which includes, where appropriate, the completion of a licensed excavation and recording of remains before development begins.

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

**Mr McMullan:** It does not include policy relating to the curation of artefacts. Any artefacts that are excavated normally remain legally the property of the landowner unless an alternative

agreement is made between the landowner and the third party.

I support the motion but call on the Minister to contemplate setting up a working group of all the main players to look at the way forward.

**Mr Swann:** Minister, the gap in legislation, policy and guidance has led us to where we are today, with nearly 1.5 million artefacts stored we know not where or in what condition. We do not even know if they are still stored. There is no overall responsibility, which is another example of the dysfunctionality of the joined-up government that we often extol. That is demonstrated today by this topic having to be raised by two Committees and replied to by one Minister on behalf of both Departments. DOE has responsibility at the beginning of the process, but there is no statutory provision for the long-term destination of the artefacts or for them to remain in Northern Ireland, as the CAL Committee was informed.

We should look at the review to enhance the support that the Northern Ireland Museums Council can give. Local authorities have no statutory obligation to provide museums. We are missing out on their ability to not just care for but display the artefacts and make them accessible to the local community from which they originate. I support the Northern Ireland Museums Council in its ongoing discussions with DOE about the need for centralised storage. There could be a facility that matches collections in individuals' possession with the museums' collecting policy.

Has the Minister or his Department, in conjunction with the Minister of Culture, Arts and Leisure and the Minister of Finance and Personnel, looked to the effect that clause 49 of and schedule 14 to the Finance Bill, as introduced to the House of Commons on 10 May, which deals with gifts to the nation and which received legislative consent in the Northern Ireland Assembly after being put forward by the Minister of Culture, Arts and Leisure on 29 May, could have in supporting today's motion? I will refresh the Minister's memory in case he does not remember that legislation. Clause 49 of the Finance Bill states:

*"Schedule 14 contains provision for a person's tax liability to be reduced in return for giving pre-eminent property to the nation."*

Parts 2 and 3 set out an individual's liability for income tax and capital gains tax and a company's corporation tax respectively when making a gift to the nation. The basic rule is that, if an individual or company makes a qualifying gift, a proportion of their tax liability for that year will be treated as satisfied. What is being dealt with in the motion on archaeological objects is similar to that. As opposed to being a gift to the nation, an artefact could be passed to a local museum. The Assembly needs to create the environment for that to happen, and that requires potential legislative change and a review of planning policy, amongst other things. Tax reductions of up to 30% of the value of the item can be claimed by individuals and up to 20% of the value of the item can be claimed by companies. We were talking about companies going into receivership. Being able to offset artefacts against tax could have a considerable outworking in the potential liability of that company and make it more sustainable by donating the artefacts to the regional Assembly.

Minister, plain and simple, we need to look at other legislation that is already out there, should it be the newer policy under PPS 6 or under the DCAL or DFP remit, and to look for finite and infinite legislation that can be brought together to make this a workable opportunity.

#### 6.45 pm

**Mrs D Kelly:** On behalf of the SDLP, I support the motion. I am a fan of Tony Robinson and 'Time Team' and, indeed, the more recent 'Horrible Histories'. A number of programmes give us that sense of identity and a rich cultural heritage. I am at a loss, however, to identify a programme or campaign to celebrate the archaeological artefacts on the island of Ireland, and, therefore, this debate is somewhat timely as an indicator. Minister Attwood will perhaps take that back to his counterparts, particularly the Culture Minister, and say that investment is required for some form of educational or entertainment programme to celebrate that wider heritage.

I will not labour the debate much further, except to ask this: are there any requirements for the curation and storage of the artefacts in the conditions in which they would be required to be retained if they were in a museum?

**Mr Irwin:** I welcome the opportunity to comment in this debate on an important issue for the ancient history of the land that we occupy. The main statistic that I want to focus on is the

staggering fact that, since 1999, 1.47 million archaeological objects remain outside the museum system and instead are stored at a number of locations under the stewardship of commercial archaeological companies. It is not easy to ascertain the condition of the items and the type of storage being utilised given that items are not freely accessible, and it would be difficult and expensive for anyone to visit each and every facility where an item is stored.

The issue has come about as a result of Planning Policy Statement 6, which requires the sensitive treatment of sites by the developer or applicant and the removal of items of significance. However, the main bone of contention, if you will pardon the pun, is the fact that, in PPS 6, there is no requirement for the preservation of items discovered through digs at associated sites in the recognised museums system in Northern Ireland. The result of that anomaly is a backlog in the region of one and a half million items, a lot of which would have been discovered during the boom in construction here. Having an abundance of material not under the stewardship of any museum or government-related organisation effectively closes the door on an important window to the past. Through work undertaken by the Committee for Culture, Arts and Leisure, it is clear that key interest groups canvassed by the Committee are keen to see some solution to the issue to ensure that such artefacts are preserved for the future.

Museums in Northern Ireland are operating at their capacity for display and storage, and that means that there is an immediate issue to resolve to provide the necessary storage. Such an expansive collection should come under the control of our Executive Departments. The main thrust of the motion is to call DCAL and DOE to the start line to officially begin to look at the issue and plan for the preservation of this rich and diverse collection of artefacts.

Holes in the legislation have led to the creation of the problem, and the Committee for Culture, Arts and Leisure has been thorough in its approach, listening to the various stakeholders, who are broadly agreed on the seriousness of the problem. I feel that there is certainly a will among stakeholders to take the issue on. With continued discussion, we can attempt to plug the legislative gaps and safeguard our archaeological heritage. My constituency, Newry and Armagh, is itself rich in archaeological

heritage, as has recently been documented in Ken Neill's book, 'An Archaeological Survey of County Armagh'. That book is an interesting account of county sites, and it really shows the importance of retaining its history. I recommend that Members from County Armagh get a copy.

Given the material that has already been unearthed and documented, we can assume that much more lies beneath the surface. Time is short for us to ensure that future discoveries are treated suitably. I support the motion.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Beidh mé ag labhairt i bhfabhar an rúin inniu. I will speak in favour of the motion. By way of illustration, I will first relate a story.

On a fine spring morning in 1895, Tom Nicholl, a ploughman, was working in a field two miles west of Limavady in the townland of Broighter when he literally struck gold. The coulter of his plough dragged up what subsequently became known as the Broighter hoard, which consisted of a torc, bracelet, chain and the most delicate of gold boats. He subsequently sold it to a dealer from Cork, who sold it on to the British Museum for £600. However, in a 1903 court case, the Broighter hoard was reckoned to be a votive offering, meaning that it had religious or spiritual significance and was of such national importance that it was returned to the National Museum in Dublin. It has now become synonymous with the island of Ireland, and, indeed, it is the second most visited artefact after the Book of Kells. It has also appeared on British coinage and banknotes, and almost half a million people visit it each year. We have it in mind that we will have it returned to Limavady, to our new arts and cultural centre, on temporary loan some time. I have already been in discussion with our counterparts in the South to get it back, as has the Minister of Culture, Arts and Leisure. I tell this story because it shows how easy it is for artefacts to disappear, even those that are of such national significance as the Broighter torc.

The situation today, more than 100 years later, is much more grave. As others said, developer-led archaeology has released 1.47 million artefacts in recent years. Most of them sit in boxes or bags, but exactly where, we simply do not know. We do not know their importance or otherwise, their condition, their significance or their place in history. We are told that some are

soil samples, bone fragments, pottery shards, fabrics, metal workings or part of a whole range of archaeological artefacts. Some have gone abroad; some have been sold; some, we are told, have even been disposed of or dumped. Indeed, an archaeological company tells me that its stores are stuffed with such items. This is an intolerable situation. PPS 6 says clearly:

*“Archaeological remains are a limited, finite and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction. Appropriate management is therefore essential to ensure that they survive in good condition. In particular, care must be taken to ensure that archaeological remains are not needlessly or thoughtlessly damaged or destroyed. They can contain irreplaceable information about our past and the potential for an increase in future knowledge, which, once destroyed, cannot be replaced. They are part of our sense of place and are valuable both for their own sake and for their role in education, leisure and tourism.”*

With that in mind, I urge the Minister of the Environment to look at the issue.

I would like to see a complete audit of the artefacts, an examination by experts of their condition and value, immediate conservation work, if required, and, as my colleague Mr McMullan said, the establishment of a working group to oversee all that. It is a job of some great importance for all our history and heritage, and it has to be carried out by professionals in their field. I know that it may be a cross-departmental task, but the responsibility lies in the first instance with the Department of the Environment. I urge the Minister to take a close look at the issue.

**Mrs Hale:** I welcome the debate thus far and the opportunity to speak on the motion this evening. Like many in the House, I share the same concerns that numerous interesting and valuable artefacts found during archaeological excavations not only are inaccessible to researchers and the public but may be stored in poor conditions, damaged or even lost for ever. Indeed, it is important for the House to ensure that we improve the standards of archaeological collection care in Northern Ireland and establish clear priorities for the development and protection of the collections and the necessary legislation to support that.

It causes me great concern that, since the creation of PPS 6 in 1999, not a single archaeological artefact has been taken into

the care of either the Ulster Museum or the Northern Ireland Environment Agency as a result of archaeological works. It causes me even greater concern that, as has been stated, out of an approximate 1.47 million artefacts being held by commercial companies throughout the UK, we have no record of those items, who has them or where they are stored.

Good guidance and practice in such matters has been published by the Institute for Archaeologists, which states:

*“contracting archaeological organisations are not recognised as suitable permanent repositories for archaeological project archives.”*

The guidance goes further still, stating that such archives should be deposited in properly accredited institutions so that they are accessible and so help to enhance the public benefit from archaeological records. Outdated and weak legislation, blurred responsibility, lack of suitable accredited storage space and poor informative records make it difficult to meet those good guidance principles.

It is not enough merely to acknowledge the problem; we must put in motion an action plan to solve it. First, I call on the Minister of Culture, Arts and Leisure and the Minister of the Environment to collaborate and instruct their Departments to work together and begin a process that identifies the gaps in policy frameworks and legislation, with an outcome that protects and ensures the correct storage of artefacts. Secondly, both Ministers should ensure that an audit takes place in the archaeological companies that currently hold objects from digs in Northern Ireland. An audit of that type may be lengthy and costly, as most of the archaeological material from Northern Ireland is held by companies throughout the United Kingdom. To ensure that it can be done in a timely and cost-effective manner, I argue that the Northern Ireland Environment Agency should work in partnership with our counterparts in that area and become part of the wider comprehensive overview that begins later this year in the United Kingdom. Thirdly, the gaps in PPS 6 and the ability to add specific guidance on long-term curation should be considered, even if no such reference is made in the parent legislation. Finally, additional resources should be secured to help local museums to develop their capacity and ability to store such material. It is notable that a specialised facility



was developed to meet a similar need in the Republic of Ireland, addressing both capacity and long-term curation demands. That would create an opportunity to review the museums' policy on acquisition and disposal and would speed up the process of selecting items for long-term curation.

We should ensure that we not only protect our heritage that lies above the ground but endeavour to do more to protect our history below the ground. The current scenario is not acceptable. I am sure that all Members would agree that more can and should be done to protect and properly preserve our heritage. I support the motion.

**Mr Gardiner:** I welcome the motion and give it my full support, which comes from bitter experience. The village of Waringstown in my constituency of Upper Bann suffered at the hands of a development that led to the destruction of an important archaeological site in the heart of the village. I refer, of course, to the notorious case of the Grange in Waringstown, now labelled as one of the worst cases of historical and archaeological vandalism in recent history. A farmstead dating from the era of St Patrick was wantonly destroyed to make way for a development of modern houses. A barn was demolished and a date stone from the plantation marked 1698 was removed and has now mysteriously gone missing, along with departmental files on the case.

Such multiple missing evidence insults our intelligence. Members will be aware that I eventually extracted an apology from the then permanent secretary for his Department's wanton negligence. Mr Peover accepted that the range of errors found was unprecedented, highly regrettable and appropriate for action at a system level rather than disciplinary action at an individual level. I add that I do not think the system response in today's motion is enough. Until heads roll, the lesson will not be learned.

### 7.00 pm

Not far from the Grange site is another site, a crannog, or island, located in the middle of what is now a bog. Reputed locally to have buried treasures, it is an important site. I call today for a major archaeological survey to be carried out on the whole Waringstown area to determine what other potential sites exist and afford them maximum protection. I call for proper public investment in our local interpretative centre

to present to the local public and tourists the importance of the area in archaeological and historical terms. I support the motion.

**Mrs McKeivitt:** I welcome the opportunity to speak on the motion. To realise the full benefit of planning-led archaeology in Northern Ireland, a review of the current statutory and planning policy provisions is needed. Although many may consider this a timely debate, with discussions around the planning reform Bill and a museums policy currently under way, I say that it is overdue. I was disappointed to discover that, since 1999, no planning-led archaeological objects have been taken into the care of the Ulster Museum or the NIEA. The current legislation states that any archaeological artefacts discovered at a site will belong to the property developer. There is no reference to the care, protection or preservation of the artefacts and no practised policy of passing the object into the care of a government body. The gaps in legislation have led to a situation where there is no overall responsibility for the archaeological excavation process from beginning to end.

The current legal framework is insufficient and does not allow for the passing of archaeological objects obtained through the planning process to museums. The number of objects obtained over the past 20 years that remain outside the museum system is thought to be vast. Although we do not know exactly how many artefacts are in the possession of archaeological groups and property developers, I have heard the figure of 1.47 million mentioned. That is of concern to me. Without accounting for those artefacts, we cannot monitor their movement or ensure that they are protected and cared for. By not taking ownership of what could be important artefacts, we risk losing what could be of great significance when looking at our shared past and heritage. By doing so, our history will remain buried.

Of course, the existence alone of archaeological artefacts is pointless if the public are not aware of them and are unable to access them. We need to request that a survey be undertaken so we can learn what artefacts are held by developers and archaeological groups. We then need to plan what to do about those artefacts. Should they be automatically brought into the care of the museums, or should we make a distinction for those that tell us the most about our heritage? That will involve assessing the volume of storage space currently at the

disposal of Departments and looking at ways to gain further storage space. One idea is to develop a centralised storage unit. We then need to review legislation — PPS 6, as has previously been mentioned — and the licensing system to develop a practice of passing important archaeological artefacts obtained through development-led excavation into the care of our museums so that we can all learn more about our heritage and shared history. It is imperative that we address the gaps in policy and legislation to safeguard our archaeological heritage.

I welcome the fact that it is the Environment Minister who has stepped into the breach to reply to the motion. Clearly, he does not fear being bold, as he has been decisive on road traffic policy and law, the Marine Bill and climate change. Critically, it is the Minister who most asserts the scale and beauty of our natural, built and archaeological heritage, which is at the heart of the quality of our lives and which creates opportunities for jobs. He has also been saying that there is a need for a baseline shift in resources to recognise that and to better protect and develop what we have. That argument, his argument, clearly extends to the content of the motion. Again, I thank the Minister of the Environment for attending this evening.

**Mr G Robinson:** This debate is of significance, as the artefacts mentioned are part of the history of Northern Ireland and its people. Indeed, these artefacts are an integral part of all our people's history.

In 1896, Tom Nicholl, a farmer from Limavady, unearthed what has been described as the greatest gold hoard in Ireland, namely the Broighter hoard. He unearthed it close to Limavady. Sadly, those hugely important artefacts now rest in a foreign jurisdiction just across the border with Northern Ireland. Although it is welcomed that the Broighter hoard is preserved for posterity, there is no reason why this important find could not be in a protected environment in Northern Ireland, its ancestral home, and, preferably, in our new civic centre in Limavady. To ensure that such valuable pieces of our history are not lost in the future, it is important that the protection of such artefacts is enabled by the Culture and Environment Ministers. It is also essential that items can be placed in a historical position. That can be done only if such items are fully evaluated over time.

Therefore, as the motion says, it is important to ensure:

*“the long-term curation and storage of such items”.*

As Northern Ireland is so conscious of history, it is important that artefacts are treated as the precious and historical items that they are. I therefore ask the two Ministers to give urgent consideration to the motion and to ensure that there is a proactive response to the debate.

**Mr Attwood (The Minister of the Environment):**

I thank you, Mr Principal Deputy Speaker, and everyone who contributed to the debate. I welcome the debate; it is very timely. I think it is very timely for the reasons touched upon by Mrs McKeivitt in her speech. I am currently writing a paper for the Executive, and that paper makes the core argument that there needs to be a strategic shift in resources, the scale of our policy, and the ambition of our law when it comes to our built, natural, archaeological and Christian heritage. Why do I say that? A few weeks ago, I was down in Armagh planetarium; in fact, one or two people here might have been present that day. Being from the democratic nationalist tradition, I do not know what the form is when it comes to introducing a member of the British royal family, but when I was introducing that member of the family, I concluded my remarks by saying —

**Mr Swann:** Will the Minister give way?

**Mr Attwood:** Yes.

**Mr Swann:** Do you mean the Queen?

**Mr Attwood:** No, I mean her eldest son. As I was introducing Prince Charles, I concluded my remarks by saying that, in my view, the scale, wonder and beauty of our built, natural, archaeological and Christian heritage are unsurpassed in this part of this island or in any part of these islands. I turned to Prince Charles and asked him if he agreed, and I left the podium. He did not answer the question initially, but, to be fair to him, he came back to it in his concluding remarks, when he turned to me and said, “To answer the Minister’s question, yes, I agree.”

The point of that story, and the political point behind it, is that the scale, wonder and beauty of our built, natural, archaeological and Christian heritage are a big part of the quality and character of our lives and a huge part of economic opportunity going forward. Last week,

the first baseline study of the economic value of our historical environment was published. In my view, the figures are outdated already, but the study revealed that there is a huge annual jobs boost and income stream coming from our built, natural, archaeological and historical environment. Our tourism policy hopes to grow the sector over the next number of years from an industry that is worth half a billion pounds a year now to one that is worth £1 billion a year. The built, natural and archaeological environment is at the heart of that. Six of the top 10 visitor attractions in the North are part of the built and natural heritage.

The point in all that is that, on the one hand, it represents the scale of what we have and of what is part of the quality of our lives, and it also represents the scale of what we can achieve through the protection of those assets. On the other hand, it represents positive development for economic benefit, especially at a time of recession when tourism will be at the heart of economic growth. If all that is the case, it leads to the conclusion that we need a strategic shift in government, where resources, the ambition of our law and the character of our policies are concerned. In my view, that is what the debate captures. Although I do not dispute any of the facts, figures or narrative that have been outlined this afternoon, the debate is saying that we need more so that we can protect and positively promote the archaeological heritage of this part of the world through the museums. The situation is similar for the natural, built and Christian heritage. Unless our Government recognise that that is the core argument, and unless they translate the argument into money, resources, law and policy, we will not live up to the purpose of the motion. That is why I am writing a paper to my Executive colleagues calling for a strategic shift. I mean a strategic shift, not a little bit of money being made available in monitoring rounds. That is important, especially as Derry/Londonderry did not get any money for the built heritage and built environment proposals that I put forward in the monitoring round. The strategic shift is more ambitious than that. After all the lost hopes and lost opportunities, never mind the lost lives of the past 40 or 50 years, the issue is about recognising that this is the moment in which we can recover a lot of that, albeit not the lost lives. We need a strategic shift to allow us to do that.

If the motion is to mean anything, the Committees that sponsored it and the Members

who spoke to it should support that policy and approach when I bring it to the Executive table. Otherwise, these are more meaningless words, and we will fail to achieve what we need to when it comes to, on the one hand, protecting our heritage and, on the other, growing jobs. That means that some very hard decisions will have to be made in difficult economic circumstances that will become more difficult when the London Government announce their next phase of baseline cuts to the Northern Ireland Budget and that of the other devolved regimes. If we do not support that policy and approach, Michelle McIlveen's words about the Northern Ireland heritage being at risk will continue to be true. In my view, that is the purpose of the motion, and its timeliness is demonstrated, because it gives expression to all that.

I am not one of those Ministers who says, "There will be free beer tomorrow" or "We can get this matter sorted in the future." I believe that we have a responsibility and obligation to try to get it sorted in the context of the current situation and with the funding that we have now. I intend to respond as best I can to the issues that were raised in the debate.

In my view, and as Mr McMullan suggested, it is not giving the complete picture to say that this matter falls to the Department of the Environment (DOE) in the first instance. According to the Business Office, the matter fell to the Minister of Culture, Arts and Leisure in the first instance. After she expressed some reticence about leading the response, I said that I would do it. In doing so, however, I will say that the Department for Regional Development (DRD) has a responsibility for the matter because it builds all the roads, and a lot of archaeological artefacts are discovered around those roads and then stored in whatever location. DOE gives licences for archaeological digs and gets reports back shortly thereafter saying that we have a responsibility to take these matters forward in the first instance. The Department for Social Development (DSD) has a responsibility, because it deals with newbuilds through the housing associations. A lot of the archaeological and heritage issues arise around those newbuilds. The matter is also the Department of Culture, Arts and Leisure's (DCAL) responsibility, because we need to have processes that deal with the storage, recording, presentation and protection of what we have excavated. So I do not agree with this notion that, in the first instance, it falls to DOE. In the first instance,

it falls to all Departments, and I welcome the opportunity to respond on behalf of them. I will take forward what I think I can do within, or even by stretching, my competence.

### 7.15 pm

**Mr McMullan:** I thank the Minister for giving way. Does he agree that what I was putting forward was that the onus is not on his Department solely? I made that very clear. I said that the way forward was to form a working group with all the main players and for you to possibly lead that. I agree with what you are saying.

**Mr Attwood:** I welcome that clarification. I will move on. What did the Historic Monuments Council recommend earlier this year? Really, these are minimum interventions; they do not capture the full scale of what we should be doing. It said that there should be a comprehensive inventory and a baseline survey. What is happening — not what might happen — is that DOE and NIEA are piggybacking on the English Heritage ongoing survey of what is being held by private archaeological companies after licences were given for development work. We have now joined that intervention to scope out what private archaeological companies might be holding. It will be a quantitative assessment only — how much do they have and where do they have it — as opposed to a qualitative assessment, looking at the real heritage value of artefacts and whether they need to be retained, stored, presented and assessed. On the far side of that survey, which is basically asking how many square metres of stuff they have in some shed, building or other accommodation, we need to assess whether we should go further and do a qualitative assessment of what we have in the North.

Besides that, I will be calling in the archaeological companies, because they get money from developers to do archaeological work. It seems to me that some deploy better practice than others. I stand to be corrected on that after calling in all the archaeological companies. They get money to do a dig, and although some store materials in proper accommodation, others may not be living up to that standard. If companies are involved in this business on behalf of developers, they have to deploy best practice. As with other development issues, if they are not deploying best practice, spending their money properly, or archiving and storing the materials they dig up, they will

have to answer questions from me. There are four main companies in the North. As other Members indicated, there are other companies in Britain and the Republic of Ireland. There are issues with moving across boundaries and all of that. When I call them in, I will say, “I give you the licence. This is how you are going to live up to it.”

If the licence is not adequate for the purposes for which it is created in respect of what happens after a dig, I will look to guidance to beef up the licence. We have done that in other areas. Following the Public Accounts Committee hearing last October, I issued guidance to better protect life science developments from applications coming in, especially those from dirty business such as waste products. That is an example of how you can move to protect the economy, especially life sciences, which are a key element for the growth of our economy, from a plant that might compromise an industrial site. If needs be, I will issue further guidance.

The Historic Monuments Council’s second recommendation was to implement the museums policy action plan 2011. I agree with that, but I think that the museums have to step up to the mark more fully. In her briefing to me for this debate, the Minister of Culture, Arts and Leisure stated:

*“I am content that the museums policy, which was launched last year, provides the necessary framework to support the museums sector in developing sustainable institutions. Museums safeguard and explain our culture and heritage while delivering community and educational resources, and visitor attractions. National museums are not, in my view, intended or resourced to be long-term repositories or archives of material mainly of academic interest.”*

I note what she says, but I do not think we should be closing down opportunities. We should be looking to solve problems, and maybe there is a way for museums to become more fully involved in the long-term repository or archiving of material mainly of academic interest.

I will explore that with the Minister and with all the other Ministers, who I will convene, and I will ask what we can do to answer the third question raised by the Historic Monuments Council, namely, the need to clarify who does what in licensing, planning, storage, archiving and access. I agree with that. It will not be a working group. My preferred model is not to convene

in-house officials and Ministers to discuss the issue of the day. It is to convene summits; to bring into the room external best practice and challenging voices, including those from outside this jurisdiction. The point was rightly made that the Republic of Ireland has a model, whereby there is a state archive, which gathers together in one place the museums sector and the National Monuments Service when it comes to managing archaeological artefacts.

So, I will convene a summit that brings into the room the best practice from the Republic and elsewhere in Britain, and people outside the system of government who can challenge the system to make things better. There are issues around law that we will have to look at in the longer term. However, in the shorter term, we can toughen up licences while we deal with the issue of ownership and do something about the proper issue that was named, the gap around the obligation of receivers to notify government about their intentions in respect of artefacts. Those are some of the issues that have to be addressed.

I welcome the debate because, on the one hand, it puts a spotlight on an important issue, and, on the other, it highlights a deeper strategic political issue: are we for real when it comes to protecting our built natural archaeological Christian heritage? It gives a quality to our lives and a quality to our communities and citizens, and there are jobs and economic opportunities on the far side of that. If we face up to that issue, we will be facing up to the challenge of this debate.

**Ms Lo (The Chairperson of the Committee for the Environment):** It is clear from the debate this evening that this issue is of great interest. I thank all those who participated.

Just before I summarise the contributions that we have heard, I would like to add the concerns of the Environment Committee relating to the Department's responsibility for the protection of archaeological artefacts. The issue was first raised with the Environment Committee back in September 2011, when the Northern Ireland Archaeology Forum attended a stakeholder event run by the Committee. It told members that archaeological excavations tend to be seen by developers as a hindrance and that they can lead to areas of undeveloped wasteland where no development is permitted in the short term in order to accommodate excavation.

That is not a satisfactory outcome for anyone concerned, and the forum was keen to see incentives for developers to take archaeological finds more seriously and recognise their economic and social benefits. The Committee felt that incentives might be possible through an approach similar to that taken in draft PPS 23, 'Enabling Development', but it also recognised that PPS 6, 'Planning, Archaeology and the Built Heritage', needed to be reviewed and strengthened.

In response to that suggestion, the Department advised that it had no current plans to revise PPS 6. Instead, it said that the Minister of the Environment was looking to undertake a comprehensive and fundamental review of planning policy in order to produce a single, regional planning policy statement that would result in a more strategic, simpler and shorter statement of planning policy. That being the case, I urge the Minister of the Environment to ensure that, in doing it, he take on board the issues that have been discussed and fill the gaps in the policy frameworks and legislation from the planning perspective that are contributing to some of our most valuable historic assets being lost or destroyed.

I will now refer to Members' contributions. In opening, Michelle McIlveen drew attention to the fact that both the Ulster Museum and the NIEA have confirmed that they have not taken into their care any archaeological objects produced through commercial work since the formulation of PPS 6 over 12 years ago. Oliver McMullan welcomed the motion and said that current legislation is disjointed, with no accountability. He would like to see a working group established to address the problem, with all the main players represented on it. Robin Swann said that DOE has responsibility at the start of the process but that there is no statutory obligation for the long-term storage requirements. He also reminded the Minister of the Finance Bill dealing with gifts to the nation and suggested that tax reductions can offset donations of artefacts.

Dolores Kelly claimed that she is a fan of Tony Robinson's TV programmes. She also, of course, supported the motion. She stated that there is a need to celebrate the rich heritage of the island but was unsure of the implications of long-term curation of artefacts. William Irwin supported the motion. He said that current arrangements are leading to the loss of many

artefacts to future society. He said that there is a need to plan for the preservation of the rich heritage of artefacts.

Cathal Ó hOisín — did I say it right? I apologise for that. He said that it is very easy for artefacts to disappear; for example — sorry, I am not good at pronouncing this — the Broighter hoard. He would like to see a complete audit of artefacts and the establishment of a working group to oversee it. He said that the first responsibility lies with DOE. Brenda Hale stated that there is a need to ensure improved care for archaeological artefacts. She said that archives should be placed in proper institutions. She said that finds cannot just be acknowledged and then forgotten. The issue needs to be solved, and DOE and DCAL need to work together. NIEA should work with its counterparts to find solutions. An audit that links in with the rest of the UK is needed. DCAL should reveal museums' acquisition and disposal policy as is required.

Sam Gardiner welcomed and supported the motion. He called for a major archaeological survey of the Waringstown area. The Committee has heard about the issues over a number of weeks. Karen McKeivitt said that there are gaps in legislation that are leaving us at risk of losing our history. There is a need to request that a survey be undertaken, and a decision must then be made about what to do with all the artefacts, including finding and maybe centralising storage space for them. George Robinson supports the motion and asked the Minister to ensure that there is a proactive response to this debate.

The Minister said that there needs to be a strategic shift in law around built heritage. He talked about the huge economic potential of our natural and archaeological heritage, and he said that resources, policies and laws are needed to first protect and then promote. He is writing a paper to Executive colleagues and has asked for the support of members of the Environment and Culture, Arts and Leisure Committees to get this strategic shift. He said that there is also a need to sort it out within the available resources and that there is a need to recognise responsibilities, as it is not just up to DOE; it is up to DCAL, the Department of Agriculture and Rural Development and DSD, too. It is not just up to DOE in the first instance, but the Minister said that he will take the issue forward with ministerial colleagues.

The Minister also said that there is a need for a more basic assessment of how many artefacts there are as well as where they are. There is a need for a qualitative assessment as well as a quantitative assessment. The Minister said he will be calling on those archaeological companies, as some may not be applying best practice, and that we should be trying to solve problems, not close down opportunities.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes that there are gaps in the policy frameworks and legislation relating to the excavation of archaeological artefacts from planning-led developments, particularly in relation to the long-term curation and storage of such items; and calls on the Minister of Culture, Arts and Leisure and the Minister of the Environment to address these issues, which straddle their Departments, and to gain a greater understanding of the material that has been excavated to date.*

## Private Members' Business

### **Civil Service (Special Advisers) Bill: First Stage**

**Mr Allister:** I beg to move the Civil Service (Special Advisers) Bill [12/11-15], which is a Bill to amend the law on special advisers in the Northern Ireland Civil Service.

*Bill passed First Stage and ordered to be printed.*

*Adjourned at 7.33 pm.*





# Written Ministerial Statement

**The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.**

## Social Development

### **Concordat between the Voluntary and Community Sector and the Northern Ireland Government: Annual Report 2012**

*Published at 3.00 pm  
on Friday 29 June, 2012*

**Mr McCausland (The Minister for Social Development):** As you are aware, the Concordat between the Voluntary and Community Sector and the Northern Ireland Government included an undertaking to report annually to the Northern Ireland Executive and Assembly on issues impacting on the Sector. In accordance with the principles contained within the Concordat, I wish to present Assembly colleagues with the first report on the implementation of the Concordat. This report includes detail on issues impacting the Voluntary and Community Sector, the progress made against selected commitments contained within the Concordat and progress made against recommendations made by the Public Accounts Committee in their report 'Creating Effective Partnerships between Government and the Voluntary and Community Sector'.

The Concordat is the agreed structure of engagement between Government and the Voluntary and Community Sector. It sets out their shared vision and contains the agreed values and principles that underpin this partnership. The infrastructure established for managing this engagement, the Joint Government/Voluntary and Community Sector Forum (Joint Forum), is responsible for overseeing implementation of and reporting on progress on the list of commitments set out within the Concordat. I have received the first report, which I am now bringing to the attention of Executive and Assembly colleagues.

The report, which covers the first six months of operation of the Concordat, details the issues impacting upon the Voluntary and Community Sector, progress made against the first set of commitments selected for action, and progress on relevant recommendations from the Public Accounts Committee report of January 2012.

Progress over the last six months has been substantial and I have been impressed by the commitment of representatives from the Public Sector and from the Voluntary and Community Sector to collaborative and partnership working on issues that have not proven easy to resolve. A great deal of energy and thought has gone into the design of structures and arrangements for working together to provide the roadmap for future action and bring effective and efficient results in the coming years.

Complex issues, such as bureaucracy, cocktail funding, and the need for partnership input into policy-making and the necessity for an outcomes approach to funding are all being addressed by a number of separate Concordat Action Teams and I look forward to future reports on all of these important issues.

The attached report shows progress made towards addressing these issues in a manner which has been robust, accountable and transparent. Significant progress has already been made against a number of Concordat commitments and this will continue over the coming year. New and refreshed structures of engagement, together with commitment from the highest levels of the Public Sector and the Voluntary and Community Sector, are helping to make a valuable contribution to people-centred public services and the development of a better civil society.

I am very pleased to commend this report to my Executive and Assembly colleagues and to endorse the progress made over the past six

months. The implementation of the Concordat commitments and the identification and resolution of issues affecting the Voluntary and Community Sector can only assist Government and Voluntary and Community Sector partnership working, which aims to better serve the people of Northern Ireland.

A copy of the report has been published on the DSD website and can be accessed from [http://www.dsdni.gov.uk/index/voluntary\\_and\\_community/vc-publications.htm](http://www.dsdni.gov.uk/index/voluntary_and_community/vc-publications.htm)

## Enterprise, Trade and Investment

### Framework 7: EU Programme for Research and Innovation

*Published at 2:00 pm  
on Monday 2 July, 2012*

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The recently published Northern Ireland Economic Strategy places Innovation, Research and Development as its top priority. Innovation is central to rebalancing Northern Ireland's economy into one which is export led and knowledge based.

Today I would like to bring to Members attention the forthcoming opportunities from the EU Seventh Framework Programme (FP7).

Increased engagement with Europe is central to Northern Ireland's economic growth. The European Commission is now placing a greater emphasis on the commercialisation of research, innovation activities and improving the competitiveness of Small and Medium Sized Enterprises (SME's). This fully aligns with the Executives economic priorities. Our Economic Strategy, in line with Europe's emphasis on Smart Specialisation, recognises the importance of targeting resources and research on key niche areas where we can compete on an EU and global level.

On the 7<sup>th</sup> June the European Commissioner for Research, Innovation and Science, Máire Geoghegan-Quinn accepted my invitation to visit Northern Ireland. On her visit she undertook a number of engagements. She was keynote speaker at a FP7 conference organised by Intertradelreland and the NI European Commission office entitled "Collaborate to

Innovate" and she met with the Executive Sub-Committee on the Economy as well as the First and Deputy First Ministers. She continually stressed the importance of European competitive funding opportunities which exist for Research and Innovation under FP7. She made particular reference to the implications of the forthcoming July call which is the final and biggest call for Framework Programme Seven (FP7). Nearly €9 billion will be made available for research and innovation across Europe as an investment in competitiveness and Europe's prospects for growth and jobs.

I would like to outline to Members the relevance of the July funding call from FP7 and its importance for Northern Ireland's prospects for future growth and jobs.

Northern Ireland needs to target and prioritise research to focus on key markets which have the highest possible long term economic and societal impact. FP7 provides an important opportunity to do this.

When it was launched, FP7 was the largest research funding programme in the world with a budget of over €50 billion for the term 2007-2013. It is important to note that it is a competitive programme with average success rates of 20%. Unlike structural funds, Member States are not allocated any specific budget. To secure funding, applicants must collaborate across member states, demonstrate excellence in their field as well as a commitment to Research, Development and Innovation.

Collaboration is vital to build international competitiveness and building a knowledge based economy. It makes sense for a small region such as Northern Ireland to share knowledge and expertise and that is why I am working closely with my Ministerial Colleagues to support business and academic research collaborations across regional and national boundaries.

With support from the Executive and our Northern Ireland businesses, academia and research organisations, recent data from the European Commission shows we will have secured over €43.8 million from FP7 by the end of February 2012. That is €43.8 million Euro of additional funding coming into Northern Ireland.

The July call for projects will cover a range of themes from Health to ICT to Energy to Transport and will have a total budget of nearly €9 billion.

I have attached in Appendix A the anticipated breakdown of the key themes in the July call.

It is vitally important that we seize this opportunity to take advantage of our research excellence and continue to focus on this July call for FP7 funding.

To support applications for FP7 funding my Department has been working with other Departments and stakeholders to enhance the level of support that companies and research organisations can avail of in the forthcoming calls.

Indeed both I, Commissioner Geoghegan-Quinn and Lucinda Creighton, Minister of State for European Affairs in the Republic of Ireland spoke at the “Collaborate to Innovate” conference, the specific theme of which was the opportunities for SME’s in the forthcoming July Call.

As part of this, Invest NI and Intertradelreland have been involved in a number of awareness raising events to alert organisations on the importance of these funding opportunities

Invest NI has actively supported the participation of researchers in Framework Programmes for a number of years through its Collaborative R&D Support Service and the Enterprise Europe Network. An independent review of Scotland Europa European Union R&D Funding Service concluded that “In contrast to the situation in England where there is not a consistent provision of FP7 support at regional level; it was felt that Scotland Europa and its counterparts in Wales and Northern Ireland are effectively punching above their weight as a result of their dedicated service delivery”.

As well as providing, direct advice and guidance on the individual work programmes, of which there are many, and almost £110K of financial support for the preparation of applications, Invest NI’s Collaborative R&D Support Service has developed a mutually beneficial relationship with theme-specific National Contact Points in both the United Kingdom and the Republic of Ireland. This has enabled the team to provide early intelligence on funding calls, host awareness raising events, provide assistance to find suitable partners and a review of project proposals before submission.

For example, based on an opportunity presented to QUB’s ECIT by the Collaborative R&D Support Service, a team from the ECIT became the first research group from Northern Ireland to

co-ordinate and win an FP7 security proposal. The addition of a local firm, Capna DSP in the consortium further highlights our strengths in Northern Ireland and indeed the ECIT Institute environment for international security research and development. Analysis indicates that Northern Ireland is estimated to have won 0.98pc or €2,240,367 of the European Commission’s total security R&D expenditure. If Northern Ireland were a country then on a cash-per-capita basis it would be third among the EC-27, behind Luxembourg and Belgium.

We have also received more good news in that a Regions of Knowledge Digital Agenda project including Momentum, CSIT and Invest NI with partners in Republic of Ireland, France, Germany, Spain, Slovenia and Cyprus was ranked 10<sup>th</sup> out of 119 submissions – 4 times more submissions than in 2011.

Furthermore, the Invest INI Brussels Office has been active in representing the interests of NI at EU level providing Collaborative R&D support, a strategic link between Northern Ireland and European Union and Access to European Union institutions. This has resulted in key engagements with EU officials on Smart Specialisation and Northern Ireland recently submitting a proposal to become a reference site under the European Innovation Partnership, also known as EIP, in Active and Healthy Aging complementing the Connected Health and Prosperity Memorandum of Understanding Between The Department of Health, Social Services and Public Safety, and Invest Northern Ireland.

Intertradelreland is also active in encouraging participation in FP7 by initiatives such as focussed awareness raising events, provision of funding support for travel, assistance with the identification of partners, increased engagement with United Kingdom and Republic of Ireland National Contact Point representatives, promotion of North – South collaboration and Improving links with Higher and Further Education and SME’s.

Research undertaken by Intertradelreland has concluded that FP7 applications from collaborations between Northern Ireland and Republic of Ireland have a greater success rate than those which collaborate elsewhere. There is significant potential for increased collaboration between our businesses and research institutions and those in the Republic of Ireland.

InterTradeIreland remain committed to developing the collaborations in order to maximise our chances of success.

In respect of the July calls I would encourage Members to alert companies in your constituencies who may be interested in the Framework funding to make contact with Invest NI R&D Collaborative Service Team. Details of which are attached in Appendix B.

The July calls are also important because they are expected to align closely with the new European funding programme for the period 2014-2020 entitled Horizon 2020.

Horizon 2020 will have an estimated budget of €80 billion for Collaboration, innovation and research. This €80 billion is evidence of the importance on Innovation and research in European Economy and effectively mirrors Northern Ireland's economic priorities.

On her visit, Commissioner Geoghegan-Quinn stressed the relevance of Horizon 2020 to Northern Ireland and highlighted the new opportunities available for SME's and research organisations.

Horizon 2020 is aiming for simplification, with a single set of rules, less paperwork and faster funding which is designed to enable greater participation with particular emphases on participation and support for SME's.

In January 2014 the Horizon 2020 funding programme will be launched and implemented through three priorities; Excellence in Science, Supporting business research and innovation (with a focus on SME's) and Tackling societal challenges.

The societal challenges priority will address issues on Health and well being, Agri-food, Sustainable transport, Climate change, Secure societies, Social innovation and creativity and Innovation in smart digital public services.

Horizon 2020 priorities will also focus on innovation-related activities, such as; Pilot programmes, public procurement, again with a focus to increase SME participation.

As a small region with an SME dominated economy, Northern Ireland is ideally positioned to avail of these Horizon 2020 opportunities.

To support companies and research institutions to avail of these opportunities my Department recently completed a review of existing

supporting mechanisms. That review made 18 recommendations which are in the process of being implemented.

One of the recommendations is the appointment of "Thematic Leads". The "Thematic Leads" focus on key research areas where Northern Ireland has greatest potential to secure additional EU funding and will work closely with Invest NI and Intertrade Ireland to ensure that there is more pro active support to ensure our local industry, particularly SMEs are able to engage in Horizon 2020. I hope to be in a position to make an announcement for the funding of "thematic leads" in the coming weeks.

In addition, my department will shortly be appointing a "Horizon 2020 manager" for Northern Ireland. This appointment will ensure there is greater coordination across the public and private sector in relation to Horizon 2020.

To conclude, in Northern Ireland we need our researchers, in government, academia and companies of all sizes to make full use of opportunities that are available under FP7 and Horizon 2020. Increasing partnerships across Europe and further afield is vitally important, which is why the EU Framework Programme and its successor Horizon 2020, can play an important role in helping us grow our economy.

Our Economic Strategy recognises the importance of targeting resources and research on areas where we have the best opportunities to be leaders on the European or even world stage. Collaboration is vital if we are to strive towards international competitiveness and building knowledge based economy. It makes sense for such a small region as ours to share knowledge and expertise, which is why I am working closely with my Ministerial colleagues to support business and academic collaboration across regional and national boundaries and increased efforts in increasing the drawdown of FP7 and Horizon 2020 funding.

**APPENDIX A: BREAKDOWN OF FP7 DATA BY THEME – TOP 5 UNDERLINED AND IN BOLD**

Source: EC, FP7 Project and Participants database, version 10.0, released 28 February 2012	N. Ireland (UKN)	
	Participations	EC requested financial contribution, €
SP1 - Cooperation		
<b>1. Health</b>	<b>18</b>	<b>6,778,669</b>
<b>2. FAFB - Food, Agriculture and Fisheries, and Biotechnology</b>	<b>15</b>	<b>4,275,676</b>
<b>3. ICT - Information &amp; Communication Technologies</b>	<b>25</b>	<b>7,014,887</b>
4. NMP - Nanosciences, Nanotechnologies, Materials and New Production Technologies	7	1,741,153
5. Energy	3	625,958
6. Environment (including Climate Change)	5	781,387
7. Transport (including Aeronautics)	10	3,304,599
8. SSH - Socio-economic Sciences & Humanities	4	1,005,591
9. Space	2	464,027
10. Security	10	2,502,329
General Activities		
SP2 - IDEAS		
<b>European Research Council</b>	<b>3</b>	<b>4,417,968</b>
SP3 - PEOPLE		
<b>Marie-Curie Actions</b>	<b>24</b>	<b>7,262,955</b>
SP 4 - Capacities		
Research infrastructures	8	1,633,043
Research for the benefit of SMEs	17	1,448,371
Regions of knowledge		
Research potential		
Science in society	1	89,736
Coherent development of research policies		
International Cooperation		
Euratom	3	507,750
<b>Total</b>	<b>155</b>	<b>43,854,100</b>

## **Appendix B**

### **Invest NI Collaborative R&D Support Service Collaboration Executives – Northern Ireland**

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