



Northern Ireland  
Assembly

# OFFICIAL REPORT (Hansard) and JOURNAL OF PROCEEDINGS

Volume 67

(3 October 2011 to 23 October 2011)



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# Assembly Members

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Allister, Jim (North Antrim)  
Anderson, Ms Martina (Foyle)  
Anderson, Sydney (Upper Bann)  
Attwood, Alex (West Belfast)  
Beggs, Roy (East Antrim)  
Bell, Jonathan (Strangford)  
Boylan, Cathal (Newry and Armagh)  
Boyle, Ms Michaela (West Tyrone)  
Bradley, Dominic (Newry and Armagh)  
Bradley, Ms Paula (North Belfast)  
Brady, Mickey (Newry and Armagh)  
Buchanan, Thomas (West Tyrone)  
Byrne, Joe (West Tyrone)  
Campbell, Gregory (East Londonderry)  
Clarke, Trevor (South Antrim)  
Clarke, Willie (South Down)  
Cochrane, Mrs Judith (East Belfast)  
Copeland, Michael (East Belfast)  
Craig, Jonathan (Lagan Valley)  
Cree, Leslie (North Down)  
Dallat, John (East Londonderry)  
Dickson, Stewart (East Antrim)  
Dobson, Mrs Jo-Anne (Upper Bann)  
Doherty, Pat (West Tyrone)  
Douglas, Sammy (East Belfast)  
Dunne, Gordon (North Down)  
Durkan, Mark H (Foyle)  
Easton, Alex (North Down)  
Eastwood, Colum (Foyle)  
Elliott, Tom (Fermanagh and South Tyrone)  
Farry, Dr Stephen (North Down)  
Flanagan, Phil (Fermanagh and South Tyrone)  
Ford, David (South Antrim)  
Foster, Mrs Arlene (Fermanagh and South Tyrone)  
Frew, Paul (North Antrim)  
Gardiner, Samuel (Upper Bann)  
Gildernew, Ms Michelle (Fermanagh and South Tyrone)  
Girvan, Paul (South Antrim)  
Givan, Paul (Lagan Valley)  
Hale, Mrs Brenda (Lagan Valley)  
Hamilton, Simon (Strangford)  
Hay, William (Speaker)  
Hilditch, David (East Antrim)  
Humphrey, William (North Belfast)  
Hussey, Ross (West Tyrone)  
Irwin, William (Newry and Armagh)  
Kelly, Mrs Dolores (Upper Bann)  
Kelly, Gerry (North Belfast)  
Kennedy, Danny (Newry and Armagh)  
Kinahan, Danny (South Antrim)  
Lewis, Ms Pam (South Antrim)  
Lo, Ms Anna (South Belfast)  
Lunn, Trevor (Lagan Valley)  
Lynch, Seán (Fermanagh and South Tyrone)  
Lyttle, Chris (East Belfast)  
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McCann, Fra (West Belfast)  
McCann, Ms Jennifer (West Belfast)  
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McCartney, Raymond (Foyle)  
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McClarty, David (East Londonderry)  
McCrea, Basil (Lagan Valley)  
McCrea, Ian (Mid Ulster)  
McDevitt, Conall (South Belfast)  
McDonnell, Dr Alasdair (South Belfast)  
McElduff, Barry (West Tyrone)  
McGimpsey, Michael (South Belfast)  
McGlone, Patsy (Mid Ulster)  
McGuinness, Martin (Mid Ulster)  
McIlveen, David (North Antrim)  
McIlveen, Miss Michelle (Strangford)  
McKay, Daithí (North Antrim)  
McKevitt, Mrs Karen (South Down)  
McLaughlin, Mitchel (South Antrim)  
McMullan, Oliver (East Antrim)  
McNarry, David (Strangford)  
McQuillan, Adrian (East Londonderry)  
Maginness, Alban (North Belfast)  
Maskey, Alex (South Belfast)  
Maskey, Paul (West Belfast)  
Molloy, Francie (Mid Ulster)  
Morrow, The Lord (Fermanagh and South Tyrone)  
Moutray, Stephen (Upper Bann)  
Murphy, Conor (Newry and Armagh)  
Nesbitt, Mike (Strangford)  
Newton, Robin (East Belfast)  
Ní Chuilín, Ms Carál (North Belfast)  
Ó hOisín, Cathal (East Londonderry)  
O'Dowd, John (Upper Bann)  
O'Neill, Mrs Michelle (Mid Ulster)  
Overend, Mrs Sandra (Mid Ulster)  
Poots, Edwin (Lagan Valley)  
Ramsey, Pat (Foyle)  
Ramsey, Ms Sue (West Belfast)  
Ritchie, Ms Margaret (South Down)  
Robinson, George (East Londonderry)  
Robinson, Peter (East Belfast)  
Ross, Alastair (East Antrim)  
Ruane, Ms Caitríona (South Down)  
Sheehan, Pat (West Belfast)  
Spratt, Jimmy (South Belfast)  
Storey, Mervyn (North Antrim)  
Swann, Robin (North Antrim)  
Weir, Peter (North Down)  
Wells, Jim (South Down)  
Wilson, Sammy (East Antrim)

# Principal Officers and Officials of the Assembly

Speaker.....	Mr William Hay MLA
Principal Deputy Speaker .....	Mr Francie Molloy MLA
Deputy Speakers.....	Mr Roy Beggs MLA Mr John Dallat MLA
Clerk to the Assembly/Director-General.....	Mr Trevor Reaney
Director of Clerking and Reporting .....	Mr John Stewart
Director of Corporate Services.....	Mr Richard Stewart
Director of Facilities/Keeper of the House.....	Mr Stephen Welch
Director of Information and Outreach .....	Dr Gareth McGrath
Director of Legal and Governance Services.....	Mr Hugh Widdis
Examiner of Statutory Rules .....	Mr Gordon Nabney
Adviser to the Speaker.....	Mr Robin Ramsey
Clerk Assistants.....	Ms Nuala Dunwoody Mr Damien Martin
Editor of Debates .....	Mr Simon Burrowes
Clerk to the Assembly Commission.....	Mr Tony Logue



# Ministerial Offices

## The Executive Committee

First Minister .....	Mr Peter Robinson
Acting deputy First Minister .....	Mr John O'Dowd
Minister for Employment and Learning .....	Dr Stephen Farry
Minister for Regional Development .....	Mr Danny Kennedy
Minister for Social Development .....	Mr Nelson McCausland
Minister of Agriculture and Rural Development.....	Mrs Michelle O'Neill
Minister of Culture, Arts and Leisure.....	Ms Carál Ní Chuilín
Minister of Education.....	Mr John O'Dowd
Minister of Enterprise, Trade and Investment.....	Mrs Arlene Foster
Minister of Finance and Personnel.....	Mr Sammy Wilson
Minister of Health, Social Services and Public Safety.....	Mr Edwin Poots
Minister of Justice.....	Mr David Ford
Minister of the Environment .....	Mr Alex Attwood

## Junior Ministers

Office of the First Minister and deputy First Minister .....	Ms Martina Anderson
	Mr Jonathan Bell



# Assembly Sittings



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# Northern Ireland Assembly

Monday 3 October 2011

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

*Members observed two minutes' silence.*

## Assembly Business

### Point of Order

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

**Mr Speaker:** I will take the point of order, but I want to deal with one issue first.

## Assembly Business

### Ms Norma Coulter

**Mr Speaker:** Before we begin today's business, I am sure that we are all aware of the sad and untimely death of Norma Coulter last Thursday. On behalf of the entire Assembly and the Secretariat, I wish to extend my deepest condolences to Norma's family circle and to her colleagues in the Ulster Unionist Party. Norma was an especially valued member of the Parliament Buildings family. Her ready smile and willingness to contribute to the work of the Assembly will be sadly missed by all who knew her. Our thoughts and prayers are with her entire family at this very sad time. I intend to call the Minister for Regional Development, Mr Danny Kennedy, to say a few words on behalf of the Ulster Unionist Party, before we move to today's business. It is useful that Mr Kennedy be heard in the Chamber this afternoon.

**Mr Kennedy:** I am extremely grateful to you, Mr Speaker, for raising the issue on behalf of the Ulster Unionist Assembly Party and my party leader, who is unavoidably absent today. I wish to reply formally to your kind and very gracious comments.

The Ulster Unionist Party has been very shocked by the untimely passing and sudden death of Norma Coulter, who was the much-respected and very highly regarded personal assistant to our party leader. When Norma was taken ill in this Building on Tuesday, very few of us could have imagined the turn of events that would end in her untimely passing within a matter of a couple of days. Norma was a very special lady. She was incredibly efficient and a very hard worker. She was held in the highest esteem by our entire party, but, more importantly, she was a wonderful human being who made friends easily and was very popular.

I place on record our thanks to the doorkeeper and the member of staff who attended Norma last Tuesday afternoon and provided emergency first aid. I also pay tribute to all of the Ulster Unionist Party staff who worked with Norma and assisted her last Tuesday here in Parliament Buildings and also in her transfer to the Ulster Hospital at Dundonald.

Norma's family have been greatly gratified by the huge amount of public sympathy that they have received following her untimely death. It is a real tribute to Norma that Members and staff from other political parties, as well as a large number of staff from this Building, attended her funeral yesterday in Ballygowan. The party is very grateful to everyone who offered support and help in recent difficult days. We also take the opportunity to extend our condolences to all who have lost loved ones over recent days.

## Assembly Business

### Point of Order

**Mr Speaker:** I will now take Mr Campbell's point of order.

**Mr Campbell:** Thank you, Mr Speaker. Last week, during questions to the Agriculture Minister, I, along with other Members, stood to get called. This is in no way a challenge to the Speaker or the Principal Deputy Speaker's authority because I am aware that, once one Member from a political party is called to speak on a question, no further Members from that party will be called. I have always abided by that convention. I stood in an endeavour to get called, but I was not called and so resumed my seat. The same happened on the second occasion. The matter that I would like you to examine is very simple. Subsequent to my two attempts to get speaking and my desisting from attempting to get speaking after being unsuccessful, the Principal Deputy Speaker said that it is a tradition that we do not call two members of the same party on a particular question. That is a convention that I abide by, and I abided by it on that occasion. However, an inference could be drawn from those comments that I attempted to be called after not being successful. I ask you, Mr Speaker, to review the video evidence and write to me, as you have done in the past.

**Mr Speaker:** I hear the Member's point of order. I say to the whole House that, when you are sitting up here, it is not always easy to get it right. We have to look at a number of issues in and around the Chamber when it comes to supplementary questions. I will certainly look at the issue. However, I also say to the whole House that a Member will not always get in when they rise in his or her place. Members need to realise that as well. I am happy enough to write to the Member.

# Private Members' Business

## Public Procurement

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

**Mr Murphy:** I beg to move

*That this Assembly recognises the importance of ensuring that public money spent on supplies, services and construction works represents value for money and results in investment in society and the environment; and calls on the Minister of Finance and Personnel to forward the recommendations in the previous Committee for Finance and Personnel's report on its inquiry into public procurement to the Executive for consideration.*

Ba mhaith liom an rún a mholadh don Tionól. This is a timely debate, given that we had a debate last week about the Programme for Government. Ministers are currently considering an early draft of the Programme for Government. There is no doubt that one of the central features of that programme, as was the case with the previous programme, will be to grow the economy and to take measures to attempt to rebalance the economy. One of the important tools that the Executive can use, and have been using, although perhaps not in a fully co-ordinated fashion over the past four years, is their spending and procurement power to try to achieve outcomes to stimulate local economic activity and achieve social objectives.

I realise that local government is not the direct responsibility of the Minister of Finance and Personnel, who, I am pleased to say, is in the Chamber. Nonetheless, whatever policies the Executive set, there should be a strong view that we must ensure that an agreed public procurement strategy follows through to local government, particularly when the shake-up of local government takes place and new structures are defined and agreed. Between central and local government, some £3 billion is spent annually on the purchase of supplies, services and construction works. That level of

expenditure offers real potential to maximise the economic and social outcomes for the local community.

The strategic direction of public procurement policy is set by the Executive, with the procurement board, chaired by the Minister of Finance and Personnel, overseeing the development and implementation of overarching policy. The board is supported by the Central Procurement Directorate in the Department of Finance and Personnel (DFP). The Executive's previous Programme for Government, 'Building a Better Future', highlighted procurement's positive role in furthering cross-cutting, sustainable development and achieving socio-economic objectives. In that programme, the Executive also placed an emphasis on growing the private sector, including small and medium-sized enterprises (SMEs), and developing the social economy.

Although the predominance of smaller enterprises in the local economy is widely acknowledged, there is a growing awareness of the valuable role for social economy enterprises in operating a commercial business model for social, community or ethical purposes. Moreover, it is internationally recognised that increasing the involvement of small and medium-sized enterprises in the government supply chain can accrue benefits, including better value for money, business growth and innovation, for the public sector and the economy as a whole. In addition, the ability of social economy enterprises to access large and sustainable markets provides a stronger basis from which they can deliver important social policy outcomes.

There is a real sense that there is value in ensuring that the £3 billion spent annually through the public sector on procurement is used to achieve those outcomes and that greater co-ordination across all Departments and down through local government is required to achieve that. The benefits to small and medium-sized enterprises include increased participation in providing services and works to government. That can encourage growth in participation in the public procurement market elsewhere, which brings the added benefits of boosting employment and raising productivity.

In the previous mandate, the Committee for Finance and Personnel carried out an extensive inquiry into the value of public procurement and made some 36 recommendations to the Department of Finance and Personnel on its

oversight role and the role of all other Departments. That Committee's work has been endorsed and adopted by the current Committee for Finance and Personnel, which I chair, although I do not speak in that capacity today. The current Committee is pursuing some of the recommendations with the Finance Minister. From the previous Committee's work, there was a strong sense that, as far as permitted by legislation, the Executive needed to develop a strategic policy for using public procurement as a tool to support the development of smaller enterprises in stimulating economic growth in the longer term. The Committee agreed that the implementation of such a policy would require a further culture change on the part of government purchasers. They must place a stronger focus on growing the economy and creatively developing procurement solutions that are sensitive to the needs of the economy. In doing so, they must also remain legally compliant.

The current Committee has taken up the sentiments behind the recommendations of the previous Committee, and those underpin the motion. Although a number of Departments have pursued the matter, some outstanding issues remain.

The use of public procurement is not only to stimulate the local economy, particularly small and medium enterprises, and to stimulate construction activity among local firms but to achieve social outcomes through the use of clauses in public procurement. We are still awaiting — perhaps the Minister can update us on this in his response — a definition of “social value”, which, I think, is centred in the Office of the First Minister and deputy First Minister (OFMDFM). That definition is essential to enable us to send a clear message that emanates not only from the Department of Finance and Personnel but from the Department that runs the Executive. Once agreed, it should be formulated through all policies.

#### 12.15 pm

A survey of usage was conducted by the Department of Finance and Personnel through the Central Procurement Directorate, and, in a response earlier this year to the previous Committee, it found that there was what it called a variable pursuit of social outcomes through procurement across the Departments, which, in essence, means a patchy response. That underpins the sense of the motion, which is to

get the Department of Finance and Personnel to bring to the Executive, as the sponsoring body, a drive as part of the Programme for Government work to stimulate economic growth, to rebalance the economy and to use this tool, which is £3 billion of spend, to achieve an outcome that does that and achieves social outcomes as well.

In that regard, I acknowledge the amendment, which I have no difficulty in supporting. It is slightly churlish, perhaps, not to acknowledge that the Department that pioneered the use of social clauses in contracts was the Department for Regional Development (DRD). Nonetheless, I presume that the party made reference to the Department for Social Development (DSD) for its own political reasons. However, the spirit of that amendment is correct in that we can achieve not only the maximum economic benefits for local industries and the local economy but some very important social outcomes as well.

There has been some progress on the centre of procurement expertise (CoPE) accreditation exercise, which has included a scored criterion for socially responsible procurement. Work has also been developed between DFP and the Department of Enterprise, Trade and Investment (DETI) to build capacity among small and medium enterprises to allow them to get on to the supply chain or to become able to tender to get on to the supply chain. That has to be acknowledged. It would be wrong not to acknowledge that certain Departments have been working diligently at this, and certain achievements have been made by DFP and DETI.

However, the central message, which is probably reinforced by the amendment, is that we must do better. There must be a more coherent approach across all the Executive Departments. DFP has a lead on the matter, but it is essential that OFMDFM defines social value and ensures that it comes as a directive through all Departments. In that way, when the Executive get a coherent policy that every Department has fully bought into, we can, through the new local government structures, use that model to — not to insist; they do not have that authority — try to influence local government, which is also an important player in public procurement, particularly in very small local areas, and can have a very significant benefit for the local population.

In proposing the motion, I hope that the Assembly will agree that this is an important area of work for both DFP and the Executive as a whole. I



have no difficulty in supporting the amendment, and I look forward to the rest of the debate.

**Mr D Bradley:** I beg to move the following amendment: At end insert

*“; and urges the revision of policy and practice on the use of social clauses in government procurement, including the introduction of the social clause model developed by the Department for Social Development for housing and regeneration contracts.”*

Go raibh maith agat, a Cheann Comhairle. Éirím leis an leasú don rún a mholadh. I express my thanks to the Members who brought the motion before the House. It is an important motion that is worthy not only of debate but of the necessary follow-up action to implement the recommendations of the report on public procurement that was produced by the previous Committee for Finance and Personnel. The SDLP amendment seeks to add to the motion a greater focus on maximising the social benefit that can accrue from public procurement. I thank Mr Murphy for his support for the amendment.

The report of the previous Committee's inquiry is very comprehensive. It covers a wide range of proposals. I estimate that there are 41 in all under a variety of headings, including, of course, “Maximising Social Benefit”. You will be relieved to hear, Mr Speaker, that I do not intend to go through each recommendation individually, but I will comment on some that I consider among the most important.

As I have observed previously in the House, we have few enough economic levers at our disposal, so we should capitalise to the greatest possible extent on all opportunities available to facilitate smaller enterprises to realise their full potential and maximise the economic and social impact of public expenditure through procurement, within the bounds, of course, of European and UK legislation. I suppose that that is the overarching theme of the report.

The report makes important points about realigning the existing drivers of public procurement with the Executive's economic, social and environmental policy, as it will, presumably, be expressed in the final version of the Programme for Government. Now is the time to do that, as the Programme for Government nears completion. Also, it needs to be done through an Executive strategy for the support and development of our smaller business. That may require a further culture change in government purchasers so that there is focus

on growing the economy and on procurement solutions that, as the report states, are sensitive to the economy.

We should encourage commissioners and purchasers to pursue social benefit through procurement and to link social and environmental policy in the Programme for Government to public procurement. We should look at alternatives to the large framework agreements, and, as the report points out, we should break down contracts into smaller lots; set targets for increased participation by SMEs; encourage collaboration; improve information flow, feedback and payment times; and develop a model for measuring the impact of public procurement, which includes its social and environmental benefits.

DFP has presented the Committee with an update on its progress in implementing the majority of the recommendations, which it accepted and which are being progressed. I welcome that. The motion calls on the Minister of Finance to forward the recommendations to the Executive, and I agree that that is a very important step. If we are to ensure that the recommendations go beyond DFP and reach down into all procurement centres and are championed by all Ministers, it is important that the Executive adopt the proposals.

Mr Murphy referred to the role that DRD played in introducing social clauses to that Department's contracts. I am glad to say that, in the light of some of the innovative approaches to increase the supply of housing in Northern Ireland that she adopted when she was Minister for Social Development, Margaret Ritchie was asked by the British-Irish Council (BIC) to lead its work stream on housing.

One of the areas in which best practice was exchanged in the BIC was in the possibility of attaching meaningful social clauses to housing contracts so that successful contractors would make a reasonable contribution to work experience for young people and provide opportunities for the unemployed. When, on 1 March 2011, he reported to the Assembly on progress that the BIC had made, the then Minister for Social Development, Alex Attwood, outlined an innovative proposal for social clauses that he was introducing through DSD. Under that scheme, all those who would be awarded new contracts by the Department to build social housing or undertake urban

regeneration would be required to provide local unemployed people with work experience. For every £500,000 of labour value in the contract, the main contractor would be required to provide either two 13-week work placements or one 26-week work placement. The work placement would be operated through the Department for Employment and Learning's Steps to Work programme. In addition to the 13-week placement giving experience to young people who might not have worked before, the 26-week placements were designed to lead to either a level 2 or level 3 vocational qualification or an essential-skills qualification. From the start of 2011, that requirement has applied to all DSD housing newbuild and regeneration contracts.

The same clause has been included in the Housing Executive's maintenance contracts, rolling out to all large contracts for supplies and services. It is estimated that, in a typical year for DSD contracts alone, the initiative would generate either 73 26-week placements or 146 13-week placements. In announcing the initiative, Mr Attwood pointed out that it was an initiative that could and should be rolled out across the public sector. That is an example of good practice and shows how the expenditure on public procurement can be of social benefit. Government spending on such contracts amounted to around £2.3 billion per annum, and construction contracts awarded by public sector centres of procurement excellence was £925 million. It is estimated that if the DSD social clauses initiative were replicated by other Departments, there would be around 1,850 work placements in construction contracts alone.

Mr Attwood argued that social clauses could be applied equally to revenue expenditure contracts and non-construction capital contracts such as IT projects. He estimated that of the £1.4 million spent by Departments, agencies, NDPBs, etc, on supply and service contracts, the DSD approach could be translated into 2,760 opportunities.

**Mr F McCann:** I was a member of the Social Development Committee when it was chaired by Simon Hamilton and others. The Committee had pushed for the use of social clauses for a considerable time. I know that Alex Attwood had input. How many people have actually been employed as a result of the scheme that was introduced at the start of 2011?

**Mr D Bradley:** I thank the Member for his intervention. However, had he been listening, he would have heard that I already told him the number of people who were employed in those schemes. Perhaps, in the future, he will make a point of staying awake and listening carefully to what I say.

Mr Speaker, I believe —

**Mr F McCann:** On a point of order, Mr Speaker. I asked the Member a question. He said that the Minister had introduced a scheme in 2011. I am asking how many people have actually been employed through that scheme to date.

**Mr Speaker:** Order. That is not really a point of order. The Member is attempting to answer the question.

**Mr D Bradley:** Thank you, Mr Speaker. DSD's example is very good and should be replicated by other Departments. People have been talking about doing more with social clauses, and I am pleased that both SDLP Ministers for Social Development have implemented their policy on that issue. I hope that the debate will lead to real change —

**Mr Speaker:** Will the Member draw his remarks to a close?

**Mr D Bradley:** — and that the Minister of Finance will, as the motion asks him, bring the Committee's proposals to the Executive table. Go raibh míle maith agat.

## 12.30 pm

**Mr McQuillan:** I support the motion, and I thank the Members for bringing it to the House this afternoon. Public procurement is defined as a process of acquisition, usually by means of contractual arrangement after public competition, of goods, services, works and other supplies by public services. Twelve guiding principles have been established to govern the administration of public procurement. They are accountability, competitive supply, consistency, effectiveness, efficiency, fair dealing, integration, integrity, informed decision-making, legality, responsiveness and transparency. The public procurement board has a strategic plan, which brings us up to 2014. It has three overarching themes: securing best value for money; using public procurement in order to support economic development; and ensuring that the current procurement structures are fit for purpose and capable of delivering in the current climate.

In its report on the inquiry into public procurement in Northern Ireland, the Committee for Finance and Personnel came up with some 52 recommendations, the majority of which were accepted by the Department. Many of those rejected were rejected for good reasons based on the fact that we must adhere to the UK and EU regulations. It is an important part of government to ensure that any government contracts are awarded fairly and openly, not only in the Northern Ireland market, but in the UK and European market, and, most importantly, ensuring value for money. It is vital that we ensure that we meet and adhere to all the legal requirements set by the UK Government and European Union. Everyone in the European market is, therefore, open to bid on government contracts in this part of the UK. That is an issue that I have difficulty with, as, I am sure, do many other Members.

**Mr Wilson (The Minister of Finance and Personnel):** Hear, hear.

**Mr McQuillan:** I thought the Minister would like that.

It is a matter of fact in law that that could, perhaps, change if, later this year in the House of Commons, MPs permitted a referendum on our membership of the EU. I will watch that with interest.

I believe that it is imperative that all public funds are spent wisely in ensuring the best value for money for the benefit of the community. That is particularly important during these times of economic difficulties, when there is less money available to inject into the economy than there was in previous years. Money must, therefore, stretch further than it did before. In the past decade, we have seen an increase in the amount of money being spent by Departments. Much of that has gone in support of local enterprises and helping them to grow and develop. We in Northern Ireland are unique and privileged to have such a wealth of small and medium-sized enterprises, and we have seen government support those enterprises in recent years. Between May 2008 and November 2010, they accounted for 73% of all contracts issued by Central Procurement Directorate.

It should also be highlighted that it is up to each Department to decide as to how best to use public funds in the interest of the people of Northern Ireland. Since the establishment of devolution, we have seen Ministers deliver for

their local enterprises. Much of that falls within the remit of the Minister of Enterprise, Trade and Investment, who has done an outstanding job in promoting the strengths of the local business. I commend her for that. I support the motion, as amended.

**Mr Cree:** I thank the Members for bringing this important motion before the House today. Public procurement is a vital issue for Northern Ireland. Spending on government supplies, services and construction will be very important in this Assembly mandate in our efforts to revitalise and rejuvenate the economy. It represents a significant amount of money in Northern Ireland, with up to £3 billion being attributed to this area each year. The fact is that the majority of direction comes from the European Union via legislation and directives. However, that is not to say that we in the Assembly cannot have a say on the issue. Public procurement is a cross-departmental issue, with the Department of Finance and Personnel being responsible for overall Executive policy direction in the area.

The procurement board is responsible for developing policy across all Departments, and that is chaired by the Minister of Finance and Personnel and made up of the permanent secretaries from each Department. The Central Procurement Directorate undertakes to develop and establish the policy framework in best practice public procurement for the wider public sector in Northern Ireland. Therefore, it can be seen that the structure of public procurement is complex and that there is a very real opportunity for DFP and related agencies to ensure that we have the best approach to public procurement in place.

Within the Programme for Government, we also have an opportunity to ensure that adequate credence is given to public procurement. As the Programme for Government (PFG) is presented for consultation in the near future, I sincerely hope that that important area will be covered.

That was in the previous Programme for Government, which recognised the cross-departmental nature of public procurement and highlighted the positive role that it can have in furthering cost cutting, sustainable development and socio-economic objectives. The imminent PFG should also address the issue.

I want to move on and consider the motion, which states that:

*"public money spent on supplies, services and construction"*

should represent value for money. The inquiry into public procurement, which the previous Committee for Finance and Personnel carried out, worked in that area and came up with a revised definition for value for money in public procurement. That definition read that value for money is:

*"the most advantageous combination of cost, quality and sustainability to meet customer requirements."*

In theory, that definition is good, but the real work is in putting it into practice. To get the best possible value for money from government spending, that definition, which the Executive passed in March of this year, must permeate through all Departments and the various centres of procurement expertise.

Social enterprises and the social economy are also important in public procurement. The services that are provided by the social economy are invaluable to Northern Ireland, especially at a time of fiscal constraint. We must ensure that we give adequate support to that important area.

I also want to briefly mention a few other issues. The construction sector has been badly damaged by the economic downturn, and prudent government spending can go some way towards addressing that. Access to procurement opportunities is essential for small and medium-sized enterprises throughout Northern Ireland, as it is a way of keeping money in the Northern Ireland economy. I know that those are issues that the Minister is well aware of.

The Ulster Unionist Party welcomed the inquiry into public procurement and urged the Minister to act on its recommendations. We repeat that sentiment today, and, for that reason, I support the motion and the amendment.

**Mrs Cochrane:** I welcome the opportunity to speak in support of the motion. In retrospect, it seems all the more relevant as it comes on the tail of the recent debate about the need for a more pragmatic and contemporary revised Programme for Government.

As a new member of the Committee for Finance and Personnel, it was with great interest that I considered the report into public procurement policy and practice and its recommendations.

Although the list of recommendations is comprehensive, there are several well evidenced underlying principles in the report that serve to tie it all together. Significantly, those include the growth and development of indigenous enterprises through increased local participation, the significance of social clauses and local benefit, and the need for greater synergy and cohesion between Departments and central and local government.

Of the report's 52 recommendations, the Department accepted 43. Although that is encouraging, the emphasis going forward needs to be on action. Ultimately, that responsibility must be shouldered by the Executive, and the Minister of Finance and Personnel should see fit to bring those recommendations to the Executive Table. Given that our Programme for Government has yet to be decided, this is the opportune time to bring forward that input not simply to make an informed difference but to influence and shape the aspirations of any new PFG.

However, we appear to be making some movement in the right direction. The online e-sourcing portal has served as an opportune exchange platform for central and local government and for local firms that are seeking to engage and participate in the procurement process. However, why is it that only nine of our 26 local councils have registered to advertise procurement opportunities on that portal? We must focus on and address the need for greater co-operation between our central and local government.

Social clauses should also not be overlooked in any further consideration by the Minister or the Executive. The amendment that has been proposed to the motion is justified and welcomed, as it urges:

*"the revision of policy and practice"*

in that area.

Although I appreciate that public procurement is ultimately subject to EU treaty obligations, that does not mean that all contracts should be exclusive of providing for our local workforce, regardless of the contractor. As other Members highlighted, the social clause model that DSD developed for housing and regeneration contracts is to be commended.

The Federation of Master Builders and the Construction Industry Training Board (CITB) have raised concerns with my party colleagues



about the inability to secure work placements for students. The result is that those students have been prevented from gaining their technical certificates.

I also welcome, therefore, the commitment shown by the Minister for Employment and Learning in his advocacy of the inclusion of social clauses in building contracts for construction in the Titanic Quarter. Whether they relate to employment, apprenticeships or environmental sustainability, such clauses should be seen as an integral aspect of the public procurement process here. Arguably, through their implementation, our public spending return is likely to be much more beneficial, economically and practically.

This year, we have celebrated the achievements on the international stage of a number of local companies, which succeeded in securing procurement contracts through Europe. In January, the Northern Ireland construction group Graham won a contract worth a potential £100 million to design and build a radioactive-waste disposal facility in Scotland. In June, the Lisburn telecoms firm Arcatech won a £200,000 contract from Telekom Austria. Part of those companies' success seems to be due to experience of dealing with stringent procurement processes in Northern Ireland, which do not appear as evident in other jurisdictions. We should be proud of our small and medium-sized enterprises, but we should also encourage our local companies to grow and develop if we wish to see their success reflected in our economy. For example, many of our small construction companies find it difficult to break through the barrier to become a main contractor, even if they have the relevant skills and experience to deliver a project. One way to do that would be to allow previous experience of working as a subcontractor on a similar-sized project to be acknowledged in the procurement process.

I strongly support the motion and the amendment and I trust that the Minister will take on board the report's recommendations, as well as Members' comments in the debate.

**Mr Girvan:** I welcome the motion. Procurement is fraught with all sorts of difficulties, and a number of firms find the bureaucracy of the process off-putting. The revised guidance provided by the procurement board has gone some way to alleviating and simplifying the process.

The e-portal for contracts in excess of £30,000 has been mentioned. That has been beneficial, but it has also opened the local market to a lot more competition. I am not a great supporter of the European standard. We have heard all sorts of voices supporting that, but I do not believe that we have benefited greatly. Some contracts have been won by local firms but, overall, they are of a miniscule value. We have to be careful that the public procurement process, and the £3 billion already mentioned that is spent by Government Departments, is fairly split up and that the process is open, accountable and delivers value for money for businesses and the public spend.

I have some difficulty with the way in which the process seems to have worked in the past. We have striven to make it more straightforward and to target the spend so that it will benefit the local social economy. As other Members have said, we should be trying to encourage apprenticeships. Firms that win contracts should deliver training and certificated qualifications to those who work in those industries.

One of the main reasons for this issue coming to the fore is the economic downturn. That has impacted greatly on the construction industry and small and medium-sized industries. The Northern Ireland economy depends greatly on our small and medium-sized firms to keep it going. I represented one of those businesses, and I know how difficult it is for them to break into public procurement.

#### 12.45 pm

Many small businesses subcontract to major contractors, and they are not being given the opportunity to get a fair crack of the whip. As Judith Cochrane said, it is vital that some of their involvement in previous contracts is taken into account.

I congratulate the Department of Enterprise, Trade and Investment (DETI) on its work in trying to engage with local businesses and on providing feedback to the Department of Finance and Personnel to ensure that what is coming forward will work. I think that that needs to happen as a matter of urgency. I appreciate the important input of the Minister of Enterprise, Trade and Investment, Arlene Foster, into that process.

It is important that Members ensure that the matter is brought forward to the Executive in order to make it a priority that everyone who

applies for government contracts is given a fair crack of the whip. I must say that the process has to be more streamlined, but I find it difficult to see how on earth we can keep it streamlined while remaining accountable to everyone. If we make it too straightforward, it would leave us open to all sorts of criticism. Therefore, it is important to get the balance right.

The guidelines put forward by the procurement board were very helpful. If those guidelines could be implemented in their totality — I appreciate that not all of them have been — it would make the process a lot more straightforward. I support the motion and the amendment.

**Mr McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I support the motion and the amendment. I am gratified by the focus around the House on the important opportunities that procurement offers and by the support for the measures to attempt to maximise the benefit to the local economy. This morning, there was some reference in the media to preparation for the Programme for Government. I do not think that any of us expect the overarching priority of growing the local economy to be de-prioritised. Assuming that all parties will continue to support that, I think that we are required to continue our focus on procurement policies to see whether we can improve.

The overarching aim of our work in the whole area of public procurement is to identify measures for maximising the wider economic and social benefits to the local community. The Assembly's spend has clearly been affected, not just by the global recession, but by the significant hit —

**Mr McQuillan:** Will the Member give way?

**Mr McLaughlin:** Of course.

**Mr McQuillan:** Any outputs of those local social clauses need to be measurable in some way so that we can get feedback on whether they work. The Minister for Social Development has not measured them or given us any feedback.

**Mr Speaker:** The Member will have an extra minute added to his time.

**Mr McLaughlin:** I appreciate that contribution because I think that it gets to the heart of the issue. We need to be able to measure the benefits. We should be prepared to learn lessons, particularly if there is better practice.

Among the 50-odd recommendations that came from the Committee's 2009 report was recommendation 3:

*"The Committee recommends that the procurement board, in conjunction with DETI considers redefining the definition of small and medium sized enterprises in the Northern Ireland context, paying particular attention to those currently identified as small, or micro-businesses, when exploring ways of boosting access to procurement opportunities by local businesses."*

That was not accepted. In fact, the answer that came back was:

*"The current definition is consistent with the standard definition used by DETI and within Europe."*

That may be so, but nobody was arguing that we should simply tear up the European competition legislation. In my view, however, that response misses the point.

What is required is an approach that not only takes account of employment and competition law but underpins the Executive's and Assembly's priority of growing the local economy. Creative thinking and the application of social clauses give us the opportunity to take that approach.

I ask that, in his response, the Minister address the issue of whether we take an ongoing approach, particularly with CPD and other agencies acting on behalf of the Assembly, to be ever more vigilant and creative in looking for opportunities that involve local stakeholders in the local economy. European law has been cited as a reason why we do not take such an approach. However, on closer examination, the Committee's inquiry discovered that European law actually supports the idea of taking interventionist measures to grow regional economies. That is what the whole ethos of subsidiarity is about. It is about growing local and regional economies. Some of the Civil Service should be encouraged to come at the issue in a more confident way.

The percentage of local companies that manage to access the procurement arena is also cited quite often, and I am reassured by that. However, I think that we all recognise that that very often happens in a sub-contracting or franchise context, which can at times create insurmountable obstacles in bringing young people who need the opportunity for trade apprenticeships or the long-term unemployed into the workforce. If we

are talking about growing the local economy, we are also talking about eradicating the disadvantage that has existed for many in our community for too long. So, I think that those who guide our procurement policy can take a more comprehensive, imaginative and flexible approach within existing European competition and employment legislation. We should ensure that benefits are absolutely maximised, even in these more difficult economic times. Go raibh míle maith agat.

**Mr Hilditch:** Like other Members, I certainly support the motion and the amendment. I welcome the Minister and acknowledge his interest in the issue.

I am a fairly new member of the Committee for Finance and Personnel, and today's debate has given me the opportunity to look a bit closer at some of the work that the Committee has already carried out on public procurement. Given the current economic situation, it is timely that public procurement is used as a way and means of supporting and developing our small and medium-sized enterprises, stimulating economic growth and investing in society for the longer term. All too often, we see small, local companies and firms losing out in tendering work that is procured by Departments and other aspects of government in Northern Ireland.

I have been personally involved in a number of project teams involving work being carried out on our local community infrastructure. Having experienced that process along with other colleagues, I have to be honest and say that I did not have confidence in the local delivery element of it. With that background, I approached the Committee's report with interest. I have to say that I am fairly well in agreement with the report and the 52 recommendations contained therein. I welcome the findings and take a degree of encouragement from the fact that the vast majority of recommendations were accepted by the Department and that a commitment was given that those recommendations would be taken forward in the procurement board's strategic plan for 2011-14.

That being said, I believe that today's motion can work in tandem with and alongside the commitment from the Department to make the Executive realise the scale of what we are dealing with, especially when they look at the figures knocking about of £2.4 billion

in procurement plus £300 million from local government procurement, and be in absolutely no doubt about the huge gains to be made by local businesses and companies during this period of government.

I am sure that the Executive will see the importance of procurement as a way of regenerating the local economy and keeping as much money in the public purse in Northern Ireland and our local communities as possible. I hope that the benefits of devolution can be acknowledged and seen through the outworkings of this process, whereby a Committee identified an area of work and took issues and concerns to a Department, which got credit for accepting recommendations that can cascade down through other Departments, thereby bringing benefit to our society and, in this case, the business community.

Most issues have already been covered in today's debate, and I do not wish to be repetitive by rehearsing the same arguments. However, I want to say that we need to be consistent in our desire and keenness to see the progression of small businesses in providing services, supplies and works to government in Northern Ireland.

Nevertheless, I do not want to be involved in projects in which small businesses do the scoping and early costing work only to be cast aside at the tendering stage, along with any benefits to the local community, as happened in one particular project. The same contractor emerged again later in a similar contract. Again, having given the early estimated figures, it was unsuccessful. However, the contractor was engaged as a subcontractor and was able to achieve the original cost estimate. That brings into play questions on another angle to procurement in Northern Ireland. As I have indicated, I acknowledge the issue and welcome the debate. I look forward to the Minister's response.

**Mr Kinahan:** I thank the Members who tabled the motion and the amendment. I am glad to speak on behalf of the Ulster Unionist Party. At the outset, I want to emphasise, as many other Members have, the importance of public procurement. It is essential, especially at the current time of fiscal constraint, that public procurement is used to maximise economic recovery as far as is practically possible. Given that that represents a huge amount of money — around £2.5 billion each year, as we have heard — there must be absolute clarity as to

how that is distributed. It is also a simple fact that public spending will be significantly reduced over the next Budget period and that, therefore, efficiency in the administration of public procurement must be paramount.

I want to move on to speak about the procurement system that is being used by the Central Procurement Directorate, whose role it is to develop and establish the policy framework and best practice in public procurement for the wider public sector in Northern Ireland. As many Members have said, it is essential that the system used by the directorate is of benefit to small and medium-sized enterprises. That could be done through simplification of processes as well as by reducing the bureaucracy associated with this area. That could also lead to a reduced time frame and greater efficiency.

In order to rebalance the economy, which is well documented as being over-reliant on the public sector, we must ensure that SMEs have the greatest opportunities possible afforded to them. In that respect, specifications for contracts must be written up in an inclusive manner and not in a way that cleverly excludes companies or SMEs from applying. A watchful eye is needed at all times to ensure that that happens.

The Minister has cited statistics that show that between May 2008 and November 2010, 73% of all contracts that were issued by the CPD went to small and medium-sized businesses. I urge him to continue to ensure that SMEs are adequately encouraged in that regard, although I am aware that his hands are tied by European directives in some respects. I like the idea of targets, which one Member raised. However, I wonder how they really fit in with European directives. I am also intrigued by another Member's comment that we should grow the local economy. We need clarification on that because I feel that it may not fit in with European directives. I agree that we need to find a clever way of doing that.

I also note the implementation of the eSourcing single portal. It lists all Government opportunities for contracts that are worth over £30,000 and enables small and medium-sized businesses to log on and see what is available. It is a good initiative that improves the accessibility of public procurement for SMEs.

As a member of the Committee for the Environment, I am particularly interested in the wording of the motion, which states that

the spending of public money should result in investment not only in society but in the environment. Any future tendering opportunities in the green new deal should be explored fully; for example, with regard to SMEs being involved in the retrofitting of housing. The alternative energy sector is also important. Northern Ireland could move from assembling wind turbines to manufacturing them.

The Ulster Unionist Party would also like to see tighter regulation of subcontracts. Often, it is the case that a job is given to a main contractor, who then passes it on to a subcontractor.

Often, the subcontractor does not go through the same scrutiny. There is also an issue when a main contractor goes bust: the flow of money must be accounted for in those circumstances.

### 1.00 pm

The Committee for Finance and Personnel's inquiry into public procurement in Northern Ireland contained a number of recommendations, and the Department accepted the majority of them. Given the importance of this subject, those should be considered by the Executive.

My colleague spoke about the amendment. The Ulster Unionist Party supports the motion and the amendment, especially when it comes to encouraging greater employment of apprentices.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas le moltóirí an rúin seo. My thanks go to the proposer of the motion and to my colleague for the amendment that he tabled.

Over the past 10 years, the Executive's expenditure on public procurement in Northern Ireland has increased to some £2.3 billion in 2009-2010. The total spent on procurement across the island of Ireland was around £15.2 billion per annum. Even with Budget cuts, we are looking at significant amounts of money. It is crucial that small businesses, local businesses, contractors and unemployed people from a very high skill base derive the best benefit from that.

In the previous mandate, the Assembly recognised public procurement as a key cross-departmental issue that affects all levels of government and forms a significant element of the local economy. However, in the midst of all that, those of us on last year's Public Accounts Committee saw silly things, such as centre of procurement excellence status being



presented to NI Water by a company that had employees in NI Water. Despite the fact that other public sector bodies have the status conferred on them for good and just work, that totally undermined the credibility of that status. Therefore, any such high-level conferment on a public sector organisation must be merited, rather than it costing £30,000 for a wee pat on the head of people who have buddies working there. The former Minister knows exactly what I am talking about.

The expenditure involved in public procurement is an important lever that the Executive could use more strategically as a tool for supporting the long-term economic and social well-being of our community, especially at this time of economic recession, when we face a more constrained public expenditure outlook.

In February 2010, the previous Committee for Finance and Personnel — Mr McLaughlin has expertise there — produced a report on the inquiry into public procurement in Northern Ireland, and that was debated on 23 February 2010. The procurement board has produced an action plan in response to the Committee for Finance and Personnel's inquiry into public procurement. Members will have seen or been apprised of the updated version of June 2011. As part of that action plan, the procurement board is to work with OFMDFM to establish a working definition of and methodology for measuring social value in Northern Ireland. That is particularly relevant to social clauses. We have a pool of highly skilled people who are unemployed and have great value to offer. It is important that we do not lose that pool to other countries. The same applies to those who are long-term unemployed and deserve jobs. That is a crucial point: people with high levels of skills are leaving this country to work in Australia, Canada and other places. That is our loss, and we need to make sure that we derive benefit from those people and do not lose that pool of talent.

It is right that we consider carefully how best to make changes in public procurement policy to ensure that public moneys spent on supplies, services and construction works represent value for money and result in investment in society and the environment. It is difficult to argue against the logic of such an approach. Last week, I attended a meeting in my constituency about investment in the new college for policing and emergency services. People wanted to know

how local subcontractors and employers could derive benefit from that. I know that there are EU protocols and rules about tendering and public procurement. However, we need to look at how best local suppliers and businesses can benefit from those, without, obviously, any breach to public sector procurement rules and regulations.

**Mr Wilson:** You are trying to have it both ways.

**Mr McGlone:** Minister, you are very creative in most things. I heard you in regard to corporation tax, so maybe you will put on your thinking hat in regard to this, too. However, there is an issue, and most Members —

**Mr Wilson:** Will the Member give way?

**Mr McGlone:** Sure.

**Mr Wilson:** Perhaps the most creative way forward is to get rid of the bands and ropes that tie us due to membership of the EU and join the Better Off Out group, which I am a member of, so that we can be free of the fetters of the European Union.

**Mr Speaker:** The Member has an extra minute.

**Mr McGlone:** Thank you very much, Mr Speaker. I am glad to hear that the Minister has been outed as wanting completely out of the EU, in spite of all the benefits that this region has derived from it. I hope he is not thumbing his nose at the millions — indeed, billions — that come to this country and region from the EU. However, he has clearly sent a very negative message to the EU from the Executive, which is unfortunate. Those are extreme-right views.

Mr Kinahan raised the important matter of the green new deal.

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

**Mr McGlone:** Sure. It is important that we save to invest. A crucial point is that, through fuel poverty-related illnesses, in 2005 —

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

**Mr McGlone:** — £45 million was spent on our hospital services, money that could be spent better elsewhere on people's health.

**Mr Speaker:** I must insist. The Member's time is up.

**Mr McGlone:** OK. Thank you.

**Mr Wilson:** I thank all Members who took part in the debate. It is an important debate because, as Members pointed out, we spend about £3 billion a year in public procurement in Northern Ireland. The procurement board has set out its aims, which are very similar to the aims that were elucidated by Members. Those are, first, to deliver best value for money in a challenging economic environment; secondly, to use public procurement to support economic growth; and, thirdly, to provide public confidence in the procurement environment. That also means instilling confidence in people who supply the public sector that they have access to procurement.

I will deal with a number of points. Rather than go through what each Member said, I will take the main themes that came out of the debate. If I remember to attribute a point to the Member who raised it, well and good; if I do not, do not feel snubbed because it is just that I have written them down as the main points.

The first point is in the motion: we should take the recommendations in the excellent report by the Finance and Personnel Committee or what we have done with them to the Executive. At present, I have no plans to do so. I am not really averse to doing that, but I will explain to Members where we are with that. The report contained 52 recommendations, 43 of which have been accepted, and many of those are already in the process of being implemented. In the way procurement is set up, it is not really the Executive who have the central role. That is carried out by the procurement board, which I chair and which the permanent secretaries of the main procurement Departments attend on a regular basis. From that, the work that we want the different COPEs and Departments to do is disseminated. Frankly, I believe that that is a much more appropriate way to ensure that the recommendations of the report are accepted. They should not just be accepted; we can accept all the recommendations you want, but the important thing is how we make sure they are implemented. I believe that the report not being taken to the Executive is appropriate. I suspect that if it did go to the Executive, it would be simply noted because the main body to deal with it is the procurement board.

The second theme to come out of the debate was that we should maximise the benefit of the procurement that we undertake. It stands to reason that we wish to do that.

At least the debate here this morning was a bit better informed than the commentary on the Programme for Government and procurement given by the 'Belfast Telegraph'. I laugh at journalists who pontificate about how we should do our job. Sometimes I think that they should go and do their job a bit better or at least apprise themselves of the facts. Liam Clarke, in his blueprint for turning Northern Ireland around, says that we procure around £10 billion worth of goods. I do not know where he got that figure from. Secondly, he states that there is "no sign of action" in the use of Stormont's purchasing power. We actually spend the money, so there is some action there. Secondly, had he taken time to do the most cursory investigation, he would have found that a number of things have already been done that I have mentioned in answers given in the Assembly during Question Time and in debates.

We have done a number of things to try to improve the use of public money. First, we already have an efficiency reform group, which looks at government procurement service frameworks. There is also collaboration between the COPEs. Collaborative contracts in Northern Ireland include the supply of paper, tyres, batteries and multifunctional printers. The CPD is already developing a business case for the establishment of a central team to manage a range of common areas of central government generic spend such as energy and transport. Work is being done to maximise the buying potential of the public sector.

Secondly, we aim to get value for money for the funds that we spend. That is done through open competition, which some Members alluded to. The more open the competition is, the more bureaucracy there will be. I have asked, for example, why we have to seek five quotations and judge them against criteria for purchases as low as £2,000. The argument is that, if you do not do that, you leave yourself open to the allegation that there is no competition. On the other hand, if you require a printer, photocopier or scanner for a hospital or school, do you really need to go through all of the process when, once it has been done and the competition has been created, it is always open to challenge? There are many challenges to these contracts.

Some people argue that we should raise the threshold. On the other hand, if you want value for money, you have to lower the threshold. There is always tension, and I think the fact that

we have such a low threshold shows that we are seeking value for money even if it causes some problems for the procurement professionals. Ninety-eight per cent of procurement in Northern Ireland was subject to the professional influence of a COPE. In other words, it had to go through the rigorous process of investigation.

The third point raised concerned help for businesses. It has already been pointed out that we do our best to help local businesses to win tenders. I know that a lot of things have been said about that, and I listened to Mr Bradley's speech, which was very interesting. It shows what happens when the balance of power in a party starts to move. He mentioned the current leader four times; he mentioned one of the wannabe leaders 15 times. I wonder whether Mr Bradley has now become the election agent for Mr Attwood. Maybe he hopes for a ministerial post when the election is over.

### 1.15 pm

The impression given was that only the SDLP has considered and implemented the idea of helping businesses. I will come to that in a moment or two, as well as the introduction of social clauses. A lot of practical help has been given. We have to be careful, of course. Everybody qualified their comments with the words "keeping within the law". Again, there is a bit of tension, because, whether Mr McGlone likes it or not, being a member of the European Union ties our hands and our feet and puts tape around our mouth and a hood over our head, when it comes to the freedom to do things. He asks, since I have adopted the stance that we would be better off out, whether I would be happy that we would lose all the riches that we get from Europe. He might notice that, actually, the EU takes more money from the United Kingdom than it gives to the United Kingdom. If that money was not given to Europe, it would be available for spend in the United Kingdom. We might actually do better. So, before Mr McGlone starts getting into the flow about money and membership of the EU, he should bear that in mind. I think that, increasingly, people across the United Kingdom are getting sick and tired of the rules and regulations that may fit Europe centrally but do not allow for local changes to be made. Of course, that applies to procurement. I notice that you were going to rule me as deviating from the subject, Mr Speaker, so I am getting back to it quickly.

**Mr McLaughlin:** Will the Minister take the opportunity to point out that his views on Europe do not reflect the views of the Executive?

**Mr Wilson:** My views on lots of things do not reflect the views of the Executive, so I do not think we need to worry too much about that.

As far as help for businesses is concerned, let us look at the things that we have done. All contracts worth over £30,000 are now advertised on the e-tendering portal, which means that firms do not need to look through journals or whatever. They can know exactly what the public sector is looking for and what it wants to tender for. The Business Industry Forum for Northern Ireland has been set up to give greater communication between the various COPEs and the business organisations. The Construction Industry Forum for Northern Ireland has done a lot of work on construction projects. There is a common range of issues, including the standardisation and streamlining of the pre-qualification process and setting proportionate minimum standards for experience and financial standing. The result of that is that we now have new arrangements for PQQs that will save suppliers answering questions over and over again. It will allow them to reuse their original application and edit it for different competitions. That saves time and resources, because they can be quite sizeable documents.

Measures have been designed to include SME participation. We have also held "meet the buyer" events across Northern Ireland — 53 of them — and approximately 2,600 people have attended them. The idea is to explain how the procurement process works, show people how to apply and encourage them to take part. I could say many other things about that, but I want to hurry on and deal with a couple of points.

The fourth theme that came through was maximising social benefit. Again, the point has been well made and has already been reflected in contracts. Ms McCann tried to draw Mr Bradley on that point, though he would not be taken off his platform of beating the drum for Mr Attwood. However, DSD is not the only Department that has been engaged in that. Indeed, many contracts have now been secured that have enabled a maximisation of social benefits to take place. In my Department, the properties division now has a contract for properties management. As part of that agreement, up to 14 opportunities have been

created for unemployed people, and there is provision for 35 apprenticeships over the life of the contract. The contractor has also established a supply chain registration portal, meaning that potential subcontractors can register their interest to supply services.

The recently awarded Northern Ireland Civil Service contract for cleaning and catering includes at least 28 work placement opportunities through DEL's Steps to Work programme and four apprenticeship opportunities. The tender for temporary workers provides for 45 placement opportunities in the contract. So, we are doing this across a range of services. However, although we can put these things in the contract, EU directives do not allow us to use them as the judging criteria when awarding the contract. Therefore, although as a region of Europe with a lot of long-term unemployed and a lot of youth unemployment it might suit us to put these things in contracts, Big Brother in Brussels, looking at what is suitable for Europe as a whole, prevents that. That is only one small example, but it is one of the reasons why the dead hand of European involvement does not suit regions such as Northern Ireland. So, we have a wide range of measures in place.

**Mr Speaker:** Will the Minister bring his remarks to a close? I would appreciate that.

**Mr Wilson:** I hope that in the remarks that I have made, along with other points that Members raised, I have shown that we have taken the report seriously and have sought to implement it. I believe that public sector procurement in Northern Ireland can help to grow the economy and achieve many of the objectives that the Executive have set.

**Mr A Maginness:** I thank Mr Murphy and his colleagues for bringing this proposal to the House. I am also grateful to him for supporting the SDLP amendment. There has been consensus on the motion among Members, in the main, apart from the Finance Minister. That is indicative of the support that MLAs from all parties have for efforts to stimulate the economy and get a better deal for small and medium-sized businesses in Northern Ireland.

Many good points were made in favour of making the public procurement process more flexible and more user-friendly. Indeed, some progress has been made on foot of the Assembly's report — the report on public

procurement by the previous Committee for Finance and Personnel — and that is to be welcomed. Indeed, the Minister himself illustrated that when responding to the debate.

All the steps taken represent progress for small and medium-sized businesses here in Northern Ireland. In the main, the motion is trying to emphasise the importance of making continuing progress and helping local businesses. Mr Murphy and others made the point that the Executive have yet to really embrace this. The House is saying that the Executive need to embrace the report and the 43 recommendations that have been accepted by the Department of Finance and Personnel. It is important that all Departments be involved in a concerted effort to make public procurement better for local businesses.

Other colleagues, including Dominic Bradley, emphasised the importance of the proposals and of making sure that social clauses are introduced into contracts. He cited DSD in that regard, which he has been taken to task for. However, there is no harm in using that as a useful illustration of the way in which a Department can effectively approach public procurement. I dare not mention either the former or the present Minister for Social Development in case I incur the ire of the Minister of Finance and Personnel for being involved in some sort of internal party electioneering. I hasten to add that I am not. Both Ministers and, indeed, other Ministers have contributed to this, but there is no harm in using that experience to illustrate the progress that we can make.

I was taken aback by the Finance Minister's passionate rejection of our connection with the European Union. I do not want to dwell on that for too long, but it seems to go against the grain and against, I think, the Executive's public policy on Europe. We want to embrace Europe. We see it as a positive benefit for the people of Northern Ireland. There is a huge market in the European Union in which many local firms can participate. Yes, bureaucracy is associated with Europe, and all of us recognise that and must work towards its reduction. However, we must not throw the baby out with the bath water by saying, "Well, there is bureaucracy, therefore we do not want to be involved in Europe". It sends out a very bad message for our own Executive in Northern Ireland if we are seen to be publicly anti-European. What message does that send



to President Barroso and his colleagues, who have come here to help us out of recession and to help us to reconstruct and rebalance our economy and work towards a better future?

**Mr Speaker:** I ask the Member to bring his remarks to a close, please.

**Mr A Maginness:** I support the amendment and ask the House to do so, too.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle. I will probably not take the 10 minutes, as I do not intend to rehearse everyone's arguments. Everyone has been in agreement on the motion and the amendment.

I will start by distancing us from the Minister's comments that we would be better off out of Europe. It might have been better if he had said nothing on the issue, because such comments can cause difficulties in the outside world when it comes to Europe. As Mitchel McLaughlin said, the Minister's personal views are definitely not those of his Executive colleagues, so he might be better off retracting that comment. Sometimes it is better to say nothing — that is the important point to note today, Sammy.

**Mr Wilson:** Will the Member accept an assurance from me that I will not be retracting that statement? It is a view that, I think, I share with the vast majority of people in Northern Ireland.

**Mr P Maskey:** I appreciate your honesty, but I do not appreciate your comments. If you look at the Hansard report tomorrow, you will see that one of your statements was that we may do better without Europe. However, that is not a good reason to say that we need to move out of it. You need to do a bit of homework and a bit of work on it. It is clear that your statement is a bad one. It is up to you whether or not you retract it, but there you go.

Procurement is a massive issue for us all. From time to time, we meet businesspeople in our communities who are trying to get on the list but, for whatever reason, find it impossible to do so. Somewhere in the region of three quarters of SMEs and social economy projects do not even apply for procurement contracts because they recognise that the process is stacked against them and is weighted in favour of larger companies. That is wrong. I met people from the local construction industry and some who have their own business, and they stated

clearly that they do not get a look-in in the tendering process.

As they see it, the big companies get the vast majority of public procurement contracts that are being applied for. Those contracts are subcontracted out, and, sometimes, smaller companies will get a subcontract. But those companies are asked to reduce their costs and their profit margins while the bigger companies' profit margins remain the same, or are increased in some cases, because they are putting the smaller companies under massive pressure.

### 1.30 pm

Nearly every Member who contributed to the debate touched on the social clauses, which are very important. However, it is not good enough that DFP allows the other Departments to put them in if they so choose. It is up to DFP to demand and ensure that all Departments step up to the mark when it comes to social clauses. They are not the be-all and end-all. We have met local people, and Dominic Bradley spoke about the fact that 1,200 or 1,600 people could have been put back into employment had the Executive looked at that issue.

**Mr D Bradley:** One of main planks of the motion is that the previous Finance Committee's recommendations on public procurement should be forwarded to the Executive. The Minister of Finance and Personnel has said that he is undecided about that. Does the Member agree with me that it is very important that we get buy-in from the Executive for those proposals, and, in fact, that Ministers should act as champions of the use of public expenditure on procurement to grow the economy?

**Mr P Maskey:** We all agree that the social clauses are good and need to be included in procurement contracts by every Department, council and local government agency. They must be entrenched in the system to ensure that Ministers and permanent secretaries push them forward. Some Members said earlier that people may be given work placement opportunities that last for only six weeks. Is that good enough? Is it good enough that we can screw the numbers about to make six-week placements? Some of the companies that I have met over the past couple of years have told me that the apprentices that they take on do not get a full apprenticeship; they can be put on a contract that lasts for a year or two years, which does not allow an individual enough time to serve his

or her time as an apprentice. That means that a skilled workforce cannot be produced, even if the number of apprenticeships is smaller. It is much more beneficial to us all to have fully qualified apprentices coming out of work schemes.

There has been a failure today to mention the legacy for communities in which the work is being done, and what that legacy looks like. We will, possibly, look at that in future. It has been stated clearly that £3 billion is spent annually on procurement. That is a massive amount. The Minister says that we could be better off without Europe and that we should not be dictated to by what it tells us. Three billion pounds is being spent annually, which is a massive budget. Four billion pounds in cuts are being imposed on us by Westminster over the next four years, yet we are not going to receive many benefits from the £3 billion that is spent on procurement contracts. How will we get more people into employment? How will we get value for money? How will local communities benefit from it? Those are massive issues.

**Mr Wilson:** I am amazed by the Member's statement. What does he think happens when £3 billion is spent? That puts people into employment. A large number of procurement contracts, including those entered into by DSD, DFP, DRD and DE, contain social clauses. How can he justify his comment that we are not getting any impact from the £3,000 million that we spend? That is just nonsense.

**Mr P Maskey:** That is not what I am saying. I am asking whether we could maximise that, and I think that we could. That is the important step that the Executive need to look at, and those are the important issues that every Department and local government agency needs to examine. We need to maximise the return for the money that we are spending. There are to be £4 billion in cuts over the next four years, and although the economy here is benefiting from the £3 billion, we need to maximise those benefits. That is the point that I am making.

**Mr McLaughlin:** I have an example of how we could maximise it, and it should be considered. Two separate envelopes are submitted with a tender bid; the first one is the commitment to social clauses and the second is the detail of the bid, including the financials, expenditure and outputs. If the Assembly, on examining the bids, is not satisfied that the minimum thresholds

for social clauses have been met, it should not open the other envelope. We can address it in that way so that it is a proactive policy rather than a laissez-faire approach.

**Mr P Maskey:** I appreciate that. The point of the —

**Mr Wilson:** Will the Member give way?

**Mr P Maskey:** Yes, but this is the last time that I will give way.

**Mr Wilson:** I thank the Member. I do not know whether he or Mr McLaughlin were listening when I was speaking, but it was emphasised that we have to stay within the legislation. We cannot use anything that is not associated with the main contract when making a decision, so what was suggested would be illegal.

**Mr P Maskey:** How can they do it in places in England but you cannot do it here? Recommendations were made by the Finance Committee last term, and perhaps you have rejected some of the issues that you should be taking forward and promoting. An awful lot of time was spent on those recommendations. I urge you, Minister, to look at how they do it elsewhere under the European banner. You seem to find difficulties with doing it here. I finish the debate by urging you to take the issue forward and come back to us with some sort of response.

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

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

*Resolved:*

*That this Assembly recognises the importance of ensuring that public money spent on supplies, services and construction works represents value for money and results in investment in society and the environment; and calls on the Minister of Finance and Personnel to forward the recommendations in the previous Committee for Finance and Personnel's report on its inquiry into public procurement to the Executive for consideration; and urges the revision of policy and practice on the use of social clauses in government procurement, including the introduction of the social clause model developed by the Department for Social Development for housing and regeneration contracts.*

## Fuel Smuggling and Laundering

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

**Mr Irwin:** I beg to move

*That this Assembly notes with concern the statistics which reveal that only four custodial sentences have been handed down to people involved in fuel smuggling or laundering in the past 10 years; further notes that the estimated annual cost of these practices to the Exchequer is in excess of £200 million; and calls on the Minister of Justice to ensure that the next justice Bill incorporates tougher sentences and penalties to deal with illegal operators.*

I welcome the opportunity to bring the motion to the House. I represent a constituency that has long been associated with the illegality of tax evasion through numerous methods, such as counterfeit goods, cigarettes, alcohol and, of course, fuel. It is appropriate that the House records its opposition to such practices. Of course, such practices have long been the preserve of terrorist organisations, namely the IRA, which used it as a means of raising cash to purchase weapons in order to kill innocent people. However, we now realise that the practice of tax evasion is no longer the preserve of terrorist organisations; it is popular among common criminals.

It is not being dramatic to suggest that fuel laundering, particularly along the border and, most heavily, in the Newry and Armagh constituency, has reached epidemic proportions. The estimated loss to the Exchequer from the activity is well in excess of £200 million a year. That is a significant loss that places a serious strain on the taxpayer. The task of disrupting tax-evasive operations is, of course, the job of Her Majesty's Revenue and Customs (HMRC), which operates in Northern Ireland with the necessary and welcome assistance of the PSNI, task force groups such as the Organised Crime Task Force, which Minister Ford chairs, the

Serious Organised Crime Agency and the cross-border fuel fraud enforcement group.

Although the judiciary remains independent of scrutiny by the Assembly, there is an expectation among the public that such criminal activity should be met with a sentence that reflects the seriousness of the crime. Minister Ford is on record as stating that he wants to see how public confidence in sentencing can be increased, and this issue is a perfect case study on which to reflect.

In the House of Commons, the Northern Ireland Affairs Committee is conducting an inquiry into fuel laundering, and, on 14 September, it held an oral evidence session. I encourage Members to read the transcript of that meeting, which was attended by key figures involved in the fight against fuel fraud and smuggling in Northern Ireland and which provided a timely insight into and update on the problems on both sides of the border. In the past year, there have been actions against 14 illegal laundering operations in Northern Ireland, which has resulted in the seizure of millions of litres of laundered fuel and the confiscation of tons of associated equipment. The recent discoveries are an encouraging sign that the agencies that are responsible on both sides of the border are having an effect on disrupting what is now a fruitful criminal empire.

Given the prolific nature of that criminality, one would expect a judicial response that is designed to ensure that such activity, if detected, carries a significant spell in prison. However, that could not be further from the truth. It appears that, in the past 10 years, only four prosecutions have led to custodial sentences. Of those four, the longest sentence imposed was for two and a half years, and that was back in 2002. I believe that that will come as a shock to the general public. HMRC is, of course, right to point out that it has made many successful prosecutions, and many of the accused have received suspended sentences and had some assets frozen. However, given the epidemic proportions of this criminality, there is a clear need for a greater response from the courts to make it absolutely clear that that form of criminality carries a heavy price. In my opinion, the deterrent is simply not there.

There is also some concern about the current licensing regulations for petrol stations. Should a forecourt owner be found to be knowingly

selling laundered fuel, he or she is permitted to continue trading, because the licence relates solely to petrol, which is not as popular to manipulate as other fuels. I feel that there is merit in pursuing with our own Executive the possibility of the petroleum licence being extended to cover diesel fuel for sale at forecourts. The Department of Justice and the Department of Enterprise, Trade and Investment have been exploring that. Such an extension to the licensing regulations would send a clear message that the sale of laundered fuel could result in the loss of a licence for the sale of fuel at that forecourt.

Although the loss to the Exchequer is significant and most serious, an equally serious, if not more serious, issue arises in the form of immediate and potentially catastrophic damage to the environment through the reckless disposal of the materials that are used to treat the fuel. In my constituency, a number of shocking discoveries have been made of plants where toxic sludge, which is a by-product of the laundering process, was stored in underground pits and in trenches or ditches dug into farmland. Most worryingly, that has happened close to Lough Ross reservoir, which is a source of drinking water for thousands of residents in the general area.

The farming community, for instance, is all too aware of the regulations and rules concerning the protection of the environment and of the penalties that exist for even minor breaches for effluent seepage. Those are significant, and rightly so, given what is at stake. What, then, for the fuel-laundering criminals who set out deliberately to fill purpose-dug ditches with toxic sludge? I am keen to enquire of the Environment Minister about the enforcement action in such cases. I am sure that Members would like to think that the consequences of such reckless and deliberate behaviour are most severe and the fines significant.

Technological advances in detection are continuing to develop, and the enforcement agencies are utilising those new technologies. Indeed, other countries are learning from Northern Ireland's example. However, as I mentioned, that is all being done in a drive to stay one step ahead of the criminal, but I believe that we need to deal a hammer blow to that activity in the form of more rigid consequences. I urge the Minister to review the judicial response to those recent cases

to better shape sentencing guidelines and, ultimately, the future judicial response through appropriate guidelines and the next justice Bill. If £200 million is lost per annum, over a 10-year period some £2,000 million is lost, which is a very large sum indeed.

I urge the Minister, in his role as chair of the Organised Crime Task Force, to ensure that his colleagues across all the enforcement agencies continue to pursue the very latest methods of detection and, indeed, pursue new marker technology to make the process of laundering as time-consuming and expensive as possible for the criminals.

#### 1.45 pm

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle, Éirín leis an leasú seo a mholadh. I beg to move the following amendment: At end insert

*“; and urges the Minister to examine opportunities for further cross-border and interagency co-operation to identify and prosecute a greater number of offenders.”*

I thank the Members who brought the motion to the House. We can agree with the motion, but, in our view, more is needed than tougher sentences and penalties. The reason why so few of those responsible for illegal fuel smuggling and laundering come before the courts is not that the penalties are too lenient. More severe penalties may have the effect of deterring some of those who might otherwise think of becoming involved in that illegal trade, but they will not, in themselves, lead to more people being caught, convicted and sentenced. We believe that if you cannot catch the criminals, it is difficult to penalise them. So, let us catch them first of all.

There is a cross-border aspect to the business because of the duty differentials in the two jurisdictions, and it follows that if we are to tackle the plague of fuel smuggling, we must marshal all the agencies available on both sides of the border and bring their collective skills to bear on the problem. The PSNI, an Garda Síochána, the Serious Organised Crime Agency, the Organised Crime Task Force, the Criminal Assets Bureau, HMRC, the security services North and South, and the cross-border fuel fraud enforcement group all have an interest in bringing this illegal trade to an end. However, I wonder whether those agencies ever meet and



share their skills, expertise and intelligence to apprehend those who are involved in this trade.

I know that levels of co-operation between the Garda Síochána and the PSNI are at an all-time high, and I very much welcome that situation. However, there are more players involved than the two police forces. When a multiplicity of agencies works in isolation, the criminal quite often wins. However, when those agencies work in a co-ordinated effort, the combined efforts bring about a much higher level of success in apprehension and conviction. I am interested to hear from the Minister about the exact level of co-operation between those agencies on illegal fuel trade. Can the Minister tell us how often civil recovery powers have been used against those engaged in that crime?

We must remember that fuel laundering is not a victimless crime. It is clear that the full impact of that trade has wide-ranging implications for the local environment and for the ratepayers in the areas affected. The cost of dealing with and cleaning the toxic sludge produced by illegal fuel laundering runs into tens of thousands of pounds, and funds have to be diverted from much-needed local services to meet that requirement. So far this year, Armagh City and District Council has already spent £50,000 dealing with toxic waste, and there is a year-on-year cost. Newry and Mourne District Council has spent £70,000 to date this year to deal with the same problem, and, as Mr Irwin pointed out, the cost to the Exchequer, as referred to in the motion, is £200 million.

The sludge causes serious damage to local farmlands, streams and rivers, and can cause long-term problems with the local water table. It is a scandal that must be brought to an end. The entire community should not have to pay the cost of a clean-up caused by a few people whose only real interest is in lining their own pockets. Legitimate businesses, of course, are suffering at a time of recession because their rightful trade is being taken away.

We need co-operation from the community as well; that is an essential ingredient in apprehending those responsible. The community can help by refusing to buy illegal products and by helping the authorities to locate illegal plants. I understand the fear that some people feel in that respect because of the associations that some illegal operators have with past or present paramilitaries. Indeed, the more sinister

aspect of that illegal trade is the evidence of former and current paramilitary involvement in this crime, some of the proceeds of which go to the coffers of organisations intent on death and destruction. It is not only about protecting the environment and saving money; it is also about saving lives.

I have no objection, and neither does my party, to tougher sentences and penalties, but we must have a concerted and unified effort from all those agencies with an interest in dealing with this crime, supported, of course, by the community. Only then will we see an increase in the numbers apprehended and convicted and in the number sentenced at levels that reflect the seriousness of such crimes.

I hope that the proposers of the motion will see their way to supporting the SDLP amendment, which is aimed at helping to bring that illegal trade to an end. Go raibh míle maith agat.

**Mr Speaker:** Mr McCartney has five minutes in which to speak.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt ar son an ruín tráthnóna seo agus ar son an leasaithe freisin. Sinn Féin supports the amendment and the motion. I place it on record that Sinn Féin totally opposes the practice of fuel smuggling and laundering.

The motion refers to the fact that only four custodial sentences have been imposed in the past 10 years and the suggestion that tougher sentences will increase that. I am not sure how that would work, although I will listen to what other Members have to say. We have to create the circumstances in which more plants are dismantled and those responsible for them or who own them are brought before the courts as part of the due process of law. That is why we support the amendment, which, alongside the motion, points to methods by which we can increase the likelihood of dismantling more plants.

There are two aspects to this issue: fuel smuggling and fuel laundering. I will be interested to hear the Minister's take on it, but there seems to be a decrease in fuel smuggling. An examination of how that was brought about points to how we can deal in the future with it and other matters around tax evasion. There is no doubt that the duty and pricing of fuel, particularly along the border corridor, has made it less inviting for fuel smugglers to take fuel

from the southern to the northern counties. That points us towards a way of dealing with this type of crime in future. Looking at the tax and rebates that are sometimes provided on certain goods can help us to deal with this.

The latest report presented to the Committee on laundering was that there seems to be a better detection rate, which is to be welcomed. Fifteen plants have been dismantled in the past year or so. That shows that there is a better flow of information, which is why the amendment is important. Better co-operation and co-ordination across the island of Ireland, and through that there is a greater detection rate.

It is also important to note in the research pack that people sometimes unknowingly use illegal fuel because they believe that they are getting it legitimately from a garage, but they are not. However, as regards the detection rate for that, more people were fined on the spot for using illegal fuel in the past than there seem to be recently. I would like to hear what the Minister has to say about that, and whether he envisages any more powers to allow that to happen more frequently. Only when that happens will the Committee and Members be able to approach the issue in a more informed way when the justice Bill is being framed.

I am not saying that there should not be tougher sentences, but the fact that there have been only four custodial sentences is not in direct correlation with the lack of arrests. From the information pack provided and from the evidence, it seems that many people are being arrested. We have to find out why that does not translate into custodial sentences. Perhaps the Minister will tell us the number of people facing trial for that type of offence.

It is also worth noting that this matter should not be seen in isolation. When the task force laid out its plans, tobacco smuggling seemed to be a more profitable business. Sometimes, there seems to be an emphasis on fuel smuggling. That seems to be decreasing, and it may appear that we are ignoring other tax evasion crimes, particularly tobacco smuggling. It is something that the Assembly should think about in future. Go raibh maith agat, a Cheann Comhairle.

**Mr B McCrea:** I commend the proposer for bringing forward the motion: it is not often that I do that, because it is a trite thing that people

say. However, having looked at the numbers involved, I am genuine in my admiration.

The real question is this: why are there no prosecutions? It is not that people do not know that it is a serious issue. When I was doing some research, I came across a press release from the BBC news website for November 2001 when the then Minister Sir Reg Empey made the point that we were losing almost £200 million. It has been 10 years since we identified the issue, and yet we do not seem to be getting to grips with it.

I listened carefully to what the previous Member said, and I agree with him in that the issue does not appear to be about not having enough arrests. We seem to have interventions and be able to do things, but we do not seem to be able to prosecute. Perhaps the Minister will have to look at that more intently in any legislation that he wants to introduce. Failure to prosecute gets misinterpreted: people think that a blind eye is being turned or that something not quite right is going on, and we have to address that.

There is also the issue that we get confused — at least I get confused — about the size of the sums of money involved. The proposer referred to billions or millions. The numbers are colossal. I cannot get over the fact that the level of duty is bigger than corporation tax; it is the fourth largest revenue in Northern Ireland. When we are looking at different ways of trying to redress the balance, perhaps we should look at devolving fuel duty, bearing in mind that we are looking into doing something about corporation tax and airport duty. Perhaps we should take on that issue and see whether we could manage £100 million better than other places. Obviously, we would need to ensure that we had the proper help and support from Her Majesty's Revenue and Customs, and there would be cross-border issues. People from all walks of life phone me up to say that a certain petrol station is selling petrol at a price that cannot be right commercially, and I am sure that I am not alone in that. It is not as though it is not known to us. There must be something we can do to focus on issues that are raised.

I referred to the fact that it is hard to believe that we are not doing something about the large sums involved. From the information provided, I note that the fuel duty in Northern Ireland, in comparison to that in the United Kingdom, is

3·7% of the income, and yet our population is only 2%.

I also see that our fuel duties have increased some fourfold over the past four years, whilst our vehicle excise duty has increased only twice. Perhaps that is some sort of indication that things are going better.

## 2.00 pm

You cannot get away from the general perception that this number is so large that, collectively, we put our heads in the sand and do not explain to the people of Northern Ireland that the smuggling and laundering of fuel are not merely little issues taking place on the edges and in border areas but are fundamental to their living standards. Such corrosive activity not only takes away revenue that could be used for all of the things that we want to deal with, such as hospitals and schools, but ends up fuelling all other forms of criminal activity. That is the fundamental issue: the amount of money is so large that you could run hundreds of criminal organisations on it, yet it is left untouched. That is why I commend the proposer of the motion. We will support the amendment, but we think that the Assembly needs to come back to this issue. It is not good enough to stand here and say that it is not good enough; we have to do something about it.

**Mr Dickson:** I, too, thank those who secured the debate, and I acknowledge the recent success of the relevant agencies in seizing and dismantling illegal fuel fraud operations. Fuel fraud affects all of us in Northern Ireland. Terrible damage is done to our environment by the resulting toxic waste, 240 tons of which was discovered at illegal plants in the past 12 months. The clean-up cost approximately £10,000 a ton. As other Members said, the waste is often dumped indiscriminately in forests, fields and rivers and causes a large amount of damage to our countryside.

Such activity also funds wider criminality, and, as other Members said, results in a significant loss of revenue to trade and the Exchequer. However, tax is not the only consideration. There is a wide degree of criminality and profit-making by criminals, particularly in an area that has not been mentioned in the debate — gas. There are very serious health and safety implications for those who trade in gas illegally.

The most important issue is how the problem can be tackled. That is the subject of the final part of the motion, and also, unfortunately, why the Alliance Party cannot support it. The motion calls for the Minister to legislate for tougher sentences and penalties for offenders, but it is clear that, in this case, action on sentencing is a responsibility for the judiciary and the courts. Of the four custodial sentences handed down for fuel fraud in the past 10 years, one was for two and a half years, and the other three were for a few months. If cases are tried in a Crown Court, the maximum sentence is, at seven years, significantly longer, and there is an opportunity to impose unlimited fines.

Therefore, there is significant scope within the current sentencing guidelines for much tougher sentences to be handed down. I draw Members' attention to the evidence given by HMRC officials John Whiting and Mike Norgrove when they appeared before Westminster's Northern Ireland Affairs Select Committee in September. Mr Whiting emphasised that, ultimately, sentencing is decided by the courts and that despite dozens of successful prosecutions in the past 10 years, most resulted in suspended rather than custodial sentences. Moreover, Mr Norgrove insisted that even though the evidence against offenders stands up in court, custodial sentences are rarely given. Most interestingly, when asked whether he believed that legislating for higher sentences would push up the numbers being sent to prison, Mr Norgrove said:

*"I do not think the laws themselves are inadequate; it is the interpretation of the offence and the decisions by the judiciary."*

That is why we cannot support the motion. It is, therefore, my opinion —

**Mr Weir:** I thank the Member for giving way. I appreciate what the Member says about the principal responsibility lying with the court, but surely, as we heard at the Justice Committee on numerous occasions, there is an opportunity for the Assembly to set various levels of tariff. I appreciate the concerns that the Alliance Party has raised about that. However, speaking for the DUP, who brought the motion and will support the amendment, I think that dividing the House on what might be seen as a technicality, which is where sentencing strength lies, would surely send out the wrong signal.

I appreciate the fact that the Member's party may have difficulty in supporting the motion, but

I urge the Member not to divide the House and perhaps send out the wrong signal that there is any ambiguity on the issue of fuel smuggling.

**Mr Speaker:** The Member has a minute added to his time.

**Mr Dickson:** Thank you, Mr Speaker, and I also thank Mr Weir for his intervention. I understand exactly what he said, and I am happy to agree with it. However, it is worth pointing out that sentencing is not a matter for the Minister of Justice but for the judiciary, and we welcome the announcement by the Lord Chief Justice on 16 September that sentencing in that area will be considered by his sentencing group. This is an area for sentencing and not for legislation. However, I understand the Member's point, and, as the Chief Whip of my party, I will not press the House to divide on the motion.

Perhaps the Minister will give us more information on the Lord Chief Justice's announcement. It is a positive development, and it will hopefully lead to tougher court action when appropriate.

It emerged from the meeting of the Northern Ireland Affairs Committee that the Minister of Justice wrote to the Minister of Enterprise, Trade and Investment — proof that the issue requires the involvement of more than just one Minister — to request that legislation on petroleum licensing be extended to include diesel. That would mean that licences could be revoked in cases in which filling stations were found to be selling laundered or smuggled diesel. HMRC officials informed the Committee that Minister Foster had replied that such a move would put us out of step with the rest of the UK; I encourage Minister Foster to reconsider that position. I am also concerned that her response was not more positive, as an extension of the legislation to include diesel could act as an extra deterrent. Perhaps the Minister of Justice will inform us whether Minister Foster has ruled out such a change or whether there have been further discussions on the issue.

In my closing remarks, I express my concern at the scale of fuel fraud in Northern Ireland, not only for diesel and petroleum products. I hope that it is dealt with urgently and effectively. However, given the significant scope for improvements in sentencing that the current guidelines allow for and on the recommendations of HMRC, I believe that

the matter is better dealt with by the judiciary through sentencing guidelines.

**Mr S Anderson:** I wholeheartedly support the motion tabled by my three party colleagues. The motion draws attention to a very serious problem and quite rightly calls for more effective action.

Over the years, fuel laundering has been allowed to become one of Northern Ireland's most lucrative illegal industries, and it has made some people very wealthy and powerful. At the same time, ordinary taxpayers suffer. We are in a time of recession and financial austerity, when Departments are being forced to make radical cuts to front line services, yet estimates suggest that in excess of £200 million, perhaps as high as between £280 million and £300 million, is lost each year in Northern Ireland as the result of fuel smuggling and laundering.

We all know that our land border with the Irish Republic has made fuel laundering and smuggling an extremely lucrative business for republican paramilitaries. It was long a source of funding for the Provisional IRA, and today it is helping to fund dissident republican terrorism. We are dealing with some very sinister, clever and ruthless gangsters and thugs who have got away with far too much for far too long. Indeed, as was said earlier, we are dealing with matters of life and death.

At the launch of the annual report of the Organised Crime Task Force (OCTF) in June, the Minister and the Chief Constable spoke in glowing terms of the work of the agencies in OCTF. We all welcome their success, and the HMRC and the PSNI are to be congratulated for discovering and dismantling the UK's biggest fuel-laundering plant in Crossmaglen in March. Those successes are welcome, but we must be realistic. We are doing little more than scratching the surface, and we need to step up our game. The criminals are several steps ahead of us, we face a ruthless and sophisticated criminal machine, and it is vital that our methods and approaches are ahead of the game. We need to look at the effectiveness of the current arrangements and examine all opportunities for inter-agency co-operation to secure greater levels of prosecutions.

The situation has become so serious and the problem so widespread that people have become suspicious when fuel is even slightly cheaper than average at respectable retail outlets. Some smaller retail outlets, especially



along the border, have been forced to close. That is partly because of the cheaper prices in the Irish Republic, but partly because of smuggling and laundering.

I declare an interest as a member of Craigavon Borough Council. The council has regularly to deal with the effects of the dumping of illegal toxic waste that results from fuel laundering. That is a major problem for Craigavon Borough Council and, as we have heard, for other councils, especially on or near the border. When toxic waste is abandoned, it causes considerable damage and costs councils large sums to have the affected areas cleaned up by specialists. It is an unfair financial burden on the ratepayers and it means that many people take a double hit, as ratepayers and taxpayers. The council has lobbied for some compensation from the assets seized by the enforcement agencies but, so far, it has been unable to make progress in that field. Surely it would make sense for ill-gotten gains to be used in that way.

One way to combat the problem of fuel laundering would be to reduce the price of fuel at the pumps and, in that context, I am interested to know how things stand in respect of the fuel duty escalator.

**Mr B McCrea:** I thank the Member for giving way. On that line of thought, the other way to do it is through regulation. If the prices of fuel were set throughout Northern Ireland, we could not only make sure that everyone gets a fair deal but look at retailers' books to see whether they are getting fuel from the right sources.

**Mr Speaker:** The Member has an extra minute.

**Mr S Anderson:** Thank you, Mr Speaker.

I agree with that. Sometimes, the price of fuel at the pumps starts a price war and that presents an opportunity for others to take advantage. Our failure to get to grips with fuel smuggling and laundering is well illustrated by the motion. In the past 10 years, only four jail sentences have been handed out and, out of 40 convictions, only 10% have gone to prison. That speaks for itself. I fully accept that sentencing must be proportionate to the crime, but there is a problem with unduly lenient sentences. Recently, we saw that rioters in England went to jail although rioters in Northern Ireland get off with suspended sentences or conditional discharge. I am glad that the Lord Chief Justice has promised a review of sentencing for fuel

laundering, and I look forward to the results. However, time is of the essence and I hope that it will not be a long-drawn-out review.

I would be grateful to hear the Minister's views on one specific issue. When a laundering plant is closed down by HM Revenue and Customs or the PSNI, is the landowner questioned about his knowledge of what has been going on at his property? Is any action taken against the landowner? I want to hear the Minister's views on that.

I urge the Minister to respond positively to the motion and do all in his power to develop a more successful strategy. I urge him to lobby the key players, especially those at Westminster, where the Northern Ireland Affairs Committee has been investigating the issue. I support the motion.

**Mr Wells:** About eight years ago, I received a phone call from a constituent in South Down who told me an interesting story. She said that, about once every fortnight, a certain tanker appeared in a certain street in a certain town in South Down — that is as specific as I will be. The driver would stop the tanker and turn off the engine at the top of the hill, and freewheel down the street to a certain garage. He would rapidly discharge the fuel in that tanker and then freewheel down to the roundabout, start his engine, and go on. She asked me what I considered was going on. I said that there were two possibilities. The first was that the driver was being desperately considerate towards the people of that town; the second was that there was something in that lorry that the driver did not want the community to know he was discharging into those tanks. Of course, I reported the matter to the relevant authorities, and I noticed that the garage has been closed down on several occasions, allegedly because it was selling laundered fuel.

That garage was selling fuel at a price that I know, from consulting experts in my party who are in the fuel business, it would have been impossible to legitimately buy. However, the community was queuing to get fuel from that garage. That means that everyone was in on the knowledge that that fuel was laundered. The garage owner knew it and the public who bought the fuel also knew it. I suppose that many people saw it as a victimless crime, which of course it is not. Many aspects of this business are extremely seedy.

Essential services in Northern Ireland are being deprived of some £200 million. What could we do with £200 million? It would build us a complete A&E hospital, numerous clinics and new schools, etc, yet, every year for decades, that money has gone missing from the Exchequer and is not available. Therefore, it is not victimless.

### 2.15 pm

Equally, from an environmental point of view, I often get anonymous telephone calls from constituents saying that there is an illegal plant in such and such a part of South Down, particularly at the southern end of the constituency. When the security forces and HMRC raid that plant, it is found that the most appalling environmental standards have been exhibited. Acid is used to strip out the dye marker in the diesel. That acid then leaches into the waterways, and sometimes material such as cat litter is used and is then dumped in large quantities by the roadside where it causes pollution and environmental damage. Therefore, it is not victimless in that sense.

The fact is that everyone in this Chamber knows where the money is going. It is not going to small-time crooks; it is going to fund some of the nastiest individuals who have ever set foot in Northern Ireland or the Irish Republic and to people who are involved in paramilitary activity and gangster activity. Very sinister individuals are using the money. The amount of money is so great that we are talking about mafia standards of corruption and criminal activity. Therefore, we simply cannot allow that to continue.

I have received anonymous tip-offs from individuals as to how the scam works. It is very simple. The tanker driver arrives in the forecourt of the garage, often late at night, and he gives the garage owner an invoice and VAT receipt for the diesel at, for instance, today's price of £1.30 a litre, so the garage owner has all the paperwork for a legitimate piece of business. He then takes out of his back pocket a wad of several thousand pounds of used bank notes and hands it to the tanker driver. Therefore, when the authorities raid the garage, the proprietor has a full paper trail showing that he did everything right. How do the authorities prove that he did not actually pay that amount and that he got a substantial refund? That money is used for all sorts of activities, and, of

course, VAT, tax and national insurance are paid on none of it. Therefore, it is a serious issue.

I am interested to see what the Justice Minister is going to say about this, but I do not believe that we as a society are taking this issue seriously enough. Only four custodial sentences have been given. If I were to walk into a bank in South Down and steal a million pounds, quite rightly, I would go down for a very long time, but if someone launders fuel and makes several million pounds out of it, it seems that all he gets is a suspended sentence, a rap on the knuckles or a fine. If we are really to take this issue seriously, far more people should be caught and sent down with substantial custodial sentences. Only then will it show the community generally that the Department of Justice takes this issue seriously. I believe that the sentencing guidelines should start on the basis that, if you are caught committing the crime, you get a custodial sentence immediately.

**Mr Swann:** We have mentioned a number of times that the Exchequer is not the only victim in this crime. There are other victims. Car owners, who were referred to earlier, may buy diesel at a cheaper price, but they are not all committing a criminal offence. The unfortunate thing is that the current legislation allows Her Majesty's Revenue and Customs to seize their cars almost immediately, under the suspicion that they have been running it on illicit fuel. However, as Jim Wells said, it is far harder for HMRC to prosecute the seller and the retail site for what they have been peddling.

The fuel in question is highly illicit and highly dangerous. It can damage cars and cause massive environmental damage to surrounding areas. Anonymous calls have been referred to, and we have to realise that, for the ordinary individual, there is no central system in our judiciary that will handle a reported crime of laundered fuel. If you or I had a suspicion that we had just filled our car with illicit fuel, we could phone the Trading Standards Service, HMRC or the Consumer Council and they would all start to pass you round in circles before anybody would take action or come down on the retail site in question.

The proposer of the motion referred to the trade in illicit fuel as also being closely linked to the trade in illicit tobacco, with Her Majesty's Revenue and Customs estimating that the UK Exchequer loses some £3.8 billion a year to

illicit tobacco. On a rough estimation, 2-5% of that coming to the Northern Ireland Exchequer would be in the region of a further £100 million that we in Northern Ireland could be making use of. If we add that to the £200 million from illicit fuel, we would have another £300 million coming into the Northern Ireland coffers that we could all make use of.

The motion mentions the damning statistic that there have been only four custodial sentences. Between April 2000 and March 2005, Her Majesty's Customs and Excise in Northern Ireland seized almost 10 million litres of illicit fuel; seized 4,285 vehicles from fuel fraudsters; dismantled 77 laundering plants; disrupted 17 criminal gangs; and secured 27 convictions. That was during the period when those four custodial sentences were handed down. It has been widely mentioned in the Chamber that illicit fuel laundering and tobacco smuggling are not carried out by — for want of a better word — normal burglars or criminals. Such crimes are committed by organised criminal gangs that formerly supported paramilitaries, which have been the scourge of this country. The public's perception is that there was often a failure to prosecute those individuals because they were protecting a higher political master and that that is why the judiciary was unwilling to take on those serious crimes.

The tobacco industry was referred to earlier. Between 18 January and 18 May 2011, nine individuals were arrested and 16 million cigarettes were seized in south Armagh, which is in the proposer's constituency. However, no statistics are available for any custodial sentences handed down for tobacco smuggling.

If we are genuine about tackling fuel smuggling, we should look at extending petroleum licences to cover not just petrol but diesel spirits. The use of acids or cat litter to remove dyes was mentioned earlier. In many Third World countries in Africa, such as Kenya and Libya, the use of DNA markers rather than just the red, green and yellow dyes that are used in the North, the UK and across Europe, has a proven track record. DNA markers, which are impossible to remove, would give us another weapon in our struggle against fuel smugglers.

No matter how we portray this activity, it is not a victimless crime, as has been mentioned. From fuel and tobacco smuggling to counterfeit goods, we pay in some way for the loss of £300

million to the Exchequer. It is the old, the young and the vulnerable who pay.

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

**Mr Swann:** Today's motion indicates that such activity is not a victimless crime and that we are not actually prepared to challenge and prosecute the perpetrators.

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

**Mr A Maginness:** I do not want to repeat all the points that have been made, because there has been considerable commonality in Members' contributions. However, I compliment Mr Irwin for bringing the motion to the House.

This species of crime is very evil indeed. It not only destroys the environment but corrupts the retail sector, those involved in fuel laundering and the ordinary motorist who takes advantage of cheap fuel. It is an insidious and evil crime that eats into the heart of our society and eats away at social values by turning honest, ordinary, good people into dishonest people who take advantage of cheap fuel. It is necessary for us to address the issue thoroughly. We can address it on the basis of the penalties for those offences. It does seem strange that only four prison terms have been imposed for such crime over the past number of years. An explanation is needed as to why more people are not being imprisoned given the high level of detection of fuel laundering and smuggling.

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

As Mr McCrea pointed out, it is important to look at what is, in many ways, the cause of fuel laundering, namely the high level of fuel duty. We should approach the issue by looking at duty on both sides of the border. Could we introduce a duty regime on both sides of the border that would, at one fell swoop, do away with people's incentive to launder or smuggle fuel? It would be sensible —

**Mr Wells:** I think that the Member is slightly confused about smuggling and laundering. If fuel levies and tariffs were harmonised North and South, that would stop smuggling. However, criminals in Northern Ireland would turn their attention to taking the red dye out of diesel that is for agricultural use here, and those in the Irish Republic would take the green dye out of the equivalent fuel there. They would continue to do that; they just would not bring the fuel back

and forth across the border. They would still cause environmental damage and, of course, loss of revenue on both sides of the border.

**Mr Deputy Speaker:** The Member will have an extra minute added to his time.

**Mr A Maginness:** I take the Member's point. Harmonisation would be effective in dealing with smuggling, and I agree that other issues are at large with regard to laundering. However, both jurisdictions could look at the issue together across a wide range of areas, such as the environment, pricing, duty, detection and co-operation. Both sets of revenue officials could interrogate and examine, at will, on both sides of the border and in one another's jurisdictions, people suspected of involvement. That would lead to a much more effective regime to deal with that specific problem.

Of course, those who benefit most are, in fact, people who are engaged in paramilitary activity. That is a great evil, and it is one that is intent on destroying this institution and the democratic institutions that were set up under the Good Friday Agreement. We want to maintain the political progress that has been made. However, that evil eats at the very heart of that progress. Therefore, it is an important issue. Whether I am correct on the issue of duty, it is important that, on a cross-jurisdictional and cross-border basis, we look hard and fast at what we are doing on both sides of the border. In that way, we must bring all of our resources to bear in order to eliminate that particular evil.

**Mr Deputy Speaker:** As Question Time commences at 2.30 pm, I ask Members to take their ease for a few minutes. The debate will continue after Question Time, when the next Member to speak will be David McIlveen.

*The debate stood suspended.*

2.30 pm

## Oral Answers to Questions

### Enterprise, Trade and Investment

**Mr Deputy Speaker:** Questions 1 and 10 have been withdrawn and will require written answers.

#### Short-term Employment Scheme

2. **Mr McNarry** asked the Minister of Enterprise, Trade and Investment to detail how many jobs have been created through the short-term employment scheme since it was established. (AQO 427/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Last Tuesday, I announced the creation of 336 new jobs by Capita at its Belfast business centre. It is expected that 190 of those new jobs will be created in 2012. Since the short-term employment scheme (STES) was established in April, there has been a high level of uptake across its range of measures. Invest Northern Ireland has been engaging widely with many businesses across Northern Ireland and has succeeded in building a pipeline of over 40 projects, both large and small, which are at various stages of development and, collectively, are expected to create more than 1,000 new jobs.

I am confident that I will be making more positive announcements on new jobs created through the STES in the coming weeks.

**Mr McNarry:** I thank the Minister for her answer, which relates to hope in the future and her confidence. Is she satisfied with the uptake of the scheme to date, and is there room for improvement within it?

**Mrs Foster:** As I indicated, there is a pipeline of over 40 projects. There are already 16 employment projects that have been approved for support, and Invest Northern Ireland is working with those businesses on formal announcements, which we anticipate coming in the next few weeks and months.

The other elements of the short-term employment scheme are also progressing very well. Those include stimulating new business starts by young people in areas of neighbourhood renewal,



where we are working with a range of partners to try to stimulate demand.

The important issue for Invest NI around the STES is getting out to those companies that we would not ordinarily work with — the small companies that have one or two people working for them — to see whether they can add another person to their employment registers. The First Minister announced last week that we are trying to very much bring the STES down to a very localised level. That is something that I very much support, and it is something that we will see great benefit from across Northern Ireland.

**Mr Humphrey:** The Minister mentioned the jobs announcement in north Belfast last week, which I very much welcome. Will she outline the value of that announcement and the announcement of the jobs in PricewaterhouseCoopers (PWC) last week to the Northern Ireland economy?

**Mrs Foster:** The Capita jobs announcement was made under the STES. The PWC announcement of 247 new jobs is also very significant, because it involves people who are working in Northern Ireland but are exporting their skills across the world. So, instead of just exporting our manufacturing goods, our agrifood goods and our pharmaceutical wares, we are now exporting our talent — well, we are keeping our talent in Northern Ireland but exporting our skills across the world. That is a very significant piece of work that we have been able to achieve with PricewaterhouseCoopers, and I am delighted that those three centres of excellence are going to be set up in Belfast.

As I said, the Capita project has an anticipated employment build-up, as per Capita's business plan. There will be 50 new jobs by December this year, a further 30 by March 2012 and an additional 110 by the end of 2012. So, we are building up the jobs there. What encouraged me most when I was speaking to the management in Capita is that 50% of those who were recently recruited were taken off the unemployment register. That is really good news, because it is the kind of thing that we want to see happening. As well as creating jobs for people who are new to the workforce, we want to be taking people off the unemployment register.

**Mr A Maginness:** One has to acknowledge the success of the short-term employment scheme. Will the Minister assure the House that, although it provides employment now, those employment opportunities will be sustained in

the medium term? It is very important that this is not just a stopgap measure but a medium-term measure.

**Mrs Foster:** That is exactly what we want to happen: that those jobs will be used to build up the Northern Ireland economic proposition. Hopefully, we will have examples other than Capita to talk about when I next come before the House, but it is just a case of pump-priming the companies that are looking to us for assistance to get those jobs more quickly than perhaps they would have been able to do themselves.

When I was with Capita, the people there were telling me about the sort of work that they are now attracting into their Belfast centre, and it is encouraging to see that happening. When I stand here, people tell me that we need real jobs in the short term and that we need them now. The short-term employment scheme was set up to try to quickly increase the number of jobs that we could bring into the Northern Ireland economy. Will they be sustainable jobs? Yes, because we do not want to be back where we are now with a 7·4% unemployment rate. We want to move away from that and back to the days when we had a very low unemployment rate.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I congratulate the Minister and her departmental officials on the success of the short-term employment scheme so far. Many in the House were sceptical of its success, but in the long term it is a great initiative. What safeguards are in place to ensure that the benefits of the scheme can be spread throughout the North, particularly into deprived rural areas?

**Mrs Foster:** Part of the scheme, as the Member probably knows, is to try to use neighbourhood renewal areas to ensure that we can assist young people who perhaps would not have a chance to set up a new business. We have been working with a wide range of social partners in those areas and, hopefully, we will have announcements on those schemes in the near future.

### Air Route Development Fund

3. **Mr Lyttle** asked the Minister of Enterprise, Trade and Investment whether her Department can reintroduce the air route development fund to offset airport landing duties. (AQO 428/11-15)

**Mrs Foster:** I have no plans to introduce a new air route development scheme, as current European Commission guidelines severely restrict the assistance that can be provided to airports and airlines. However, the Chancellor of the Exchequer's welcome announcement on air passenger duty last week could have significant implications for Northern Ireland.

By reducing the rate of air passenger duty applied to Northern Ireland for long haul flights operating in band B, we are able to send a positive message to airlines that Northern Ireland is a viable option for long haul business. My Department will work proactively with Belfast International Airport to capitalise on the reduction in air passenger duty and identify potential new routes into Northern Ireland.

**Mr Lyttle:** I welcome the Chancellor's air passenger duty announcement and thank the Minister for the hard work she did on that issue. Are any other measures available that could mitigate other additional passenger landing charges incurred by passengers from Northern Ireland as a result of there being fewer direct flights from this region?

**Mrs Foster:** I thank the Member for his kind words. Indeed, I want to put on record my deep appreciation to the Chancellor of the Exchequer. He is to be commended for taking a personal interest in the matter. Without his assistance, this would have been a very different story, and I want to commend him for that. A lot of hard work also went on behind the scenes in Northern Ireland, as the Member indicated, along with my colleagues in the Executive.

If that air passenger duty had not been addressed in the way that it was by the Chancellor, we might have been in a very different position today in relation to our transatlantic flight. That would have had huge ramifications for Northern Ireland, particularly in respect of our looking for more inward investment from North America. I am very pleased that that is not the case.

In respect of what more we can do, we have, as I said, been severely curtailed by the 2005 ruling of the European Commission on how we can help airports and airlines. However, Tourism Ireland is trying to be as imaginative as possible in relation to marketing, and we will continue to work with airlines to see whether we can market air routes, and not just transatlantic flights but obviously European and regional flights as well.

**Mr Deputy Speaker:** I noticed a few conversations going on during that answer by the Minister. I ask Members to show courtesy to the Minister so that others can hear the answers that are being delivered.

**Mr Girvan:** Given that Aldergrove is a big employer in south Antrim, what measures are being put in place to attract additional flights? What work is her Department doing to encourage that? I thank the Minister and Department for their work in lobbying for a reduction in air tax duty.

**Mrs Foster:** I thank the Member for his question. We are working proactively with the Department for Regional Development to point out that the European Commission regulations impact disproportionately on Northern Ireland. That is because we are part of an island on the periphery of Europe, and we need air access. We are, therefore, working with our colleagues in the Department for Regional Development to overcome that problem.

The Member asked about attracting more flights into Belfast International Airport. The Chancellor's announcement will have an impact on airlines throughout the world that are looking for opportunities to fly into UK airports. The amalgamation of bands A and B should be quite attractive to some airlines. As I said in my substantive answer, we will work hard with Belfast International Airport, through Tourism Ireland, to try to ensure that we are well positioned to attract more airlines into Northern Ireland.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. I welcome the Minister's answer and acknowledge the role that she and the Department played in the reduction of passenger duty. Given the positive impact that that will have on the economy, is the Department exploring any other areas in which the harmonisation of tax could have a similarly positive impact?

**Mrs Foster:** The Member will be aware that the issue was not one of tax harmonisation. The issue was that, a couple of months ago, the Republic of Ireland had a tax levy of €10, which was then dropped to €3, and there was a suggestion that it would go down to zero. That left Aldergrove, as a UK airport, at a competitive disadvantage. Continental Airlines said that the amount of tax that it was paying to Her

Majesty's Exchequer was the amount that it was losing on that flight, which was in or around £3 million. The company felt that it could not continue to carry that loss, and, therefore, we had to find a way of dealing with the issue.

The way in which we dealt with the matter shows how devolution can work for Northern Ireland. It means that we can raise our voices when there are difficulties; we can go to our colleagues in the UK Government and look for solutions. I am very pleased that we have found a solution to the serious problem that came before us.

**Mr Kinahan:** I congratulate the Minister and the Chancellor, and I remind them that it was the Ulster Unionist Party's response to lower air passenger duty —

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

**Mr Kinahan:** My questions have been taken by other Members. How can the Minister help to better utilise the capacity at Belfast International Airport for cargo, which is just as important?

**Mrs Foster:** I must say to the Member that that was a good try. I welcome the fact that everyone supported us on the reduction of air passenger duty, and it was a good story for the Assembly and the Executive.

In answer to the second part of his question, we are working closely with Belfast International Airport on that very issue of cargo, and he will see some announcements on that in the near future. We will be happy to support the airport as it looks for more freight business as well as more passenger flights.

## **Tourism: Cross-border Co-operation**

**Ms Ruane:** Ceist uimhir a 4, a LeasCheann Comhairle.

**Mr Deputy Speaker:** Minister?

**Mrs Foster:** Sorry, I am waiting for the translation.

4. **Ms Ruane** asked the Minister of Enterprise, Trade and Investment for an update on the work her Department is carrying out with its counterpart in the Republic of Ireland on tourism issues. (AQO 429/11-15)

**Mrs Foster:** My officials have regular formal meetings with their colleagues in the Department of Transport, Tourism and Sport

and in Tourism Ireland. I am briefed regularly on those meetings and have met the chair and chief executive of Tourism Ireland. I recently wrote to the chair to emphasise the importance of promoting Northern Ireland in the Great Britain market. I met the chief executive last week and will be meeting the board of Tourism Ireland next week.

**2.45 pm**

**Ms Ruane:** Go raibh maith agat, a Aire, as an bhfreagra sin. In light of the fact that Ireland has so many dynamic festivals and cultural tourism products, including Irish-language festivals, festivals that celebrate things such as St Patrick's Day and good community-based festivals in the Falls, Shankill, Derry and all over Ireland, what has the Minister done to promote cultural tourism on an all-Ireland basis?

**Mrs Foster:** The Member will acknowledge the fact that we have worked hard with a number of cultural providers across Northern Ireland to talk about the different cultural experiences that people can enjoy when they come to Northern Ireland. Indeed, our studies tell us that visitors want those cultural experiences, and we have worked with festivals across Northern Ireland to ensure that they have a wide range of choices. The Member will acknowledge that Tourism Ireland is doing all that it can to promote that in its markets, and the Northern Ireland Tourist Board is also doing its bit in the Republic of Ireland.

**Mr Dunne:** Will the Minister outline what Tourism Ireland is doing to promote tourism in Northern Ireland?

**Mrs Foster:** Tourism Ireland is promoting Northern Ireland in the Great Britain market, because, as the House will know from my many indicators on the issue, Great Britain is our largest market, but, during the past couple of years, we were concerned that the Great Britain market had dropped back somewhat. As I stated, I wrote to the chair of Tourism Ireland and said that we really need stand out for Northern Ireland in the Great Britain market. This autumn, Tourism Ireland is running a TV advertising campaign that will reach up to 18.5 million potential GB holidaymakers. It will convey fun, friendliness and great things to do and to see on a holiday or short break in Northern Ireland.

We need to push ahead. As we know, 2012 is a seminal year for Northern Ireland, and we need to grasp that opportunity. Last week, I

was pleased that the First Minister and Acting deputy First Minister were with me to launch 2012 and all the activities that are taking place. That will be followed up by launches in London and Dublin. We are trying to push ahead with 2012 so that everybody is aware that it is a significant year, and we can invite them all to come to Northern Ireland.

**Dr McDonnell:** In light of yet another golf success at the weekend, and given the stunning assets on the north and east Antrim coasts from Larne to Portrush, is the Minister's Department undertaking any work with councils in the area to develop a collaborative vision and action plan for increasing tourism in that area, including golf tourism?

**Mrs Foster:** I thank the Member for his question. I join with him in congratulating our three winners.

**Mr Storey:** *[Interruption.]*

**Mrs Foster:** Is he a Ballymoney man? I did not know that. Those three winners are now included in the top 100 golfers in the world, which is an incredible achievement. That is not to mention Darren Clarke, a good Dungannon man, who is number 38 in the rankings. We have had a tremendous run of golf activity. The Member is absolutely right; we want to involve all partners in trying to ensure that we make the most of our golfing product.

I particularly want to mention Coleraine Borough Council's proactive work with the Northern Ireland Tourist Board and Tourism Ireland to bring a significant championship to Royal Portrush. This week, 16 golf writers were in Northern Ireland, and they played Royal County Down, Royal Portrush, Malone and Holywood golf clubs. The whole idea is to try to take the current impetus. I will certainly push ahead with Tourism Ireland, and I know that councils also want to get involved.

## Tourism: MTV Music Awards

5. **Miss M McIlveen** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact on tourism arising from the MTV Europe music awards event that is to be held in Belfast in November 2011. (AQO 430/11-15)

**Mrs Foster:** It is forecast that hosting the 2011 MTV Europe music awards (EMAs) will generate

£10 million for the local economy. In addition, it is estimated that worldwide media coverage of the EMAs will generate £10 million worth of public relations. The awards will attract approximately 20,000 visitors, with 25% coming from outside Northern Ireland, and they will bring significant economic, social and tourism benefits to Northern Ireland in the longer term. Currently, just fewer than 10,000 bed spaces have already been booked in the Belfast area as a direct result of the 2011 MTV EMAs in Belfast.

**Miss M McIlveen:** I thank the Minister for her answer. Along with others, I attended the successful launch of Northern Ireland 2012: Our Time, Our Place, which the Minister referred to in her previous answer. Can the Minister outline the objectives and benefits of that initiative for Northern Ireland?

**Mrs Foster:** I thank the Member for attending that launch in her role as Chairperson of the Committee for Culture, Arts and Leisure. The launch was very well attended by the media; it was somewhat disappointing that that was not replicated in the media coverage. However, it was a tremendously good launch. The idea behind 2012: Our Time, Our Place is to change global perceptions of the past image and reputation of Northern Ireland; to raise the profile of Northern Ireland as a must-see destination; to drive up our visitor numbers; to generate economic impact; and to underpin civic pride. We have big hopes for 2012; it will be a huge year for us. I hope that the entire Assembly will get behind us so that we can make the most of it.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answer. What will the Minister do to ensure that our beautiful countryside remains open to all the stars of MTV for filming? Furthermore, will she consider directing some of these stars to Ballintoy and the north coast, which is already establishing itself as the home of major productions, such as 'Game of Thrones'?

**Mrs Foster:** I would have thought that the Member had enough stars and that he would want to share them around, for example, into Fermanagh and south Tyrone.

The positive story from last week was that we have international superstars coming to make their videos in Northern Ireland. That, in itself, sends out a very strong message about the change in Northern Ireland and the fact that



we are confidently moving on, as the Northern Ireland Tourist Board would say. It has been a tremendously successful week with the launch of the 2012 strategy, and we look forward to the EMAs, which will take place in November.

**Mr Deputy Speaker:** I call Robin Swann.

**Mr Swann:** Thank you, Mr Deputy Speaker.

**Mr Storey:** Stand up.

**Mr Swann:** I am standing up, Mervyn, thanks.  
[Laughter.]

The Minister said earlier that the event would be broadcast worldwide. Is the Minister aware of any plans to give this event a Northern Irish twist, in the way that Riverdance became the defining moment of the 1994 Eurovision song contest? Will there be anything uniquely Northern Irish on display at the MTV awards, for example, dancing Lambeg drummers?  
[Laughter.]

**Mrs Foster:** No. I am not aware of any local twist, although I am sure that a local twist will be injected into the EMAs. It is a tremendous opportunity for us all to celebrate the fact that Northern Ireland has confidently moved on and that we are on the cusp of a very exciting time. I know that it is 2011, but I think that we can now start to talk about 2012, starting with the November MTV EMAs. It will be a very exciting time for Northern Ireland, and I hope that we can all get behind it and support it.

## Tourism: Gaelic Games

6. **Mr F McCann** asked the Minister of Enterprise, Trade and Investment to outline how the Northern Ireland Tourist Board promotes Gaelic games as a tourism product. (AQO 431/11-15)

**Mrs Foster:** Responsibility for promoting Gaelic games rests with the Gaelic Athletic Association. The Northern Ireland Tourist Board welcomes new product information and events and will promote those where appropriate. To do so, NITB relies on sporting bodies to provide relevant information for inclusion on its consumer website [discovernorthernireland.com](http://discovernorthernireland.com).

In June 2011 the Ulster Council of the GAA contacted NITB and requested that details of the Ulster Senior Hurling Championship final 2011 be placed online. NITB duly obliged, and details were uploaded as requested. On 22 July 2011, NITB officials met the GAA to

discuss areas of joint working. Moving forward, NITB will build on those areas as and when the opportunity arises.

**Mr F McCann:** I thank the Minister for her answer. Was it not remiss of the NITB not to have looked into the research by the University of Ulster a number of years ago? That research showed the huge potential of Gaelic games tourism. Should that potential not have been taken more seriously? Will the Minister agree to ensure that senior NITB officials meet the people who carried out the research with a mind to developing Gaelic games as a tourism product?

**Mrs Foster:** The Member is probably aware that I have answered a number of questions on this issue: on 6 June 2011 and 27 October 2010. In my answers, I made it clear that, if there were any upcoming events or products, we should be given notice of them and we would work with the GAA to publicise them. News of the first events came to us in June, and we publicised them and put details on the website. If there are any forthcoming events, we shall work with the GAA to publicise them. Of course, the GAA is principally a sporting organisation; therefore, it needs to come to us about events so that we can publicise them.

**Mr Deputy Speaker:** I remind Members that they should not be reading supplementary questions.

**Mr I McCrea:** Does the Minister agree that, if the GAA really wants to benefit from tourism, it should remove any link to IRA terrorists from its grounds and competitions?

**Mrs Foster:** Obviously, there is still a chill factor for unionists in relation to events at GAA clubs that glorify terrorists. There is, therefore, a real need to deal with those issues. However, we have worked with the GAA on, for example, cultural activities in north Antrim. The Tourist Board, in partnership with the Causeway Coast and Glens Heritage Trust, has supported the development of a rural business enterprise, Scullion Hurls, to try to help it to move forward. We have no difficulty in working with those people. They are very good people who want to move their business forward, and we will continue to help them to do so. It is a two-way street; if the GAA wants us to publicise its events, it needs to tell us about them.

**Mr Nesbitt:** The Tourist Board has two key targets — more overnight stays and an increase

in average daily spend. Does the Minister have any idea of where Gaelic games might sit on the list of sports likely to achieve those two objectives?

**Mrs Foster:** At the moment, I do not know, although it will not surprise the Member to know that golf remains the sport that brings in the most money and the most overnight stays. There is quite a big difference between golf and other sports. However, if the Department or the Tourist Board has some evidence on this matter, I am quite happy to write to the Member with it.

## Energy Costs

7. **Ms Ritchie** asked the Minister of Enterprise, Trade and Investment if she will consider establishing a special task force to examine the ways in which energy costs could be reduced. (AQO 432/11-15)

**Mrs Foster:** I do not intend to establish a special energy task force. Wholesale energy prices are set internationally and are outside the control of my Department and government as a whole. Tariff reviews for the dominant energy companies in Northern Ireland are subject to the scrutiny and approval of the Utility Regulator in line with its statutory functions and in keeping with its role as an independent regulatory body. My Department will continue to work with the Utility Regulator to create market conditions that minimise energy costs and promote effective competition.

**Ms Ritchie:** I thank the Minister for her answer. She will not be surprised to hear that I am slightly disappointed by it. Notwithstanding that, can she say what specific steps, apart from growing renewables, her Department is taking to ensure security of energy supply for Northern Ireland?

**Mrs Foster:** The Member will know that we have been trying to push ahead with gas storage in the east Antrim coastal area. We have said that we very much want to see more renewable heat. We have held a consultation on a renewable heat incentive, although I note that the Westminster Government have pulled their plans on renewable heat just as they were about to come into being. That is hugely disappointing, and we will have to work out what the ramifications will be for Northern Ireland.

## 3.00 pm

I also want to tell the Member that, this morning, along with the Minister for Social Development, I launched Energy Wise, which is a package of measures that uses television and other media outlets to encourage people to mitigate their energy costs through energy efficiency mechanisms, such as turning the thermostat down one notch or installing insulation. I will meet the Minister for Social Development again in the very near future to discuss the green new deal to see whether there is more that we can do with the energy cost mitigation fee. The pressures are international, and, therefore, we need to do something that is targeted more locally so that we can help people who will face very big issues in the coming wintertime.

## Employment and Learning

### Steps to Work

1. **Mr Flanagan** asked the Minister for Employment and Learning for his assessment of the effectiveness of the Steps to Work programme and the cost of the programme to date. (AQO 441/11-15)

**Dr Farry (The Minister for Employment and Learning):** I am satisfied that the Steps to Work programme has been effective in helping those who are out of work to find employment. Since its introduction in September 2008, the programme has assisted over 10,000 people into work. In addition, it has provided training and work experience opportunities to almost 16,000 others to equip them with the skills and attributes sought by employers. In view of the current economic situation and the significant increase in the unemployment register to over 60,000, that represents a good achievement, particularly given that my employment service is staffed for a much lower register. The cost of the programme from September 2008 to August 2011 was £69 million, £25 million of which met the cost of allowances to participants.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. Would the programme be better delivered and provide better value for money if there were further co-operation and collaboration with statutory organisations in the South and if participants who live in border



areas were able to carry out work placements in the South?

**Dr Farry:** Last week, I was down speaking to my counterpart in the Republic of Ireland, the Minister for Education and Skills, Ruairí Quinn, and we touched on this subject. Strictly speaking, however, the responsibility lies with the Minister for Social Protection, Richard Bruton. It is something that we can take further, because obviously what happens along the border causes certain distortions for us in Northern Ireland and in what they are doing in the Republic of Ireland. I am certainly open to discussions along the lines that the Member set out.

**Mr Storey:** Will the Minister outline what steps are being taken under the Steps to Work programme to ensure that employers do not see it as a means of having someone for 13 weeks or 26 weeks on the cheap and that it leads to opportunities for full-time employment for the people who have been on it?

**Dr Farry:** The programme has to be all about sustainable employment. It is not about short-term fixes. One of the future directions of travel that we are likely to see in future work programmes as part of the wider UK welfare reforms is what we call an AME/DEL switch. That may sound very technical, but it will encourage future providers of work programmes to ensure that they deliver sustainable employment as opposed to something that is a short-term fix. The direction of travel is very much in line with what the Member suggests.

**Mr Byrne:** I thank the Minister for his answers so far. Will he outline whether there are any delays in awarding some of the Steps to Work contracts to private training organisations? Does he accept that different training organisations have varying degrees of quality outcomes? I know of two very good organisations: Global Horizon Skills Ltd in Omagh and Craft Recruitment and Training in Strabane.

**Dr Farry:** That is certainly something that we will keep under review. On the Member's first point, we are now fully up to speed with Steps to Work. He will be aware that there were significant delays in the north-west in moving on from the old New Deal programme. We have resolved that issue in the past number of months. Indeed, I was up at the launch of the Steps to Work initiative in the Foyle region only a couple of weeks ago.

## Parkanaur College, Dungannon

2. **Ms Gildernew** asked the Minister for Employment and Learning for his assessment of the Thomas Doran training centre, Dungannon, and its sustainability given that training places have been reduced. (AQO 442/11-15)

**Dr Farry:** In 2011-12, my Department has pledged funding for 10 places at the Thomas Doran Parkanaur Trust College. That is in line with the number of trainees who have attended the college over the past three years, which has averaged between eight and 10 places.

I had the pleasure of attending this year's prize-giving ceremony at Parkanaur in early July, and it was very uplifting to witness the obvious pride and joy that the trainees took from their achievements. My officials will continue to work with the trust to ensure that people who may require the specialist support that is provided by Parkanaur College are made fully aware of the facility. Over the past year, employment service advisers from across the jobs and benefits and job centre network, as well as my Department's careers advisers, have visited the college. During those visits, presentations were delivered by the Department's disability employment manager, as well as the lead education and employment lecturers in Parkanaur. Despite that and a marketing campaign by the college, there are no indications of any marked demand for additional places. The Department is willing to review its funding commitment this year if there is additional demand from trainees for residential placements.

**Ms Gildernew:** Go raibh maith agat. I thank the Minister for his answer. As you know, I was also at the prize-giving ceremony. The word that I too would use is "uplifting". Indeed, the Committee visited Parkanaur last week. Given that it is the only specialist college of its kind in the North, are students being directed to mainstream further education (FE) colleges when their needs could be better met at Parkanaur? Perhaps the guidance that they receive is not necessarily enough to let them see what is available.

**Dr Farry:** I thank the Member for her question and I appreciate the sentiments behind it. It is important that we recognise that it may well be appropriate for some people, but, equally, going through mainstream further education may be a more appropriate pathway for others. I would not want to make any generalities; it is about what is appropriate in individual cases.

The facility is there and provides residential places. I am certainly committed to it, as is the Department. It is there for those who wish to avail themselves of that type of training support.

**Mr B McCrea:** Minister, I do not wish to offend, but that was just pure waffle. We were at it last — *[Interruption.]*

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

**Mr B McCrea:** We were at the facility last week. It cannot be that there are only 10 people in the whole of Northern Ireland who can make use of those excellent facilities. Surely you should be trying to make it happen. Go out there and sell it to people. It is a great place, and you should support it.

**Dr Farry:** It is almost as if the Chairperson of the Committee is determined to work himself up into a frenzy about something today. *[Laughter.]* This is a good-news story. It is a wonderful facility, and I was pleased to visit it. I am sure that the Committee was very pleased to view the facility; I have read the notes from that visit. We will fund and support up to 15 places if the demand is there. However, it is not for the Department to sell any particular path; it is about individuals making informed choices about what is best for them. We are more than happy to provide the information about the college and point people in directions, but, ultimately, the choice lies with individuals as they take account of their particular circumstances and the discussions that they will have with their family and wider circle.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. As a result of programmes such as Steps to Work and the high demand for it, has he given any consideration to the referral of clients to other non-primary training organisations so that people can get a broader expanse of experience?

**Dr Farry:** We have not given direct consideration to that. I refer to previous answers: it is very much about what works for individuals. Steps to Work is our primary initiative in respect of return to work, but we have the disability employment service as well. Those particular interests are recognised with discrete provision in my Department, and I am satisfied that that is the route that we should go down.

## Universities: Admissions

3. **Mr Copeland** asked the Minister for Employment and Learning for his assessment of the potential rise in demand for places at universities from local students following his recent announcement on the tuition fee freeze. (AQO 443/11-15)

**Dr Farry:** It is anticipated that the changes to the fees regimes across the UK, including our decision to hold fees at current levels subject only to an inflationary uplift, will impact on student behaviour and flows.

The changes in student flows are likely to result in greater demand from Northern Ireland students who have the opportunity to study at home. Although it is not possible to be precise about the potential level of increased demand, we need to be as responsive as we can. Decisions on meeting the overall budget shortfall arising from the freezing of fees mean that I have very limited funding available to allow me to increase the number of student places in Northern Ireland; however, part of the package agreed with the Executive will allow for a modest increase in supply across higher education providers, and we will work with them on that issue. Whatever additional places we are able to introduce will help to meet the expected increased demand from local students and will clearly contribute towards protecting our participation rates, particularly for those from low-income backgrounds.

**Mr Copeland:** I thank the Minister for his answer, and I assure him that I will try to avoid getting worked up into a frenzy, despite my colleague's manoeuvring. Minister, I understand that budgeting, finance and resource considerations have to be applied, but it strikes me that the rise will be considerably higher than you think. Currently, 8,000 Northern Ireland students are outside Northern Ireland, and, even if a small proportion of them were to stay at home, your budget would not be sufficient to provide for them. What do you intend to do if that proves to be the case?

**Dr Farry:** I thank the Member for his supplementary question. The short answer is that I have the capacity to go back to my Executive colleagues to seek additional resources, based on the evidence of student flows. Indeed, I managed to secure what was to my mind a modest amount of resources to allow

us to expand the number of student places. That is important and allows us to make a start.

The wider point is that Members need to have a sense of realism. The Northern Ireland block grant was premised on the assumption that student fees would be introduced at the same level as those in Great Britain; and, similarly, the budget that I inherited in my Department was so premised. Without additional resources coming into the system, we have to manage student finance and support for the universities on a fixed budget. To freeze fees and sustain funding was a considerable achievement, and adding the financial pressure of additional places is asking an awful lot from a fixed budget at a time of considerable crisis.

I have made the case to my Executive colleagues quite robustly, but I also understand why there has to be a rounded solution and why we are where we are today. That is the logical consequence of the decision that we took to freeze fees, which was viewed as a popular decision, and we came under pressure to take it. That is the bed that we have made, and, to a considerable extent, we have to lie with the consequences.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire.

Minister, in your initial and secondary responses, you mentioned the possibility of an increase in student places and said that you will spread those across the universities. I appeal that, when you make that decision, you choose a place where it will have the maximum impact —

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

**Mr McCartney:** The only case that can be made is for the Magee campus in Derry.

**Dr Farry:** I thank Mr McCartney for his question. I am acutely aware of the situation at Magee and the frustrations regarding the desire to move ahead. Indeed, we will debate that issue tomorrow. I went to Derry to explain the situation to the university directly, rather than staying in Belfast and not facing the music. First and foremost, I have a duty to manage pressure across the system and, although there are a lot of applications for Magee, the pressure for additional places will be across all providers in Northern Ireland. The University of Ulster will get some of that allocation, and the vice chancellor

has been very clear that Magee is his number 1 priority. It will be a start, but we will have to return to the expansion of Magee at another time.

**Mr McDevitt:** Will the Minister agree that, if the Executive were serious about meeting future demand and being able to anticipate the flow of extra students who are looking to go to our universities and are, therefore, able to accommodate the extra numbers at Magee, they would make it a financial priority to support third-level education in this region?

**Dr Farry:** The answer to that is a very simple no. Given that that comment has come from a member of the SDLP, I find it bizarre. Last December, the SDLP tabled proposals on the Budget and made great play of those proposals in countless debates in the Chamber during the winter and early spring. In that document, it said that it wanted to freeze fees, but that it would do so by taking money off the universities. If we had followed that line of argument, there would be even fewer places and worse quality in our universities rather than the situation that we have today as a consequence of the Executive's decision.

**3.15 pm**

## **DEL: Redundancies**

4. **Mr D Bradley** asked the Minister for Employment and Learning whether the increased pressure on his budget, caused by the need to absorb the cost of the tuition fee freeze, will lead to any compulsory redundancies within his Department. (AQO 444/11-15)

**Dr Farry:** I do not expect the increased pressure on the budget to lead to any compulsory redundancies in my Department. The funding package that I announced on 12 September addresses those budgetary pressures while sustaining funding for higher education.

**Mr D Bradley:** Mise mé féin atá ann. Gabhaim buíochas leis an Aire as an fhreagra a thug sé, agus seo í an cheist an iarraidh seo. Will the Northern Ireland Adviser on Employment and Skills remain independent, given that he has been recently moved back into the Department for Employment and Learning (DEL) offices?

**Dr Farry:** I thank Mr Bradley for that inventive supplementary question. The nature of the Office of the Northern Ireland Adviser on

Employment and Skills was reviewed, and I want to stress that his independence has been preserved and the office has been relocated to my Department's headquarters. This is about efficiency in government, and I am committed to that very heavily. However, equally, I appreciate the importance of the adviser being able to engage with employers directly and to report back to me directly with his findings. That has been very much recognised in the revised basis on which he has been reappointed. He has no issues with that, and I am very happy with the arrangements that we worked out.

**Mr Cree:** Although the current structure of the employment service is designed to cater for some 30,000 individuals, it attempts to supply the needs of 60,000 with estimates that that may go above 80,000. With that in mind, does the Minister accept that he cannot afford to employ the staff that he needs to help that additional 50,000 people into employment?

**Dr Farry:** I thank Mr Cree for that question. The basic facts that he sets out are correct, and I have cited them myself on many occasions. That pressure existed before we went into the discussions on student fees and university finance, and that issue remains with us at the far side of that argument. The arrangements that we agreed at the Executive do not make that situation any worse, and I have made a commitment that, as part of my internal efficiencies to meet my share of how we manage that pressure, I will not touch the employment service. However, equally, I will continue to make the case for additional resources for the employment service and, indeed, for Steps to Work. That is reflected in the monitoring round bids that my Department has just made to the Department of Finance and Personnel.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. The original question refers to increased pressure on the budget caused by the tuition fee freeze. Can the Minister be specific about the range and type of cuts that his Department will manage and can he give an assurance that front line services will not be affected? In the case of DEL, what, in the Minister's mind, constitute front line services?

**Dr Farry:** I am glad that Mr McElduff has come back to the question, and I pay tribute to him in that respect. We have made a commitment that this will not impact on front line services,

including the customer-facing actions of the employment service, the resources that are currently allocated to further education and our investment in a range of programmes to increase skills in the industry, work with employers and apprentices to get people into work, and to improve the skills of our workforce.

We are seeking to address the pressure through a number of different mechanisms. First, we have a saving from the notional loan subsidy through moneys that we do not have to spend because we will not go to fees at a level of £4,500, and some efficiencies have been passed on with the agreement to the universities. We also have the potential income from charging students from Great Britain a differential fee or, rather, allowing the two universities to go down that line. The balance of £5 million is to be found in my Department through how we control staff vacancies and manage the estate but not through compulsory redundancies.

**Ms Lo:** Will the Minister give an assurance that the budgetary pressure from the free substitution fees will not impact negatively on programmes for disadvantaged young people on the bottom rung of the skills ladder?

**Dr Farry:** I thank my colleague for that question. That is very much the case. I was clear in the Department and in the Executive that the issue that needed to be resolved was one of higher education. The last thing that I want to see is a situation in which we end up cross-subsidising a funding package for universities and students who take degrees and potentially highly paid jobs while cutting back on service delivery for people at the other end of the spectrum. We need to invest in all our people, right across the board. For example, we have a long tail of economic inactivity. We have problems as a result of a lack of basic essential skills, such as literacy, numeracy and information and communication technology. If we are to have a competitive economy, we need to invest in all people. We cannot afford to lose the contribution that any individual citizen in Northern Ireland has to make to the future of our economy. I am committed to making sure that we continue to invest right across the board.

## Further Education Colleges

5. **Ms Ruane** asked the Minister for Employment and Learning what support is being given to



further education colleges to ensure that students over the age of 16 get the best possible educational opportunities. (AQO 445/11-15)

**Dr Farry:** Further education colleges offer a wide variety of courses that are available to those who are over 16 years of age to enhance their occupational, academic, essential and employability skills. Colleges undertake a comprehensive initial assessment of all 16- to 19-year-olds enrolling on a full-time FE course. Based on that assessment, an individual programme of study, based on relevant qualifications, is agreed with each student to enable his or her career aspirations to be met in the most effective way. The quality of the educational experience provided is of paramount importance. A very high priority is attached to colleges' rates of learner retention. In the 2009-2010 academic year, colleges had an overall retention rate of 88%.

My Department also sets minimum qualification requirements for all new entrant lecturers in the further education sector. Within three years of appointment, they must achieve a recognised post-graduate level teaching qualification. Despite the difficult financial environment, my priority will be, as much as possible, to protect student-facing services and to maintain capacity in the FE sector.

It is also important to support learners' access to FE. In the current academic year, about £14.3 million has been allocated to a range of schemes, including schemes to assist those under 19 with transport costs, meals and childcare for young parents and further education awards and hardship funds for older learners. Support is also available for those with a disability or learning difficulty.

**Ms Ruane:** Go raibh maith agat as an fhreagra sin. Thank you for that detailed response. Will the Minister let us know if he plans to increase the number of foundation degree courses for further education colleges, which are particularly important at this time, given the economic situation? Furthermore, does he support regional colleges working with area learning communities to ensure that our 16-year-olds do not fall through the net?

**Dr Farry:** I thank Caitríona Ruane for that supplementary question. To answer the second first: I am very encouraged by that question; it is something that I will be keen to see. It is important that, as Employment and Learning

Minister, I interact with the Education Minister on those issues. FE is an integral aspect of those learning partnerships.

On the wider issue, I am keen to support foundation degrees, and that will be a feature of the forthcoming higher education strategy. However, it is important that we do not blur the distinction between our university and FE sectors. That having been said, I am keen to see higher education expanded in the context of further education. I am minded to distribute some of the additional places that we secured as part of the recent agreement in the Executive to FE colleges as higher education providers.

**Mrs Overend:** I thank the Minister for his answers so far. Does he agree that, to obtain the best possible educational achievements, students require top-level careers advice? Will the Minister outline any improvement plans that he has for careers advice provision by FE colleges? May I ask another question?

**Mr Deputy Speaker:** Only one question is permitted. *[Laughter.]*

**Mrs Overend:** I will leave it at that, this time.

**Dr Farry:** We will hold that thought for another time. No doubt we can talk privately about that. *[Interruption.]* Not in that sense, folks.

I am conscious of the need to improve the level of careers advice that we give, and that needs to be addressed right across the board. Careers advice falls across my Department and the Department of Education. I am keen to move ahead to review at least some aspects of that in the next few months. We are in a changing economic environment, and it is important that people have the best and most accurate up-to-date information at hand to make informed choices about their future.

**Mrs D Kelly:** Minister, you referred to meeting the aspirations of our young people. How many of the young people who left school this year with good qualifications were unable to get a place in further or higher education or a training place, and what exactly are you, as Minister, going to do about it?

**Dr Farry:** We are extremely conscious of that issue. The Member will be aware that the current level of unemployment in Northern Ireland is a considerable problem. However, youth unemployment — those aged between 18 and 24 — is a much more acute situation, and

approximately 20% of people in that category are out of work. Again, addressing that issue requires partnership between Departments. There is an impetus on the Department of Enterprise, Trade and Investment and the wider Executive with regard to what we are doing on job creation. When the draft Programme for Government is published, the Member will see that the economy is placed front and centre. Equally, my Department stands ready to assist all citizens in Northern Ireland with employability skills so that they have the skills and the confidence to access employment opportunities as and when they are created.

### **Higher Education: 'A Study of Obstacles to Cross-border Undergraduate Education'**

6. **Ms Boyle** asked the Minister for Employment and Learning to outline his Department's response to 'A Study of Obstacles to Cross-border Undergraduate Education' commissioned by the IBEC-CBI Joint Business Council. (AQO 446/11-15)

**Dr Farry:** I welcome the report as an opportunity to explore any factors that restrict Northern Ireland students in their choice of an academic institution. I met Minister Quinn to discuss the report last week, and I am aware that the Minister of Education also met Minister Quinn to discuss the issue. I and my Department remain committed to ensuring that students from Northern Ireland continue to have a free choice of academic institution in the United Kingdom, the Republic of Ireland and elsewhere. I also recognise the important role played by students from the Republic of Ireland in contributing to the vibrant and multinational atmosphere of campuses throughout Northern Ireland.

**Ms Boyle:** I thank the Minister for his response. Will he undertake to meet the Minister of Education to ensure that those involved in offering careers advice to our young people are fully informed and skilled up on university and college courses — particularly where fees apply — at University College Dublin, Trinity College Dublin, University College Galway, the Institute of Technology in Letterkenny and other institutes of technology in the South?

**Dr Farry:** Yes, I am happy to take those matters forward. I plan to meet John O'Dowd this Wednesday afternoon to discuss a range of issues. The report highlights barriers regarding information on opportunities that exist in the

Republic of Ireland, and I am keen to work through those to ensure that a range of choices is available. Some of the barriers may be actual and some may be perceived. The level of the flow between both jurisdictions on the island of Ireland is a lot less than the flow between Northern Ireland and Great Britain. There must be something going on to explain that. There may well be opportunities for a lot of students from Northern Ireland to access places in the Republic of Ireland if they are unable to access their first choice of university in Northern Ireland. However, information is critical.

**Mr Campbell:** Further to the point that the Minister just made, given the numbers of students that we lose to universities in GB, unfortunately permanently, should it not be the case that the counterargument is made: that we should try as far as possible to provide as many courses as we can in Northern Ireland, not only to keep students here for education but to keep them here after that?

**Dr Farry:** I thank Mr Campbell for his comments. There are probably two different aspects to that. First, I must stress and reiterate that there will always be people who, for a whole host of reasons, will wish to study outside Northern Ireland, whether it is in the Republic of Ireland, Great Britain or further afield. The Executive and I certainly do not want to restrict people's choices in that respect. Equally, we need to be concerned about instances in which people are forced to study outside Northern Ireland. There is an issue about the pressure on student places, and we have talked about that already. We have some resources to expand the number of places locally. I would like more, but that is not possible at this moment in time.

Those who remain in Northern Ireland to study are more likely to stay. However, regardless of whether they stay here or go to Great Britain or the Republic of Ireland, the message has to be, "Please come back. We have a growing economy in Northern Ireland, and there are new opportunities on the way. You can build a successful career and have your future invested in this society rather than somewhere else."



3.30 pm

## Private Members' Business

### Fuel Smuggling and Laundering

*Debate resumed on amendment to motion:*

*That this Assembly notes with concern the statistics which reveal that only four custodial sentences have been handed down to people involved in fuel smuggling or laundering in the past 10 years; further notes that the estimated annual cost of these practices to the Exchequer is in excess of £200 million; and calls on the Minister of Justice to ensure that the next justice Bill incorporates tougher sentences and penalties to deal with illegal operators. — [Mr Irwin.]*

*Which amendment was:*

*At end insert:*

*“; and urges the Minister to examine opportunities for further cross-border and interagency co-operation to identify and prosecute a greater number of offenders.” — [Mr D Bradley.]*

**Mr D McIlveen:** I support my colleagues and congratulate them on bringing forward the motion today. The facts and figures presented to the Assembly today speak for themselves. The loss to the Treasury from the sale of illegal and smuggled fuel is truly staggering, without considering the damage to the environment from waste products or the criminal activity involved in fuel smuggling. I support heavier punishments and, indeed, I was shocked to discover that only four custodial sentences have been given in respect of fuel laundering and smuggling in the past 10 years. That is even more surprising when it seems that almost every other week there is another news story telling us about the discovery of illegal fuel laundering plants. However, it has to be acknowledged that that is down to criminal gangs.

I recently had a meeting with the head of the organised crime unit from the PSNI. To be fair, I was there to discuss the impact of illegal tobacco, as it has more of an impact on my North Antrim constituency, given that it is the home of JTI Gallagher. From that meeting, it became apparent that illegal tobacco is surrounded by criminality and criminal gangs and that many dark, sinister individuals are profiteering from the racket.

**Mr Swann:** One of the Member's party colleagues stated earlier that illicit fuel smuggling and laundering is multilayered, from the criminal gangs to the retail petrol site to the end user, and that something needs to be done at all of those levels. Does the Member agree that the same approach needs to be taken with illicit tobacco smuggling?

**Mr D McIlveen:** I thank the Member for his intervention.

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

**Mr D McIlveen:** Thank you very much, Mr Deputy Speaker. I agree with the Member entirely, and I will deal with that in a moment.

We have to look at changing the mindset of consumers and get them to realise that it is not only about getting one over the taxman and that there is a much deeper problem than that. There is the obvious loss to the Treasury. Fuel smuggling brings about an estimated loss to the economy of £0.5 million a day, and tobacco smuggling brings a loss of £8.2 million a day. The loss of revenue coming into Her Majesty's Revenue and Customs is, therefore, phenomenal. There is also a negative impact on small businesses, from local legitimate retailers to the haulage companies that distribute legally obtained fuel. Finally, of course, the toxic chemicals that are found in illicit fuel are very dangerous to the users. Vehicles can become damaged beyond repair as a result of illegal fuel, and that is not counting the environmental impact that has also been mentioned today.

Furthermore, the consequence of this is that once the floodgates of a crime route are opened, it can be very difficult to close them. Once crime routes are established, drugs, arms and even people can be trafficked through them. That should be of particular concern, given that a recent report described Northern Ireland as a gateway for trafficking. The proceeds of these so-called victimless crimes are used to fund organised crime and criminal activity. That is why the proceeds of crime legislation is such a valuable tool in combating all forms of organised crime.

The Minister of Justice has made much in the past of the £4.4 million seized through the proceeds of crime legislation. However, we must accept that that £4.4 million is a drop in the ocean compared to the huge amount of revenue

that is being lost. Those illegal activities must be more seriously and proactively cracked down on to bring the criminal gangs to account.

The motion is to be highly commended, and increasing the punishment for offences should begin to change criminals' perception towards fuel smuggling and laundering. Returning to the point that Mr Swann made, everyone has a part to play. However, just as important, we have an enormous task in changing the attitude of the general public towards these so-called soft-touch crimes. Those crimes are seen as getting one over on the taxman; in reality, however, they fund serious and often violent organised crime.

The Northern Ireland Organised Crime Task Force's 2011 annual report and threat assessment shows that organised crime is a dynamic and quickly evolving industry. The gangs involved participate in a range of activities to make maximum profits, ranging from selling pirated DVDs to trafficking drugs and from armed robbery to smuggling fuel. In fact, those methods have all been used by paramilitary groups in the past to raise funds. Somehow we must help people to realise that when they buy a pirated DVD at the market or fill up with laundered fuel they are very likely funding even more serious and sinister organised criminal activities.

Getting one over on the taxman and saving a bit of money may seem like an achievement at the time, especially during the current difficult economic times when the cost of living and fuel is so high; however, it must be fully appreciated that it is funding criminal lifestyles. Ultimately, criminals operate for financial gain; they are not concerned about the effect that their activities have on the rest of the community. If they find smuggling drugs to be more profitable than smuggling fuel, they will do so.

Fuel smuggling and laundering is one of a raft of activities that fall under the definition of organised crime. It is vital that we change the perception of the public to avert catastrophe. I support the motion and the amendment.

**Mr Ford (The Minister of Justice):** I welcome the Assembly's interest in this matter. I begin by congratulating the Members who secured this useful debate.

Fuel fraud must be of concern to us all. Given its impact on the environment and the end user, and the loss of revenue to legitimate

trade and to the Exchequer, it is of interest to Members. It is also of interest to Westminster, where the Northern Ireland Affairs Committee has an inquiry under way, a point that Mr Irwin highlighted at the beginning of the debate. I expect to give evidence to that inquiry in the near future. Debates such as this and that inquiry will serve as useful assessments of our response to fuel fraud and will help to identify where that response can be enhanced.

Fuel fraud, which covers both smuggling and laundering, is organised criminal activity, and the gangs involved in it show complete disregard for anything other than their profits. As a number of Members, notably Jim Wells, highlighted, it is certainly not a victimless crime. Those who carry it out ignore the damage that their by-products cause to the environment and the cost of the clean-up and disposal of waste that is borne by the people of Northern Ireland. It is also clear that those who engage in fuel fraud operate across the region; a recent case in east Antrim shows that not all cases fit the political stereotype that has been suggested.

Those criminals also ignore the risk that they pose to other road users when transporting illegal products in hazardous conditions, and they ignore the fact that legitimate traders and the public purse are losing money. Indeed, we sometimes forget the loss of business to legitimate traders, both from the profit from the fuel that they sell and the other business that they would normally get from people going into their petrol stations. Unfortunately, as highlighted by Mr McIlveen, some people seem to be prepared to buy suspicious fuels, just as they buy other counterfeit goods and services, without recognising the effect that that has.

Tackling fuel fraud is principally a reserved matter that is led by HMRC. However, others are involved, including the police, the Serious Organised Crime Agency, the Northern Ireland Environment Agency and the Department of Justice, as well as our cross-border partners an Garda Síochána, the Office of the Revenue Commissioners, and the Criminal Assets Bureau. In the context of HMRC taking the lead on this issue, I have seen no evidence of the suggestion that Mr Swann made of its adopting an attitude of passing on inquiries. Indeed, it publicises, quite frequently, its hotline through which people can report their concerns. I refer Mr Swann and his colleagues to this phone number: 0800 595000. Anyone who has

concerns about those issues will find a robust response from HMRC.

**Mr Wells:** The honourable Member's understanding of the situation is very different from what is happening on the ground. Several constituents have come to me complaining that they inadvertently bought laundered fuel, but, when they approached the police, the police were not interested at all and deflected them to HMRC. However, HMRC seems to be interested only in the lost revenue, rather than in pursuing a criminal conviction. I hope that somewhere in his speech the Minister will explain to the House why, after 10 years and £2 billion worth of fraud, only four of those prosecuted have ended up behind bars. That is the question that everyone in the Chamber wants the Minister to answer.

**Mr Ford:** I am sure that Jim Wells, with his lengthy experience of this place, does not expect a Member of the legislature to go into the details of the judiciary's work. However, I will endeavour to cover some of the points raised.

Sydney Anderson talked about the importance of co-operation, and Dominic Bradley asked whether the agencies ever met. From my chairing of the Organised Crime Task Force, it is clear to me that the agencies are tackling the issue in partnership, with co-operation both in Northern Ireland and on a cross-border basis. The cross-border fuel fraud enforcement group constantly reviews the approaches taken to this crime. Indeed, it will shortly host a conference, where people from across Europe will come to Northern Ireland to see the work being done, including that on a cross-border basis, to tackle issues such as the most appropriate form of dye to use as a marker in agricultural fuel. Therefore, we have examples here. Members may raise concern about individual issues, but we should recognise the good work that is being done. It is largely being done on a cross-border basis, with meetings alternating North/South, information sharing and frequent joint operations. Cross-border co-operation in tackling fuel fraud is generally excellent, but we are open to suggestions as to how we can enhance our response to the crime.

Not only is the work excellent, it is having significant success. Members may be aware that, during 2010, HMRC closed down and dismantled 15 large-scale fuel-laundering plants. They had the capacity to produce nearly

90 million litres of illicit fuel, which would have cost the taxpayer £60 million in lost revenue.

Mr McCartney asked specifically about the number of cases that await prosecution. I cannot give the details on the exact number of cases and where they are. I know that he, as Deputy Chair of the Justice Committee, shares my frustration at times about the delays between the police, the Public Prosecution Service and the courts. I am certainly aware that there are a number of cases being processed with a view to prosecution.

To give a more recent example: in two operations in June, HMRC, supported by others, raided premises in Crossmaglen and Derrynoose and found laundering plants capable of producing over 18 million litres of illicit fuel a year, which would have cost nearly £12 million in fuel duty. Success is also evidenced by the joint operation last month, when co-ordinated searches were carried out in Counties Tyrone and Armagh, as well as Galway, Monaghan, Offaly, Roscommon, Westmeath and Dublin. A laundering plant capable of producing 18 million litres of illicit fuel a year was dismantled in County Monaghan as part of that operation. That demonstrates very strong and real cross-border co-operation.

Calculating the value of lost revenue is difficult. The motion cites an annual loss of £200 million. As I understand it, the most recent estimates from HMRC are that the losses are in the region of £150 million in 2008-09 and £70 million in 2009-2010, which is the most recent full year for which it has figures. Those estimates vary at times, but it is clear that significant work is being done to reduce the level of fuel fraud.

As Mr Irwin highlighted, there is work to be done on a cross-departmental basis, with DETI having a role in petrol licensing. DETI is considering our request that diesel be included in that licensing regime, which would enable more robust action to be taken. We have to recognise, although there were suggestions to the contrary in the debate, that the loss is to the Exchequer or the Treasury, not to DFP. Although I am sure that Sammy Wilson would be delighted to get his hands on all the available money, I doubt very much whether he could extract it from George Osborne that easily. However, we need to recognise that it is a loss to the overall

Exchequer and is, therefore, a loss to anyone who pays taxes in the United Kingdom.

### 3.45 pm

Stripping those criminals of their assets and, hopefully, securing convictions has been shown to disrupt their ability to carry on the illegal trade. They consequently fear attacks on those profits arguably as much as they fear any other law enforcement intervention. Therefore, attacking criminal finances as a method of fighting serious organised crime is a key objective of the Organised Crime Task Force, which is using asset recovery powers to good effect.

In 2010-11, HMRC recovered £1.29 million of criminal assets in Northern Ireland, including assets from fuel fraudsters, although that figure is not available individually. Collectively, as Dominic Bradley highlighted, law enforcement agencies recovered £4.42 million of criminal and civil assets. A dividend of the devolution of justice is that we can now put those criminal assets to use by investing them back into the fight against organised crime and by targeting schemes to reduce crime and the fear of crime. My officials addressed the Justice Committee on that topic on 15 September.

A clear factor in this debate has been the way in which virtually every Member noted with concern the statistics regarding the small number of custodial sentences that have been handed down in the past 10 years. The motion calls for a higher sentence. The maximum in the Crown Court is seven years and an unlimited fine. I suspect that the real concern, which most Members expressed, is the relatively low number of sentences — four cases out of 47 — from 2001 to date of immediate custody with a conviction. However, 32 of the 47 involved either a sentence or a suspended sentence, and a suspended sentence is also a serious matter. Of course, sentences may well have been given with other orders or fines.

That having been said, I am sure that Members will have noted and welcomed the recent decision by the Lord Chief Justice to include duty evasion and smuggling as areas where sentencing guidance will be developed. Those areas will be included in the Lord Chief Justice's programme of action on sentencing, which contains a number of measures to enhance the structures by which the judiciary will ensure consistent, transparent and fair sentences. Indeed, he has also stated his intention to

include environmental crime in Crown Court consideration as part of that sentencing guidelines work.

Alongside that, I have been considering ways in which public confidence in sentencing can be improved, and my officials discussed the way forward on draft proposals with the Justice Committee last week.

It is absolutely clear that there was a unanimous view around the House today that we need to ensure that the most robust action possible is taken to deal with those who engage in fuel fraud, whether it is smuggling or laundering. There was also clear concern that the issue is not being addressed as seriously as it might be. However, I believe that we have a package of work that is being carried through in the robust work being done by the various agencies, including that on a cross-border basis, and the work that is being done by the Lord Chief Justice in developing sentencing guidelines. It is an important area, and it was appropriate for debate. I think that I have been able to show that there has been a clear focus on tackling the perpetrators. We will also see the indirect attacks, which will be carried forward to deal with assets.

**Mr Wells:** Minister, I am far from convinced. You have told us that the assets that have been recovered represent perhaps 2% or 3% of the estimated fraud that is undertaken per annum in Northern Ireland. That will not deter any criminal if he is going to pocket 97% of his ill-gotten gains.

Secondly, all you are promising is some vague indication that the sentencing guidelines will include a tariff. None of this sends out the very clear message that this House wants to see you go to jail if you are caught defrauding the Exchequer of vast amounts of money. That is what we need, not vague recommendations or 3% of ill-gotten gains. We want to see action as a result of the motion today.

**Mr Ford:** The Member says that we want to see action, but the practical reality is that the action that he wants to see is being taken by the Lord Chief Justice, which he wants the judiciary to step up on. It is also the case that this issue is a reserved matter. If we were to see action on changing the level of sentences, it would be a matter for the Westminster Parliament, and it is a matter on which I suspect the Treasury would have a strong view where the UK as a whole is



concerned. The will of Members of this House is clear, but I doubt very much whether we would be given permission by the Treasury to legislate in Northern Ireland alone on this particular issue. That is the practical reality that we have to deal with. It is fine to say that that is what we want, but, in practical terms, it may be that we cannot get what we want.

The amendment calls for enhanced cross-border working. I am certainly prepared to accept the spirit of the amendment by committing the Department of Justice and its agencies to continuing to work on a cross-border basis, in the partnerships that I outlined earlier, and to improving on that work. I am certainly prepared to work with the Lord Chief Justice on sentencing guidelines and to make clear the House's view on how issues should be dealt with seriously. I am afraid that it is outwith my powers to make provision for increased sentences in the next justice Bill, unless Treasury permission is forthcoming, but I suspect that that is unlikely. On that basis, I regret that I cannot formally support the motion or the amendment, even though I agree entirely with the sentiments of those who spoke for both.

**Mr Eastwood:** I commend the proposers of the motion and the amendment. The issue is a very serious one for people not only in border counties but right across the North. I agree with Mr Wells and other Members that it is important that we send a clear and united message from the House that we will not stand for it any longer. As was said by many Members, including Mr Swann and Mr Wells, who, as usual, provided some very helpful anecdotes, it is not a victimless crime. Mr Maginness pointed to the fact that it corrupts society as a whole. It also puts a serious hole in the Exchequer's budget, regardless of whether it costs £200 million, £150 million or £70 million per annum.

Many Members referred to the environmental damage caused. Mr Anderson and Mr Bradley spoke about the cost to councils of the clean-up, and, of course, the funding of paramilitaries past and present was also mentioned. Mr McCartney and Mr Swann raised the issue of tobacco smuggling, which is another serious issue for the House and one that I think that we can deal with in a similar way. Mr Bradley pointed out that, if you cannot catch them, you cannot punish them, and I think that that issue needs to be dealt with urgently.

Our view, as set out in the amendment, is that given that the problem is a direct result of the border, it seems illogical to suggest that it can be tackled in any other way. We accept the Minister's assertion that there has been increased co-operation across the border. Obviously, however, there has not been enough. I reiterate the questions put by Mr Bradley: how many times have those bodies met, and how much work have they done? That area needs to be improved.

It is clear that custodial sentences should increase. Four such sentences in the past however many years is not exactly something that we can be proud of. The gaps between taxation and the differences in regulatory requirements on each side of the border should be bridged to create a more harmonised system. I welcome Mr McCrea's conviction that we should have more tax-varying powers in the North. We should also disincentivise acts of smuggling, which would contribute to the fundamental logic of an all-Ireland economy as well.

I regret to say that smuggling has, unfortunately, become culturally and socially accepted by many people in certain border areas and has been passed on from generation to generation. It is our role as legislators, however, to ensure the transformation of that culture through a combination of judicial and political interventions. Illegal smuggling is harming the island economy that we wish to build and limiting our capacity to help those most vulnerable and in need.

**Lord Morrow:** I would like to thank everyone who contributed to today's debate. I listened intently to what they said, and, with the exception of Minister Ford and Mr Dickson, most Members were enthusiastic enough about the motion. However, I know that Mr Dickson and Mr Ford were at pains to distance themselves from what the motion was saying. However, I hope that that elusion will be brief and that, one day, they will, in fact, see the necessity of the motion and importance of taking those issues forward with some cut and thrust.

I hope that the oil that is being fired to heat the Building has not come from illicit fuel. It is certainly casting up the heat, and there appears to be no shortage of it. The heat is quite stifling at the moment.

I have pursued this issue for some time. My colleague Mr Irwin has, too. His constituency is



right in the middle of the problem. I am currently awaiting important answers on the matter from a number of Departments and agencies, including the Department of Justice, the PSNI and the Public Prosecution Service, which focus specifically on the number of arrests, prosecutions and convictions. As yet, I have not been furnished with those answers. Tomorrow, I am due to receive an oral answer from the Minister of the Environment on the clean-up costs to the taxpayer and whether they can be recouped from those who are responsible.

The overriding issue surrounding this criminal behaviour — and that is exactly what it is — is the shortfall in the number of custodial sentences for fuel laundering. I intend to follow that up carefully upon receiving answers to my questions. The vexed question is, of course, why so few people are brought before the courts with regard to those criminal activities. That question is on the lips of the general public. Public confidence is now becoming an issue.

Although fuel laundering is by no means restricted to border areas, statistics show that it is certainly much more prevalent in those areas, whether that is because laundered fuel originates in those areas; people who are responsible for it can skip to and fro between one jurisdiction and the other; or criminals can make use of the fact that two legal jurisdictions are in close proximity in order to dodge apprehension. Are we back to the bad old days of police no-go areas? Many of us suspect that that plays a significant role.

That leads me, therefore, to query the rationale for closing border police stations, particularly in areas where fuel laundering is rife. A raft of border stations has been closed. We have learned that a number of garda stations on the other side of the border are also earmarked for closure, which leaves routes wide open for gangsters to travel backwards and forwards with considerable ease. I welcome enhanced co-operation from police in the Republic of Ireland. I am aware that, recently, there have been some joint actions. However, there have been instances when landowners whose property traverses the border have kept fuel-laundering equipment at one end of the shed, which is in the Republic of Ireland, and is, therefore, immune to raids from Her Majesty's Revenue and Customs and, indeed, the PSNI. When police and customs officials from the Republic of Ireland arrive, the machinery magically moves

to the Northern Ireland end of the shed, and vice versa. We hear continual calls for cross-border co-operation in the House. I cannot think of anything more appropriate than such co-operation to strike at a criminal enterprise.

That said, the Organised Crime Task Force has recorded some very good results, among which has been to dismantle 15 fuel laundering plants with the capacity to produce 90 million litres of illicit fuel, and the recovery of £4.4 million of criminal assets. Drugs with a street value of £9 million have also been seized. Twenty-three victims of human trafficking have been rescued. The number of recorded tiger kidnappings has been reduced by 50%. I want to acknowledge that some things have been done. However, at this stage, I am asking why there has been a lack of arrests.

Something is blindingly obvious —

**Mr D Bradley:** I thank the Member for giving way. Like him, I am concerned about the small number of arrests. The Minister read out quite a long list of fuel plants that had been dismantled. I recall that, at the time when the dismantling of those plants featured on the news, there was no subsequent mention of any arrests. It begs the question as to whether many of the plants dismantled by HMRC had already been abandoned by the operators and whether the taxpayer is left to pay the cost of dismantling the plants and cleaning up the sites afterwards. More of those plants need to be discovered while they are in operation and while those who are operating them are on site and can be made amenable to the law, arrested and brought before the courts.

**Mr Deputy Speaker:** I remind Members that interventions should be brief.

**4.00 pm**

**Lord Morrow:** I thank the Member for his comments, which are self-explanatory.

Something is blindingly obvious. We hear reports claiming that police and customs officers have raided fuel-laundering plants and seized equipment. We also hear about the potential loss in revenue from tax or duty evasion, which we understand to be well in excess of £200 million. On rare occasions, we hear that arrests have been made, but that seems to be where it stops. It is worrying that a limited few are being put before the courts. We rarely hear of such

criminals being charged, brought to court and made amenable for the crime.

The issue must be tackled. It is a case of a lack of resources restricting the fight against this type of organised crime. Is an informal arrangement entered into whereby a payment is made to cover a certain amount of lost revenue? If that is the case, the public should be made aware of it. When those who are charged are brought before the courts, the sentence must be severe enough to deter others from getting involved. Is prosecution not regarded as necessary? I do not know, because, as I said, I have tabled questions and am waiting for answers.

**Mr Wells:** Did the honourable Member not find it shocking that the Minister said that there had been 47 prosecutions but that only four — less than 10% — had led to custodial sentences? Does he agree that that sends out no sense of the seriousness with which the community regards this crime? Does he also agree that it will not deter people in the criminal fraternity if they realise that they have only a 10% chance of custody, if they are caught at all?

**Lord Morrow:** Mr Wells is quite correct. It makes a mockery of all that is going on and is no deterrent.

It appears that the customs approach is to investigate fuel laundering for the purpose of collecting intelligence to identify laundering plants, disrupt operations and make seizures rather than to catch the criminals. Mr Wells made that point earlier, and I am trying to emphasise it. It strikes me that that is an ideal way to catch headlines, but it does not apprehend offenders, who will still be at large and able to direct and continue with their illegal activity from another location. Surely there is a case for police and customs pooling resources and carrying out joint investigations with the use of surveillance to monitor laundering plants, collect evidence and make the necessary raids when the offenders are present, or are we again being hindered by human rights legislation?

We often hear the owners of properties from which laundered plants operate claim that they are unaware that such activities are taking place. There is a legal loophole, and legislation should be amended to allow the person who owns the land on which equipment is seized to be held accountable unless and until he or she can prove otherwise.

It would be extremely remiss of me if I did not touch on the additional, more sinister criminal element that fuel laundering funds. For many years, it has been used to fund republican terrorism and a campaign of genocide and ethnic cleansing in the border areas. We recognise the fact that it is not purely a security matter, but the security forces must be at the cutting edge in the war against crime.

Other agencies have a major role to play on a cross-departmental basis, including the Department of the Environment, which is tasked with dealing with our rivers and our environment in general; the Department of Justice to ensure that those responsible are penalised; and HM Revenue and Customs to recover lost funds. Of course, as the Minister said, HMRC is not a devolved body, but I challenge the Minister to clarify whether in fact a directive —

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

**Lord Morrow:** Yes, I will.

Has a directive been sent from HMRC to the PSNI stating that, as it does not have the resources, the PSNI should not concentrate on motorists who may use illegal fuel?

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

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

*Resolved:*

*That this Assembly notes with concern the statistics which reveal that only four custodial sentences have been handed down to people involved in fuel smuggling or laundering in the past 10 years; further notes that the estimated annual cost of these practices to the Exchequer is in excess of £200 million; and calls on the Minister of Justice to ensure that the next justice Bill incorporates tougher sentences and penalties to deal with illegal operators; and urges the Minister to examine opportunities for further cross-border and interagency co-operation to identify and prosecute a greater number of offenders.*

*Adjourned at 4.05 pm.*



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# Northern Ireland Assembly

Tuesday 4 October 2011

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

*Members observed two minutes' silence.*

## Ministerial Statement

### **North/South Ministerial Council: Health and Food Safety**

**Mr Speaker:** Order. The Minister of Health, Social Services and Public Safety wishes to make a statement.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I wish to make the following statement on the twelfth North/South Ministerial Council (NSMC) meeting in health and food safety sectoral format, which took place in the NSMC joint secretarial offices in Armagh on Wednesday 20 July 2011. The Executive were represented by me as Minister of Health, Social Services and Public Safety and by Martina Anderson MLA, junior Minister for the Office of the First Minister and deputy First Minister (OFMDFM). This statement has been endorsed by Minister Anderson. The Irish Government were represented by James Reilly TD, the Minister for Health, who chaired the meeting, and he was accompanied by Frances Fitzgerald TD, the Minister for Children and Youth Affairs.

James Reilly and I used the occasion to launch the 2010 cancer consortium annual report, entitled 'International Cooperation in Cancer Control: Overcoming Challenges Through Leadership and Training'. The publication marks the eleventh anniversary of this highly beneficial collaboration between our two jurisdictions and the National Cancer Institute in Washington DC in the United States of America. We also noted the high-level review of consortium activities that was conducted to inform the drafting of a revised memorandum of understanding to cover 2011-16. It is anticipated that all three participating member countries will sign the revised memorandum in November 2011.

Ministers also welcomed the launch of the All-Ireland Institute of Hospice and Palliative Care, which was established to expand education, research, policy and service development in palliative care.

Ministers noted progress in tackling alcohol abuse, tobacco consumption and obesity and welcomed plans for a North/South conference on alcohol misuse to be held in the autumn. The Council welcomed cross-border co-operation between the Northern Ireland Fire and Rescue Service and firefighters from the six border fire and rescue services on the Driving Change project. Ministers also welcomed co-operation between the Northern Ireland Ambulance Service and the HSE National Ambulance Service through the development of a memorandum of understanding that will provide for cross-border assistance in the event of major incidents.

On the subject of the all-island action plan on suicide prevention, we noted the publication of the all-island evaluation of applied suicide intervention skills training (ASIST) and the fact that, by the end of 2011, over 25,000 people will have completed the ASIST training programme. Ministers noted that consideration is being given to rolling out the register of deliberate self-harm across Northern Ireland and that under the new area of action — suicide and the economic downturn — a range of initiatives has been shared between the National Office for Suicide Prevention and the Public Health Agency.

Ministers looked forward to the commencement of the all-island men's health forum, which seeks to help males in crisis and emotional distress, and there are plans in place for pilot initiatives to be taken forward in the autumn. Ministers were informed of the continuing progress in advancing co-operation on child welfare and protection, including an update on the continued co-operation by the two police services and social services

on sharing information on a cross-border basis on individuals who may pose a risk to children.

In the food safety sector, Ministers received a progress report on the activities of SafeFood, including promotional activities already undertaken and those that are planned as well as the review of current and previous research activities. The report also advised of an extension to the term of the obesity action forum, which assists in identifying common areas in obesity reduction policies. We also approved SafeFood's 2011-13 corporate plan and 2011 business plan and recommended budget provision for 2011 of €8.5 million or £6.97 million. It was noted that indicative budgets of €8.5 million or £6.97 million for each of the years 2012 and 2013 would be subject to budgetary consideration by the Executive and the Irish Government.

Ministers noted that key objectives for SafeFood for 2011-13 include empowering individuals to make healthier and safer choices in relation to food safety and healthy eating and supporting communities, including those at social and economic disadvantage, to achieve better food safety and healthy eating outcomes.

**Ms Gildernew (The Chairperson of the Committee for Health, Social Services and Public Safety):** Go raibh míle maith agat, a Cheann Comhairle. I welcome the Minister's statement and thank him for it. I am sure that he cannot but be impressed by the amount of collaborative working that there is on health on an all-Ireland basis and by how better services are provided at a lower cost to people across the island.

The Minister referred to the progress that has been made on the all-island action plan on suicide prevention and said that the Public Health Agency and the National Office for Suicide Prevention will undertake initiatives to tackle the impact of the economic downturn on suicide. Will the Minister provide details of those initiatives and what they involve? We welcome all the work that the Minister and other Ministers carry out on this very difficult issue.

**Mr Poots:** There has been a rolling programme of all-island actions on suicide prevention, and it has been developed in conjunction with my officials and their colleagues in the Republic of Ireland. Areas where there is co-operation or where co-operation is being considered include training, media monitoring, self-harm

data collection, public awareness campaigns and the promotion of positive mental health in men. Positive work is being carried out in quite a range of areas.

**Ms P Bradley:** I thank the Minister for his statement. Will the Minister tell us where such co-operation sits with the overall cancer services?

**Mr Poots:** I announced on 23 May this year that we would commission the construction of a radiotherapy unit in Altnagelvin Hospital that would be used by people in the Republic of Ireland. We have been working closely on that. We believe that the satellite unit will have a major benefit for people in Northern Ireland, and it will make a major contribution to the fight against cancer for people in the Irish Republic, particularly people in Donegal. We are happy to work with the Irish Government on that.

We are also engaged with the National Cancer Institute in America, with which we are working on cancer research. It is a tremendous opportunity to work with an organisation of real excellence and help people on both sides of the border to have a better chance of fighting cancer as a result of that.

**Mr Kinahan:** I thank the Minister for his statement. It covers a wide range of matters. I welcome the fact that at the end of this year more than 25,000 people will have gone through the applied suicide intervention skills training. Will the Minister detail whether that training is mandatory for health employees across the trusts and whether it is being targeted specifically towards those who hold positions in the community?

**Mr Poots:** No, the training is not mandatory. We are particularly encouraging key people in trusts and, indeed, in GP services to take up training, as we believe that it would be very beneficial to them in identifying the problems at an early stage and in seeking to address those problems at the earliest possible point, as opposed to letting them develop further, which has devastating consequences.

**Mrs D Kelly:** I thank the Minister for his statement. In relation to the work and co-operation on cancer control, we were informed by your predecessor that cancer on the island of Ireland had substantially increased. Have you given any consideration to an all-island agreement on the purchasing of drugs to treat cancer, given their high cost, so that people can



access the most effective forms of treatment for cancer and, indeed, pain control?

**Mr Poots:** I thank the deputy-in-waiting for her question. She has seen off all other runners.

I will get back to a serious subject. Unfortunately, across the island of Ireland, there are 6% to 7% additional cases each year, so it is a big problem. As people live longer, there is a greater likelihood of getting cancer, so some of it is down to the fact that people are living longer.

We certainly have a problem in Northern Ireland in relation to appropriate and adequate drugs. We take our guidance from the National Institute for Health and Clinical Excellence (NICE), which is UK-based, and we are currently not buying the same drugs as other parts of the United Kingdom. I have made it clear that that is something that I cannot stand over and that I am therefore seeking solutions. I want to ensure that we are in a position to buy drugs that are effective for people who have cancer and help them to overcome that awful illness.

**Mr McCarthy:** I thank the Minister for his statement. He said:

*"Ministers noted progress in tackling alcohol abuse, tobacco consumption and obesity".*

I do not see any mention of the scourge of drug abuse or substance abuse, which applies right across the board. Will the Minister tell us whether it was mentioned in any other aspect of the meeting? There was a lot of coverage, and we must congratulate the Ministers on their work, but that was not mentioned in the statement. Has it been mentioned elsewhere?

**Mr Poots:** It was not mentioned at this particular meeting. As the Member has rightly indicated, we covered a wide range of subjects. It would be impossible to cover every aspect of health in one meeting, but I have absolutely no doubt that it will be discussed at some length at future meetings.

**Mr Dunne:** I thank the Minister for his statement. Will he tell us whether cancer research remains a priority? Why is it still so important?

**10.45 am**

**Mr Poots:** I think that cancer research is a very high priority. It is important because the chances of recovering from cancer today are far greater than they were 10, 20, 30 or 40 years

ago, and that is down to good research and the implementation of that research. Without it, people will lose their life, and we therefore want to ensure that people engage in research.

I have already expressed concern that we do not contribute to the research budget that is available in the UK, which means that we cannot bid for research from that fund. That is another issue that I would like to see addressed in future. Nevertheless, we are working with the all-Ireland National Cancer Institute Cancer Consortium, the aim of which is to reduce the incidence and mortality of cancer throughout Ireland, North and South. The consortium's activities are funded by HSC research and development (HSCR&D), which is a division of the Public Health Agency. The annual allocation of funding to HSCR&D comes from my Department, so we are investing in that area. The National Cancer Institute has a board of directors, which is made up of the Chief Medical Officers from Northern Ireland, the Irish Republic and the United States and the institute's director. That organisation has invested €11 million over five years, €7 million of which has been provided by the group of funders, and the institute has undertaken to achieve the final €4 million through fundraising. By tapping into one of the largest cancer research institutions in the world, we are able to benefit from and buy into its particular field of work, so that is a good use of money.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. It was mentioned earlier, but, because this is breast cancer awareness month, many people will be waiting to hear the news that the planned radiotherapy centre is on track. Will he come back to the House in the near future to assure us that things are on track? Will we get regular updates?

**Mr Poots:** I am glad to say that the radiotherapy centre is still on track. Unfortunately, there is still quite a wait, which means that people will have to travel for a considerable time to come. In the intervening period, we will install new lines in Belfast City Hospital, where new investment will enable it to deal with the rising numbers. That will not deal with the problem indefinitely, but the satellite centre will be created in 2016, and it will be able to do so for the foreseeable future thereafter. That is really good news for cancer sufferers. The feedback that I have received from people across

Northern Ireland is that they greatly appreciate the fact that the centre is proceeding.

**Ms Lewis:** I thank the Minister for his statement. What is the source of funding for Northern Ireland's participation in the cancer consortium?

**Mr Poots:** We fund the consortium through the Public Health Agency, and the money comes from the DHSSPS budget. It is important that the Assembly, as government, encourages and drives the public health agenda and invests in public health. As a group of politicians, we may not see all the benefits because many will be generational. Nonetheless, if we are to leave an indelible mark for good, we can do it in this area. We can make real, life-changing differences for people in Northern Ireland and change attitudes so that their health can be greatly enhanced as a consequence.

**Mr Nesbitt:** I thank the Minister. According to seafood's corporate plan for 2011-13, it has an indicative budget in the region of £21 million or several pounds per citizen on the island. How will citizens know that the money is well spent?

**Mr Poots:** The Member was, possibly, referring to SafeFood, as opposed to seafood. If we were to spend £21 million on seafood diets, we would all be obese, so that would not be a good idea. Nonetheless, the Member makes a relevant point.

SafeFood has brought forward its proposals for that money. They will be inspected by both Departments. We live in a time in which budgets are constrained, so there is absolutely no guarantee that £21 million will ultimately be spent on that. I have asked that we look at areas in which there is a crossover, particularly with the Food Standards Agency, so that services are not duplicated. I have also asked that we look at areas that should be the responsibility of the Public Health Agency. We want to ensure that all the money for this area is well spent and that services are not duplicated.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. The Minister mentioned an all-island men's health forum and the commencement of pilot initiatives, possibly in the autumn. Will he give us some more detail on a timeline and where the pilot initiatives may be placed?

**Mr Poots:** As I said, we will kick it off in the autumn. It is important that we look after men's

health because that issue is often ignored, and, as a consequence, among men, a higher number of cancer cases are not cured. We have invested in bowel screening, for example, because bowel cancer is more frequently associated with men. So far, the feedback has been very good. Early detection means that people's lives are being saved because cancer is not entering other organs. Great work can be done for men, and driving that agenda means that people on both sides of the border will see real benefits.

**Mr McDevitt:** I join colleagues in thanking the Minister for what is, by all accounts, a pretty comprehensive report. I specifically welcome the continued co-operation on child welfare and protection. Will the Minister inform the House whether he and his Southern counterpart have started a specific conversation about how the inquiries into clerical and diocesan-level abuse that are taking place in the Republic can be co-ordinated across the island of Ireland, as they are, by definition, North/South issues?

**Mr Poots:** I am not sure whether that was a compliment from the Member, and I am not sure how I should take it if it was. Maybe I should take it as an insult. Nonetheless, I thank the Member.

We have certainly failed in the area of child protection in the past, but we are currently doing very good work. The better our results, the more cases will come forward. That is a demonstration of good practice. I welcome the fact that my staff are very busy; we need to get on top of the issue. It does not need to take place underneath the radar, where children are exploited and hurt and we are not able to get to it.

I have a couple of comments about investigating the past. I am opposed to going down the route that was used in the Republic of Ireland. I am opposed to the judiciary and legal people getting heavily involved in a process in Northern Ireland to find the truth. Too many public inquiries have been taken over and dominated by barristers and solicitors who have made excessive sums of money from other people's misery. Therefore, the further we stay away from judicial inquiries and get straight to the truth, the better for victims, the shorter the inquiry, the less pain and trauma victims are put through and the quicker they get results. I welcome the inquiry that has been proposed by the Executive. I truly hope that we do not get drawn into a long

judicial inquiry because we will not see the benefits of that.

We do not need an inquiry that draws my officials and staff away from the important work that they do today. I do not want the Assembly or the Department to pay the price of going after the truth of the past at the expense of looking after the children of today. It is important that we do not end up being dragged into a long judicial inquiry in which DHSSPS staff who are involved in child protection have to spend inordinate amounts of time dealing with such an inquiry, as opposed to protecting children who currently need protection.

**Mr Buchanan:** I thank the Minister for his statement. A lot of questions have been put to him about cancer, and I welcome the fact that he used the occasion to launch the 2010 Cancer Consortium annual report. I also welcome the ongoing collaboration in the fight against cancer. Who actually leads the Cancer Consortium, and why does he feel the need for a revised memorandum of understanding?

**Mr Poots:** The Chief Medical Officers lead it. Dr Michael McBride is our Chief Medical Officer, and, from the US, the consortium is led by the director of the National Cancer Institute. I give great credit to the work of Dr Paddy Johnson, who started all this many years ago. He is a particular expert in the field, and he came back to Northern Ireland to lead the campaign in the fight against cancer. Individuals such as Paddy Johnson could make huge amounts of money elsewhere, but they have chosen to lead the battle against cancer in Northern Ireland, so great credit should be attributed to them.

The memorandum of understanding needs to be updated as we move to the 2011-16 period. We are moving into a new period, so it requires some updating. Hopefully, that will be completed by November and signed in that month so that we can move ahead in this very important area.

**Mr Beggs:** I thank the Minister for his statement. Was the new food hygiene rating scheme discussed at the North/South meeting? I understand that it has been adopted by 17 of the 26 local councils, as it removes a degree of the confusion that existed with the old scheme. Would the potential for confusion as a result of different schemes operating in different jurisdictions be removed if the new scheme, which has been adopted throughout the United Kingdom, were also adopted throughout Ireland?

**Mr Poots:** No, it was not discussed. The Food Standards Agency brought that forward. As I said earlier, I do not want duplication. If the Republic of Ireland wanted to adopt the same or a similar scheme, that would be up to them. It is easily and readily understood that, if there are five stars on a restaurant door, that restaurant is excellent, while one star means that you might be as well going to another to ensure that you do not get food poisoning.

**Mr Givan:** I welcome the statement and the sharing of information between the two jurisdictions. During the meeting, was there any discussion of how the Republic of Ireland has dealt with health workers' union representatives in dealing with the austerity measures that have been introduced in that jurisdiction? Can any lessons be learned in this jurisdiction in dealing with our own trade union partners? What credibility has the strike that has been called by UNISON tomorrow, given the negligible participation in the vote and given that the Executive have protected health workers, particularly the low paid?

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

**Mr Givan:** Is there any sharing of information with the South?

**Mr Poots:** That is an interesting question. *[Laughter.]* On the austerity measures in the Republic of Ireland, I discussed with Minister Reilly how we could do things better. For example, I believe that we could provide a wider range of services at the new hospital in Fermanagh if the Republic of Ireland were to buy into them. If we were to introduce an air ambulance to Northern Ireland, it would probably have greater potential if we were to serve Donegal and, perhaps, some other counties.

I understand that, at this stage, there has not been a strike in the Republic of Ireland in spite of the fact that it has had much deeper and much more severe cuts than Northern Ireland. The fact that, in Northern Ireland, only 13% of UNISON members voted to go on strike is an indication that that is not widely supported. Vulnerable and ill people will be hurt as a consequence.

**11.00am**

## Executive Committee Business

### **London Olympic Games and Paralympic Games (Amendment) Bill: Legislative Consent**

**Mr Ford (The Minister of Justice):** I beg to move

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions in the London Olympic Games and Paralympic Games (Amendment) Bill dealing with ticket touting.*

I seek the Assembly's approval for this legislative consent motion (LCM). The London Olympic Games and Paralympic Games (Amendment) Bill makes a small number of technical amendments to the commercial and traffic-management provisions of the London Olympic Games and Paralympic Games Act 2006. The only provision of the Bill that extends to Northern Ireland and which requires this legislative consent motion is on ticket touting for the Olympic Games. The provision amends the penalty for unauthorised ticket sales for Olympic and Paralympic events and covers matters on which the Assembly normally legislates for Northern Ireland, such as those covering criminal penalties and sport.

Although the LCM concerns a penalty only, it is worth noting at this point that the underpinning offence to which it relates is already UK-wide. The offence of Olympic ticket touting was created in the 2006 Act and, therefore, already applies in Northern Ireland. Under the 2006 Act, it is an offence to sell an Olympic ticket in a public place or for profit without written authorisation from the London Organising Committee of the Olympic and Paralympic Games. The current maximum penalty for the offence is a level 5 fine, which is £5,000. The Department for Culture, Media and Sport (DCMS), the sponsor of the Bill, wishes to increase the maximum fine to £20,000 across the UK. DCMS is concerned about the low deterrent potential of £5,000, especially given the likely involvement of organised criminal gangs in ticket sales for Olympic events. Its information suggests that the scale and global significance of the games makes the likelihood of touting materially higher than for other events. Touting for the games offers a lucrative source of revenue to organised criminals, and

it is important to frustrate the moneymaking activities of organised criminals and to prevent them from seeking to use Northern Ireland as a back-door opportunity.

As this is a UK-wide offence, I do not wish the penalty available in Northern Ireland to be any lower than that in England, Wales or Scotland; the Scottish Government are also proposing to have the Bill increase the penalty in Scotland. It is not a practical option to increase the penalty by Assembly legislation. Given that the games are less than a year away, it would take too long and would not be a good use of Assembly time. The Minister of Culture, Arts and Leisure, Carál Ní Chuilín, is content with my proposal for an LCM; I have also consulted the Committee for Justice. Some members expressed concerns, which I appreciate, about the enforceability of the offence, particularly regarding internet sales, the arrangements in place for legitimate ticket sales and the use of the LCM mechanism generally. However, the Committee was prepared to go down the route of an LCM, albeit with some reluctance.

In response to some of those concerns, I should emphasise that the police learned much about enforcement from serious ticket scams during previous games. Furthermore, members should note that the public will quite legitimately be able to sell spare tickets at face value to friends or family without committing an offence. Additionally, the London organising committee will operate an exchange system for those who wish to sell on any unwanted tickets legitimately.

Like most Members, I am reluctant in principle to resort to legislative consent motions; that is not why I sought election to a legislature. However, I believe that this one is justified and necessary for an issue with limited impact for a limited time. The Olympic movement is entitled to expect host countries to do their best to enforce its rules and to deter would-be offenders. It is also important that we do not send out a message that Northern Ireland is softer on that type of crime than the rest of the UK. Therefore, I ask Members to support the motion.

**Mr Givan (The Chairperson of the Committee for Justice):** My comments will be brief. The Department advised the Committee for Justice on 9 June that the Minister wished to take the legislative consent motion to the Assembly.

The Scottish Parliament was also asked to agree a similar motion to extend the maximum



penalty in its jurisdiction. The Committee took oral evidence from officials on 16 June, and some issues of concern were raised. The Minister highlighted and addressed some of them. Such issues included whether there was a practical need for the provision; whether the provisions could be enforced, given their inability to address internet sales from non-UK-based websites and ticket sales outside the UK; whether the legislation would achieve the stated aim of deterring organised crime groups by stopping major criminality; and the principle of using a legislative consent motion to deal with the issue.

Having heard the responses from officials, which are set out in the Committee report on the legislative consent motion that was circulated to Members, the Committee for Justice concluded that, on balance, it was prepared to support the Minister's motion.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Beidh muid ag tabhairt tacaíochta don rún. We also support the legislative consent motion. The Chair outlined the concerns raised at Committee, and I know that the Minister and his officials are aware of them. In principle, we are not opposed to this, but it was highlighted, particularly throughout the passage of the Justice Bill, that, when we legislate for here, we should be conscious of the issues that prevail here, and we are not sure that ticket touting would have been a major concern.

There was also concern about legislation that is passed in Westminster and the use of legislative consent motions to offset our ability and power to legislate. That is our only concern, but we approve of the motion.

**Mrs McKevitt:** Ticket touting is a serious issue that needs to be addressed. It is hoped that the legislative consent motion will prevent people from touting London Olympic and Paralympic Games tickets. We support the motion as a welcome addition to provisions made by the House last year to tighten the law on ticket touting in football, GAA and soccer.

**Mr Ford:** I thank the Members who contributed to the debate. Although the issue raises the concerns of the sort highlighted in particular by Mr McCartney, the Committee Chair explained the way in which the Committee addressed the issue. It recognised that there were problems, in principle, with legislative consent motions, but acknowledged that this is a particular issue to deal with a specific, short-term problem.

I assure the House that the Department of Justice will not readily seek to use legislative consent motions where they can be avoided. I thank Mr Givan and the Committee for the consideration that they gave to the motion, and welcome their support.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions in the London Olympic Games and Paralympic Games (Amendment) Bill dealing with ticket touting.*



## Private Members' Business

### Student Places at the University of Ulster's Magee Campus

**Mr Speaker:** The Business Committee agreed to allow an hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes in which to propose the motion and 10 minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes to do so.

**Mr Eastwood:** I beg to move

*That this Assembly calls on the Minister for Employment and Learning to ensure the creation of 1,000 extra student places at the University of Ulster's Magee campus during the current comprehensive spending review period in order to provide the key economic driver that is envisaged by the Ilex regeneration plan.*

Derry's politicians, business people, union representatives and community activists spent two years pulling together a regeneration plan: our 'One Plan'. The First and deputy First Ministers were in Derry to launch that plan. Unfortunately, the 'One Plan' is not even mentioned in the first draft of the Programme for Government (PFG), and, every week, we have a new announcement from the Executive that further dilutes the proposals in the plan. One such proposal is for Magee to have a targeted maximum student number (MaSN) increase by 2015, with the hope that it will have 6,000 full-time students by 2020. That could add £1 billion to the regional economy by 2040. The plan — our plan — refers to Magee as the catalyst for city-wide economic renewal, with the potential to create up to 2,800 new direct and indirect jobs by 2020.

This year, Magee received 5,786 applications via the Universities and Colleges Admissions Service (UCAS), of which 4,072 were from Northern Ireland. A mere handful of those — 1,111 — were accepted, and just 727 were from the North. Magee had to reject 4,675 applications this year alone, and 3,345 of those applications were from local students. One thousand extra students would only begin to plug that gap.

On 12 September, the Minister said that:

*"the Executive felt that it was financially prudent to assess the actual distortions in student flows, and to consider additional resources in due course."*

Perhaps the Minister will outline to the House what additional resources there may be and whether "due course" means within this comprehensive spending review (CSR) period.

I remind the Minister, the Executive and the House that we have been waiting since 1965 for a meaningful commitment from Stormont to Magee and to Derry. In 1965, when John Hume led 25,000 Derry people from every political persuasion to the steps of this Building, they were ignored. We will not be ignored again. If the Executive are serious about making the economy their top priority, they need to urgently tackle Magee university. We have a broad coalition of support in and outside Derry, and, no doubt, we will have support from different parties in the House. However, the time for lip service is over. The people demand action from the Executive. It is not six months since posters went up all over Derry telling us that the expansion of Magee was guaranteed. The people of Derry are now calling that guarantee.

**Mr Speaker:** Before I call the next Member, who will be Alastair Ross, I remind the House that the motion relates to student places at the University of Ulster's Magee campus. I will allow Members to widen their contribution slightly. The motion relates to student places at a particular university, but I can understand that Members may want to go outside the motion slightly. I do not see anything wrong with that, but let us not stray too far from the motion.

**Mr Ross:** Thank you, Mr Speaker. I welcome your guidance. Given that this is not an Adjournment debate, perhaps it is necessary to broaden it out a little bit. We will aim to do that.

The motion calls on the Minister to ensure an additional 1,000 places at the University of Ulster's Magee college. We have three main concerns about the motion, which is why we sought to table an amendment to address those concerns. I will try to outline those concerns during my short contribution.

First, we had an issue about looking at Magee in isolation. As I said, this is not an Adjournment debate, and, therefore, we have to take into consideration the fact that other

universities, campuses and FE colleges are looking for additional places. Those who support the motion will say that Magee has asked for them, while others have not. That may be the case, but it is important for us to look at other institutions when we are debating the issue. The issue is important to the Members who tabled it as there is a particular geographical interest. However, it is important not to focus narrowly on one geographical area. We must look at our HE and FE sectors right across the board. Had our amendment been accepted, it would have widened that out a little.

The second issue relates to the 1,000 extra student places. Again, our amendment sought to get more focus on those 1,000 places. It is a little bit woolly in the sense that we wanted to focus those 1,000 places on —

**Mr Speaker:** Order. I am trying to be careful not to stifle the debate. However, the amendment that the Member is talking about was not selected. I am happy to give him a number of reasons why it was not selected if he wants to talk to me afterwards. We should not stray into an amendment that was not selected. I am not stopping or stifling the debate at all. Nevertheless, the Assembly has procedures and conventions.

**Mr Ross:** Thank you, Mr Speaker. I appreciate your comments. I am trying to address the motion as tabled and the reasons why we cannot ultimately support it. We can vote only on what is on the Order Paper, and the fact that we are not focusing on science, technology, engineering and mathematics (STEM) subjects specifically is of concern to us.

We know that, given our economy, we need to get more people to university. The Minister's decision on freezing fees will help us to do that. I also know that those who support the additional places at Magee college also want to see more young people going to university and being able to compete for the graduate jobs that we hope to create here.

**11.15 am**

**Mrs D Kelly:** I thank the Member for giving way. I note that he is trying to explain that the reason why the DUP is not supporting the motion relates to the 1,000 places and the STEM subjects. Given that the Minister said that there will be an extra 1,000 places potentially spread across the universities, does the logic apply that those

1,000 places should be for STEM subjects only across all universities, or just Magee?

**Mr Speaker:** The Member has an extra minute.

**Mr Ross:** As an Assembly, I think that we want to be focusing additional places on those STEM subjects; those are the subjects that are going to be relevant in a global economy.

**Dr Farry (The Minister for Employment and Learning):** I am grateful to the Member for giving way. I was not planning on speaking so soon, but I want to put something on record, before people get too carried away. I have never said on the record that there are 1,000 places based upon the resources that have been allocated as part of the Executive's agreement, nor have I said that there are going to be 600. We are talking about several hundreds. I want to put that in context for Members, before they work ahead on the assumption that there are 1,000 places to talk about; there are not.

**Mr Ross:** I think that the Minister's contribution is helpful. The issue about the STEM subjects is one that we, perhaps, would not be so prescriptive on. However, it is important that we focus on the knowledge-based economy that we want to create in Northern Ireland. Those are the subjects that we need to focus on. The growth in the science and technology sector is going to continue over the next number of decades. It is, therefore, important that we focus on those subjects, particularly given the Assembly and the Executive's continued efforts at devolving corporation tax and the reliance on the graduate-type jobs that will flow from that and from the foreign direct investment.

The third issue that we have with the motion is around cost. At the moment, costs are an issue in every Department. We have to be cognisant of that, particularly following the Executive decision of 8 September to freeze student fees. That was supported by parties across the House, the universities, students and families across Northern Ireland. However, in supporting the decision to freeze student fees, we were aware that there would be a financial implication and a knock-on cost. The decision came at a cost. We know that there will be constraints across the Executive Budget and, particularly, in the Department for Employment and Learning budget. The motion is lacking due to the fact that it does not refer to the cost or to the tightening of the budget.

I believe that the decision on student fees will help to increase participation and to make sure that there is not a barrier to more young people going to university. However, I think that it will have a potential impact on whether any additional places can be created at Magee college or anywhere else. That is a financial reality that we must live in.

There are, therefore, three reasons why we cannot support the motion. First, it focuses on one geographical area rather than across Northern Ireland. Secondly, it does not focus on the subjects that we desperately need to get young people into for the good of the economy in Northern Ireland. Thirdly, there is the issue of costs and the cost of doing this in tighter financial budgets, particularly given the decision that was taken on student fees.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Beidh Sinn Féin ag tabhairt tacaíochta don rún. Sinn Féin will support the motion. Sinn Féin has long advocated the need for the expansion of the Magee campus in particular, and my party colleague Martina Anderson was one of the people in Derry who led on that very vocally in the past number of years. We have been advocates for expansion for a variety of reasons. The neglect of third level education in Derry has been well presented over a long number of years, and I think the case has been made. The strength of the university and the reputation of the campus have grown, but that has not been reflected in the lifting of the MaSN cap or the realisation of extra spaces.

The Ilex regeneration plan for Derry is known as 'One City, One Plan, One Voice'. It is, perhaps, one of the most comprehensive pieces of work to be carried out in Derry or, indeed, the north-west over a long number of years. At its core are attempts to tackle years and years of economic, social and political discrimination and underdevelopment. There is absolutely no doubt that, as Colum Eastwood has said, at the core of that regeneration initiative and concept is the absolute need for more university places to become the economic driver, along with many other aspects of it, in the delivery of the plan.

If we do not realise the extra places, and if the MaSN cap and the ambitions of U4D and the university are not realised in the next number of years, it will deal a blow to attempts to address years and years of economic underinvestment and regional disparity.

The case for expansion has been made. The Minister visited Derry recently and received a presentation from the university and Ilex. I listened to what he said then, and I think that he is on record as saying that he accepts the need for expansion and that he wants to work with the university to deliver that expansion. I think that he has also accepted that Magee is the only university that currently has a proposal on the table for the number of places. The Minister smiled when I said that, so it will be interesting to hear his take on that.

**Dr Farry:** Two out of three.

**Mr McCartney:** As the song goes:

*"Two out of three ain't bad".*

Support for the expansion is important. The university has stated that publicly and forcefully on a number of occasions, and I have not heard any counterstatement from the Minister or his Department. I will listen in particular to what he has to say about the matter, and I want him to reaffirm that today. He has to say that he agrees with the expansion of Magee. It is not just about the expansion of a university campus, and the Minister must see it in the context of the regeneration of Derry and tackling regional disparity. From the point of view of his party, if it is going to make any sort of contribution to a shared future, the expansion of the Magee campus is a way of showing the people of the north-west that there is a shared future for them after years of underdevelopment.

The Minister said that there are a limited number of spaces, and that is where the debate lies and why we must focus on that particular aspect. He knows that the demand is there for STEM subjects. He must pay particular attention to that and ensure that STEM subjects feature high on his list of priorities for the extra places.

There has been speculation about the total number of places. Some reports have put it at 600, and we have heard this morning that it may be 1,000. We hope that it is 1,000, although the Minister is saying that it will not be 1,000. Whatever the number, the Minister must make a decision, in the current context, on what will have the maximum impact on the economy of the North and on the economy of the north-west in particular. If the Minister can make a decision that will get the maximum delivery and the maximum outcomes in tackling regional disparity and economic underdevelopment and

that will kick-start a regeneration plan in the north-west that is focused on Derry and the Magee campus, there is no doubt that that is what he should do. The case is overwhelming. Whatever extra places the Minister can deliver should be delivered to the Magee campus.

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

**Mr McCartney:** That will be seen as a statement of his intent to make the regeneration plan work. It will also show that he wants proper third-level education in the city of Derry.

**Mr B McCrea:** I was surprised by the last speech. Maybe it is because I am the Chair of the Committee, but the statements that I have heard from the Minister put the number of places at nowhere near 600 or 1,000 — a few hundred is what I have heard. It is as well to get the facts right, and I am sure that the Minister will clarify that.

One of the first Acts of Parliament in this place was the Basil McCrea Endowments Act (Northern Ireland) 1923, which passed considerable sums of money to Magee College. I want people to understand that I am supportive of Magee. My colleague Mrs Overend is a graduate of Magee, so we are supportive of Magee. However, Mr McCartney's statement that there is an overwhelming business case is simply not true; the case has not been made. You can say that there has been an increase in applications and that those are up 30% in the past —

**Mr McCartney:** It was not me who said that the business case has been made; it was the university. As far as I am aware, that has not been publicly challenged by you or the Minister.

**Mr Speaker:** The Member has an extra minute.

**Mr B McCrea:** Thank you for that.

I recall that there was some discussion in Londonderry, and I challenged it. The business case has not been made and accepted. These figures are not trivial; you are asking for an extra 1,000 places. I refer to the University of Ulster, not just Magee campus. There were 8,487 places last year. You are looking for a significant uplift, and you have to realise that this is not just about Londonderry, it is about the whole of Northern Ireland.

I return to the issue of informed debate. A publication was released in March 2011 entitled 'Identification of Priority Skill Areas For Northern

Ireland — March 2011'. The report says that there is evidence of graduates moving out of Northern Ireland for better pay or jobs. We do not have jobs for the graduates we are producing. The report goes on to say that increasing our skills makes sense only if we have jobs to give the graduates. My problem is that we are doing this in a somewhat cavalier fashion: we feel that we must tick the boxes and get 1,000 more graduates, but we do not know what skills people require.

It is not that I am unsympathetic to what people are trying to do, but it is not for the Minister to dictate to any university where it will put its places or what its subjects will be. A negotiation, a discussion, is to be had but, ultimately, universities are independent institutions.

When we look at how best to address the skills gap in Northern Ireland, there are other institutions such as further education that deal with the issue in a different way. According to the report, this is what is required:

*"As there is a significant increase in the number of people required with professional and technical skills, to at least level 3, it is recommended that particular emphasis is placed on the attainment of level 3 qualifications."*

That is to say, apprenticeships. If money is found, that is where I want to see it spent; that is where we need it. It is not right that the 50% of people who go to university, to higher and further education, are subsidised by the 50% of the people who do not have those skills.

**Mrs D Kelly:** Will the Member give way?

**Mr B McCrea:** I have already given way, so I will not do that.

An awful lot of people are out of work now because they used to go into jobs such as plumbing, maintenance and electricity working. Those people need our help and support as well. Those are the skills to which the Minister should rightly direct resources. I feel that they have been missed out. I give way to the Member now.

**Mrs D Kelly:** I thank the Member for giving way. I understand his frustration about the lack of money. One in four of the young people who left school this year has found nowhere to go. Given that the Executive have, allegedly, put the economy at the centre of this mystical Programme for Government, does the Member not consider that all of those challenges should be met?



**Mr B McCrea:** I agree with the Member in that respect, and that is why I have some difficulty with the motion. I agree that all areas should be tackled and that we should look at skills. The direct consequence of freezing student tuition fees at the level at which that has been done is that there are knock-on effects on other sectors.

The Minister will argue that there will be no diminution in what will be offered, because he will find it from elsewhere, but the opportunity to increase student numbers is not there, because the Executive took that decision. It is an absolute knock-on effect. No increase in fees, no more student numbers — unless the Minister goes back to the Executive and asks them for more money, which will be taken from other hard-pressed sectors. If I am not right on that, the Minister may contradict me.

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

When it comes to making the proper decision, it is not an absolute declaration that we keep pushing more and more people into university when we cannot get them jobs. We should be looking at the real skills and needs of our people, and supporting them.

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

**Mr B McCrea:** My party therefore will not support the motion.

**Mr Lyttle:** I welcome the opportunity to discuss the issue, and I recognise that further and higher education has a vital role to play in the regeneration of the north-west. I met many people involved in the sector in Derry, at meetings of the Committee for Employment and Learning and the Committee for the Office of the First Minister and deputy First Minister. The Magee campus strategic development plan and the Ilex regeneration plan are robust, innovative and inclusive frameworks for renewal and regeneration of the city.

I also recognise the centrality of skills provision to developing and driving our economy at regional and local level, to increasing employability, reducing social inequality and improving the quality of life of our citizens. Of course, higher education has a vital role to play in delivering those aims, but, as the previous Member mentioned, we must also invest in other key skills areas, which the Ilex plan recognises.

Therefore, although I agree with the supporters of the motion that it is vital that the Assembly does all that it can to support regeneration for Derry/Londonderry, I put it to them that, as a result of the Executive's agreed higher education funding package, which their parties signed up to, which included the delivery of no increase in student tuition fees — issues on which they vociferously campaigned — we have to be realistic about what else can be achieved at this stage.

### 11.30 am

The Alliance Party supports the aim of increasing student numbers at the University of Ulster's Magee campus, not least given its importance to the Derry/Londonderry regeneration plan. However, I also understand that the Executive have jointly recognised the vital role that higher education has to play across the region and have agreed a good deal that will secure what were key aims for many political parties of no increase to student tuition fees, significant ongoing public investment in our universities, and a commitment from the Minister to work with the sector to expand student places. As the Minister said, it will perhaps not be in the region of 1,000 places, which was mentioned today.

Where additional student places are possible, I ask the Minister to ensure that allocation is based on evidence of demand. The House must be realistic about what can now be achieved and where we need to target the scarce resources that we have. Therefore, I oppose the motion.

**Mr D McIlveen:** I, too, thank the Members who brought the motion to the House, but, like my party colleagues, I am unable to support the motion in its current form. I appreciate that the issue is very important to the city of Londonderry, especially in the context of the Ilex regeneration plan. Before I address the Magee issue specifically, I think that it is very important to put on record the efforts made by our party and the then Minister of Culture, Arts and Leisure, Nelson McCausland, and also Arlene Foster, in campaigning for the city of culture bid in 2013.

We support Londonderry, and we have endeavoured to make sure as best we can that it gets the recognition that it deserves. I hope that the aim to deliver the best regeneration of any city that these islands have ever seen is fully realised. I make that point because if the motion divides the House, and, ultimately, is not carried, I think that it is very important that it



does not send out an erroneous message that the Assembly is against any sort of regeneration in Londonderry. We are supportive of the city and all that it aims to achieve, but we have difficulty with the wording of the motion.

I find that I just cannot support the motion with regard to the specific creation of 1,000 extra places at the University of Ulster's Magee campus. I understand that the plan is very closely linked with increasing the number of full-time student places. However, that is only one part of an overall strategy. I favour more places.

**Mr McCartney:** Although you are opposing the motion, I want to put on record my appreciation that you welcome the fact that the regeneration plan is about economic regeneration and that the expansion of Magee is at the heart of it.

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

**Mr D McIlveen:** I thank the Member for his intervention and for his kind words. I am open to hearing what Magee campus would have to say on this issue, but, though I favour more places, I cannot favour this motion with regard to just one institution. I support more places at Queen's University, at the other University of Ulster institutions and at the Open University. However, as we have already discussed this morning, all that is subject to funding. Everything, unfortunately, has a price. I am sure that the Minister will outline just exactly where the budget sits in relation to that

We are squeezed for funds across the higher education budget; that is no secret. Increasing places at Magee cannot be at the cost of other universities. Why should Magee be a special case? That is the question that Members who represent constituencies other than those affected have to ask. As I said, I am open to hearing what staff at Magee have to say on the issue, as the Committee for Employment and Learning has not heard enough from those staff during this Assembly term to make a full assessment about whether there is even a demand for additional places. I cannot, therefore, support the motion. Even if the budget were in place, we still lack a lot of the information that is required to make a decision.

In addition, there is a frank admission in the Ilex plan that the plan for expansion at Magee includes:

*"encouraging the uptake of economically relevant study including but not restricted to STEM."*

That has already been mentioned, and we will not deviate from the topic. However, that point has not been reflected in the motion.

Any extra student places granted should focus on science, technology, engineering, and maths subjects in order to best support our economy. However, as was stated earlier, those places should not be restricted just to Magee; higher education uptake does not have to be supported only in Londonderry. In fact, the proportion of people enrolled in higher education in my constituency of North Antrim is lower than in East Londonderry and Foyle put together. If the debate is to be parochial, I would say, in support of my constituency, that we need more places in the Northern Regional College, especially when we consider Northern Ireland's poor record on essential skills provision. I cannot support the motion. I do, however, urge the House to consider increases in student places across the Province, where possible, with a particular focus on STEM subjects.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom tacaíocht a chur in iúl don rún. I support the motion tabled by, among others, Colum Eastwood, who is not in his place at this time, and which was supported by Raymond McCartney during the debate.

Mr Ross said that the motion was too narrowly focused on one geographic area. However, it has relevance for a wider geographic area than the city of Derry alone. We are talking about the entire region, but in particular west of the Bann, where a strong case needs to be made for regeneration and a degree of economic rebalancing. The Minister and the Department for Employment and Learning, one of the economic Ministries, have a key role to play in addressing the dual challenge of tackling disadvantage and helping to grow and, indeed, rebalance the economy. I ask the Minister to think strategically about what measures he and his Department can take in that regard.

The statement that accompanied the announcement about the review and freezing of tuition fees included additional notes to editors and was circulated to various newspapers. I was drawn to a particular phrase in paragraph 8, which stated that:

*"any new student places will only be in areas of economic relevance".*

As Raymond McCartney said, where the difference can be made is in areas of economic relevance, and where the Department can make a difference is, essentially, at Magee. That is where additional places would have the maximum impact.

There is no contest in the University of Ulster about where additional places should be allocated. It is my understanding that the University of Ulster has said that, whichever number of additional places may be allocated — we are arguing for the greater number — those places should be allocated to Magee and that the expansion of Magee is the linchpin not only of the north-west regeneration plan but of the University of Ulster's strategic plan.

In his response to the debate, I would like the Minister's clarification on the level of demand for places at the Magee campus. I understand that as many as five students compete for every place that becomes available at Magee. Chris Lyttle said that he wants to see evidence of demand; so do I. I would like the Minister to address the issue of demand.

In conclusion, a Phríomh-LeasCheann Comhairle, I ask that the Minister also clarifies his own party's position in respect of its election manifesto. I understand that, on page 57, specific commitments to expansion of the Magee campus are made. Go raibh maith agat.

**Mr Douglas:** As an Assembly Member, I recognise the importance of improving the lives of people throughout Northern Ireland and of not looking at issues purely on a personal level with regard to my constituency of East Belfast.

I recognise the serious social and economic problems that face people in the north-west. Recent depressing unemployment figures show a 13-year high; a statistic that masks its adverse effects on families and the daily grind of poverty that many people face in that area. Therefore, from the outset, I want to state clearly that expansion of the Magee campus is an important pillar of the north-west's social and economic regeneration hopes as outlined in the Illex regeneration plan.

Last night, I read that, in 2010, some 6,000 students applied for places at Magee, yet there were only 700 places available. Evidence of

demand should, therefore, be forthcoming. Certainly, the Committee for Employment and Learning would like to see that evidence at a future meeting.

If one looks at the number of university places in Northern Ireland per head of the population, it is clear that it has the smallest higher education sector of all regions of the United Kingdom. Coupled with that, the size of Northern Ireland's higher education sector per head of the population puts it joint bottom of the league with the east of England. It is clear for all to see that Northern Ireland needs a bigger higher education sector and more student places if it is to keep pace with the rest of the United Kingdom. Even more importantly, there needs to be growth in that sector if Northern Ireland is to compete seriously in an increasingly competitive and shrinking economy. I would like to see proposals come forward at a future Committee meeting.

This morning, the Minister stated that there could, potentially, be 300 extra places. We have heard that there might be 600 or 1,000 extra places. My problem is that, at present, Magee, notwithstanding all its needs, will be the only institution to benefit. My fear is that that could prove extremely detrimental to other universities and colleges throughout the Province. I believe that it was Mr McCrea who mentioned the importance of apprenticeships. Certainly, I get weekly demands for training and apprenticeships from people in Ballymacarrett, whether from the lower Newtownards Road or Short Strand. I suppose that, within tight budgetary constraints, we are all trying to develop and encourage initiatives in our own areas.

Other universities and regional colleges should be considered for the provision of potential extra student places throughout Northern Ireland. The Magee campus should be included in that consideration. Provision of STEM subjects should also be considered in order to provide a key driver for the economy. In 2010, a Confederation of British Industry (CBI) survey entitled 'Ready to Grow' identified a shortage of STEM skills at all levels. It identified an under-supply of those skills and reckoned that the problem is likely to get worse. The CBI policy adviser Leo Ringer stated:

*"Over the next three years, more than half of all employers predict difficulty finding the STEM talent they need, which could act as a barrier to business growth in key areas such as low-carbon manufacturing and the creative industries".*

As the Member said, it is important that we focus on STEM if there are going to be additional places.

**11.45 am**

I am not saying that higher education is only about STEM. We need to recognise that it is not an academic route for everyone. Indeed, 10% of all STEM students drop out in the first year. Just last Friday, Google announced over 200 jobs at a new £65 million data centre in Dublin. That is very much about the creative industries —

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

**Mr Douglas:** — and encouraging training and education in that sector.

**Mr Principal Deputy Speaker:** Before I call the next Member, I remind Members to stick to the motion.

**Mrs Overend:** I welcome the opportunity to speak on the motion, and I thank the Members who tabled it. As a past student of the University of Ulster at Magee College, I look back on my time there with great fondness. Despite all the strife that Londonderry suffered over the years, when I studied in the city, there was a great student community, and we always felt that the residents welcomed us very much. I have some great memories of my time there, and it is my hope and desire that it goes from strength to strength as an educational establishment.

I am not against the motion in principle. However, in practice, the outworkings of the decision to cap student fees, as well as the Department's sustained contribution to the two HE establishments, will be phenomenal for the higher education sector and, specifically, its ability to increase student places.

**Mrs D Kelly:** I am very concerned at increased funding for tuition fees being the sole argument as to why places at Magee should be capped, given that, only last week, the Office of the First Minister and deputy First Minister (OFMDFM) announced an £80 million social investment fund, otherwise known as its slush fund, without even telling the Committee for the Office of the First Minister and deputy First Minister. Does the Member agree that the money that went to other budgetary headlines could provide the places, if education and the economy are the main drivers in the mystical Programme for Government?

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

**Mrs Overend:** I thank the Member for her intervention. It is another example of the need for improved, joined-up government, and I will go into the detail.

When the Minister met the Committee for Employment and Learning, he said that there are consequences that flow from the decision. I wonder how many people are going into this with their eyes closed to what those consequences might be. We have to be careful that, in seeking to increase the number of places at Magee, we do not disproportionately affect the resources for areas such as apprenticeships and further education colleges.

Not only are students discouraged from travelling to other parts of the UK to study at university, but we are now actively discouraging students to come to Northern Ireland from Scotland, England and Wales to study. The result will be that demand for student places in Northern Ireland will rise. If demand rises without sufficient supply, the result will be an increase in the universities' grade requirements. How else will they determine who will be awarded the university places?

It is unfortunate that this will erode the strides that the previous — might I say, Ulster Unionist — Ministers for Employment and Learning took towards making university places accessible to a huge range of people in Northern Ireland from various socio-economic backgrounds and making university attendance not just for the elite.

We can wish for the sun, moon and stars, but the current state of the Department for Employment and Learning (DEL) budget sets the future agenda for university places. The Minister has set his target for increasing student places by a few hundred but, because of financial constraints, I guess, is unable to define any specific time frame for that. Moreover, I understand that it is not in his power to decide where those student places will be offered, whether in Belfast, Jordanstown, Coleraine or Magee. He can encourage better targeting, but, at the end of the day, the universities have control of that.

With all that in mind, I ask the Minister to look at other areas where he could help the key economic driver that is envisaged by the Ilex regeneration plan. An increase in apprenticeships is one suggestion, especially given the need to

increase our students' capacity in the STEM subject areas, as has been a recommended specialism for the suggested extra student places at Magee. Our FE colleges are ideally suited to help deliver on this issue. Furthermore, while the MaSN cap is not set to increase by any more than a few hundred, I wonder whether the Minister will encourage universities to increase the number of part-time courses available in these key subjects.

In conclusion, is the Minister prepared to think strategically about the economic regeneration of all arts and parts of Northern Ireland? It is time for some joined-up thinking on the delivery of the higher and further education sectors.

**Mr McDevitt:** Nearly 45 years ago, the men and women who went on to found the SDLP led a march to the front door of this very Building. They united the city of Derry behind a single call for a university that would service all the people of the north-west of this island. That spirit seems to have been lost along the way, and we sit here today debating the need to put some energy back into what the Executive allegedly support.

OFMDFM is the sponsoring Department of Illex. The growth of the Magee campus and the arrival of extra students are key elements in the regeneration of the city of Derry. Yet, for some reason, that does not appear to be a priority for the Executive. I am also aware that the regional development strategy clearly identifies the city of Derry as the north-west's regional hub. Again, I am not aware of any party in the Executive that dissents from the principles of the regional development strategy, except when it comes to actually doing something about them.

This is the basic issue: are we all talk, or is there any substance behind what we put on paper and behind the commitments that we make to people? The people of Derry are beginning to wonder what the Executive will ever do for them.

The Magee campus is not the only example: Mr Eastwood covered an entire programme-for-government's worth of examples where the city of Derry can look to the Chamber with disappointment.

In the House yesterday, I asked the Minister for Employment and Learning whether he agreed that it was time to make supporting third-level education a financial priority. He said:

*"The answer to that is a very simple no." —  
[Official Report, Bound Volume 67, p37, col 2].*

What sort of region refuses to make funding third-level education a financial priority? What sort of region reduces a debate about the regeneration of our second city — the most important city to everyone in the north-west of this island — to that sort of argument? That is what has been peddled in the House today. I do not want to see the people of Derry having to unite for the second time in two generations and marching to the steps of this Building to demand what is rightly theirs: equality, fairness and the same opportunity that anyone else is entitled to. I fear, however, that that may well come to pass again. John Hume had to march the city to the Building in the late 1960s; Mark Durkan, Colum Eastwood, Pat Ramsey and Mark H Durkan, with others, may have to do the same in the future. It is simply not right or fair to ignore all the commitments that we make to the city of Derry because it does not suit us financially.

Some people wondered whether the elephant in the room was the fact that, for ill or for good, the composition of the Magee campus reflects the general population of the north-west of Northern Ireland and the north-west of the island of Ireland.

**Mrs D Kelly:** Is it not a fact that, each year, over 2,000 young Catholics get university places in Derry as opposed to under 500 from the Protestant community? Is that the elephant in the room to which you refer?

**Mr Principal Deputy Speaker:** The Member has an extra minute in which to speak.

**Mr McDevitt:** I hope that the elephant in the room is not that. If it is, the people of Derry will have a further question to ask about this place. Is it failing on not only what it puts on paper but by actually perpetuating an old prejudice that has dogged the city for generations, a prejudice that prevented its development, that held it back, and that everyone in this region, I think, would have the right to expect no longer exists?

I understand that the city of Derry does not provide the Minister's party with a great amount of political support. I accept that. However, it is an absolute fact that the city of Derry is a fundamental and central part of the regional development strategy, that it has the alleged commitment of the Office of the First Minister and deputy First Minister and the entire



Executive to its regeneration, and that it is entitled to expect, in the same way as every other town and city in this region expects, that it would understand the value of education —

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

**Mr McDevitt:** — and would understand that if you fail to invest in it, you fail to invest in society.

**Mr Buchanan:** I will, first, apologise to the Member who moved the motion for missing his contribution. I want to express my disappointment that the Democratic Unionist Party amendment was not selected. Therefore, as my colleagues highlighted, the narrow focus of the motion means that we are unable to support it, and I thank my colleague Alastair Ross for clearly highlighting the reasons why. Although I understand the proposer's sentiments and his desire to see the expansion of Magee, which is in his constituency, by another 1,000 student places in this CSR period, he is failing to face up to the fact that we are working within a limited budget. I think that that is lacking from today's motion.

**Mr Ross:** I thank the Member for giving way. Does he agree that the previous speaker, Mr McDevitt, took a rather worrying turn when he almost tried to sectarianise this debate? The reasons that this party outlined for not supporting the motion have nothing to do with that. In fact, they were genuine reasons, which Mr McDevitt did not allude to during his contribution, such as the financial impact, particularly in the context of student fees having been frozen.

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

**Mr Buchanan:** I thank the Member for his intervention. It is unfortunate that Mr McDevitt sought to turn the debate in that direction, where it was not meant to be turned at all.

I would like it if we were in a position to support the new places at Magee without that having a detrimental effect on the other universities and colleges. However, in the current climate, that is simply not possible. The moment we do that, however, I can see those in the other universities and regional colleges in Northern Ireland being up in arms crying discrimination and inequality, and rightly so, for why should we

as an Assembly give precedence to one college or university over another?

In my constituency of West Tyrone, I have been lobbied by the regional college in Omagh for an increase in the MaSN cap to allow it to increase student places so that it, too, can develop its STEM subjects, which are the key driver in our economy. I am sure that Members right across the House face exactly the same situation in their constituencies. If we as an Assembly are serious about STEM delivery across Northern Ireland as the key driver for the economy, we need to broaden our focus so that all our universities and regional colleges will benefit from any increase in student places. We will not stand guilty of creating a situation where one college takes precedence over another.

I know that the Minister has pledged to make a modest increase in student numbers in this CSR period, but, in doing so, he has also sounded the warning bells that they will only be in the low hundreds. Again, I call on the Minister to give serious consideration to this issue so that all universities and colleges can benefit and continue to prosper.

## 12.00 noon

I have heard the argument made by Members that any available student places should be focused towards the expansion and development of Magee owing to the benefit that that would have for the north-west, as that is where the maximum benefit can be found. Although that may be a legitimate argument, I again bring the focus back to the other regional colleges, especially in the south-west, where extra student places in the likes of Omagh, Enniskillen and Dungannon would make a huge difference, enabling colleges there to expand on the courses offered and allowing students to study much closer to home. Let us remember that it is the students from that rural area who have, for years, been the victim of travel — they have always had to travel to study. The courses were not available for them in those areas but were in Belfast or Londonderry.

I note that, in June, in answer to a question from a Member regarding the viability of expanding the Magee campus, the Minister stated that that would be viable only:

*"if the University of Ulster could attract sufficient students who meet the entrance criteria and*



*secure a sustainable funding stream to meet the infrastructural and teaching costs involved”.*

I also note that the capital cost alone of expanding the university currently stands at some £200 million. That begs the question of whether the college has the capacity and a funding package to sustain the viability of the creation of the 1,000 extra places proposed in the motion.

I urge the Minister to ensure that the provision of any extra student places is of equal status across Northern Ireland universities and regional colleges, including the Magee campus, and is focused on the STEM subjects —

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

**Mr Buchanan:** — in order to provide a key driver for the economy and the regeneration of all our constituencies right across Northern Ireland. On that basis, we cannot support the motion.

**Dr Farry:** I understand very well the wish of the Members posing the motion. It has long been a strategic aim of the University of Ulster to increase its undergraduate student numbers at the Magee campus. The university first outlined its plans for expansion in 2009 when it indicated that it would like to expand the campus by 1,000 undergraduate places over a five-year period. The expansion would also see the creation of two institutes on the campus: the institute of health and well-being and the institute of sustainable technologies.

In 2009, my Department did not have the funding available to commit to the expansion. Estimates put the cost of the 1,000 places at around £8 million per annum. That was a recurrent cost that would need to be found each year as long as the additional places were offered by the university. The cost comprised institutional funding to the university and funding to each of the 1,000 additional students by way of maintenance grant and student loan subsidy costs. The university has not approached my Department for any capital funds in relation to the proposed expansion. However, my Department undertook to submit a bid for the increase in numbers in the 2010 comprehensive spending review. I understand that, at the same time, the university was working closely with Ilex, as an expansion of that size could potentially have a considerable impact on the local economy.

The recently published regeneration plan for Derry/Londonderry states that higher education expansion is recognised as one of the key drivers in the successful regeneration of the city. According to the plan, an increase in student numbers has:

*“considerable potential to expand and generate a significant and catalytic impact on the local economy in terms of skills and jobs”.*

I congratulate Ilex and all who contributed to the plan, as the vision contained in it transcends traditional academic and cultural boundaries as a proven agent for equality, inclusion, regeneration and participation. I understand that the plan has been fully adopted by the University of Ulster and now forms its vision for development of university provision in the city. The expanded university would not only provide higher education in Derry/Londonderry but encourage demand for, and supply of, higher education for local people in their own university.

The plan for expansion of the university has identified mechanisms for targeting its operation at areas of particular disadvantage. Those include the expansion of the internationally recognised Step-Up programme; the encouragement of the uptake of economically relevant study; the provision of an enhanced range of cultural and academic activities and programmes for the community of the north-west; the use of social clauses in specifications for public procurement tendering in further and higher education institutions; and the potential for business creation in the form of spin-out companies. The plan sets out how an investment of such a scale would bring the forecast benefits. I empathise with Members who now feel that those benefits will be forgone if the planned expansion does not take place.

Members know that my Department is facing an extremely challenging financial position. That is due to two factors: first, the overall budgetary settlement coming out of the latest comprehensive spending review; and, secondly, the decision not to increase tuition fees in Northern Ireland. Moreover, the situation is compounded by the rising number of unemployed people over the past few years. My Department needs to achieve savings of £150 million annually by 2014-15 to address extant pressures. Some £68 million of those savings have been targeted at the higher education sector, which is proportionate to the level of investment in the

higher education sector relative to other DEL business areas.

The sector is contributing £28 million in cash savings over the next two years by way of a 12% reduction in teaching and research grant, which impacts on all higher education institutions. The balance of the £68 million was expected to be funded by an increase in the level of tuition fees. The decision to hold fees at their current level, with only inflationary increases, means that the balance of £40 million has to be found through other measures.

In approaching the issues around the future of higher education funding, I had three priorities in clear order of importance. The first was to sustain the level of funding for universities, given their central position in the future development of the economy through research and development and producing a critical mass of skilled graduates. The second was to preserve access and maximise participation in higher education for students from Northern Ireland, because going to university should not be determined by the ability to pay. The third was to seek to expand the number of university places to address the anticipated enhanced demand from Northern Ireland residents to study locally because of the decision to maintain the level of tuition fees and the differential with the level of fees that they would face in other jurisdictions.

It was always going to be difficult and challenging to address all three objectives on the basis of a fixed block grant for Northern Ireland. Given that the decision to freeze fees meant that additional sources of income had been forgone, the £40 million gap could be addressed only through shifting resources from other allocations in line with the new set of priorities as determined by the Executive.

My Department had set aside £2.5 million, £5 million and £10 million over each of the next three years to fund an expansion in student places, which we regarded as being an inescapable consequence of the decision to freeze fees. However, in the absence of evidence of the changes in student flows that will begin to become clear in 2012-13, the Executive felt that it would be more prudent to use those resources to address the £15 million, £30 million and £40 million gaps in funding over the next three years.

**Mrs D Kelly:** The Minister outlined some of the Executive's priorities and how other moneys are being spent. Does he regard the money set aside in the Budget for the social investment fund as a priority for the Executive? Does his party subscribe to that expenditure?

**Dr Farry:** That is slightly off-topic, but if the Principal Deputy Speaker will allow me the liberty, I will say that that money can make a real difference in communities. There are issues about how it is spent and its accountability, but the expenditure of that money can make a real difference across a range of issues, including those of employment and employability, which are of great interest to my Department.

I will return to the topic, which is the issue of student places. The Executive realised the potential for increased demand as the result of lower fees here and provided £1 million, £2 million and £3 million over the next three years for a more modest expansion in student places. I also have the option of returning to the Executive to make the case for additional resources as soon as the evidence of the scale of increased demand becomes clear.

At this stage, I want to stress a number of points. The available resources, which I have just set out, are incapable of meeting the terms of the motion. Had those proposing or intending to support the motion explained where they saw the additional resources being found, either from other aspects of my Department or the budgets of other Departments, that would certainly have been helpful. Indeed, some Members actually argued that my Department should have cut the budgets of the universities further or raided their reserves as a means of paying the price of freezing fees. The effect of that approach, of course, would have been to shrink the quality of the universities and to limit rather than expand the number of available places. That comment applies most to the party proposing the motion.

As much as I support the regeneration of Derry and the north-west, and the expansion of Magee in particular, I have been very careful to make clear that those outcomes will not happen on the back of the current financial arrangements. I do not want any misunderstandings or false expectations to arise around that. I will address the point raised by Mr McElduff: it is, indeed, something that my party was keen to see, and I

congratulate him on getting as far as page 57 of our manifesto.

**Mr B McCrea:** Will the Minister give way?

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

**Dr Farry:** I will give way to both of you in a second. I share other Members' frustration and disappointment about the fact that that aspiration is, obviously, on hold. However, my party remains committed to it.

**Mr B McCrea:** Minister, you said that you have £1 million, £2 million and £3 million, I think. I know that it depends on where the places are allocated, but what sort of number of currently available places are we actually talking about? To remove any doubt, will you confirm that, without additional resources from the Executive, you cannot provide any more?

**Dr Farry:** I thank Mr McCrea for his intervention. We are discussing the allocation of those places with all higher education providers. The resources that have been made available would equate to several hundred places. At this stage, and pending the outcome of those discussions, we cannot be more precise. As Members will appreciate, the cost of different courses varies, and each different institution has its precise priorities within the broad framework of economically relevant subjects, so the number of places will be determined by where they wish to invest those resources. However, we want to be in a position to make a clear announcement about that within the next number of weeks.

**Mr McCartney:** Will the Minister take the opportunity to say whether or not the university has presented a business case for the expansion, and, if so, did he accept it? The Chairperson of the Committee for Employment and Learning seemed in some doubt about that, so we need some certainty and clarity from you.

**Dr Farry:** During the most recent Budget process, the Department, through my predecessor, made a bid for additional places, but it was not accepted. I am conscious that the University of Ulster made a strong case for the additional places, but I have a duty to take all of the interests of higher education providers into consideration. In doing so, I do not seek to diminish the strength of the case made by the University of Ulster, but we expect there to be demand right across the board, and I have a duty to take the interests of all providers into consideration.

It is also worth stressing that my Department can award additional places to the various providers as institutions, but not to individual campuses. Therefore, in the event of additional places being awarded to the University of Ulster, it will determine where they go. However, the vice chancellor has already publicly stated that the expansion of Magee is the priority. That is a decision for the university, not for me, although I would welcome that course of action.

## 12.15 pm

There have been calls for me to allocate all the additional places to the University of Ulster and, indeed, directly to the Magee campus. However, I have to consider the needs of all the higher education providers, and the additional places will be allocated across them all. The rationale for the additional resources for university places is to manage demand across the system. That would not be achieved through concentrating the additional places in one location. As sympathetic as I am to the Magee campus's case and to the regeneration of Derry, I cannot commit to doing something in the context of the current comprehensive spending review for which I do not have the resources. Should the Executive make the additional resources available to my Department, the issue of increased student numbers at the Magee campus in Derry can be re-examined alongside the case for additional resources for all the other higher education providers. I will have no hesitation, if the evidence is there, to go back and make that case to the Executive.

For now, my Department will continue to explore what it can achieve with the resources available to it and what that will mean for the University of Ulster. Unfortunately, as sympathetic as I am to the motion and the motives behind it, I am not in a position to support it today. However, I certainly hope that we can re-examine this issue in the future and, indeed, potentially, in the context of this Assembly, but until we have those additional resources available — and that involves having the evidence — we cannot commit to it at this stage.

**Mrs D Kelly:** I welcome the Minister's presence throughout the debate. It is very disappointing that some of the political parties represented on the Committee for Employment and Learning and the Ilex regeneration project team find themselves unable to support the motion, given that they and their party colleagues supported

this development in the past. It is important to put on record that the previous bid by the Committee for Employment and Learning for the additional places at the Magee campus, which the Minister and others mentioned, was led and submitted by an Ulster Unionist Minister. I am very confused today by the stance taken by the Ulster Unionist Party, given that it joined us in voting against the Budget, which has seen the downgrading of the DEL budget in particular, and, therefore, the resources that would be available to our young people.

Many commentators refer today to a lost generation of young people, who through no choice or fault of their own —

**Mr B McCrea:** Will the Member give way?

**Mrs D Kelly:** I will give way in a second. A lost generation of young people has been placed on the scrapheap. They had applied with extremely good grades. There are young people in my constituency who travelled down to Belfast Metropolitan College and, in their own words, threw themselves on the steps and on the mercy of the authorities there to try to get a place and were turned away empty-handed.

**Mr B McCrea:** Just to be clear, because we have been brought into the debate, we support the Magee campus and we want to see good things happening in that area. However, we voted, like you did, against the Budget. The natural consequences of the Budget decision by the Executive to freeze the fees at a certain level leaves the Minister with no option but to say that we cannot put through those places. That is the way that it is. We wish that it were different, but we will have to go back and look at the issue again.

**Mrs D Kelly:** Unfortunately, my confusion has not cleared in any way. It was my understanding that, although the Ulster Unionist Party had concerns about a different approach being taken on GB students compared to students from the North who want access to universities here and who will have to pay different fees, all parties were united around the freezing of tuition fees. That was something that all here welcomed.

A number of contributors to the debate focused on the reduction of the DEL budget for tuition fees without paying much attention to the ability of other Departments to identify where other priorities might lie. That shows up the weakness in the Executive, because five or six

months on, although we had agreed a Budget in the absence of a Programme for Government, all we have is one that, on every page, says "officials' version only". In other words, it is a civil servant's Programme for Government. That is what parties have been asked to respond to as of yesterday, which is very poor.

The contributors from the DUP referred to how money should be ring-fenced for other universities that provide extra places for STEM subjects. That is a valid point. There are other ways in which STEM subjects could be promoted. The former Deputy Chairperson of the Committee, junior Minister Bell, and I attended various meetings at which we heard those who advocate the use of STEM subjects proposing ways in which they could be encouraged in our schools. One was to have a different grade of tuition fee, or no tuition fee at all, for students who wish to study those subjects at university, in the same way as other disciplines provide bursaries to students who study subjects for which there is a particular market demand.

My party colleagues and members of Sinn Féin pointed out the glaringly obvious fact that the north-west, and the city of Derry in particular, has been discriminated against historically by the previous Stormont Administration and throughout direct rule. The figures are clearly seen in the range and the community background of the applicants to the University of Ulster at Magee and the very high unemployment that persists in Derry today.

**Mr Campbell:** I thank the Member for giving way. I apologise for not being present earlier in the debate. The Member referred to different ways in which the STEM subject issue could have been dealt with. Does she accept that there are different ways in which the overall issue could have been dealt with, such as using different wording in the motion? We tried to propose an amendment, but it is not on the Marshalled List. I do not think that anyone in the House is opposed to development at Magee; the Minister's overall problem is that there is not enough money to meet the demand. The proposal, as it is currently worded, appears to offer no such advantage to other campuses. Although we all want to support Magee, I do not think that anyone wants to do it at the expense of other campuses, particularly because of the limited amount of money that the Minister has available.



**Mrs D Kelly:** I appreciate very much that, for many years, the Member has been a champion for Derry or Londonderry, and — *[Interruption.]*

**Mr Campbell:** Not bad; not bad.

**Mrs D Kelly:** Don't you worry; I am very easy about interchanging those terms.

The DUP seems to have done an about-turn in relation to the concerns that it raised about the social investment fund. I accept that the Minister says that the money could do good if used correctly. However, there was an announcement last week by OFMDFM about the social investment fund, to which no other party was invited. Only a select few community groups were invited. That is my understanding of it. I understand that members of the OFMDFM Committee knew nothing about it, so is it any wonder that those of us in parties that have been excluded from those decisions are fearful of how that money will be used?

**Mr Principal Deputy Speaker:** You probably need to come back to the motion. *[Laughter.]*

**Mrs D Kelly:** Thank you, Principal Deputy Speaker. My colleagues Mr McDevitt and Mr Eastwood referred to the legacy of the SDLP in standing up for Derry, to use a phrase that was used elsewhere, particularly in ensuring that the north-west region was properly resourced, promoted and invested in to tackle the crippling unemployment and lack of opportunity that still persists to this day in that part of the North.

I want to put one other myth to bed. I am sure that Members will acknowledge that, although the numbers of places at Magee would increase, the students who apply for those places will come from right across the North. Mr Buchanan referred to the investment that is required for colleges in his constituency, and none of us disputes that. However, I am sure that he will acknowledge that the ability of young people to live outside their own tight neighbourhood and to have the level of independence that is needed to live away from home is, in itself, an educational and, quite often, enriching experience for all.

Minister, you said that this was an Executive decision, so we are disappointed that parties were unable to support the motion. Those who are interested can look for themselves to see why it has not been supported.

**Mr Douglas:** Will the Member agree that I said clearly that I support the people of the north-west and the Magee campus? The main question was raised by her colleague Mr McDevitt, who talked about the elephant in the room in terms of sectarianism and about how the north-west had been let down by the Assembly. Perhaps we can ask the Minister at some stage to show —

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

**Mr Douglas:** — how the Committee for Employment and Learning has let the people of the north-west down.

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

*Question put.*

*The Assembly divided: Ayes 27; Noes 49*

## AYES

*Ms M Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr W Clarke, Mr Doherty, Mr Eastwood, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McLaughlin, Mr McMullan, Mr A Maskey, Mr P Maskey, Mr Ó hOisín, Ms Ritchie, Mr Sheehan.*

*Tellers for the Ayes: Mr Eastwood and Mr McDevitt.*

## NOES

*Mr S Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mr T Clarke, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lewis, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr Ross, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Buchanan and Mr B McCrea.*

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew.*

*Question accordingly negatived.*



**Mr Principal Deputy Speaker:** The Business Committee has arranged to meet during the lunchtime suspension. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm, when business will resume with Question Time.

*The sitting was suspended at 12.38 pm.*

*On resuming (Mr Speaker in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

### Education

**Mr Speaker:** Order. We come to Question Time. Questions 5, 10 and 14 have been withdrawn and will require written answers.

#### Primary Schools: Village, Belfast

1. **Mr Spratt** asked the Minister of Education for his assessment of whether a new primary school in the Village area of south Belfast is necessary to promote a fresh approach to learning and to tackling underachievement. (AQO 456/11-15)

#### **Mr O'Dowd (The Minister of Education):**

The Belfast Education and Library Board is responsible for determining the appropriate primary provision in the south Belfast area to meet the needs of the pupils. I am aware that work is ongoing on the potential amalgamation of Blythefield, Fane Street and Donegall Road primary schools.

In my statement to the Assembly on 26 September, I indicated that the boards would be taking forward area planning. Central to that work will be enhancing the quality of education for all pupils through a network of viable and sustainable schools. The key aim is to ensure that schools are fit for purpose and that they will be able to deliver the full suite of Department of Education policies in an efficient and effective manner. That will ensure that children and young people have access to a curricular offer and educational experience that best meets their needs. In taking action to improve education outcomes for all our young people, I will continue to implement the school improvement policy, which sets out our overarching approach to raising standards and tackling underachievement.

**Mr Spratt:** I thank the Minister for his answer. Does he accept that in order to tackle underachievement among working-class Protestant males it is vital to inspire young people to learn and achieve from the earliest point of their development? With regard to the

three schools, does he not feel that a newbuild and a new start would be a good point to begin?

**Mr O'Dowd:** I agree with the Member that we have to instil confidence in our young people. That is achieved in a number of ways: in the family home, the community and the school. With regard to the specific amalgamation of those schools, I have to wait for the Belfast Education and Library Board to report back to me on how best it believes that we should move forward with the project. As I said in my statement of 26 September, I am keen to see the amalgamation of schools, especially small schools. It has been proven that children who attend larger, properly resourced schools with the good leadership of enthusiastic teachers and staff achieve better. That is true in the Protestant community and any other community.

One of the schemes that I intend to bring forward is a public information programme with regard to regaining the gift that is education and giving information to parents and community leaders on how they can encourage young people to achieve everything that they can.

**Mr McNarry:** The Member who asked the question talked about opening a new school in south Belfast, and with good reason. Will the Minister guarantee to the House today that no functioning school will be closed until the viability audit is complete?

**Mr O'Dowd:** I cannot guarantee that to the House. A number of development proposals are well advanced. I cannot indicate the decision that I will make on those viability audits. However, I will put it in these circumstances to the Member: may I be excused for saying that if the Health Minister was aware of an unfit or unsafe hospital, should he keep it open until he ensured that the entire estate was safe and well, or should he deal with that hospital right away? In my view —

**Mr McNarry:** Is there a list?

**Mr O'Dowd:** I have to deal with education centres and with schools. If it comes to my attention that a school is not safe, in education terms, for the young people who attend it, I will take the appropriate action ahead of the viability audit.

**Mr McDevitt:** Is the Minister aware that we need leadership in the Village area of south Belfast to be able to provide the community with some certainty — a historic community that is

entitled to it? Will the Minister join me and my colleagues who represent that area in coming urgently to meet those communities so that he can see the urgency of progressing to a new school build?

**Mr O'Dowd:** I thank the Member for his question. Yes, as with all areas, leadership is required, and that is delivered in different ways, whether through the elected representatives of the area, the community or whatever it may be. I would be keen to take the Member up on the invite to visit the Village area to look at education attainment. However, I put the marker down now: on that visit, I will not be indicating, ahead of any viability audit, whether I believe that any school should go ahead or whether any school should be closed. A programme of work is going ahead, and I have asked the boards, the Council for Catholic Maintained Schools and the other sectors to be involved in that. It would be unreasonable of me to interfere in that process ahead of its reporting.

## Schools: Statutory Starting Age

2. **Mr McGlone** asked the Minister of Education to outline his position on changing the statutory school starting age. (AQO 457/11-15)

**Mr O'Dowd:** A key aspect of the draft 0-6 early years strategy is the transition from preschool to the foundation stage of the revised curriculum, which aims to ensure that children are introduced to education in a way and at a pace that takes account of their age and level of maturity. The draft strategy acknowledges the flexibility provided by the foundation stage of the curriculum in providing a range of educational approaches to meet the needs of individual children, who learn at a different pace and in differing ways.

Therefore, although I have no plans to make a change to the school starting age, I will study the comments made and issues raised as part of the early years strategy consultation, including any implications that those might have for the school starting age.

**Mr McGlone:** Go raibh maith agat, a Aire, as ucht an fhreagra sin. I thank the Minister for his response. Further to the study that he referred to, is he prepared to draw on the well of experience at international level, particularly from the EU, on the matter?

**Mr O'Dowd:** Yes. I think it is important that we are not insular in many aspects of our life and that we look beyond these shores for inspiration on education and other matters. Substantial studies have been carried out on the school starting age, and we have one of the lowest school starting ages in western Europe. However, as I said, the early years strategy and the consultation responses are still being analysed, and I will take further views on the matter when those strategies have been analysed.

It is not as simple as changing the school starting age. A lot of research work would have to be completed, and the financial implications and those for teacher training and the schools estate, etc, of revising the school starting age, would also have to be considered.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Does the Minister agree that children here enter the formal education process at too young an age? What steps have been taken to address that issue?

**Mr O'Dowd:** Some research indicates that we are starting our children in formal education too young. Through the foundation stage in our primary schools, we have tried to ensure that the education system meets the needs of the individual child, rather than our children meeting the needs of the education system. Therefore, the foundation course in education is better than what we once had in place. As I said to Mr McGlone, we await the outcome of the early years review and the consultation responses to that. Following that, we will decide on what action, if any, is required on the school starting age. We have to ensure that we are not in danger of sending our children into the preschool programme even younger than we are currently, whether that be in the community and voluntary sector or the nursery school sector. The preschool setting is about encouraging learning through socialisation and play, and we do not want that to become overly formalised to such a degree that we are starting children at the age of three instead of what we do currently.

**Mrs Overend:** I thank the Minister for his answers so far. Is the Minister open to hearing individual cases from parents as to what age their child should start school, as they will be in the best position to know the ability and readiness to begin a formal education?

**Mr O'Dowd:** Current legislation does not allow for any leeway on that. A number of parents

have been in contact with the Department to raise that issue and to state that they wish to start their child at school at an appropriate age. However, unless legislation is brought before the Assembly to change the school starting age or to give more parental choice in that matter, circumstances will remain the same. I do not wish to be repetitive, but I think it is best that we await the outcome of the early years review. Following that, we will take decisions on a number of matters that have been raised in relation to that question.

**Mr S Anderson:** What consideration has the Minister given to the potential impact on nursery school provision if the school starting age were to rise?

**Mr O'Dowd:** That would certainly have to be taken into consideration. We would have to replan or redraw our schools estate to meet the starting age. It would impact on teacher training and on how we fund our schools estate. It is a complicated equation, although one that, in my view, could be overcome over a period of years. It should, perhaps, be introduced over a period of years, rather than as a blunt instrument. All those aspects, whether they relate to nursery school or primary school provision, would have to be taken into the equation, if such a decision were reached.

## Schools: Maintenance Budgets

3. **Mr Nesbitt** asked the Minister of Education to explain the significant differences in the schools maintenance budgets across the education and library board areas. (AQO 458/11-15)

**Mr O'Dowd:** As part of their landlord responsibilities, education and library boards are responsible for undertaking maintenance work for the controlled and maintained schools estates. They are also responsible for the maintenance of other non-school premises.

Although my Department determines the overall central budget allocations for the boards, it is for each individual board to determine, along with other services to be provided, how much funding they attribute to their maintenance budget. The budget for maintenance will, therefore, be considered in the context of demands from competing priorities, including front line services and the extent to which obligations in meeting health and safety

requirements are reached in conjunction with other planned maintenance work programmes.

My Department continues to provide as much additional support to meet maintenance needs as is financially possible. This year, we have allocated a further £5 million to the boards on top of the budgets that they have set in their resource allocation plans.

**Mr Nesbitt:** I thank the Minister. Are schools with major maintenance backlogs now at risk under the criteria that the Minister announced in his recent statement? That statement has, of course, given rise to the suspicion that there is a closure hit list.

**Mr O'Dowd:** No; schools with a major maintenance backlog will not be at a disadvantage. Viability audits will be based on the quality of education that children obtain in schools. That is not always attributed to the quality of the school buildings, although there can be a correlation between them.

In response to your second point, there is no hit list. Research and a detailed programme of work will be undertaken to look at the viability of our schools estate and to ensure that the schools in which our children are taught are educationally safe. The schools maintenance programme is designed to ensure that the buildings and fabric of the schools estate are safe. I accept that there is a major backlog in the system, but, with competing priorities in the education budget and, indeed, across the Executive Budget, we have to allocate funds as fairly as we can.

**Mr Campbell:** Like all Ministers, the Minister has a finite budget. The Minister has been in his role for a few months, and he will have had the schools estate before him and will have seen the extent to which some schools are severely in need of maintenance. Given the multiplicity of roles that he currently holds, what effort has the Minister made to get out and identify those schools and see them for himself?

**Mr O'Dowd:** As the Member said, I have been in post for around five months. I have visited a number of schools, both new and old, and I have inspected, at close quarters, some of the poor conditions that pupils, staff and teachers are working in. I am acutely aware of that matter. Even before coming into post, I was aware of the standards of some of the schools in our schools estate, because, like the Member, I am a constituency MLA.

We have a maintenance backlog of £311 million, and, to the best of our ability, we have put money into the education and library boards so that they can deal with maintenance. We put in a further £5 million this year, and, as the spending rounds come round, I will examine whether it is feasible to bid for further maintenance funds or whether there are other priorities at that stage. However, I am acutely aware of the state of our schools estate.

One of the reasons why I made my statement last week was to ensure that we do not spread our financial resources so thinly that we are being completely ineffective. I want to minimise our schools estate to ensure that each school we have is viable into the future. The money that we have can then be invested in the upkeep of those schools and in the education of the children in them.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. Does the Minister have any plans to allow each school to utilise its maintenance budget more strategically?

**Mr O'Dowd:** An element of each school budget is set aside for maintenance. However, that is more for the wear and tear of schools, and it pays for things such as painting and interior decoration, rather than any structural defects. School governors decide how that part of the budget is spent.

There is a valid argument for having a more strategic use of our minor works programme and an examination of how we spend that considerable amount of resource going into the future. I am keeping all those things under close observation, and I will make further statements and responses to the Assembly in due course about how I believe the minor works programme should be used.

## 2.15 pm

**Mrs McKevitt:** How much has been invested in school maintenance?

**Mr O'Dowd:** I do not have in front of me the exact figure for this year or for the last number of years, but I will ensure that departmental officials forward that information to the Member.

## Primary Schools: North Down

4. **Mr Easton** asked the Minister of Education what plans he has to ensure that there are

enough year 1 places in North Down schools to meet demand for the 2012-13 school year. (AQO 459/11-15)

**Mr O'Dowd:** Current primary-school provision in North Down will provide a total of 1,167 year 1 places for the 2012-13 academic year. Birth statistics for children in North Down indicate that there is a cohort of 933 children eligible to begin school in year 1 in September 2012. There is no question of there not being enough places; rather, there is the clear prospect of a surplus of 234 places, which is a 20% surplus. That will be similar to this year, in which 1,167 places are occupied by 952 children, leaving 215 places vacant, which is an 18.5% surplus.

Of course, I am aware that, despite the fact that there were more than enough places in North Down for 2011-12, there was still disappointment from some parents at the outcome of their application for a primary-school place. The issue appears to be that, alongside high levels of vacancy, there may be insufficient availability in the provision that parents want. My statement of 26 September was, in part, about our need to address that twin issue: we have surplus where we have no demand, and where we have demand we have limited capacity.

**Mr Easton:** I thank the Minister for his answer. Parents in Groomsport had to endure a wait until the last minute for their children to get a year 1 place, and, although three local primary schools were right next door to them, they were more or less forced by the Department to send their children to the far side of Bangor, because the spaces were there. Will the Minister give me a guarantee that that fiasco will not happen again next year?

**Mr O'Dowd:** I am not familiar with the detail of the particular matter that the Member raises. However, as shown by the figures that I have cited, there is a 20% surplus of primary 1 places in Bangor. How those are distributed may be open to question: are they in the right locations? That is something we can look at. There is parental choice in our system, but there is no guarantee that any parent will get a child into the place of their first or second preference, or even into that of their third preference in areas of high demand. That is how the system works. However, we can look at the distribution of places in the Bangor area. As I said in my statement of about a week ago, one of the reasons for area planning is to ensure that

we have schools in the right places and that popular schools that are in high demand are allowed to expand within the capacity of budget and other factors.

**Mr Agnew:** I wish to follow up on my North Down colleague's point about the children in Groomsport. For the Minister's information, it was a situation where two or three families could not be accommodated at their nearest school. I would be happy for the Minister to come to North Down and take the bus journey that those kids would have had to take to get to the schools that were recommended to them. Would the Minister's Department be prepared to apply common sense in future when a small number of children will be greatly inconvenienced and to be flexible about the limit of the number of places at local schools?

**Mr O'Dowd:** I encourage common sense, whether in my Department or the Assembly. The first port of call for this matter is the relevant education and library board. It is the provider. No doubt it has been involved and has carried out the necessary groundwork in regard to this matter. As I said, it is clear that across primary and post-primary sectors we may not have our schools located in the right areas. That is due to population shifts, etc. However, with regard to the Bangor area, it is clear that we have 20% of places vacant in P1. That is a matter that we must take into consideration in planning for the future.

**Mr D Bradley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra a thug sé. Tá ceist agam air faoi áiteacha in earnáil na réamhscolaíochta.

Earlier this year, we had a crisis in the provision of preschool places. Can the Minister tell us what action he is taking to ensure that there will be no recurrence of that situation in the coming year?

**Mr O'Dowd:** I do not accept that there was a crisis. We placed nearly 25,000 children in preschool places; more than 90% got into their first or second preference, so it was certainly not a crisis. Some parents were disappointed and were rightly frustrated, but, as I said during a debate on the matter, the tens of thousands of satisfied parents do not call into your constituency clinic. The parents who are dissatisfied call into your constituency clinic, but there is a duty on us to look at the entire picture.



I indicated during that debate that I would have a report prepared and brought to the Assembly on how I believe matters will be brought forward. That report is currently with me. I am taking time to examine it in detail, and, when I am satisfied that it meets the needs on the way forward, I will deliver it to the Assembly.

**Mr Speaker:** Questions 5 and 6 have been withdrawn.

## Education and Skills Authority

7. **Mr B McCrea** asked the Minister of Education what is the total expenditure on the Education and Skills Authority since its establishment. (AQO 462/11-15)

**Mr O'Dowd:** The Education and Skills Authority (ESA) has not yet been established, so it has not incurred any expenditure. The costs up to 31 August 2011 for the preparation for the authority amounted to £12.1 million. A considerable amount of work has been completed in preparation for the implementation of the Education and Skills Authority, including the design and implementation of common ICT platforms across the education sector; the centralisation of software licensing; the creation of a single finance system with the ability to provide access to a range of important management information across the education sector; the development of service delivery models for major functions; and the broad design of an organisation structure.

Additionally, work to establish common terms and conditions of employment and various other HR issues is well advanced, in liaison with the relevant trade unions.

**Mr B McCrea:** I keep hearing that we are making progress and that a decision will be announced shortly. Can the Minister tell us when he expects the announcement to be made that the ESA will be set up? When that happens, what does he anticipate the total cost will have been to set up that body?

**Mr O'Dowd:** First, I am conscious that the costs are rising in regard to a body that we have yet to establish. I am minded of that, and that is keeping me focused on the time frame within which we can allow discussions to continue on the establishment of the ESA. The Education and Skills Authority is in our Programme for Government, and I hope that a future

Programme for Government will retain a focus on it. That is why the spend was made.

The Member will be aware that legislation was at an advanced stage when it was stalled; that was part of the reason why spend was made around that matter. However, I have never said that we will make a decision shortly; what I have said is that we will be required to make a decision. It is only fair to staff in the education sector to allow a focus and vision to return to the drive towards education. Therefore, I am acutely aware of all the pressures bearing down in regard to the ESA project, and I am keeping them in mind in respect of the time frame within which we are working to reach agreement.

**Mr Speaker:** Before I call Alban Maginness for a supplementary question, I have to say to Members that they need to rise continually in their place. Rising once or twice will not get you in.

**Mr A Maginness:** Thank you, Mr Speaker. I thank the Minister for his answer. In order to establish the ESA, it is necessary to encourage and bring about political consensus. When will the Minister convene a meeting of all the political parties to thrash out this issue and to establish the ESA?

**Mr O'Dowd:** Mr Speaker, I did not realise that I was dealing with such a shy group of individuals in this Assembly or with people who were afraid to knock on my door. My door is open to any party or individual MLA to discuss any matter with me. I have not refused talks about the ESA. Indeed, during all-party talks in the run-up to the establishment of the current Executive, it was agreed that parties should come forward with papers on the establishment of the ESA. Following public responses to the Programme for Government, I am aware that some parties have indicated their views on the ESA. However, I am still awaiting papers and documents from other parties, even dating back to May before the Executive was re-established.

## Education and Skills Authority

8. **Mr McCarthy** asked the Minister of Education for an update on the development of the Education and Skills Authority. (AQO 463/11-15)

11. **Mrs McKevitt** asked the Minister of Education what discussions he has had with relevant bodies about the introduction of a new Bill on the Education and Skills Authority. (AQO 466/11-15)

**Mr O'Dowd:** With your permission, Mr Speaker, I shall answer questions 8 and 11 together.

I remain committed to the establishment of the Education and Skills Authority, for which the case remains as strong as ever. I raised the need for reform with political parties, education and library boards, the Council for Catholic Maintained Schools and stakeholders, including the Commission for Catholic Education, the Transferor Representatives' Council, trade unions and Comhairle na Gaelscolaíochta (CnaG). Political agreement is required to allow me to bring proposals to the Executive as soon as possible.

**Mr McCarthy:** I thank the Minister for his response. Is he disappointed about the time that it has taken the Assembly to get to where it is on the issue? The time for talking has long since passed. The community wants and needs action immediately.

**Mr O'Dowd:** At the heart of it, there is frustration as we try to move forward with the review of public administration in education. In my view, that should have been resolved a long time ago. Since the elections and the summer recess, there has been political agreement on a number of matters that were sticking points in the political system. Those matters have been moved on, and we are now moving towards the Programme for Government. If there is political goodwill, I believe that we can quickly resolve the outstanding issues relating to the ESA.

**Mr Speaker:** I call Karen McKevitt to ask a supplementary question.

**Mrs McKevitt:** Sorry?

**Mr Speaker:** Your question was grouped with question 8.

**Mrs McKevitt:** Sorry; I am not ready.

**Mr I McCrea:** The Minister referred to the fact that decisions that were held up in the Executive have been moved on in the political arena. Can he confirm that he had discussions with my colleague, the Chairman of the Education Committee, about the issue to ensure that any problems that exist can be overcome and resolved?

**Mr O'Dowd:** I can confirm to the House that I had discussions with Mr Storey. I am more than willing to have discussions with any other Member of the House who is interested in the matter.

**Mr Speaker:** Is the Member all right?

**Mrs McKevitt:** Yes. The Minister answered my question in his answer to Mr Maginness.

**Mr Speaker:** OK. Thank you.

## Education: Ministerial Meeting

9. **Mr McKay** asked the Minister of Education for an update on his recent meeting with the Dublin Government's Minister for Education and Skills. (AQO 464/11-15)

**Mr O'Dowd:** I met the Minister for Education and Skills at the North/South Ministerial Council in education sectoral format on 21 September. The meeting provided a valuable opportunity to review progress and to consider the scope for strengthening deepening North/South co-operation for the benefit of all our children and young people. I intend to make a statement to the Assembly on 10 October that will cover the outcome of the meeting in detail.

**Mr McKay:** I thank the Minister for his answer. Will he update the House on the North/South Ministerial Council's discussions about the IBEC/CBI study, which revealed the extent of the barriers facing young people across third-level education on a North/South basis?

**Mr O'Dowd:** Although the matter does not necessarily fall under my remit, Minister Quinn actually took the opportunity to raise it with me at the last sectoral meeting. He, too, was of the view that, given some students' lack of ability to incorporate student fees into their thinking, there was an opportunity for them to travel to universities in the South. I asked him to raise that matter directly with my counterpart Minister Farry, and he undertook to take up that offer.

## Environment

**Mr Speaker:** Questions 6 and 7 have been withdrawn and require written answers.

## DOE: Legislation

1. **Ms Lo** asked the Minister of the Environment what new primary legislation his Department intends to introduce in this Assembly mandate. (AQO 471/11-15)

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

I thank Ms Lo, as a private Member and in her capacity as Chair of the Committee, for asking that question. In my view, we need to be judged and to judge ourselves, even more than was the case in the last mandate, against the legislation that we get over the line quickly and throughout the next four years.

**2.30 pm**

I confirm that I am currently minded, subject to Executive agreement, to bring before the Assembly at least eight Bills. Those cover the full range of departmental functions, including national parks, marine management and road traffic legislation, about which there was publicity last week. A second piece of road traffic legislation would introduce the mutual recognition of penalty points on the island of Ireland. A planning reform Bill would potentially devolve planning functions to local councils in advance of the review of public administration (RPA). Given that Ireland is a green island, a climate Bill would demonstrate that the Assembly embraces fully the green agenda and wants to include in legislation challenging emissions targets beyond those to which it is already committed. I hope that that gives Ms Lo some indication of the scale of my and the Department's ambitions.

**Ms Lo:** I thank the Minister for his answer. I very much welcome that list of legislation. Will he assure the House that all of the proposed legislation will come forward in a timely manner, unlike the rush of legislation towards the end of the previous mandate?

**Mr Attwood:** That is a timely and worthwhile advance. As consultation on the national parks legislation is about to end, I expect the Executive to endorse an approach to that within the next four or five months. A marine Bill has already been tabled for Executive consideration. Although not tabled at meetings, it has been circulated to Executive colleagues since June. I am minded, and have instructed the Office of the Legislative Counsel (OLC), to draft additional clauses to enhance that Bill through the establishment of a marine management organisation. Members will know from last week that I want to table a road traffic Bill at the Executive within the next four or five months. Within a short time, I want to table a planning reform Bill, which has been substantially drafted. Therefore, I give an assurance that, unlike in the

previous mandate, the Committee and the Executive should anticipate that, during the next few months, three or four pieces of substantive legislation that have been or are being drafted will be before them for their attention.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Will the Minister outline when he will bring forward proposals for a reorganisation Bill, so that the Assembly can advance the governance structures needed fully to implement the Planning Act 2011 during the current mandate?

**Mr Attwood:** I thank the Member for his question, which he would not give to me as we came through the door. Members are aware of the RPA situation. I want to create certainty, not doubts, about the reorganisation of local government. That is why I am minded to bring forward a planning reform Bill to devolve some planning functions to local councils in advance of the RPA. That would enable councils to build up their capacity for dealing with that essential political and operational responsibility before 2014 or 2015.

Through the improvement, collaboration and efficiency (ICE) programme, I am working with councils and their management in an effort to bear down on council expenditure to reduce costs, improve services and achieve better value for money. I am not behind the door in taking forward local government reform in the here and now, unlike previously, when people sat on their hands and did not apply their minds to it.

As Members know, the First Minister and deputy First Minister have reached an understanding. Although I have not seen that understanding, I believe that it has been reduced to writing, and I look forward to its receipt. I will consider seriously and diligently what they have to say about the RPA. However, I am the Minister. I will take on board all the best advice, including that from the First Minister and deputy First Minister, on taking that forward. Ultimately, my Executive colleagues and I should be judged on making the right and best choices for ratepayers across the range of functions that councils might enjoy in the future.

**Mr Beggs:** Does the Minister feel aggrieved that he, the Minister responsible for local government, does not know, just like the rest of us, what has supposedly been agreed in the Programme for Government? Does he agree that that does not show collective governance?

**Mr Attwood:** I am too thick-skinned to be aggrieved by the behaviour of any party, Minister or politician. However, the community might feel aggrieved if we do not step back, even for a moment, and make a judgement on whether we are going forward on the basis of the best model, given that we have a once-in-a-lifetime opportunity to get this right.

I say to all my ministerial colleagues: let us decide this matter very quickly, but let us decide it so that we do not squander the once-in-a-lifetime opportunity, we get the number of councils right, we get the transferred functions right, and we have a qualitative change in local councils and local government. That is how we should all judge ourselves. We should not delay, but we should ensure that we get it right.

**Mr Agnew:** I welcome the Minister's ambition about the legislation that he hopes to have enacted. Does he agree that Northern Ireland playing its part in tackling climate change is a key issue, even in a time of economic scarcity? In fact, the Stern review states that it is even more important in a time of economic scarcity. Will he put that forward in his proposals for the Programme for Government?

**Mr Attwood:** I agree with the sentiment behind the question. The pace and scale of climate change is deeper and quicker than was imagined, even a short time ago. Whatever the circumstances that brought that about — some in the House would dispute those circumstances — that is the harsh, brutal, bitter reality. The pace, speed and scope of climate change are greater now than was anticipated, even four or five years ago. I understand that scientific evidence will confirm that assertion in the very near future.

If we, as a small jurisdiction with 1.7 million people and the power that we have in our capacity, do not embrace and lead the green, climate and environmental agendas on these islands, we will be letting down the citizens of this part of these islands. That should be the touchstone against which we all judge ourselves. Are we going to put challenging emission targets on the face of a climate Bill? Are we going to put much more challenging recycling targets into policy? Are we going to scope out, with the Agriculture Minister and all relevant Ministers, a marine management organisation that deals with the proliferation of marine responsibilities around our coastal

waters in a cohesive and coherent way? Are we ready to face up to those challenges, or are we going to drop the ball again?

## Areas of Special Scientific Interest (ASSIs)

2. **Mr McCarthy** asked the Minister of the Environment for his assessment of his Department's plans for the protection of areas of special scientific interest. (AQO 472/11-15)

**Mr Attwood:** I thank the Member for the question, given his constituency interest in the matter. What are we talking about when we talk about areas of special scientific interest (ASSIs)? We are talking about the Pettigo plateau; the fringe areas of Lough Neagh and Upper Lough Erne; the mudflats in Strangford; our peatlands; the Mourne; and 330 other ASSIs. The fact that we in the North of Ireland have so many ASSIs is an expression of how wonderful and dramatic our scientific areas of natural heritage and appeal are.

Although we should not over-manage those ASSIs, and scientists should not have a veto over how we progress various matters, we should be careful about how we manage them. That is why a stocktake of each and every ASSI is carried out annually. Every six years, a scientific survey is conducted to find out whether further damage has been caused.

**Mr McCarthy:** I thank the Minister for his detailed and knowledgeable information about ASSIs. He may or may not be aware that, when the ASSI designation was first introduced, there was enormous opposition from landowners and farmers. I recall the situation at Strangford Lough, where a notice was put up by the farmers to keep officials away from their land. Given those concerns, is the Minister convinced that he and his Department are doing all they can to preserve not only the ASSIs but their environs? Will everybody be treated equally, so there will be no disadvantage for anyone in relation to developments, etc, adjacent to ASSIs?

**Mr Attwood:** I thank the Member for his question. I concur that, looking beyond this particular matter, part of the character of our society has been resistance to change. However, as we know from many other aspects of political life and community experience, better judgement eventually prevails, often at too high a price and too high a cost. I think that there is now a



much more settled view on the importance of scientific designations of environmental quality.

In answer to the latter part of the question, I do not believe that scientific advice should, in all circumstances, prevail. Sometimes, scientific advice is too exacting, even, at times, to the point of being precious when it comes to a planning application. It might be the case that I will have to make a judgement that, whatever the scientific advice might be and while listening to best advice and taking it fully on board, nonetheless there are wider considerations that would see a planning application here or there be permitted.

The question is very valid. We need to be vigilant in managing ASSIs. As I indicated, we do that on a rolling basis every six years and on an annual basis in a more limited way. There will be a new strategy coming forward, to ensure that the other Departments measure up in relation to their responsibilities within scientific zones of special character, and I think that they can. My colleagues in the Department of Agriculture and Rural Development (DARD) have shown that its countryside management schemes, which are relevant to areas of scientific interest, have demonstrably and positively helped the management of those areas, given the history. Let us be honest about it: there have been some tensions between the agricultural community and the environmental lobby. It seems to me that you can resolve that. Countryside management schemes suggest that. I think that that is the way forward.

**Mr Weir:** The Minister mentioned that there are about 330 ASSIs across Northern Ireland and that there is a need to employ better judgement. Does the Minister agree that a one-size-fits-all attitude is not always helpful? There may be occasions when we are a bit too rigid in what we look at and other occasions when there needs to be a bit more flexibility around what additional protections can be put in place for some ASSIs.

**Mr Attwood:** I agree with one point that the Member made: there is a sense, whether it is fully backed by evidence or not, that there is some rigidity when it comes to, for example, the advice of scientific officers in the Environment Agency who deal with these sorts of issues and their advice to the Planning Service when it comes to a planning application within or adjacent to one of these areas. I have drilled

down on that matter and have told Planning Service officials that they have to make the calls. They hear the advice from all the relevant agencies, all the consultees and the public, and, ultimately, they must make the call about what is the balanced view to take, given all the potentially competing advice that they might get. In that way, I agree.

We must not overload government and the community with so many designations that we get to the point where there is a muddle or confusion. However, one point that I cannot agree with relates to the fact that, when you analyse the ASSIs, you find that over 30% of them are not deemed to be healthy. Looking in particular at habitat ASSIs, over 55% of them are deemed not to be healthy. Therefore, although we have taken on board all the best advice from Europe and have given designations to areas of special character, including ASSIs, behind the scale and success of that, there are worrying trends, especially on the habitat side.

All that feeds into the wider narrative about Northern Ireland and what we offer when it comes to quality of life for our own citizens and the quality of tourist experience and spend going forward. I agree that we need to be balanced, but we also need to be vigilant where there are areas of risk.

**2.45 pm**

**Mr Speaker:** Order. I remind the Minister of the two-minute rule.

**Some Members:** Hear, hear.

**Mr McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answers so far, particularly that carefully nuanced presentation of the balance of issues that he has to consider. He mentioned Lough Neagh. Does he agree that the proposal to build a massive incinerator on the shores of Lough Neagh is a totally incompatible proposition?

**Mr Attwood:** I hope that my colleagues in the SDLP heard somebody from a different party say that he thought that I was being “carefully nuanced” in my political narrative. I could not agree more wholeheartedly with the Member. Thank you very much. I hear silence behind me. *[Laughter.]* You will note that it is Conall McDevitt who is laughing the most.

**Mr Weir:** He will have the last laugh.



**Mr Attwood:** Well, we will see about that.  
[Laughter.]

Was it Harold Wilson who said that when you are sitting in the Commons the Opposition are in front of you and other people are behind you? I have very few reasons to agree with Harold Wilson, and that is certainly not one of them.

I note the question, but I am not going to be tempted into an answer, because this is a live planning application. There are a lot of issues around the planning application: there is a very strong argument being presented for it and a very strong argument being presented against it.

Last week, I looked at every single one of the article 31 applications and spent two hours going through them with officials. All the other meetings were kicked back two hours, and I apologise to those who were kept waiting, but we drilled into and bore down on each of the article 31 applications to see what stage they were at. Obviously, given that that was part of my conversation last week, I am not going to be in a position to answer questions on it this week.

## Fuel Laundering

**3. Lord Morrow** asked the Minister of the Environment what consideration he has given to seeking the costs for repairing environmental damage caused by fuel laundering from the people found responsible for causing the damage. (AQO 473/11-15)

**Mr Attwood:** I thank the Member for his question. This touches on the debate in the Chamber yesterday. The power to take action on fuel laundering falls to councils. However, under legislation that was passed under the leadership of Edwin Poots last year, the power to take action when dealing with waste will, in due course and hopefully sooner rather than later, fall to the Department.

Secondly, as I indicated at my previous Question Time, the environmental crime unit is a part of the Department of Environment (DOE) architecture that I have a lot of faith and confidence in. It does great work, given the great challenges and limited resources. Without going into the detail of that, Lord Morrow, there are four ongoing and live investigations into those who may be involved in fuel laundering. If the evidence backs that up and the opportunity presents itself, there will be prosecutions. Those matters will go to the Crown Court and,

ultimately, may involve the proceeds of crime legislation, that is, the Proceeds of Crime Act.

The Department works very closely with the other agencies, especially Her Majesty's Revenue and Customs (HMRC), in dealing with this matter. If you go behind what is happening, too many of the fuel laundering plants are identified because they have been abandoned by the criminals and the criminal gangs that have been involved in activity at those sites who then tip off the agencies of the state so that they can clear them up.

We need people's information and intelligence to deal with the issue, which may have been the case in County Monaghan last night. I acknowledge the work of the gardaí in dealing with a fuel-laundering plant and arresting two people — we must not anticipate what happens in that regard — and note that the Garda Síochána are not dismissing the involvement of dissident republicans.

**Lord Morrow:** I thank the Minister for his answer, but there is still some ambiguity about who really is responsible. Although district councils do have a responsibility, the Department also has a responsibility. Is the Minister prepared to give due consideration to applying to the perpetrators the costs of the damage? I acknowledge that very often the perpetrators are not found or brought before the courts. However, should not the costs of the damage be applied also to those who are caught and brought before the courts?

**Mr Attwood:** I agree with the Member's first point that a small number of councils are paying a heavy cost because of the activities of criminals and criminal gangs. Newry and Armagh is the most acute case, and I do appreciate what they are doing. However, sympathy will not be much of an answer to the demands on them.

The Member is also right that the perpetrators are simply not very often identified. I am not in denial that there is more that we could do between HMRC, the gardaí, the police and the agencies North and South. It is already the case under the 1997 Order that, where councils bring perpetrators to court for unlawful deposit of waste on lands, they have the ability to ask the court, and the court has the power, to impose costs for removal of the waste, to reduce the negative consequences of the waste — in other words, to clean up — and, indeed, to cover the costs of the DOE in respect of any action it

may have taken. The power is there. We need to interrogate the Member's point to see what more powers may be necessary.

I have been in very useful correspondence with the Lord Chief Justice in respect of his interventions in taking forward the issue of environmental crime. He is currently interrogating that issue and is awaiting proposals from the Judicial Studies Board to see what more can be done. As part of that exercise, I shall forward to the Lord Chief Justice a schedule of every prosecution for environmental crime handled by the Magistrate's Court over the past period. You will be able to see therein whether the courts are doing all that they should to impose on the perpetrators the full penalties, financial or otherwise, for their illegal activities.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra a thug sé. Ba mhaith liom ceist a chur ar an Aire faoin méid atá á dhéanamh ag a Roinn le stop a chur le dumpáil neamhdhleathach dramhaíola, agus dramhaíl ón taobh ó dheas den teorainn san áireamh.

Thank you very much, Mr Speaker. *[Interruption.]*

**Mr Speaker:** Order.

**Mr D Bradley:** I thank the Minister for his answer. What action is being taken by his Department to counter illegal dumping, including waste that is coming from south of the border?

**Mr Attwood:** Go raibh míle maith agaibh go léir. I touched on this matter in the last questions for oral answer. We work with HMRC, which is the lead agency. We work as part of a subgroup of the Organised Crime Task Force. It is very difficult work. The people in the environmental crime unit carry a burden of personal safety issues because of the legal powers that they have, the forensic training that they have received from the PSNI and other agencies, the character of the work that they do and the risks that they are exposed to, and they carry that burden with great resilience.

There is more that we could do. I am not in denial of that. However, as we have demonstrated around the high profile, illegal waste dumps, including the one at Ballymartin — where progress is still being made — where there is an opportunity to repatriate waste, we have got into a relationship with the Southern

Government. Where we have an opportunity to go after those who are responsible, we are seeking that opportunity. That is why we are pursuing those four potential prosecutions.

Where we have the opportunity to do more joined-up working with the police and the crime assets agency in the South, we are doing so through the Organised Crime Task Force and other initiatives. We have the structures in place, we have good people in place and we are having a level of success, but you will not hear the argument from me that more could not be done to drill down in order to deal with this continuing threat.

**Mr Kinahan:** On a local matter, cat litter was dumped in the Sixmilewater. It happened on a Friday, and it took four days to get it cleared as the matter had to be resolved between the Northern Ireland Environment Agency (NIEA) and the council. There was a danger of polluting the river. Will the Minister ensure that we have a speedier, if not instant, response to removing pollution that comes from fuel laundering?

**Mr Attwood:** I ask that the Member give further details of that particular case. I find that it is through investigating details about a particular case that you can identify whether best practice has or has not been deployed. If more details are provided, I will look further into that case.

When there has been an issue around a substance getting into rivers, the agency has advised me of any risk as quickly as any part of government has ever done. If there is ever a fish kill in any river in Northern Ireland, I know about it. I could even tell you the number of trout and others that are killed in each incident, so I must say that the communication from the agency about illegal waste or other damaging waste getting into our rivers is virtually instant. I have to acknowledge that. People go out instantly to make the assessment about what the risk might be to fish life, our waterways and watercourses and the wider community. The NIEA acts promptly in all cases that I am aware of where the problem has arisen. Therefore, I suspect that this case is either an aberration or the result of a territorial dispute between the DOE, the Environment Agency and some third party. There should not be territorial disputes; you need to create certainty immediately in order to reassure quickly. I will look at the issue further.

## Heritage Crime

4. **Mr McClarty** asked the Minister of the Environment how many incidents of heritage crime have been reported in the last year and what measures he is taking to prevent further incidents. (AQO 474/11-15)

**Mr Attwood:** The answer, which will surprise people, is that no structured record is held centrally of heritage crime and where, when and how often it occurs. That issue was identified in the heritage crime summit that I convened in Hillsborough in the middle of August, which will reconvene at Conway Mill in two weeks' time to make an assessment of what has been done across the range of heritage crime issues over the past month.

One issue that was identified at the summit was that the PSNI does not record in a dedicated way heritage crime and other types of damage from broader categories of damage to property. The PSNI, along with the Environment Agency, has begun to rectify that situation so that, if the numbers and the extent of damage to heritage property continue to spike, we will have a central database to show where, when and how often that happens and what the trends look like.

**Mr Speaker:** I will allow the Member to ask a very quick supplementary question.

**Mr McClarty:** Thank you, Mr Speaker. I thank the Minister for his response, and I trust that the situation will be rectified as soon as possible. I understand that a voluntary national network called the Alliance to Reduce Crime against Heritage (ARCH) has been set up in England. Does the Minister have any plans to set up such an organisation in Northern Ireland?

**Mr Attwood:** I should have indicated that the number of reported heritage crimes that the Department has got a grip on over the past period is 11. Although that number is small when compared with the hundreds of heritage properties in the North, it is a lot bigger than it has been in previous years, and there may be reasons for that.

The Member is quite right to raise the experience in England. At the heritage crime summit in Hillsborough, we brought over a police officer seconded from an English constabulary to English Heritage whose job is to work with that organisation to identify what interventions might reduce or mitigate the risk of heritage

crime. He referred to the model that the Member has spoken about.

### 3.00 pm

At the heritage crime summit, we identified a range of possible interventions, including working with other agencies, working with owners and potentially increasing legal powers to reinstate or rebuild properties damaged by heritage crime. We have interrogated all of the opportunities to deal with that issue. We will have a further report on that on 14 October at Conway Mill, but the test is whether we are protecting the built heritage going forward, both in itself and because it is such a key feature of economic growth and tourist opportunity. That is why it is so important. Beyond its own value, the value to the Northern Ireland economy is something that we must be very attentive to.

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

## Private Members' Business

### Roads Service: Weed Control

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

**Mr Spratt:** I beg to move

*That this Assembly expresses concern at the failure of Roads Service eastern division to adequately control weeds on footways and other public areas; and calls on the Minister for Regional Development to ensure that this problem is resolved without further delay.*

It gives me great pleasure to open the debate on this issue, which concerns an extensive area of the eastern division, which takes in a number of constituencies, not least South Belfast and East Belfast, as well as Strangford and North Down.

At the outset, I must say that I am disappointed at the attitude of one of the members of the Committee for Regional Development, Mr Stewart Dickson of the Alliance Party. He has made some statements to the effect that this is an utterly frivolous motion. It is a very serious issue that has plagued extensive areas of the city of Belfast and the other areas that I have mentioned for some considerable time. No one should know better than Mr Dickson that it is not an issue for local government but for the Department for Regional Development (DRD), and Roads Service in particular.

There are some very serious issues related to the motion. I hope that the SDLP is not also involved in a boycott of this business in the Assembly —

**Mr McDevitt:** *[Interruption.]*

**Mr Spratt:** Oh. I see at least one SDLP Member in the Chamber. The issue raises a number of questions that I hope that the Minister will be able to answer this afternoon about what appears to have been a failed procurement process for the original contract, which was

ended early by Roads Service because it claimed that the contract was not providing value for money. I hope that the Minister will be able to give the reasons for the failure of that procurement process and tell us why it was not providing value for money and, indeed, if it was not providing value for money at the outset of the process, why it was allowed to continue. Then, indeed, why did the Department not train its own staff adequately to deal with the problem, but instead allow the areas to get into the state that they are in?

It is very clear that eastern division's weed control on the streets and at the edges of the roadways in the entire area is totally out of control. That has had an impact on local councils, which have had to carry out significant work. Various council areas have been entered into competitions, such as Ulster in Bloom, at fairly great expense to the ratepayer. The judges come along and see the areas concerned in a total mess with weeds that the Department, and Roads Service in particular, have failed to clear.

It is clear that Roads Service is responsible for weed spraying, grass cutting, gully emptying and verge, tree and hedge maintenance. Roads Service states that, in rural areas, noxious weeds, such as thistles, ragwort, docks and wild oats, are controlled within the road boundary using a variety of methods. It states that, in urban areas:

*"all hard surfaces are sprayed to inhibit weed growth."*

At the start of this year, however, the Department for Regional Development made a number of cost-cutting proposals in the draft Budget 2011-15. The top priority, of course, is safety, and the Department said that:

*"The Roads Service maintenance guidelines for safety will be amended to reduce the frequency and range of maintenance activities, in order to ensure that more urgent / safety-related maintenance can be delivered."*

One of the areas it identified for those savings was weed control. However, it admitted in the document, which was provided to all Members, that the result of that would be:

*"longer grass and more weeds in road verges".*

It would also create access and transportation problems as a result of overgrown hedgerows, particularly in rural areas. However, the



Department has made the focus of its work in those areas clear. It admitted to the Committee for Regional Development, at its meeting on 26 January 2011, that maintenance will end up costing more in the long run as a result of its failure to deal with the problem. It is obvious now that, in some streets around the city, the weeds are two feet or three feet high. Even though those weeds are killed off with sprays, it will mean that someone will have to go out and scrape away what remains. That is something that the Department has been doing.

Perhaps the Minister can give us some idea about how the Roads Service division known as Roads Service Direct has dealt with the issue of spraying. Various Members, such as my colleagues Alex Easton and Peter Weir, have asked questions about the issue, as have a number of Members for Strangford. If it is a training issue, perhaps the Minister can tell us now whether the entire staff of Roads Service Direct has been fully trained to deal with it. It is an eyesore, no matter how we view it, and it still needs to be dealt with. The Department said that, last year, the amount of revenue that Roads Service paid out on claims for slips, trips and falls equated to £4 million. Does the failure of Roads Service and the Department to deal with weed control from a slip-and-trip perspective not increase the possibility of further claims? The fact that the weeds have been allowed to establish themselves and root in creates a problem because further maintenance will be required to open up the cracks in which the weeds are growing, and so on. That will have a further knock-on effect on the departmental budget.

The Minister is dealing with a very tight budget because of structural issues and the backlog in Roads Service. It is absolutely criminal that a part of the Department should add to that pressure by not dealing with issues that it could have dealt with adequately. I will go back to the initial failure of the procurement process and not getting value for money: why, when that firm was involved, were people not trained to take over the work? Why did the Department not try to bring someone else in? There does not seem to be a procurement issue in any other division in Northern Ireland, so what is the issue with the contract in the eastern division? Maybe someone will tell us today that it is an issue in other areas. A whole range of questions, Minister, need to be answered. It is a very serious issue.

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

**Mr Spratt:** It is an issue that is fairly and squarely for the Department. I hope that the Alliance Party is out with its spades and trowels and that Mr Dickson is leading the way in clearing some of the streets. I will show him a few.

**Mr Doherty:** Go raibh maith agat, a LeasCheann Comhairle. When I read the motion, I was a bit bemused by why it was confined to the eastern division of Roads Service. If weed control is an issue only in the eastern division, why was it not resolved among local representatives, MLAs, councillors and that division? If it is a more fundamental issue of weed control —

**Mr Spratt:** Will the Member give way?

**Mr Doherty:** I will, of course.

**Mr Spratt:** The Member makes an interesting point. The matter has been raised continually over a protracted period by individual MLAs. At local council level, it has also been raised at the two-monthly briefings with Roads Service in council chambers. The eastern division of Roads Service has totally failed.

**Mr Principal Deputy Speaker:** The Member has an extra minute in which to speak.

**Mr Doherty:** Thank you. If there is a wider issue of weed control, the motion should have taken a more joined-up attitude and put responsibility not only on DRD but on the Department for Social Development, the Housing Executive, local councils, the Department of the Environment and the Department of Agriculture and Rural Development. There is an issue with weeds, and one Department's attempt to control them will not resolve it. A joined-up approach across a number of Departments will be required.

There is no doubt that weeds are very unsightly. Some more toxic weeds are dangerous to human beings and some animals, particularly horses and cattle. I was not sure why the content of the motion is confined to the eastern division, so I look forward to answers emerging in the debate. When the Minister responds, perhaps he will give us some information on the £4 million of claims against the Department and tell us how many of them are down to the lack of weed control.



**3.15 pm**

**Mr Beggs:** I thank Research and Information Service for its brief on this matter, because, along with other Members, I was a little surprised by the wording of the motion, and the brief has helped to shed some light on it. As has been said, there has been some controversy about the matter, and I share a degree of that concern.

I see that many questions for written answer on the matter have been tabled in the past, and detailed answers have been provided. It is interesting to note that the reply to question for written answer AQW 445/10 to Jim Shannon indicated that there had been an EU directive restricting the types of chemicals that could be used; perhaps they had been more effective in the past. Question for written answer AQW 1658/11-15 indicates that the contract for grass cutting and weed control in the North Down area was not extended because it had not been providing value for money. It would be helpful if the Minister could elaborate on exactly what happened and when that decision was taken. Question for written answer AQW 1716/11-15 is quite interesting, because it states that:

*"Roads Service has advised that every effort is being undertaken to catch up on outstanding work now that staff training is complete and new equipment is available."*

It appears to me that the contract has been taken into the service because of value-for-money considerations, and the work is being done by Roads Service Direct. There was a delay while equipment and training was being put in place, which was necessary, bearing in mind that hazardous chemicals were involved. Works seems to be under way now, albeit late. I acknowledge that everyone, ratepayers and councillors alike, value the appearance of their area. I also acknowledge that aesthetics are important, but I am surprised that the issue has reached the Assembly Chamber, given the answers that have been given already.

I notice that comment was made about the £4 million of personal injury claims that are made annually. Some press comments mentioned that that is the reason for the debate. I looked back at the Audit Office report about the personal injury claims, and I reminded myself of the Public Accounts Committee hearing on that matter. When I searched the report and the

Committee's transcript, the word "weed" did not appear in either, so some Members are perhaps looking for cover to justify their tabling the motion for debate. I see trying to keep weeds down largely as an aesthetic issue. Ultimately, weeds could result in the long-term problem of structural damage, but, hopefully, Roads Service has caught up with that already.

I looked at the draft budget proposal that the Department printed on 13 January 2011, and it makes interesting reading. It states that a saving measure would come from a reduction in maintenance activities and that areas where savings could be achieved include grass cutting and weed control. Therefore, there are pressures on the budget, value-for-money considerations in a contract, and criticism of Roads Service's activities. I find it particularly strange that the Members who voted for that budget are now complaining about it.

Furthermore, in that budget, some £800 million is earmarked towards the A5, which is a road in the west that could be described as a virtual motorway. I and many others argue that the building of that road is overkill. It is a road of 23 km and includes areas where speeds average 50 miles an hour already, and newbuilds are in places where they would not normally be warranted. A road and side roads are being created in addition to the existing road, which seems to be coping. Additional maintenance pressures are also being created, and the project is not making good use of our limited capital budget. So, I find it very surprising that those who voted for the ring-fencing of funding for that road are complaining about maintenance pressure.

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

**Mr Beggs:** I ask Members to think carefully about what they have done and to deal with those who are trying to address the situation with respect.

**Mr Principal Deputy Speaker:** For the remainder of the debate, I remind Members that the subject is weed control.

**Mr Craig:** I will start by clarifying something. I read with interest the article that said that this is an insignificant issue that should not be debated in this Chamber. I also listened to Mr Beggs's comments about claims. The reality is that, last year, over £4 million was

spent on claims, £1.6 million was paid out in compensation, and £2.2 million was paid out in legal fees. That is a significant sum.

I do not claim for one second that all of that was paid out because of weeds. However, the idea that weeds on our footpaths do not cause personal injuries needs to be nailed. My office and I personally dealt with an 84-year-old lady who fell outside her property, not due to the damage to the footpath but due to the amount of weeds and overgrowth on the footpath. That resulted in her breaking her hip and had a major impact on public expenditure because not only did we have to expend money to take her into hospital, we had to expend public money to put a new hip in that individual. So, the claims alone do not highlight the true cost to the public purse of certain cases. Not all cases are as dramatic or as simple as that. If allowed to grow out of control, weeds damage the footpaths and, in turn, lead to a number of claims from people who have been injured on those paths. That highlights where the issue eventually goes if it is allowed to get out of control.

However, there is not only a personal injury aspect. In my constituency, I could, Mr Deputy Speaker, take you to a number of areas where, quite frankly, weeds seem to be completely out of hand. That leads to the area being run down visually, and very dramatically in a lot of cases. It is primarily an issue for Roads Service, and I have noticed over the past number of years that it seems to continually be getting worse. I know that Roads Service subcontracts that whole facility to others in places, but I do not know whether the problem arises because of the financial pressure that the individuals who are doing this are under or because of the chemicals that they are using. However, over the past number of years, the means of dealing with the weeds has been ineffective in an awful lot of areas, and the Minister or his Department maybe needs to investigate that.

When all this was queried at a local government level, some of the Minister's departmental officials continually said that European regulations are forcing them to use chemicals that are no longer effective. I find that very hard to believe. I suppose that I am the world's worst person to speak on this subject because, if you ask my wife about weed control in our own garden, she will tell you that I am not very good at it. Plants, flowers and everything tend to get ripped out once I start. However, weedkiller

that meets all the EU regulations and is very effective can definitely be bought publicly on the open market. My feeling is that it is maybe too expensive for Roads Service to use and is part of the cost savings that are getting out of control. I do not believe that failing to deal with weed control properly is an effective long-term use of public money, so I appeal to the Minister to take the matter seriously and to question his Department on how it is tackling the issue, because — pardon the pun — that is where the root of the problem seems to lie.

**Mr Dunne:** I welcome the opportunity to speak in this important debate, and I thank the Minister for his attendance. This issue is ongoing and of great concern to people in the North Down constituency. It is certainly a grass roots issue, and Members who get away from that fact have lost touch with people. It is important that we keep our mind at grass roots level.

I fully support the motion and its expression of great:

*"concern at the failure of Roads Service eastern division to adequately control weeds".*

I join those who today urge the Minister to ensure that we do not see a repeat of this in the future.

We all recognise that savings have had to be made across Departments, and DRD is no exception. The 2011-15 draft Budget has been mentioned a number of times, and it stated that a loss of front line services would result in longer grass and more weeds on road verges. However, we certainly did not expect it to happen to this extent.

As an elected representative, I have regular contact with the DRD section engineer in Bangor, who advised me that that the one-year contract for weed control and grass cutting for North Down was not extended to the 2011-12 season on the basis that it was not considered good value for money. Taking into account the fact that the lead-in time for developing and awarding such contracts is between eight and 12 months, Roads Service found it necessary to revert to doing that work in-house. As a result, the work was very late getting off the ground, and a lack of staff trained and equipped to carry out weed spraying was part of that delay.

Ever since, Roads Service has been playing catch-up, and it is clear that it has been working

overtime at weekends but it is now virtually impossible for it to complete the job. Previously, the work was carried out by contractors on two quads. In fact, people in the area complained about the quads racing each other. However, they were, after all, contractors who perhaps worked on a task-and-finish basis. Nevertheless, there were few complaints about the work that those quad operators did. If there were complaints from elected representatives, the contractors would return and deal with the areas as necessary.

The decision to cancel the contract for weed control this year has proved futile. Work has not been properly managed, and extensive overtime is being used to try to catch up on the backlog. How can that be cost-effective? Grass cutting in North Down has also been brought in-house, and it has proved to be expensive as well, with extensive coning operations carried out on the A2 dual carriageway at night. I ask again: how can that be cost-effective?

Finally, signage in North Down is poor. We are told that due to the lack of a contract, which had been in place for over two years, there is no maintenance or replacement of road signs. We have had little or no action on road signs for more than two years on the busy Bangor to Belfast dual carriageway. That is basically because DRD cannot get its contracts sorted. It is vital that roads and footpaths are properly maintained for safe use by ratepayers and taxpayers. They pay for and expect a basic service. It is the responsibility of Roads Service. We expect better. Thank you very much.

**Mr Copeland:** There are two essential issues at stake here today. One is the motion itself and the other is the right of those who tabled the motion so to do, without curious comments from people who have elected not to be here. A weed is just a plant that is growing in the wrong place, and there seems to be an opinion in here that this question has been put in the wrong place.

To be honest, I can understand some of the reasoning behind it, but I had the benefit, as did Mr Spratt, of being present in Castlereagh Borough Council when the matter was raised initially. I feel bound to say, with no hint of criticism but objectively stating the fact, that had the matter been dealt with more effectively on that occasion, we might not have found ourselves here today.

### 3.30 pm

It may be an inconvenience to the Alliance Party, but people worry about weeds growing at the side of the road. After the debate in Castlereagh Borough Council, I told Councillor Spratt that as I was approaching Ryan Park while driving there that evening, a young child had jumped out of the verge at the side of the road, which was very heavily weeded. I did not have to take avoiding action but, had he jumped out slightly later, I could have found myself having to swerve on a dangerous corner.

The issue that most concerns me — above and beyond the weeds — is the fact that any Member or group of Members in the Chamber must be allowed the right to bring forward motions that they feel are important, because they will be important to their constituents. Although I have some understanding, to a small degree, of “Is this the right place?”, I will forever support those who tabled the motion, because it is their right so to do.

We have developed a society in which responsibility, like the parcel, is passed. Things that used to be achieved relatively simply now appear to be extremely complex. During the flooding in east Belfast, I was approached by a man who had worked for Belfast City Council for years. He had a handcart and a long piece of wood with a scoop at the end of it, and it was his job to scoop the silt out of the road gullies. He knew what road gullies he had to clear, and if they were not clear it was his responsibility to clear them. Another old boy used to walk from Curry's shop at the corner of Church Road with a billhook, and if there were weeds in the side of the ditch, it was his job to get them out. He was probably paid pennies and he may not have been particularly well educated, but he had a job and he knew how to do it. Now, because of the requirements for public procurement and a whole range of other things, few people appear to be responsible for anything.

I have no doubt that the Minister, who is here and who, unfortunately on this occasion, is responsible, will react to the motion in a mature and sensible way. He will not try to avoid the questions: he will answer them. However, I suspect that the seeds of the problem were sown long before the current Minister took up his post. I share the concerns of those who brought the motion, and I honestly and sincerely

believe that the Minister will do what needs to be done. He will enjoy my support in so doing.

**Mr Agnew:** It is certainly true that over the summer in particular, residents' concerns about issues relating to weeds have been expressed to me. Indeed, it has featured heavily in our local paper in north Down. As Mr Copeland pointed out, we are here to represent our constituents and, if they have a concern, it is our responsibility to raise that concern at whatever level we as politicians operate.

I hope that the Minister will address the issue raised by Members about the north Down contract that was not renewed. It is clear that that decision has been to the detriment of the services that we receive in north Down. Now that the issue is, hopefully, resolved, I hope that he can guarantee that the issue will not arise again next year.

As well as being responsible to our constituents and raising their concerns, we must also be honest with them. There have been cuts and, as has been pointed out, the Members who tabled the debate passed the Budget that implemented those cuts. There will be a one-day strike tomorrow by our health and education services with regard to the cuts to those services.

I ask the Members who tabled the motion to be honest with our constituents and the people who elected us in their winding-up speech, and to ask themselves whether they think that this should be a priority. Do they think that money should be moved? I go back to the Research and Information Service brief that was provided for us. It is clear that weeds have been put down the priority list by the Roads Service, which has been clear that it is taking money away from weed control to put into other areas. Do the Members think that that is wrong? If so, where would they make cuts? It is very easy for me to tell the roads Minister where I think he should cut his budget and reprioritise, but I would like to hear the views of others on that.

This is definitely a concern. We are responsible for raising our constituents' concerns, but I think that we should be honest with them. I hope the Members will do that in their winding-up speech.

**Mr Weir:** I had not intended to speak in the debate, but a couple of points came up that need a response. I am very good at judging the mood of Mr Beggs. I detected a degree of

defensiveness around the motion and sensed that he thought that it should not be debated. I have to say that that contrasted with what Mr Copeland said. Let me make it clear: our motion is not in any way a criticism of the Minister. I am sure that he will be delighted to hear that. To be fair, the decisions were taken before he was in office and when another party held that portfolio. There is, therefore, no need for anybody to be defensive about this.

It is an issue of some importance. There have been challenges about whether this is the right place to discuss it. Instead of simply collectively moaning about this in our respective councils, or whatever, today we have the opportunity to hear from the horse's mouth. Maybe he can dispose of some of the straw that is lying around as well. We have the opportunity to hear the Minister respond on this directly.

It is clear from what has been said that there have been major problems this year. It has not been unique; this is not the first year we have seen problems. Judging by the level of complaints that a number of us have received from constituents, the situation has got a lot worse this year. We can look at blame apportionment. I think that there are genuine questions to be asked. People have mentioned the timing of this and the fact that there was a cancellation of a contract. It certainly seems to me that Roads Service had plenty of notice to get on top of the problem, and there are questions over the length of time they took to respond. I suppose that this is about receiving assurance from the Minister and others that a proper procedure has been put in place for future years. We cannot do anything about what has happened this year. We can, however, make sure that things are right for next year.

Some, particularly those from the Alliance Party, which seems to have lost touch with its grass roots on this issue, do not regard this as an appropriate matter for the Assembly. A lot of issues come up in private Members' business that are seen as grand issues of the day and about which we beat our chests, but, when the smoke clears, absolutely nothing changes as a result. This is, perhaps, one of the rare issues on which we will actually be able to hear a resolution and the specific action that can be taken.

It is an important issue for a lot of people. It is about their environment — not simply the



aesthetics of the area, but, as Mr Copeland mentioned, road safety.

**Mr McDevitt:** I appreciate the Member's valiant efforts to try to justify this debate. However, we have been back from the summer break for six weeks, and not a single piece of legislation has been brought before the House. The House is a legislative assembly, and we have a draft Programme for Government that does not make one commitment to one piece of legislation. With the greatest respect, do you not think this debate is more about covering up the inadequacies of this House than about addressing some of the problems in our society?

**Mr Weir:** Sorry, I was labouring under the illusion that the Member's party was a member of the Executive. Let us see the Ministers come back with a more challenging Programme for Government, as was highlighted by Peter Robinson and John O'Dowd. Let us see a high level of ambition. Perhaps the Member's party will put its money where its mouth is and commit to important pieces of legislation. I look forward to working with the Member's party on the reform of RPA, for example, but I suspect that that may be straying a little from the subject that is in hand. Today is about being able to achieve something. As indicated, weed control is important not simply because of aesthetics or the level of compensation claims. There are issues such as criminality to be considered too. When an area starts to go to waste and there are broken windows, vandalism and weeds, it can bring down an area and encourage other forms of antisocial behaviour. Therefore, the issue goes wider than the context that has been put forward.

Members mentioned the overall budget situation. However, the criticism is essentially not about the amount of money that has been spent. Roads Service, in taking this issue on board, because it felt that there was not enough time to have another contract — and it may be right on that front — did not react soon enough. This is not work that would not have been done, nor is it additional work that should have been done. The principal problem here is that the work was done ineffectively and too late. The issue is not about the budget, it is about the way in which this was organised. Many issues can be tackled without the need for high levels of additional finance.

Weed control is of genuine concern to many people. We may feel that there are more significant issues, but that is not necessarily what is being felt on the ground. I look forward to hearing what can be done to take things forward. I believe that there are sensible solutions that the Minister can reach. If he does respond in that way, this will be one of those rare occasions on which something will actually be achieved in the Assembly, rather than letting off steam, as we often do. I thank Members, and I urge them to support the motion.

**Mr Kennedy (The Minister for Regional Development):** I am grateful for the opportunity to respond to the debate, and I am perhaps even more grateful to those who did not come to the debate at all. As Members know, I am not a Minister who wants to let the grass grow beneath his feet. I want to get to the root of the problem. Also, following what Mr Doherty said about the west, my initial concern was that the debate was about the greening of the east. I thought that I should get all the very poor puns away at the earliest possible stage.

I want to address seriously the concerns that Members have brought to the debate. I thank everyone for their contributions, and I welcome the opportunity to clarify the situation, particularly on weed control in Road Service's eastern division. In doing so, I have asked my officials to take note of the Hansard report of the debate, and, if there are issues that I am unable to pick up, I will correspond with Members following the debate.

I do not want to diminish Members' concerns on the subject in any way, but it is important to set the issue in the context of the overall position in Roads Service. Roads Service is responsible for 25,000 km of roads and 9,800 km of pathways, which is a very extensive area in which to control weeds. The procedures for weed control are aimed at ensuring the safety of road users and preventing the deterioration of the pavements.

Roads Service has spent £1.2 million on average each year over the past five years on weed control. It should be said that Roads Service has no specific statutory obligation to remove weeds, other than in relation to the control of noxious weeds, and, in that, it treats invasive weeds such as the Japanese knotweed that are found growing on lands within its control, taking advice from the Department of



Agriculture and Rural Development or specialist contractors when required.

It is acknowledged that it is practically impossible to eliminate weed growth. Consequently, Roads Service, like many other road authorities, programmes chemical applications to footway surfaces, kerb edges and drainage channels on an annual basis as a curative measure.

Weed control in rural areas is carried out on the same basis and is generally undertaken by cutting. A schedule exists for those areas to be treated, cut or both. Persistent or new weeds are identified through routine safety inspections or the complaints process.

### 3.45 pm

Chemical control of weeds is necessary for curbed and paved areas. It is normally carried out in the spring, with any significant regrowth dealt with as necessary. Spraying of highway surfaces and edges is carried out by trained personnel in accordance with advice from manufacturers and the Department of Agriculture and Rural Development, using the minimum treatment necessary compatible with required results. Weed control is undertaken as part of routine maintenance activities, which include grass cutting, gully emptying, cleaning drains and sweeping.

Our resources are limited. Members have referred to the budgetary position of my Department. Our work in those areas must be prioritised. Roads Service actively seeks to control and manage routine environmental maintenance activities and rightly concentrates its resources on safety-related matters and improving the road structure rather than aesthetic or amenity issues. It should be noted that escalating environmental constraints create significant difficulties and impose an ever-increasing burden on Roads Service in dealing with weed control. Recent changes to environmental regulations do not permit the use of chemicals with a residual or systemic effect, and only chemicals that kill the visible weed are permitted.

Let me pick up a point made by Mr Craig. Roads Service and such agencies are greatly restricted in the use of chemicals in a way that private householders are not. That creates a very limited time frame within which to carry out effective action. Roads Service has to wait until the weeds appear and then treat them before

they get too big to cause concern. It reminds me of a couple of lines from the harvest hymn:

*"Give his angels charge at last*

*In the fire the tares to cast".*

Members are fully aware of how quickly weeds can grow and of how, therefore, for control to be effective, areas vulnerable to weeds may require a number of repeat treatments. I remind you of the extensive road and footway network, which, in the eastern division, amounts to 3,600 km of roads and 3,800 km of pathways or footways. I stress that Roads Service supports and complies with the environmental regulations.

However, I draw Members' attention to the increased difficulties posed and remind them that all road authorities face a struggle to control weeds and to have areas that are totally weed-free. The increasing effort to deal with weeds on this extensive and very busy road network has, and continues to, put pressure on an already tightly squeezed budget. In the eastern division, grass cutting and weed control is dealt with using two separate environmental maintenance contracts: EME1, which covers the north of the division, namely Lisburn, Carrickfergus, Newtownabbey and north Belfast; and EME2, which covers the south of the division, namely south Belfast, Castlereagh and north Down. I am aware of a number of complaints about weed control across Northern Ireland, but particularly in the Castlereagh and north Down areas. Roads Service responded to those complaints by explaining the ongoing contractual issues and advising that work would be completed using its internal contractor.

All available resources were deployed throughout June and July to address the various areas as identified by elected representatives and members of the public. A programme was put in place to ensure that the worst-affected areas were treated as a matter of priority, with staff working extended hours and weekends to complete that work as quickly as possible. In addition, squads were deployed to manually remove weeds where spraying would be less effective.

Roads Service regularly reviews the cost and performance of all contracts. A review of the EME2 contract for the south of the eastern division confirmed that Roads Service was not satisfied that it was achieving value for money. Therefore, a decision was taken not to renew

the contract for 2011-12, and that decision was formally ratified in January 2011. In carrying out our maintenance activities, we use a combination of private sector contractors and our own resources. Before making that decision, Roads Service had considered the options for dealing with grass cutting and weed control and decided to undertake the work using DRD's internal contractor, Roads Service Direct.

Although Roads Service Direct was able to prioritise, and successfully deal with, grass cutting, it was not able to reach full capacity on weed control until the start of August. Therefore, weeds were not treated during the early growth period at the start of the season, which is essential for effective treatment. That resulted in additional work to remove large and unsightly weeds.

Roads Service has sought to prioritise and respond to many individual issues raised by local representatives and has been commended for those individual efforts. I am able to advise the House that procedures are already well in hand to ensure that the issues that resulted in a late start to the weed control element of the contract this year will not be repeated next season. We will increase the manpower and provide additional training for our operatives. Additional machinery will also be available if necessary. However, Members should be aware of the difficulties that I mentioned about controlling weed growth and its relative priority, especially for the financial allocation given to the operation.

I acknowledge, and apologise for, the fact that service delivery in this aspect of my Department's work was not satisfactory this year. However, I hope that I have addressed some of the points. I will now attempt to respond to some of the questions that Members raised.

Mr Spratt opened the debate by saying that he was concerned about the original contract. The Department has sound procedures in place, but the assessment system failed us this year, and I have taken account of the Member's concern. It was important from a value-for-money standpoint that we move, intercept and make changes to the contract. Lessons have been learned, and action will be taken to ensure that we do not experience the same problems next year in the eastern division, which covers north Down, Castlereagh and Belfast south. Staff have been trained, but that took longer than

anticipated. As such, we did not get out to do the work as quickly as possible. However, that situation has now been resolved.

Mr Craig raised the issue of the £4 million in public liability claims. That, of course, covers a variety of claims, such as personal injury, vehicle damage and property damage. He referred to an unfortunate incident involving one of his constituents. I am very sorry that that happened to that lady, and I hope that she has recovered fully. There is no clear, significant trend of claims as a result of weed growth, but I accept the fact that it opens up the risk of such claims. Therefore, the ideal situation would be to ensure that there are no weeds. The Department is constrained in its use of chemicals, whereas private householders or commercial outlets are freer to use such methods.

Mr Dunne, whom I thank for his contribution, raised the issue of road signs. Indeed, there was a problem with the procurement of road signs not just in north Down but across Northern Ireland. Unfortunately, that led to a lengthy and complex legal dispute, which resulted in court action that had to be heard. I understand that it was recently resolved, and we can now move forward. I hope that we can do so on a basis that satisfies the Member and, indeed, all Members who have similar concerns.

I have attempted to take Members' concerns seriously and feel that I have done so. I recognise that weed control is aesthetically important for all locations. We are under pressure. There were particular circumstances that led to this year's events. However, I am confident that my Department has learned important lessons and will deal with the matter. I thank Members for their contributions.

**Mr Easton:** I thank Members for their contributions and the Minister for his response. My constituency of North Down has been dogged by weeds, because of a lack of control over their growth, especially in working-class housing estates and in villages such as Conlig, Crawfordsburn and Groomsport, in particular the Springwell area. The 'Environmental Handbook', published by Roads Service in 2010, states:

*"Most weeds ... seed late into the growing season. Cutting them early ... should stop their growth and control their spread."*

It is clear that that did not happen, given the extensive growth of weeds that I witnessed

across my constituency and based on the number of people who contacted my office to express their deep concern. Unfortunately, the mixed weather patterns during the summer created the perfect conditions for weeds to grow and flourish.

Roads Service advises that it is possible to eliminate weed growth with the use of chemical applications to footpath surfaces, kerb edges and drainage channels on an annual basis as a curative measure. The Noxious Weeds (Northern Ireland) Order 1977 places a responsibility on Roads Service to take action to inhibit the growth and spread of injurious weeds. Most noxious weeds seed late in the growing season, and Roads Service is supposed to prevent their spread by treating or removing weeds earlier in the season. That is done by spot cutting or pulling; cutting by mower, which is more economical; or chemical spraying.

The Department for Regional Development's budget, which was published in January, highlighted that savings could be achieved in grass cutting and weed control. It admitted, however, that that would result in longer grass and more weeds on road verges. That has been the most visible sign of the budget cuts that I have noticed when driving across my constituency, never mind other parts of the Province. It makes areas look very untidy and makes pavements and footpaths unsafe, especially in wet weather. Roads Service, however, says that it will attempt to mitigate the effects on the public by concentrating on those elements of its work that are more closely related to safety.

I want to praise those members of the public whom I witnessed cleaning their own streets and footpaths and removing weeds. I am concerned, however, about whether such action would make them legally responsible should someone hurt themselves, given that shop owners who brush or salt the ground in front of their shops in cold weather are held legally responsible if anyone slips or falls. That needs clarification.

The risk to road safety is between three and five, with five being the lowest and one being the highest. That is significant. During a Regional Development Committee meeting on 2 March 2011, it was pointed out that although cost-saving measures introduced by the Department

would save money in the short term, they would cost more in the long term.

**Mr Kennedy:** I am grateful to the Member for giving way. I know that it is slightly unusual for a Minister to intervene during a Member's winding-up speech, but I wish to respond to his reference to the legal position of people who clear away frost and snow.

I hope that, as part of our winter preparations, my Department will issue an advice leaflet very soon. In that leaflet will be advice from the Attorney General, no less, on how to handle and deal with such issues. I commend it not only to Mr Easton and all Members but to every householder all over Northern Ireland, who, I hope, will receive a copy of the leaflet and use it as a sensible guide.

#### 4.00 pm

**Mr Easton:** I thank the Minister for that intervention. In a meeting of the Committee for Regional Development held in March 2011, it was highlighted that, although the cost-saving measures that the Department introduced would save money in the short term, they would cost more in the long term. That is an issue of concern, and it needs to be dealt with. The Minister should be cutting weeds rather than cutting the budget for that service.

I will now move on to Members' contributions. Mr Spratt mentioned the Alliance Party's lack of support for important issues. He asked why the procurement process ended early. He said that weeds are getting out of control in his constituency. He highlighted that communities that had entered competitions had been let down by the Department for Regional Development (DRD) and mentioned Britain in Bloom. He also said that cost-cutting proposals for measures that include weed control have had a knock-on effect on the safety of footpaths. He discussed the risk from hedges that jut out on to roads and footpaths, saying that that is a health and safety issue.

Mr Spratt also asked about DRD's training staff to remove weeds. He mentioned claims of around £4 million, although he was not saying that they all related to people slipping on weeds. He also asked about the failure of the procurement process, saying that that needs to be sorted out for next year.

Mr Doherty did not like the wording of the motion. He believed that it should have included other Departments, such as the Department for Social Development. I will reply by asking him why, if that was his view, he did not table an amendment. Mr Beggs raised questions about the type of weed sprays that are used. He raised the EU directive, as well as training and new equipment for DRD. He also discussed the previous budget and said that questions must be asked about the previous Minister. He mentioned a road. However, we never got to the bottom of where that road is, because he ran out of time and never actually told us.

**Mr Beggs:** If the Member examines the Hansard report, he will see that the A5 will be mentioned.

**Mr Easton:** I thank the Member for that. Jonathan Craig raised the issue of claims. He said that an 80-year-old constituent of his had slipped and fallen on weeds and broken her hip. He said that not only was there the issue of her claim to consider but the cost of her treatment to the health service. He mentioned certain areas of Lagan Valley where weeds are a problem, which, he said, is getting worse. He said that there is a need to look at different weed killers because some are better than others, and the issue must be sorted out.

Mr Dunne mentioned that this is a grass roots issue that is important for his constituency of North Down, particularly Holywood. He said that he had been in regular contact with DRD on the issue. He mentioned that the current DRD contract is not good enough, is not value for money and should be brought back in-house. He mentioned that DRD staff had done overtime to try to tackle the problem, and he wondered whether it would have been more cost-effective to have done the work properly in the first place.

**Mr Spratt:** One issue that the Minister did not cover was the overtime cost that has been incurred by the Department. Perhaps that could be covered in any response from the Department.

**Mr Easton:** I thank the Member for that intervention. Perhaps the Minister could respond to him.

Michael Copeland had two essential issues to discuss. He mentioned that the issue had been raised in Castlereagh Borough Council; it must have been debated there. He said that people were worried about weeds on footpaths. He

mentioned an incident in which he had nearly been involved. He supported the motion. He said that the seeds of the issue had been sown before the current Minister took office.

Steven Agnew mentioned that the issue had been raised in the local 'Spectator'. In fact, it has been raised four times in the past four weeks. That shows how big an issue it is in North Down. Mr Agnew said that the issue had been brought to him by many constituents. He mentioned cuts, but he was not sure whether weeds were a priority for debate.

Mr Weir said that he was not criticising the Minister and mentioned that it was another party's responsibility. He said that the level of complaints made to him in north Down has increased in the past year. He feels that DRD could have got on top of the issue and said that we need to sort it out for next year. He told Mr McDevitt to put his money where his mouth was in bringing forward legislation and that his party is part of the Executive, which Mr McDevitt forgot to mention.

The Minister, Mr Danny Kennedy, said that he is grateful to certain Members for not coming to the debate. I think that he was referring to the Alliance Party. He said that he wanted to get to the root of the problem. He mentioned the size of the paths and roads network and that over £1.2 million is spent on weed control every year. He said that it was impossible to do away with weeds. He said that resources were limited and mentioned problems with certain weed chemicals and the need to look at that.

Mr Kennedy said that he is aware of the problems in Castlereagh and north Down, in particular. He said that overtime had to be done to get on top of the problem and that the DRD contract was not renewed because it had not been value for money. He mentioned that procedures are in hand for next season and that he will increase manpower and the training of DRD staff. He did not mention what type of weedkiller will be used next year to get on top of the problem. I do not know whether the Minister wants to come in on that.

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

**Mr Easton:** The Minister said that he takes the issue seriously.

The Alliance Party was not here for the debate, but I got elected to the House to take on small issues as well as large issues. This is an important issue for my constituents.

*Question put and agreed to.*

*Resolved:*

*That this Assembly expresses concern at the failure of Roads Service eastern division to adequately control weeds on footways and other public areas; and calls on the Minister for Regional Development to ensure that this problem is resolved without further delay.*

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

*Motion made:*

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

## Adjournment

### Rathlin Island

**Mr Deputy Speaker:** I remind Members that the proposer of the topic will have 15 minutes. The Minister will have 10 minutes to reply. All other Members who wish to speak will have seven minutes.

**Mr Storey:** I am proud to bring this Adjournment debate to the Assembly. Some might question the importance of the issue and whether we should have such an Adjournment debate. However, I want to place on record how important the community of Rathlin is, not only to themselves as an island community but to Northern Ireland.

Rathlin Island — the locals and some of the rest of us were always brought up to refer to it as Raghery — lies six miles off Ballycastle harbour and just under two miles from Fair Head. The Mull of Kintyre lies just a few miles further across on the Scottish coast. Rathlin has County Antrim to the south, Inishowen peninsula in County Donegal to the west, the island of Islay in the Hebrides to the North and the Mull of Kintyre and mainland Scotland to the east. Indeed, on clear days, Donegal, the north Antrim coastline, the isle of Islay and the Mull of Kintyre can all be seen.

In Rathlin's harbour is the boathouse, where visitors can discover some of the exciting history, learn about present day island life and see artefacts from the shipwrecks around the island, some of which are most significant. The tourism element of the dives that are made to those wrecks needs to be developed and encouraged. I always enjoy going to the island, and I always enjoy being in the company of those who have worked excessively hard on behalf of the island. When I visit the island, there is always one boat in the harbour and when you ask why it is there, you are invariably told that it is being used by someone who is doing a dive to some of the wrecks off the island.



At the other side of the harbour we have the two churches. Next to one of the churches there is a graveyard, with those who have lost their lives at sea in the services. At the west of the island is the renowned RSPB centre, where we have an array of the wildlife that is a trademark of the island. Nowhere else is there such an array of wildlife as on that part of the island. The island is small: about six miles long and just over a mile wide, but, as is often said, it is not the size that matters; it is what goes on in that island on a day-to-day basis that counts. It is a matter of how that community lives and how it is integrated with the rest of Northern Ireland.

When we look at the island's history, we might consider whether it was the location of Marconi's first radio transmission, what its role was in the First World War, and what role it played in the battle to free Scotland in the 14th century. Among the various elements of Rathlin's history, we think of Robert the Bruce. Not that many years ago we had the opportunity of celebrating the 400th anniversary of Robert the Bruce and his escapades on the island. Now, whether the story of the spider that was allegedly seen is true or whether it is good folklore, it all adds to the rich tapestry and the rich history of the island.

However, we need to come into the modern day, and we need to come up to where we are at this moment. There are those who believe that, because Rathlin is offshore, it is a matter of out of sight, out of mind, and it should not have the same access to services as the rest of us. Nothing could be further from the truth. That is why I want to commend the work of the Rathlin Development and Community Association, and I am delighted that David, the community worker for the association, is in the Public Gallery today. He brings the apologies of other association members who are unable to be here. I want him to bring back to the island the assurance that, for both the Executive, through the policy that they have devised, and the Members of this House, they are not a people forgotten.

I welcome the fact that the Minister is here to respond to the debate. I also welcome the fact that he was on the island recently and was able to chair the inter-agency forum that is now established. That was established as a result of the Executive setting up a policy for the island.

Let us look at some of the issues that are particularly relevant, and some of the modern

day issues that need to be continually addressed. I am proud and pleased to represent in my North Antrim constituency the island of Rathlin, but one of the concerns that I had when I became a public representative was that of joined-up government. We talk about it, we have debated in this Chamber on numerous occasions and we have numerous Ministers who talk about the importance of taking a joined-up approach to issues. It would seem that the only place where we have an active and joined-up approach to the issues of government is Rathlin Island. That came about as a result of the policy that was devised. That policy sets a framework for how Departments should interact with one another when delivering services on the island.

#### 4.15 pm

Let us look at a number of those issues. For a long number of years, it was a desire of the islanders to have a ferry system that was reliable, comfortable and would continue to attract tourists to the island. I am glad that over the past number of years, the figures for visitors to the island have progressively increased. I am delighted that those numbers continue to grow. However, I ask the Minister to ensure that any difficulties that are highlighted, as some have been over the past number of weeks, with regard to the contract for the ferry and the provision of that service will be taken seriously and considered and that the islanders will not be left in a situation, as they sometimes are, where they feel as though provision has been made, a contract has been issued, an organisation is providing the service and they are being told that, by and large, that is how things should continue. There are always issues that arise on a practical, day-to-day basis that need to be considered in a more proactive way, which would help in the delivery of that issue.

As I said, I welcome that the forum has been established and that we are working with other government agencies, such as the health service. Ensuring that we have 24/7 health cover on the island has been an ongoing issue for a considerable time, because taking seriously ill on Rathlin is not the same as taking seriously ill in the rest of Northern Ireland, where we have more access to medical provision. That is why it is so important that we continue to work on that issue.

I pay tribute to the previous Health Minister, who made efforts to ensure that work was

continued and that the service was increased. I am continuing to make efforts to ensure that the current Health Minister is well aware of the issues that pertain to the medical needs of those who live on the island.

We then come to an issue that needs to be seriously considered. A focus needs to be placed on proving how the policy translates into practice with regard to renewable energy and offshore exploration. Back in August last year, I wrote to the Enterprise, Trade and Investment Minister about this issue, and I wrote again in September of this year to get an update. You will be aware that the Crown Estate had planned to launch the process for the Northern Ireland leasing round. That was done in March 2011 by the Crown Estate and the Northern Ireland offshore renewable business supply chain. All of that is good and has the potential to open things up for organisations and companies that can come in and look at the viability of offshore projects. However — I ask the Minister to take on this point in particular — we need to ensure that in any exploration, whether it is the oil exploration that is being carried out by Providence, whether it is wind or whether it is tidal, there is a benefit that can be relayed to the islanders.

I will give you an example, and I say to the Minister that maybe this is something we could organise with the Rathlin community association collectively. Some time ago, members of the association visited Gigha, an island on the west coast of Scotland not far from Rathlin. On that island, the people have been able, through an arrangement, to have wind generation that not only puts money back into the local community to sustain and give employment to local people but also supplies energy to the national grid. I want to see the natural resources of Rathlin used to their full potential but not to the disadvantage of the people of the island.

If I have learned one thing from my years of working with the people of the island it is ensuring that you get their trust. They do not want to see you as someone coming to the island who wants to change their world because somehow you do it better on this side of the pond. They want to see someone coming who wants to get alongside them, work with them, be a champion for them and support them in their particular needs. I have endeavoured in my short time as a public representative to do that in a way that I trust has been constructive and

helpful to them. I ask the Minister to give serious consideration to those offshore projects.

There is also the issue of broadband on the island. There are people living on the island who have relocated and set up their businesses there. The population has slowly begun to increase and that is to be welcomed. However, the infrastructure needs to be in place. I have written to the Enterprise, Trade and Investment Minister, and I encourage the Minister with us today to be of whatever help he can in encouraging BT to try to ensure that that service is the best possible available to the islanders so it can be a help to them.

There is much more I could say, but I want to conclude on, I suppose, a sad note, but it needs to be placed on record. During the times that I had the privilege of visiting the island, I often used the services of the late Johnny Curry. It was always an experience to get into a rigid inflatable boat (RIB) in Ballycastle harbour and go over to the island. Unfortunately, as a result of an accident at sea just a few weeks ago, Johnny's life was taken. If nothing else, I want to ensure that this debate is a lasting memory to him, to all that he did for the island and to the many hundreds, if not thousands, of people who he conveyed from Ballycastle over to Rathlin Island.

I have invited every Minister in the Executive, and the Executive, to visit the island. To any Member who has not done so, I say do come, do visit and you will have a thoroughly enjoyable time.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Member for bringing this issue to the Assembly. The Rathlin Island policy was introduced by the previous Minister, Conor Murphy, last year. He not only championed the policy at the Executive table but built relationships with the islanders through his interactions and visits there, as the Member outlined. Only last week, he was back on the island for a Rathlin ramble in aid of the RISE foundation, which raises money for addiction services.

What the Member said gives an understanding of Rathlin's diversity with regard to not only its environment but also its people, activities and how it is such a welcoming place no matter where you come from. The island is, of course, environmentally rich, with lighthouses at either end and many different walks. There is biodiversity; there are basking sharks and puffins and many different species on the island.

I echo Mr Storey's invitation to Members to visit the island, but not just for a day: there is great accommodation there. I took my holidays on Rathlin this year; not only is it relatively inexpensive, but you can spend a whole week taking part in many different activities, which I did. I invite Members to look up the accommodation and avail of it at any time of year.

Rathlin has much to offer and is rich in tourism potential. Mervyn referred to the many dives that take place there. The Department of Enterprise, Trade and Investment (DETI) and the Enterprise Minister could do more to market not just Rathlin but Ballycastle; that would benefit Ballycastle, which is a gateway to the island. People who stay in that area are more likely to take a trip to the island. The north coast is marketed through the Giant's Causeway and "the Port", and Ballycastle and Rathlin can be left out. We need to develop that to ensure that Rathlin is valued and that its value comes across in how it is presented by the Tourist Board.

There are a number of good points in the policy. The Executive are committed to enhancing community involvement; to improving public services; and to advancing policies for a sustainable island community. The action plan will be reviewed next year: that review takes place every two years, as outlined in the policy. The forum also meets twice a year.

Several issues need to be looked at and perhaps added to when the Minister reviews the policy and action plan, particularly energy and broadband provision. I have put a number of questions to the Enterprise Minister about getting fibre-optic broadband for the island. Present broadband provision is an issue for the islanders and needs to be addressed to help to build a sustainable community on the island and increase the opportunities for people from different types of employment to work there, as many people work from home these days. Bearing in mind the access areas, a good broadband service is important to people on Rathlin.

There are issues around energy: tidal energy, oil exploration and even fracking. The islanders have many questions about such issues. That is not to say that they are against those options, but it is important that those issues be explored. Rathlin's residents need to be central to the decision making, and any adverse impact needs to be taken into account. Perhaps when the policy is reviewed, the energy issue needs

to be examined once more to take into account recent developments around oil exploration and so on. Rathlin residents must be party to that decision making because energy decisions could impact adversely, not just on the islanders but on tourism, which would be a great tragedy.

I thank the Member for bringing the issue to the Floor. I echo his sentiments and offer my condolences on the death of Johnny Curry. I was on the island shortly after Johnny lost his life in tragic circumstances and came across a member of his family in one of the local businesses. It came as quite a shock to the island, although there is obviously always a risk of such tragedy in that way of life. Unfortunately, there have been a number of tragedies in the north coast area over recent months. Johnny was a good example to people and an example of the way of life of Rathlin. I add to that sentiment and pay tribute to him.

#### 4.30 pm

**Mr Swann:** We have already heard cross-party tourism broadcasts for the island. That shows the rest of the House just what a fantastic place Rathlin is, no matter who you are or where you come from. Rathlin is one of those places in my North Antrim constituency that is a must-see for anyone who visits the area. I thank the Member for securing the debate, and, in relation to Rathlin, I want to remind him of a few words that he said, which I hope that he can apply to other debates and issues in the House. It is not the size that matters, Mervyn, if you recall your comments yesterday.

As Mervyn said earlier, David from the Rathlin Development and Community Association was in the House today, and that is very welcome. I welcome him here to hear the debate and our best wishes to the islanders and their project. I had the privilege to be on the island in the past week or so, when I spoke to Noel, the chairman of the development association. That shows just how many of the islanders would have liked to have been here today to hear the debate, but realised that, when it finished, by the time they got back up to the ferry, there would be no service until the next morning. We should always bear that in mind when we speak of Rathlin and its inhabitants. As the only inhabited island of Northern Ireland, we should always bear that in mind when we refer to them.

As Mervyn and Daithí have both said, Rathlin is a fantastic place to visit. From Marconi's cottage

to Robert the Bruce's cave, it is a fantastic launching pad for invading Scotland. That is how Rathlin was described to me, but, as a North Antrim Member, I was not prepared to go that far at this time.

The Rathlin Island policy and action plan has already been referred to as a fantastic template for what many communities in Northern Ireland would wish to have. It is a template that shows that a community association can come together, tap into their elected representatives and set up a progressive, positive plan for engagement with Government Departments to ensure proper delivery and to enable them to access all of the services that are available to them.

One recent announcement that was welcomed by the islanders was that they have managed to retain their post office, which was under threat due to the retirement of the postmistress. That is one of the positive signals that can be sent out and echoed. When there are so many rural constituencies and areas across Northern Ireland, including areas in my own constituency such as Glarryford, which is losing a sorting office, those are positive notes for the islanders.

Mervyn also referred to the difficulties that the islanders face. I thank him for acknowledging the fact that it was an Ulster Unionist Health Minister who delivered the 24/7 nursing cover for the islanders. They were very appreciative of that, and they mentioned it during my visit.

They are now faced with another serious health issue in relation to their two social carers. That has been raised with me at a constituency level. Of the two home helps that they previously had, they are now down to one to deliver all of the service provision on the island. That delivery, no matter who lives in a rural constituency, always seems to rely on someone who can be drafted in from another trust area. However, when you live on Rathlin, there is nobody that you can draft in, because it is an island community. I ask the Minister — I am sure that I can get his support — to ensure that that provision of home help is increased back to two providers. I will be raising that at a meeting with the trust later in the week.

As other Members have said, there are good points that can be developed when we have a clear, concise, directed action plan. The islanders have secured a further 10 units for social housing, which are subject to planning application approval, but which they hope will

be delivered shortly. That will enable young islanders to stay on the island in their own community. They are very proud of that and hope that it happens.

Members mentioned the issue of broadband coverage. It is unfortunate that the Department of Enterprise, Trade and Investment seems to have declared that Northern Ireland has 100% broadband coverage. That may be in the title, but the delivery and provision that the islanders receive definitely does not match up to that claim.

Perhaps the Minister will give us some guidance about the concerns that have been expressed about the Minister of Education's recent announcement concerning changes to the school structure and education provision that would affect the future of the primary school on the island. I know that the people speak very highly of the primary education system, but when it comes to secondary provision, the pupils have to come offshore and board in Belfast and Ballycastle. It would be a great detriment to the island if the primary-school provision were ever under threat. The Assembly should try to ensure that the content of the policy action plan is delivered.

**Mr Storey:** That issue was raised at the Committee for Education, albeit through a political point made by a Member who is not in the House today. However, the Minister made it clear when he spoke to the Committee that there is no way that the policy will apply to Rathlin Island. The island has unique circumstances, which will be reflected. We are quite happy to say that the school will remain on Rathlin for many years to come.

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

**Mr Swann:** Thank you very much, Mervyn. That clarification will put a lot of islanders at ease. It is definitely a positive contribution.

Wind and wave renewables were also mentioned earlier. Rathlin, as we have all agreed, is ideally situated to take full advantage of that. However, like Mervyn, I also want to ensure that any wind or wave installations that are situated around the island are developed in a way that benefits the community.

The two previous contributors referred to the hardships that the islanders face. I want to take another moment to mention Johnny Curry, whom



we should all remember. We need to realise the dangers of being an islander and the many more daily threats that islanders face than we do on the mainland of Northern Ireland, in north Antrim or just across the water in Ballycastle. We should continue to bear that in mind when we progress the policy action plan or any further developments through the islanders' forum.

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

**Mr Swann:** The islanders are lucky to have a policy action plan and the continued support of an Ulster Unionist Minister as the Minister responsible for Rathlin.

**Mr D McIlveen:** I wish to congratulate my colleague for securing the debate. Before I begin, I believe that we should commend the people of Rathlin for their hard work in developing the island, much of which was done in isolation. I have visited the island on a number of occasions, and the islanders' work is very impressive.

I commend the work of the Rathlin Development and Community Association, which comprises an inspiring group of people. Through the Rathlin policy action plan, the association has developed some innovative plans. As I said, a lot of that has gone unnoticed and unsung. I was fortunate enough to be invited to the island earlier this year, and, despite the rather rocky crossing, I thoroughly enjoyed the visit. As the only inhabited offshore island in Northern Ireland, I truly believe that overarching Executive support for Rathlin is vital. I encourage the Minister to take that on board and ensure that the island is not forgotten in plans moving forward.

The policy action plan is a detailed and proactive vision for the future of the island. There are three main aims of the plan: the first is to enhance community involvement; the second is to improve the provision of public services for the islanders; and the third is to advance policies for a sustainable island community.

With regard to community involvement, around 100 people live on the island, many of whom are fifth and sixth generation islanders. The community association deserves our full support, most especially because you need to be a member of the community on the island to fully understand life there. That is well evidenced by a document that was published

by the islanders called 'A Place Apart: Island Voices'. If you have not already read it, I sincerely recommend that you do. Reading through the piece, you get a real sense of the passion, hard work and community atmosphere that exists on Rathlin.

The sense of community is particularly relevant when considering volunteering. In most communities, volunteering means working with senior citizens or helping out at the local youth club. On Rathlin, however, the notion of volunteering is quite different. In real terms, volunteering there is a way of life. One of the islanders is quoted in the document as saying:

*"We thought about how to encourage voluntary effort, we thought about celebrating it, having an award or something. But who would get it? Just about everybody on the Island. Just about everyone volunteers something."*

Ultimately, any form of volunteer work needs to have support and subsidy. I urge the Executive to support Rathlin's plans for community involvement.

The second aim is to improve public services for islanders. Island life has its own peculiarities, not least with regard to the provision of public services. We all take certain basics for granted, such as transport links, provision for young people, electricity generation and healthcare. On Rathlin, however, all those issues have to be carefully considered because there are some major difficulties with out-of-hours medical cover, a limited mains water supply and inadequate waste management and recycling provision. Although we pay tribute to the fact that ground has certainly been gained in respect of some of those matters, I highlight to the Minister that there is still more work to be done. Most specifically, there are problems with broadband supply on the island, as Mr McKay has mentioned. There is considerably slower broadband on Rathlin than on the mainland. We should be actively trying to change that. The most remote areas will benefit most from good broadband supply, and I hope that the Executive will support Rathlin in its efforts to improve it.

The final issue that must be addressed is policies in relation to a sustainable island community. Creating a sustainable community and economy on the island will be vital for its survival. Some useful work has been done on the social economy on Rathlin, and I congratulate my party colleague Arlene Foster,



who has done some work in that regard. In such a small economy, that kind of work can only be congratulated.

I also welcome a recent RSPB (Royal Society for the Protection of Birds) report, which concluded that the effect of the reserve on the island has had a very positive impact on the island's economy. In 2009, the reserve brought £230,000 of visitor spend to the island, and the conservation work has directly created three full-time jobs. However, with the exception of those jobs, the main benefit of the reserve is during the summer months. The residents are fully aware that a sustainable community must improve the environment, economy and community simultaneously. However, there are fears that grant money and tourism are being too heavily relied on. The residents would like to be more in control of their own economy, and, as such, would support a sustainable project from which the community could benefit long term. I urge the Executive to work with the island to ensure that that becomes a reality.

The three aims that I have outlined are all positive reasons as to why the Executive should support Rathlin Island. However, there is also one very simple reason why the island needs Executive support: it is the only offshore island that we have. The relationship between the Northern Ireland Assembly and the island should send out the very strong message that the Assembly is in touch with even the most remote parts of the Province. I encourage all members of the Executive to play their part in ensuring that government policy and support reaches all parts of Northern Ireland.

#### 4.45 pm

**Mr Ford:** Mr Deputy Speaker, you will see that I am speaking from the Back Benches, as I am happy to say that the Department of Justice has no direct involvement with Rathlin, although last year, not long after the House elected me as Minister of Justice, I arrived on Rathlin to discover that I had just missed the annual Rathlin meeting of Moyle District Policing Partnership. It was a fairly short meeting, and that says a fair bit about Rathlin.

Mervyn Storey started, and others joined in, with a description of the physical beauties of the island. Members covered almost everything except for the golden hare and the seals. Other Members then discussed the social aspects of the island, and almost everything was covered

except for the model yacht racing, which is fine if you get a nice summer's evening at Ushet lough, but not great otherwise.

As Members know, I do not represent North Antrim, but I have visited the island a few times, and I live only a few miles south of Robin Swann, so I think that I can get in on the act. However, I have visited the island on two occasions when I have been in the company of Ministers. Once was, I think, three years ago when the then Minister of Health, Social Services and Public Safety visited to discuss the nursing issue. Indeed, I think that that was the occasion when Robin Swann was paying his apprenticeship visit to the island as the understudy to Bob Coulter. The second time was to see Arlene Foster, as Minister of the Environment, open the new facilities at the west light for the RSPB. It is clear that there has been a degree of Executive engagement, and, indeed, the current Minister for Regional Development has played his part in that, so we should acknowledge that there has been some recognition, and there have certainly been improvements in recent years.

Yet, there is still the issue that that six-mile stretch of water leaves Rathlin cut off from basic services that the vast majority of people in Northern Ireland expect. I have crossed that stretch of water on the Canna, on the Rathlin Express and on a variety of rigid inflatable boats (RIBs), including that of the late Johnny Curry, and I join in the tributes that have been paid to him today. In what was probably my briefest visit, on a fairly bleak February day a few years ago, the Portrush lifeboat was stranded on the harbour wall. If that does not emphasise the isolation that can apply to a place such as Rathlin in bad weather, nothing will.

Improvements have been made to the ferry services, although they have not been without some problems. We have seen the provision of mains electricity and the enhancement of water services on the island, yet, at times, those things have gone wrong. I find it somewhat disappointing that, when mains electricity was put to the island, there was a cable that would more than cater for the needs of the island but which would not meet the potential need for the development of renewables on the island. It is clear that that is one way in which sustainable jobs could be provided.

There is absolutely no doubt that some incredibly good work has been done by the people of Rathlin, particularly through the Rathlin Development and Community Association. It is good to know that David Quinney Mee is here to hear the debate and report back to the islanders about it. Yet, there is still much more to be done to build on that volunteering spirit, the sort of spirit that sees Northern Ireland's only combined fire station and coastguard station. Indeed, it is described as the only volunteer fire crew as opposed to a retained fire crew. All of that is an example of how people on the island have had to develop their own resilience, yet, as we seek to provide modern services, we have to maintain the social fabric that has provided that sort of culture and ensure that we also provide the up-to-date 21st century services that every citizen has a right to expect. I am not sure that we have got that completely right yet.

David McIlveen talked about the development plan, and, if that were done, it would address things. Mervyn Storey talked about joined-up government, and Rathlin is a clear case of where a small community needs that to happen more and better than it has happened in every part of Northern Ireland.

One key area that has not been touched on is planning. You cannot meet the needs of a specific community such as Rathlin by applying the same kinds of policies that need to be applied in the rest of rural Northern Ireland to protect the environment and maintain the social fabric at the same time. Sustainable development has a strong environmental factor and a strong social factor, but it requires appropriate and sustainable economic development to be balanced with it.

Robin Swann highlighted the issue of the new social housing, and that is fine provided it gets planning approval and goes ahead. However, there are clearly examples where development of local indigenous business has not proceeded in recent years because of planning matters.

**Mr Storey:** I thank the Member for giving way. I want to go back to the point that I made about joined-up government. Islanders tell me that, prior to meetings of the forum, there is always a wave of activity from all the Departments because every Department feels that it has to get everything up to date for the meeting. However, as soon as the meeting is over, it

seems as though the waves calm again. We need a consistency of approach to the issues of the island, and the Member would do well to look at that.

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

**Mr Ford:** I take Mr Storey's point. There is a real need to ensure, as is often the case when ensuring joined-up government in every aspect of our work, that we do not just see a hive of activity when a meeting is coming up and then allow things to lapse for the next 12 weeks until the next quarterly meeting. I have no doubt that, given the enthusiasm that the current Minister has shown by his recent trip to the island, he will ensure that that will not be the case, and I have no doubt that the Members for North Antrim will ensure that he lives up to that challenge in the future.

As Mervyn Storey has mentioned over recent weeks, including in press releases, there is a suggestion that the Executive should be invited to hold a meeting on Rathlin. If I could don my ministerial hat briefly, I will say that, to some extent, that would be a waste of a good day on Rathlin. If I were given the opportunity of sitting at Ushet or Mill Bay watching the seals or, at the right time of the year, heading out to the West Light viewpoint to study kittiwakes and puffins, or sitting in the Manor House around an Executive table, I know what I would prefer. *[Laughter.]*

**Mr Agnew:** I thank Mr Storey for bringing the debate to the House. As he recently spoke in a debate on schools in north Down, and was welcome in doing so, I hope that he will welcome my contribution to this debate today.

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

**Mr Agnew:** I will indeed.

**Mr Weir:** Would the Member be willing to facilitate a more permanent swap between the two of you? *[Laughter.]*

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

**Mr Agnew:** I am sure that I would be welcome as Chair of the Committee for Education, and I am sure that its members would welcome the break.

There is no doubt that Rathlin is an integral part of our tourism product in Northern Ireland.

As a member of the Committee for Enterprise, Trade and Investment, I have heard on a number of occasions how the Northern Ireland Tourist Board plans to double the revenue that Northern Ireland receives from tourism. I hope that is supported and welcomed by the people of Rathlin. Indeed, I hope that, if we achieve that ambition, they will benefit from it.

To achieve such an ambition, we need joined-up thinking at government level, and that is why I chose to speak on the debate. On the one hand, the Minister of Enterprise, Trade and Investment is trying to promote tourism in Northern Ireland, and, as I mentioned, Rathlin is a key part of that. However, on the other hand, as has been mentioned, licences have been granted for the drilling for oil and gas on Rathlin Island and the seas around it. If such drilling goes ahead, it will be a major threat to tourism on the island and across Northern Ireland.

Members referred to the potential for wind and tidal resources in the coastal waters of the island. I hope that such proposals are taken forward in a way that is sympathetic to the needs of the marine environment, the coastal environment and, indeed, to the people of Rathlin. I mentioned joined-up government, and I hope that the forthcoming marine Bill will ensure that any renewable energy proposals —

**Mr Storey:** I thank the Member for giving way. Based on my recent correspondence with the Minister about the activities of organisations, I can offer him some reassurance. In her reply, the Minister said that a strategic environmental assessment had identified the north coast marine environment as very sensitive. As offshore developers bring forward projects in relation to Rathlin, all those fishing and navigation infrastructure issues will have to be considered in detail. Given that the north coast is an area of outstanding natural beauty and has a nature reserve, those issues are of concern to the Minister, as she outlined in her correspondence.

**Mr Agnew:** I appreciate the Member's intervention, and I appreciate that the Minister is aware of the issue. Unfortunately, that does not allay my concerns. The simple reason for that is the track record of oil and gas industries in areas where they drilled in the past. In particular, it is accepted that the low-lying fruit of oil and gas resources has been reached, and, therefore, the majority of the forthcoming

proposals to drill for oil and gas seek to access the hard-to-reach resources. Daithí McKay mentioned fracking, which causes great concern to me and other environmentalists.

The RSPB report, 'Natural Foundations: Conservation and Local Employment in the UK', which was mentioned earlier, highlights the 9.3 full time equivalent jobs in wildlife and conservation on Rathlin. The proposals for oil and gas drilling could put those jobs at risk. I have been speaking to the RSPB, and a meeting has been organised for tomorrow evening to discuss oil and gas exploration in the wider Antrim area. Representatives of the marine task force will speak at that meeting to highlight their concerns about those proposals.

I contend that, wherever in Northern Ireland oil and gas drilling takes place, Northern Ireland will see little benefit from the profits, which will, inevitably, go to multinational organisations. We will, however, bear the brunt of the full cost of damage to the environment in which our constituents live and to our economy's promotion of its tourism product.

I urge the Executive to support Rathlin, and I urge Members to take such issues seriously when they arise in their communities and constituencies. I call on the various Ministers responsible to resist proposals for oil and gas drilling.

**Mr Kennedy (The Minister for Regional Development):** I am grateful for the opportunity to listen to Members' contributions to this important debate. I especially thank Mr Storey for sponsoring it. I know that he, along with the other Members who have the honour of representing Rathlin, visit often and know the island well. Mervyn painted the scene by detailing the history and story of Rathlin Island in his initial remarks.

I would like to deal with a number of points, including issues raised by Members. As Mr Storey is aware, my Executive colleagues and I recognise the challenges faced by the island community on Rathlin. We know that those need to be addressed differently from issues on the mainland. For that reason, we continue to progress the Rathlin Island policy, which the previous Executive endorsed in February 2010. My Department, though my predecessor, took the lead on that action plan, which was prepared within six months of that endorsement.

**5.00 pm**

Last week, I had the pleasure and great privilege of visiting the island to chair the Ministers' forum. Along with the many other tourists on the boat, I was extremely fortunate to have a smooth crossing on the Canna. It was a great honour for me to make my first official visit as Minister for Regional Development with particular responsibility for Rathlin. I had been there a number of years ago with my family on a private visit, but it was lovely to be there, particularly on such a glorious day.

Reference has been made to the tragic death of Mr Curry. I was able to pass on my personal condolences to members of his family, and I join with others today to place those on the record.

The warmth of the reception from the islanders and the hospitality shown to me and the numerous Government officials who were there to represent their Departments was very much appreciated. As you know, the forum was established to monitor progress against the Rathlin action plan, and it meets biannually. Officials from eight Departments and Moyle District Council met island representatives to discuss concerns and achievements to date. I take the point that it is important not only for officials attend and prepare for the meeting but for the outcomes of the meeting to be carried forward. I will ensure that that happens.

The action plan was produced as a result of extensive talks with the Rathlin Development and Community Association and a series of meeting with officials in other Departments and Moyle District Council. The plan, which seeks to address key issues of concern to islanders, has 12 objectives. Those include enabling the community to contribute to island policies; having a good ferry service, developing islanders' employability; ensuring affordable housing provision; and providing equitable access to health and social care. During the forum and in discussions with the islanders in the margins of the meeting, they assured me that they were happy with the progress made to date and the ongoing efforts made by the Executive on their behalf to improve services and the quality of life.

For an island community, links with the mainland are vital. My Department funds the Rathlin Island to Ballycastle ferry service, which is operated by Rathlin Island Ferry Limited. Since July 2009, there have been two vessels on the

route, one of which is a purpose-built passenger-only vessel, the MV Rathlin Express, and the other is the MV Canna, which has vehicle access. Usage of the service has experienced year-on-year growth and is expected to rise to over 90,000 passengers this year. The growth in visitor numbers as the result of the introduction of the Rathlin Express has delivered economic benefits, including increased employment to the island. My Department has also invested around £150,000 in new passenger boarding facilities at Rathlin and Ballycastle harbour, which has enhanced accessibility to the island for people with reduced mobility.

The environment forum, which is chaired by an official from my Department, brings together islanders, the RSPB, the National Trust and officials from the Northern Ireland Environment Agency. The forum provides islanders with the opportunity to contribute to policies that impact on Rathlin's unique natural inbuilt environment. It provides a useful platform for communication between islanders and key landowners. Work is ongoing to develop a biodiversity plan for Rathlin, which will be completed by March 2012 and will include two short DVDs to showcase the wildlife on the island.

As noted previously, my Department is not alone in progressing the action plan. We have been working closely with other Departments. Key issues that have been progressed to date include the participation of two businesses in Moyle District Council's Steps to Success programme. The Department for Employment and Learning held a careers clinic and information day on the island earlier this year, which provided an opportunity for residents to raise specific issues of concern with officials.

We recognise the importance of supporting and encouraging existing and start-up businesses in Northern Ireland and the particular difficulties experienced by Rathlin islanders. An extensive range of support is available, which islanders can access and which the Department of Enterprise, Trade and Investment has made islanders aware of. In addition, DETI will hold a business surgery on the island shortly.

Tourism, as has been mentioned, is central to the economy of Rathlin. DETI officials advise that between 2006 and 2011, the Northern Ireland Tourist Board provided £180,000 of financial assistance for tourism product development on Rathlin through



its tourism development scheme. Projects include the Rathlin West Light visitor centre and infrastructure improvements at Rathlin harbour. The island has benefited from the capital investment as part of the continuing implementation of the Causeway Coast and Glens tourism master plan currently in operation.

From listening to the islanders, I know that a concern is the granting of a licence by DETI at the start of the year to PR Singleton Ltd to explore for oil and gas. I have heard Members express concern about that. DETI officials assure me that although the licence grants the company exclusive rights to explore for oil and gas under Rathlin, it does not automatically give them permission to drill on the island. Officials from DETI will closely monitor the process and keep islanders informed of developments.

Mr Deputy Speaker, I almost had a sleepless night when preparing for this debate, wondering if any Member would mention fracking, because I did not want to be suspended from the House for a very long period. *[Laughter.]* I assure Members that fracking is not permitted, and DETI will monitor the process closely and keep islanders informed of developments at all times.

The emerging offshore technologies that could contribute to Rathlin's becoming a carbon neutral island are also within the remit of DETI; offshore renewables are at a very early stage. If licences are granted, initiation stages for projects will not be expected until 2015-16.

Broadband was raised at the forum, and I have asked DETI officials to write to BT to ask it to review service on the island.

With regard to current housing need, the Department for Social Development has advised that a site has been identified and a price to purchase agreed to develop 10 social housing units on the island, subject to planning.

I am very pleased that medical care was raised, as it is an issue of concern. We will continue to work with the Department of Health, Social Services and Public Safety on related issues, particularly the home help service, as raised by Mr Swann.

I was delighted to pay a visit to the school and to meet the supply teacher and pupils. My understanding is that Rathlin primary school is secure.

As Minister for Regional Development, and on behalf of the Executive, I assure Members that the Executive are completely committed to helping Rathlin Island. I intend to chair the next Ministers' forum on the island in early spring, but, in the interim, I will continue to monitor progress against the action plan and be kept regularly briefed on developments.

*Adjourned at 5.08 pm*





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# Northern Ireland Assembly

Monday 10 October 2011

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

*Members observed two minutes' silence.*

## Ministerial Statements

### North/South Ministerial Council: Education

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

**Mr O'Dowd (The Minister of Education):**

Thank you, a LeasCheann Comhairle. With your permission, Mr Deputy Speaker, I wish to make a statement, in compliance with section 52 of the NI Act 1998, regarding a meeting of the North/South Ministerial Council in education sectoral format. The meeting was held in the joint secretariat offices in Armagh on 21 September. I represented the Executive as Minister of Education, along with the Minister for Social Development, Nelson McCausland MLA. The Irish Government were represented by Ruairí Quinn TD, Minister for Education and Skills. This statement has been agreed with Nelson McCausland, and I make it on behalf of us both. I will now summarise the main points from the meeting, ranging across all the agreed areas of education co-operation.

First, on the issue of teacher qualifications, the two education inspectorates gave an informative joint presentation on the co-operation in the professional development of inspectors that has developed between them over many years. In more recent times, the link has placed particular emphasis on the professional development of inspectors. Arising from their work together, a joint inspectorate report on how best to promote and improve literacy and numeracy in schools was published in December 2010. The inspectorates also highlighted the ongoing contribution of exchanges, including the publication of a report on the North/South inspector exchange programme.

The Council noted that the ninth annual standing conference on teacher education North and South was to take place over 29 and 30 September

in Cavan under the title of 'Promoting Literacy and Numeracy through Teacher Education'. I understand that the conference was very well received by all who attended.

We also noted the recent initiation of a North/South community of practice that supports Irish-medium teachers. An action plan to support Irish-medium schools for the 2011-12 academic year is being considered by both Education Departments.

The Council discussed collaborative work between the Regional Training Unit and the Professional Development Service for Teachers on issues of school leadership. We noted that a report entitled 'Leadership Matters' is being examined by both Departments with a view to its being published.

We welcomed the ongoing liaison between the two teaching councils on issues relating to teacher mobility in both jurisdictions. We also learned of progress on the provision of information on pension issues for teachers who wish to transfer to work in the other jurisdiction. The Council welcomed the publication of literacy and numeracy strategies by the Education Departments and their commitment to tackling underachievement in literacy and numeracy, especially among those from the most disadvantaged backgrounds.

We welcomed the collaborative work being taken forward by those Departments. That work included a successful joint conference entitled 'Promoting Literacy within and beyond Schools', which took place in February 2011. There has been continued support for maths week Ireland: a series of events took place last October aimed at promoting the awareness, appreciation and understanding of mathematics for all.

Other possible areas for 2011-12 include further work with Children's Books Ireland. The aim is to develop a programme with a specific

focus on re-engaging 10- to 14-year olds in reading and on opportunities for joint working on common priorities set out in the Departments' respective literacy and numeracy strategies. There is also a proposal for a peer learning event on school attendance, with a focus on post-primary pupils.

The Department of Education has commissioned research into good practice and partnership approaches between school and family in deprived areas in promoting the regular school attendance of pupils of compulsory school age. I expect a report on those matters by March 2012. I also expect the task force on Traveller education to present its report and recommendations to the Department of Education. My Department is working on a draft action plan, with a view to carrying out a consultation between January and March 2012. The Council also welcomed collaborative work on developing a toolkit for diversity to support the professional development of middle management in schools.

The Council welcomed the continuing progress made by the Middletown Centre for Autism, including the delivery of training to professionals and parents. That includes developing links with special education support services and the Inter-Board Autistic Spectrum Disorder Advisory Service, as well as a continuing programme of research. The centre's most recent publication documents relevant research on autistic spectrum disorder (ASD) in girls and the continuing research on sensory provision and working memory for those on the autism spectrum.

The centre has also worked with the Department of Education on capacity building for special educational needs. We welcomed the progress made by the centre and the two Education Departments on the development of a multi-annual plan for the future development of the centre. We looked forward to the continued efforts of all parties in the months ahead. A paper is due to be presented to both Ministers in late autumn. The Council noted that discussions are at an advanced stage between the centre and both Education Departments on finalising the overall budget allocation for the 2011-12 financial year, recognising the need for the centre to operate on a sustainable basis.

The Council noted that the first paper from a comprehensive study on North/South co-operation in the education sector has been agreed and

finalised by the two Departments. In preparing for part two of the study, we recognised that the current budgetary climate presents opportunities for joint school planning in border areas. We agreed that the two Education Departments should jointly design and conduct a survey to establish the current and future schooling capacity and need in border regions and the level of demand from parents and young people for the option to choose a school across the border.

The Council noted that the second year of the pilot enterprise strand of the dissolving boundaries programme has been successfully completed. We look forward to receiving a joint report from both inspectorates when they complete their formal evaluation of the programme.

The Council discussed a review of the work and remit of the North/South education and training standards committee for youth work that is being considered by both Education Departments. We also noted the ongoing discussions on future co-operation on the endorsement of youth work qualifications to ensure and support best practice and facilitate professional mobility and exchange, North/South and east-west. We welcomed the proposals for the 2011-12 North/South student teacher exchange project.

The Council agreed that the North/South Ministerial Council in education sectoral format should meet again around November or December.

**Mr Storey (The Chairperson of the Committee for Education):**

I thank the Minister for his statement this afternoon. Given the detail, or lack thereof, that he gave about the Middletown centre, why, after a number of years, do we still not have an updated, phased multi-annual plan? It was set out in the agreement by the North/South Ministerial Council that such a plan would be produced. Seven months into the current financial year, why are we being told that work is still ongoing on finalising the overall budget allocation for this year:

*"recognising the need for the centre to operate on a sustainable basis"?*

Is the Minister coming to the conclusion that many in the House came to a long time ago, which is that the centre at Middletown is no longer sustainable?

**Mr O'Dowd:** I thank the Member for his question. No, I have not come to the conclusion that the

centre is unsustainable. As with all areas of work in the Department of Education, I want to be sure that the work is sustainable. Until contrary evidence is brought to my attention, I am of the view that the centre is sustainable. A lot of good work is going on in the centre, and young people with autism and their families have benefited from that work.

The reason for the delay in the multi-annual development plan is that I am awaiting a report from my colleague Minister Ruairí Quinn and his Department. I have spoken directly to Minister Quinn, and my officials have spoken directly to his officials, about that proposal's coming forward. I await that proposal, and once it is on my table we will be able to map out a clear and defined way forward for the Middletown centre.

**Mr McNarry:** Is the Minister attempting to use children to dismantle the border by some other means? In his statement he reported that:

*"the two Education Departments should jointly design and conduct a survey"*

to establish what the demand would be for children to choose a school across the border. What exactly are you up to, Minister? Where does that move sit with the audit that you have just commissioned?

**Mr O'Dowd:** I am about educating children, and I want to assure myself and my Department that the border is not an obstacle to education. Whether the Member likes it or not, families and communities cross the border all the time and have no knowledge of a territorial boundary being there. They see themselves as being one community, they move back and forth, and it is only logical that, if we can provide schools that are of mutual benefit to both sides of the island, we should do so. We have established a survey to register the demand for cross-border school planning and to decide how we can remove obstacles to that. Currently, around 250 children transfer across the border on a daily basis. If we are moving forward and planning a new schools estate, I and Minister Quinn want to be able to build schools that are of mutual benefit to people on both sides of the border and to build them in the right place. That is what it is about.

It will have no bearing on the audit that I have asked to be conducted. It may have a bearing on future area planning, and it is common sense that if we can share resources to our mutual benefit we should do so.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis as an ráiteas a thug sé anseo inniu. Ba mhaith liom ceist a chur air faoi na moltaí atá sa tuarascáil a d'ullmhaigh an cumann ar mhalartuithe *[Interruption.]*

**Mr McNarry:** How long are you going to take to ask this question?

**Mr D Bradley:** — oideachais Thuaidh agus Theas, agus cén uair a chuirfear na moltaí sin i gcrích —

**Mr Deputy Speaker:** Will the Member ask his question and translate please?

**Mr D Bradley:** Gabh mo leithscéal.

**Mr Deputy Speaker:** Will the Member ask his question and translate please?

**Mr D Bradley:** Mr Deputy Speaker, I was in the process of asking a question when you interrupted me. I shall now translate my question, as required by the rules of the House.

**Mr Deputy Speaker:** Will the Member please sit down?

**Mr D Bradley:** No, I refuse to sit down.

**Mr Deputy Speaker:** Will the Member please sit down?

**Mr D Bradley:** Ní shuífidh mé síos.

**Mr Deputy Speaker:** I am chairing this event today. Will the Member please sit down?

**Mr D Bradley:** Is cuma liom.

**Mr Deputy Speaker:** Will the Member please sit down? I wish to speak.

**Mr D Bradley:** Bhí mé ag cur ceiste nuair a chuir tú isteach orm toisc gur chuir an fear sin isteach.

**Mr Deputy Speaker:** Is the Member challenging the Chair?

**Mr D Bradley:** The Member is challenging the Chair.

**Mr Deputy Speaker:** Will the Member please sit down?

**Mr D Bradley:** Yes.

**Mr Deputy Speaker:** I remind everyone that the Chair is chairing a meeting of the Assembly. If the Speaker or a Deputy Speaker asks someone

to sit down, I ask that people respect that. I gave the Member a degree of time to ask his question, but I did not hear that question. I then asked for a question and for a translation. I ask the Member to ask his question and to ensure that there is order in the House. I ask that everyone please respects the Speaker.

**Mr D Bradley:** Go raibh míle maith agat, a LeasCheann Comhairle. Thank you for that ruling, Mr Deputy Speaker. I am pleased that you are in authority here rather than Mr McNarry.

Will the Minister state what action is being taken to implement the proposals prepared by the North/South Exchange Consortium on educational exchanges? When can we expect to see some movement on that report?

### 12.15 pm

**Mr O'Dowd:** The Member will be aware that, since the establishment of the North/South Ministerial Council and the sectoral meetings, there has been an opening up of the border in regard to education. Many matters that were once forbidden are now being developed across our education sectors. The report he refers to is only one of several that my Department is dealing with and implementing sections of. As I outlined in the statement, several major pieces of work are ongoing or developing in relation to the cross-border and all-Ireland educational format. I am aware of the reports of that body. A number of its proposals are being implemented, as are proposals from reports by several other sectors.

**Mr Lunn:** It is with some trepidation that I ask a question about the Irish-medium sector. The Minister referred to an action plan to support Irish-medium schools for the 2011-12 academic year. Will the Minister expand on that slightly? Does it mean that there is a question of favouritism towards a particular sector? The Irish-medium sector is not the only one in need of an action plan or extra funding.

**Mr O'Dowd:** No favouritism is being shown to any sector. I am meeting the legal obligations of the Department as set out in legislation and the principles of the Good Friday Agreement. That item is on the agenda of the North/South Ministerial Council sectoral format meeting because my colleague Minister Quinn and his Department have resources that we wish to access in regard to supporting the Irish-medium sector. They have a much more advanced sector

than we have, and it is only logical that we learn and garner support from them in relation to the Irish-medium sector.

**Miss M McIlveen:** I note from the agenda that teachers' superannuation was to be discussed at the meeting but has not been reported on. Will you give an explanation for that?

**Mr O'Dowd:** Superannuation is an ongoing issue in discussions between my Department and that of Minister Quinn. We want to reach a point where both jurisdictions recognise and work within the superannuation framework. We want to ensure that we are removing the obstacles for teachers flowing back and forth, so that they can take advantage of job opportunities. When there have been further developments, I will report to the Assembly and the Committee.

**Mr Craig:** I noted with interest the section of the statement on special educational needs and the Minister's commitment to continue with the Middletown Centre for Autism. Will you assure the House that Middletown will be asked to work much more closely with existing autism organisations than it has done in the past, and that you will look after those with special educational needs? In my constituency we face the closure of a special educational needs unit.

**Mr O'Dowd:** I assure the Member that, where appropriate, the Middletown centre will and does work with relevant statutory and non-statutory agencies on both sides of the border. I cannot comment on the matter he raises regarding his constituency. If he writes to me I will respond, but I have no detail before me as regards it.

**Mrs Dobson:** I note that the Department has commissioned research into good practice and partnership approaches between schools and families in deprived areas. Has the Minister considered looking into the results of neighbourhood renewal projects that are ongoing between schools and colleges, including those in Craigavon in our constituency?

**Mr O'Dowd:** The Member raises a good example of how Departments and agencies can work together. A number of the projects ongoing in the Craigavon neighbourhood renewal scheme are worthwhile and are showing results for young people from deprived areas, as well as showing the benefits and value of education. All examples of good practice will be explored and shared at the North/South Ministerial Council meetings.



**Mrs Hale:** What meetings has the Minister had to date with his colleague Michael Gove and his counterpart in Scotland?

**Mr O'Dowd:** I have had no meetings to date. I have said in the House previously that I am more than happy to meet Michael Gove or my counterpart in Scotland, but I have had no request to meet either counterpart on those matters. I have been in correspondence with them regarding matters of mutual concern and areas that Mr Gove announced on television before letting us know formally, but that appears to be his style. However, I have no difficulty working east-west or North/South and building relationships.

**Mr Nesbitt:** The Minister referred to a conference on promoting literacy within and beyond schools. I wonder whether he has an opinion on the Book Buddies initiative, which has been undertaken in the American state of Oklahoma, in which an old people's home has become a centre of learning, with one-to-one engagement, resulting in higher literacy rates for the young people and a reduced reliance on medication for the older people.

**Mr O'Dowd:** I do not have detailed information regarding the matter to which the Member refers, but I would be happy if he could share it with me so that I can examine it. Even from the commentary that he has made about the issue, I think that it is an interesting proposal because we have to break education out of the classroom and the school playground back into the community, and imaginative ways, such as the one that he suggested, are worth exploring. Regardless of the best efforts of our teaching profession, we cannot expect teachers to take on the whole burden of education, as strange as that may sound, because various reports have shown that up to 80% of a young person's educational attainment takes place outside the school and the classroom, and community initiatives such as that one are worth exploring.

**Mr Allister:** The Minister said that he has no difficulty working east-west, but this statement, like so many, is a litany of collaboration between North and South on all these issues. Under the Minister or his predecessors, when has there ever been such collaboration with the education authorities of the nation of which we are a part — the United Kingdom? Why has he not been meeting the Ministers of the United Kingdom?

Does he not think that that might be a more useful usage of his time?

**Mr Deputy Speaker:** There are several questions there. You risk only one being answered.

**Mr O'Dowd:** I will respond to the first question. The clue is in the title: North/South Ministerial Council meeting.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the Minister's statement, and I welcome the part that explores joint school planning in border areas. Is there any indication as to the possible savings that could accrue from that part of the statement? How long might the survey take to carry out?

**Mr O'Dowd:** The savings element of the work has not yet been conducted. The reason why we are carrying out the survey is because we wish to identify demand. Once we have identified demand, we will work on the financial implications and whether they are negative or positive. However, it is interesting to note that, at the meeting, Minister Quinn said that it should be cost-neutral. His proposal was that each Department, regardless of the jurisdiction, should still cover the costs of pupils or children as they cross the border. Therefore, in that sense, it appears to me that any proposal should be cost-neutral.

If we move towards possible joint development of schools, that may be more complicated to resolve with regard to costings, capital builds and so forth. However, we wish the survey to be completed between now and April, and we want the results back in so that they can be studied and we can move on.

**Mr McDevitt:** There is a surplus of places in many of our border schools, which, according to the Minister, could threaten their viability, and there is also a shortage of school places in many parts of the Republic. Will the Minister tell me whether he has specifically discussed with Ruairí Quinn TD the possibility of making school places in the North available to Southern students to ensure the viability of our border schools?

**Mr O'Dowd:** Yes. It has been a topic of debate with Minister Quinn on several occasions. This is not simply about a cross-border issue and about ticking a box. This is about providing real education to real young people who live in border communities. If we can secure a

number of smaller rural schools on this side of the border, I am happy to implement that policy and move it forward. However, we have to carry out the survey first to see where the demand is. We also have to deal with a number of legal matters, such as free travel and provision of services, to determine whether we still comply with European legislation. I have asked my Department to explore that further. I have also asked the Attorney General for guidance and information on the provision of transport, et cetera, across the border. All of those matters are being explored.

*(Mr Speaker in the Chair)*

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. In light of the joint inspectorate report published in December 2010, what are the next steps for literacy and numeracy?

**Mr O'Dowd:** I must say that the presentation from the two inspectorates was very good. It is clear that the inspectorates are working closely together and have obtained mutual benefit from their collaboration and sharing of good practice across the board. It has been a productive piece of work.

One of the benefits of the inspectorates' working together is, as I said, that they examine best practice across that field. They share that knowledge so that our inspectorate can come back and help the Department to develop policy. That also allows its Southern counterpart to help to develop policy by taking on board the good work that we do, especially that which relates to our newest policy on numeracy and literacy.

The inspectorate is one of the key elements in improving numeracy and literacy. It inspects schools; it sees teachers' practice at work; and it sees leadership in the classroom, the principal's office and from the senior management team. Therefore, its development can help us to develop numeracy and literacy skills.

**Mr Flanagan:** Gabhaim buíochas leis an Aire as a ráiteas. Will the Minister update the House on the issues facing those who wish to become teachers on the other part of the island? What is being done to harmonise all-Ireland teaching qualifications?

**Mr O'Dowd:** The teaching councils in both jurisdictions are conducting a study and producing a report on the obstacles to teacher qualifications on either side of the border. I

hope that the report will soon be completed. When it has been delivered to both Ministers and we have agreed on action points, we will move expeditiously to remove any barriers that may exist.

**Mr Speaker:** That is the end of questions on the ministerial statement.

## **Londonderry to Coleraine Railway**

**Mr Speaker:** I have received notice from the Minister for Regional Development that he wishes to make a statement to the House.

**Mr Kennedy (The Minister for Regional Development):** Mr Speaker, with your permission, I wish to make a statement on the Londonderry to Coleraine railway line. As many Members will be aware, there has been considerable interest in that issue over recent weeks. That is due to the large number of people in the north-west and, indeed, throughout Northern Ireland who have a strong desire to see that railway line upgraded.

The mayor of Derry City Council organised the meeting that took place on 24 August 2011 in the Guildhall in Londonderry. It was convened to allow representatives of political parties, community groups and the business sector to discuss the importance of the local railway line to the north-west area, particularly in view of the year of culture activities, which are at an advanced stage of planning, and the impact of Translink's proposals to maintain safety standards on the line in light of the limited capital made available in Budget 2010.

On hearing about the planned meeting, I asked to be allowed to attend to hear at first hand the views of all local representatives, including you, Mr Speaker. The meeting lasted for about two hours. All those who spoke were direct and to the point. As I said to Members during the Adjournment debate on 12 September, the strength and depth of feeling expressed at that meeting and the validity of arguments made required me to consider what, if anything, could be done.

Following the meeting, I tasked my officials to work with Translink to consider all options. I want to update the House on the outcome of that work. Let me begin with a little background information. The regional development strategy and the regional transportation strategy both refer to the need to improve public transport links between Belfast and Londonderry. Given the continued investment in new trains and the clear growth in passenger numbers, investment to secure the condition of the railway track was seen as crucial.

## **12.30 pm**

The original business case to justify the investment in the Coleraine to Londonderry line was approved by the Department of Finance and Personnel (DFP) in November 2010. The approved option was single track relay with a passing loop and appropriate bridge works, at an estimated cost of £75 million. Had funding been available from year 1 of Budget 2010, the project would have begun immediately and been completed during 2013. The project aimed to deliver a 30-year design life and the removal of existing speed restrictions, with a capacity for an hourly train service initially.

Under that option, the line would have been closed for about 12 months for relaying to take place. The option of working evenings and weekends rather than closure would have more than doubled the cost and may have quadrupled the time.

In February, my predecessor decided to defer the commencement of work on the Londonderry to Coleraine railway line until 2014-15. Some £20 million was set aside in the current Budget to commence the work. That decision was confirmed through a written answer to an Assembly question asked by the Member for East Londonderry Mr George Robinson.

As we all know, doing absolutely nothing is rarely an option. There are major issues with the condition of the existing track that need to be addressed if safety risks are to be managed properly. Therefore, Translink officials developed plans for immediate safety work on the worst part of the line at a cost of £7 million. Even under that understandable make do and mend approach, train speeds would still have to be reduced to avoid risk to passengers. That meant line capacity for only five return trains a day, because of the lack of a passing loop and the interdependence with other train services on the network. It was the release of that detail that precipitated the discussions on 24 August, which I referred to earlier.

As I said, because of the concerns expressed, I tasked my officials to work with Translink to identify other options. As a result, I am pleased to inform the House that it will be possible to re-phase the project. That will mean relaying the end section of the line at Coleraine and Londonderry and completing essential bridge works on those parts, a phase of the project that will cost around £27 million; completion

of re-signalling works between Coleraine and Londonderry and construction of a new passing loop in 2015, which is estimated to cost around £22 million and should deliver hourly services; and full relay of the track by 2021 at an estimated cost of £36 million, which should lead to the introduction of half-hourly services.

That option was tested by updating the original economic appraisal. The appraisal indicated that the new phased option is comparable to a full relay in net present cost terms and, in the current circumstances, has a better non-monetary score. Specifically, the 2013 City of Culture factor and the opportunities to promote major sporting and cultural events have also been considered. Critically, the phased option is considered affordable within the parameters of my Department's current budget.

Translink officials have assured me that, if they get the go-ahead by the end of October, the first phase — the relay — could be completed in April 2013. We need to be clear that there are risks. For example, the proposed timetable is on the basis that the procurement process can be completed without complication.

I also want to make it clear that the line will be closed completely for about nine months from July 2012 until April 2013. The line, therefore, will be closed for the start of the City of Culture year. However, it will be open for most of the key events in the City of Culture calendar, with eight return services a day.

The recommended option in the updated appraisal was approved by the Northern Ireland Transport Holding Company board and its accounting officer and submitted to my Department on 19 September. My officials and I gave it urgent consideration and agreed that the economic case for the phased option was acceptable in the circumstances. The addendum has been submitted to DFP Supply, with whom there has been constructive engagement. I do not expect any issues to arise with DFP approval.

I will now turn to funding. The updated appraisal makes it clear that about £27 million of capital funding is required in 2012-13 to allow the first phase of the project to go ahead. I realise that the Executive's capital budget is under pressure, so I am prepared to find that capital from my existing budget by re-profiling some planned strategic road schemes. I stress that the re-profiling will mean that there will be merely a six to eight-week delay in starting those projects.

I estimate that that will provide about £22 million of the required sum, and I am looking to Translink to re-profile its current and future capital expenditure to provide the rest.

The choice of road schemes to be re-profiled will have to take account of the commitments made by the Republic of Ireland Government to the A5 and A8 schemes, the current state of progress on those and other road schemes, including the A2 and A6 schemes, risks arising from procurement, and, critically, the capacity of the construction industry to deliver on the roads programme.

I know that many Members will agree that there remains a strong economic case for ensuring that the roads budget is adequately funded. I realise that there are other competing priorities for the £22 million, not least capital investment needs in water and sewerage systems in my own Department's budget. Under present plans, however, some £50 million would have been required to complete the full relay option in 2015-16. That will no longer be directly required for this project and could be switched back to the roads budget if required at that time. That would, of course, be subject to Executive consideration in relation to the next Budget period.

I am sure that colleagues will agree with me on the compelling case for investment in the Londonderry to Coleraine rail line. The arguments in favour of the proposal are based not on a narrow economic analysis but on the wider imperative of completing that phase of track enhancement in time for the 2013 City of Culture. The work will also complement and assist the Department of Enterprise, Trade and Investment's efforts to secure major golf tournaments and other prestige events for the area.

I am aware of previous problems with the Belfast-Bangor line relay, including poor specification and project management, as well as budget overruns, which led, rightly, to criticism by the Public Accounts Committee. I am determined that that will not happen in this case, and I will task my officials accordingly.

At the Executive meeting on 6 October, I asked Ministers to agree that I re-phase the Londonderry to Coleraine rail line project, doing the relay and essential bridge works first and the signalling, passing loop and remaining bridge works after the 2013 Year of Culture. There was full agreement to that proposal.



In my view, this decision secures the Londonderry to Coleraine rail line's future. Indeed, I will wish to see further investment in that railway line so that, in years to come, a high-speed and frequent railway service will operate between the north-west and Belfast and onwards to Dublin and Cork. Rail services will operate eight trains a day for most of the City of Culture year. When the other two phases of the project are complete, the opportunity will exist for increased and more frequent services.

This decision sends out a clear message that the Executive are determined to ensure that opportunities arising from potential cultural, tourism and sporting events will be fully supported. It also clearly demonstrates that we can and do listen to what people say to us.

I thank Catherine Mason and her team at Translink for their help in making this proposal a reality. I know that they all put a lot of work into the project in recent weeks, and I am grateful for their assistance. I also pay particular tribute to my own officials in the Department for Regional Development, who worked exceedingly hard in the past few weeks to make this proposal possible.

Today's announcement is good news for the people of the north-west, the people of Northern Ireland and the many hundreds of thousands of visitors who come to this fine land and use that scenic railway line. I am sure that they will all join me in supporting this good news. I am also pleased to inform the House that I have given Translink officials permission to proceed, and an advert will appear in the European journal within the next week or so.

I look forward to being on the train to Londonderry in April 2013, and I trust that as many Members as possible will join me in visiting the Maiden City during the City of Culture year. I commend the statement to the House.

**Mr Spratt (The Chairperson of the Committee for Regional Development):** I welcome the Minister's statement and thank him for briefing the Deputy Chair and me earlier. I believe that this is a common-sense approach to a critical part of our rail infrastructure. I will not rehearse in full my comments in a debate on the Londonderry line on 12 September, other than to say that this will represent a major boost to the economy of Northern Ireland in the year of the UK City of Culture.

I note that the Minister refers to commitments of the Republic of Ireland Government in respect of the A5. Will he advise the House whether he has any further update on the availability of resources from the Republic of Ireland Government? Will he also assure the House that, despite Translink's indication that the upgrade "could" be completed by April 2013, he will do all in his power to ensure that the works will be completed for 2013?

**Mr Kennedy:** I am grateful to the Chair, Mr Spratt, for his encouragement and that of his Committee. I agree that the announcement will give a huge boost to the local economy in the north-west and has the capacity to generate significant opportunities for culture and tourism as we move towards 2013 and beyond.

The Chair of the Committee has made reference to the A5 and A8 schemes. He will know, as the House knows, that I am awaiting the inspector's report to update me on views on the A5 and A8 schemes. That is my standard response. I am not in a position to comment, and it would not be sensible or proper for me to do so; the Chair of the Committee and other Members understand that. However, I believe that the upgrade is possible by 2013. I hope, and will work positively to ensure, that works are completed in time for the celebrations in April 2013.

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

I thank the Minister for his statement. I welcome his clear statement of commitment — indeed, the Executive's clear commitment — to the Derry line. From his visit to the Guildhall in August, the Minister knows the importance that people place in the railway line as a key piece of infrastructure for the regeneration of the north-west and for the City of Culture.

The Minister noted some concern about the procurement process. What steps can he take to ensure that there are no glitches in that process so that, as he arrives on the first train into Derry in April 2013, we can all be there to welcome him?

**Mr Kennedy:** I welcome the Member's comments, which represent significant progress on his behalf. He will no doubt recall the statement he issued on 24 August 2011, in which he said:



*"It would seem that Danny Kennedy — true to the historical Ulster Unionist Party approach to everything that would benefit Derry — is determined to dismantle all of the foundations for progress".*

The Ulster Unionist Party got the blame for basically everything that had gone wrong over a generation, when he said that it was:

*"All denied to Derry by the Ulster Unionist Party!"*

### 12.45 pm

I am sorry that the Member, in his contribution, was not a little bit more aware of what he had said earlier, but I welcome the fact that he has at least given grudging approval to my announcement, because, in his response to the announcement, he was out like Linford Christie. The ink was not dry on the Executive decision before Mr McCartney had a statement out welcoming it. I hope that it nails the false and offensive allegations that were peddled by Raymond McCartney and others from Sinn Féin in relation to how the Ulster Unionist Party approached issues around the north-west. His contribution, though late, is welcome.

It is my intention to monitor progress on procurement issues. Obviously, if legal issues arise, they will be subject to their own timetable, but I am very hopeful and optimistic. I, as Minister, my Department and Translink will want to see the progress that we have indicated here, the necessary work carried out and the line reopened in April 2013.

**Mr Beggs:** I thank the Minister for his statement. He referred to previous difficulties with the Bangor to Belfast relay. Will he ensure that detailed plans are approved for this relay before the contractors come on site, so that the relatively tight timetable can be met? Will he ensure that the proper procurement process occurs when appointing contractors?

**Mr Kennedy:** Yes.

**Mr Byrne:** I wholeheartedly welcome the Minister's statement. He has responded to the genuine concerns of the people of the north-west. I am happy to say that I said at the last debate on the issue that some sort of rescheduling was surely possible, and I think that has now happened. Will the Minister assure us that the procurement process will be expedited, so that there are no bottlenecks, as Roy Beggs said? Secondly, can he give an assurance that the A5 will in no way be delayed unduly?

**Mr Kennedy:** I am grateful to the Member for his contribution. He has perhaps shown a little more faith in me than others have done. I understand from both the Member for East Antrim and the Member who has just spoken that procurement issues are important. It is important that my Department and Translink work together to ensure the smoothest possible outcome that meets the required deadlines. I have already indicated the restrictions on what I am able to say about the A5, and I think that the Member understands that.

**Mr Dickson:** Thank you, Minister, for your statement. It is a very welcome statement indeed. I wish to press you, as others have done, with regard to the procurement process. It is generally given that the construction work will probably flow well to a timetable, but we have had hiccups in the past in relation to the procurement. Will the Minister assure us that the procurement process will be scrutinised regularly, if not daily, by his officials to ensure that it meets the timetable set down?

**Mr Kennedy:** Yes.

**Mr Campbell:** I join in welcoming the Minister's statement. I also thank him for coming to the Guildhall in Londonderry in August, which he did of his own volition, and for responding to the adjournment debate that was tabled by my colleague Adrian McQuillan several weeks ago.

The Minister will be aware of the old saying that just because we are not paranoid, it does not mean that they are not out to get us. Taking account of that and setting it to one side, however, the one issue that I hope he can respond to is that his Translink officials, at the time of the Guildhall discussion and subsequently, said that, even if the money were available there and then, there would still not be enough time to get the line open and up and running for 2013 UK City of Culture. Will he explain to the House, now that the money is available, how the work will be done in time?

**Mr Kennedy:** I am grateful to the Member for his contribution. The context of the remarks that were made in the Guildhall meeting was absolutely clear. In the context of the overall scheme, the estimated cost of which was £75 million, it was simply not possible to meet the timescale. The fact that we are now phasing the work makes it possible for the essential relay and bridge strengthening to take place. Effectively, that will allow us to get the work

done over a nine-month period so that we will be up and running from April 2013.

**Mr Doherty:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement and for the briefing that he gave to me and the Committee Chairperson earlier today. I also welcome his belated commitment to the north-west; developments like that are always good. I understand the constraints of the independent inspector's report. It is my understanding that, of the £27 million required, £22 million will come from the A5 project. That will lead to a delay in the start of that project by six to eight weeks. At what point will the £22 million go back into the A5 project?

**Mr Kennedy:** I thank the Member for at least having the good grace to welcome the statement and the announcement. I shall ignore his backhanded compliment about commitment to the north-west. My view, and that of my party, is that we have, and always have had, a strong commitment to the north-west and to the great city of Londonderry, and that remains. Today's statement is proof of that.

I have had to re-profile moneys from within my budget. Therefore, the £22 million that is being used for this work will, or could at some stage in the future, technically, because it is a transfer from roads to rail, transfer back as necessary. It is about management of my budget to enable this sensible and appropriate decision to be taken forward.

**Mr Moutray:** I thank the Minister for his very positive statement. The current journey time between Belfast and Londonderry is approximately two hours and 15 minutes. Will the Minister indicate whether the work that is hopefully going to be done before April 2013 will have an impact on that journey time?

**Mr Kennedy:** I am grateful to the Member for his welcome, and I thank him for it. The relay work is essential for safety, and, to a limited extent, it will also help with journey times. However, there are other factors, such as where in Belfast those journeys begin and their speed. The long-term intention is that we not only improve the line and introduce a loop system that will increase the number of trains on the line but shorten journey times. The Member's point is well made, and we are conscious of it, but we want to build on that positively.

**Mr Copeland:** Will the Minister advise when he expects to get the final Department of Finance

and Personnel approval for the commencement of the work?

**Mr Kennedy:** I thank the Member for welcoming the scheme. *[Laughter.]* We have worked and engaged constructively with officials and, indeed, the Minister of Finance and Personnel on this matter. It shows a degree of joined-up government. I am also pleased that the Executive gave their approval to the recommendation. I think that it is good decision for not only the House but the Executive. Members should dwell on one issue: had the work not been brought forward and we faced the prospect of Londonderry's being the City of Culture in 2013 without any serious kind of rail link between there and Belfast, we would all have been numpties and would have been branded as such. That applies not only to Members of the Executive but to Members of the Assembly. I think that the public understand that, and it proves that we are listening and are capable of listening to public opinion. It also proves that we are capable of moving forward on a value-for-money basis.

**Mr Dallat:** I also welcome the Minister's statement and the commitment that he gave this afternoon with no ifs, no buts and no begrudgery. I am absolutely delighted. I fully understand the difficult circumstances that the Minister inherited from the previous Minister. Can he give us a guarantee today that the stop-start approach to the renaissance of that most wonderful railway is now definite and that we can have, in as short a time as possible, a decent intercity service between the cities of Derry and Belfast?

**Mr Kennedy:** I thank the Member for his acknowledgement of today's announcement. I know that he has an abiding interest, which he has shown in the House, in the upgrade of rail services between Belfast and Londonderry. I reassure him that the announcement gives clear confidence to the long-term viability and future of rail services between Belfast and Londonderry. That is to be welcomed. There is much more work that we can do and get on with. The Member knows that this is a positive day and that it should be seen as such. Many people, including Michael Palin, love the journey and make it not only to conduct business but to enjoy tourism and the scenery, which is very special. I hope that word will have reached Michael Palin that we are able to do something and that this parrot is not dead after all. *[Laughter.]* We have been pleased to put life into

the project. So, I thank the Member for his very positive comments.

**Mr Storey:** I, too, welcome the Minister's statement this afternoon. I remind him that, to get to Coleraine, he has to go via the Ballymena and Ballymoney stations in north Antrim. However — there is a “however”, of course, in all these things — the Minister referred to risk. He outlined the issues on the re-profiling of some planned strategic road schemes, such as the A8, the A5, the A2 and the A6. Will he assure the House that that re-profiling will not in any way inhibit or stall the A26, which is, equally, a very important part of the transport infrastructure of north Antrim?

**Mr Kennedy:** I am grateful to the Member for his words of welcome and his timely reminder that anyone who uses that line has to travel through his constituency, which is really what he meant. *[Laughter.]* The A26 is, at this point, still within his constituency boundary.

As they know, all Members have put forward many projects for consideration. I hope very much that, given my overall budget, we will be able to bring forward projects to deal with road improvements, strategic and otherwise, as we move forward.

I am not in a position today to say that upgrading the line will impact on a particular scheme, but my commitment is to upgrade the roads infrastructure all over Northern Ireland and, likewise, to improve rail services.

## 1.00 pm

**Mr Swann:** I welcome the Minister's statement, and I congratulate him on this significant development. I welcome the fact that he has found the funding from his existing budget. What is his assessment of the increased tourist potential that the upgrade will bring to the entire north-west, the north coast, Ballymena and Ballymoney? What is his assessment of how the railway line can be seen as a legacy from Londonderry's time as the UK City of Culture?

**Mr Kennedy:** I thank the Member for his welcome for the statement. The upgrade will help to unlock the potential for significant investment in tourism and cultural and sporting opportunities. My Executive colleague the Minister of Enterprise, Trade and Investment is actively pursuing how we can bring a major golf championship to the north-west. I have no doubt that an effective and efficient rail

service between Belfast and Londonderry would contribute to that. To that extent, I am hopeful that it will be seen as a clear signal not only of the development of the north-west but of promoting cultural, economic, sporting and other links in Northern Ireland generally so that all of us can benefit.

**Mr Durkan:** I also welcome the Minister's statement, which will be extremely well received in my constituency. I congratulate him on listening to and acting on the measured arguments that were made by the people of Derry. Are attempts ongoing to access European funding that might enable the project in its entirety to be completed more quickly? Should the total cost estimate include the cost of the renovation, reconstruction or even relocation of Waterside train station to ensure that it is fit for purpose and to maximise the service's potential?

**Mr Kennedy:** I am grateful to the Member for his initial comments and warm welcome for the announcement. Having received half a loaf, he now wants all of the bread. I understand the points that he made. We are pursuing whether there are any European funding opportunities that the three-phase scheme could avail itself of. Early work is being carried out on how the possible replacement or upgrade of the rail station at Londonderry might be brought forward. However, given the significant challenges in the budgetary situation, I have to be realistic about that.

**Mr Allister:** It is good that a start to the upgrade has been made. It surprises me that the full upgrade has slipped to 2021, and I trust that it will be completed. Will the Minister agree that, rather than merely reprofiling the A5, if that is what he intends, if he were to radically revisit it, he would have an abundance of money not only to complete the rail link to Londonderry much sooner but to do the other vital projects such as the further dualling of the A26? Another of those simple yeses would do.

**Mr Kennedy:** I am grateful to the Member for what I at least thought was a positive welcome for my announcement. I have already given my response on the A5. Sensibly and rightly, I am constrained about what I can say, and even the Member knows that.

**Mr McQuillan:** I also welcome the Minister's statement and his commitment to the project. Is nine months the minimum or maximum closure of the railway line?

**Mr Kennedy:** I am grateful to the Member for his welcome. Our estimated time frame is nine months. If that can be improved on, we would welcome that. There are procurement issues, which take time to work through, and we need to make sure that the contracts are signed and sealed and everything is correct. I am happy to monitor the situation to see whether it is possible to improve on that time frame. However, at this stage, the best estimate is that the work will take nine months, allowing the line to reopen in April 2013.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom buíochas a ghabháil leis an Aire. I thank the Minister, and I, too, welcome the proposed delivery of the project, most of which is in my constituency.

The Minister alluded to the thousands of visitors who would benefit from the panoramic views across Lough Foyle and Donegal. Does he also recognise the hundreds of thousands of travellers who do less than benefit from the views of the car in front as they get snarled up in Dungiven because of the lack of a bypass there and the people of Dungiven who are breathing in on a daily basis 10 times the nitrous dioxide level recommended by the European Union?

**Mr Kennedy:** I thank the Member for welcoming my statement. He refers to the A6 project, and he will be aware that my Department has been carrying forward that work on an ongoing basis. We will continue to do that.

**Mr I McCrea:** I, too, join all those who welcomed the Minister's statement. Although I have no constituency interest in it whatsoever, it is certainly good news for Northern Ireland.

The Minister referred to the reprofiling of some roads, and, although I understand that his Department has to look at that for the different areas, from a constituency perspective I am happy for him to save money and not waste it on the dualling of the Randalstown to Castledawson road. I ask him to reconsider whether that is a necessary option for that community.

**Mr Kennedy:** I thank the Member for welcoming the announcement. Obviously, all politics is local. He raised an issue of concern in his constituency, and I have had recent meetings with other elected representatives on the same basis. We will, hopefully, bring forward our views on that in the coming months.

## Committee Business

### **Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011: Prayer of Annulment**

**Mr Speaker:** The next item of business on the Order Paper is the motion to annul a statutory rule. As is normal in debates on legislation, there will be no time limits for Members wishing to speak.

**Mr A Maskey (The Chairperson of the Committee for Social Development):** Go raibh maith agat, a Cheann Comhairle. I beg to move

*That the Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011 (SR 2011/293) be annulled.*

As I understand it, since the first mandate of this Assembly, only six prayers of annulment have been proposed and only four have been passed by the House. In that context, as the Chairperson of the Committee for Social Development, I come to the House to seek its support for the annulment of the statutory rule.

Although all Committee members expressed serious concerns about the rule, there was no consensus in the Committee when voting to seek a prayer of annulment. Largely, that was because of the question of parity. Members who voted against the motion to annul did so in the belief that any annulment would lead to a breach of parity, and they did not see that as an option. Those who voted to annul believed that the matter need not be a breach of parity and that there is a record of accommodation on the operation of parity to allow, at the very least, the matter to be looked at again.

In Committee, the motion to annul was carried by four votes to two, with a number of members choosing not to vote or to abstain. That vote reflected the uncertainty with which, the Committee felt, it ought to proceed. In such circumstances, it is right and proper for the Committee to seek the opinion of the Assembly. All Committee members agree that this statutory rule has serious consequences, and the House has the opportunity to voice its overall opinion on the issue and, more importantly, on the way to proceed. As Committee Chairperson, I am content that this is the right thing to do.



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

Statutory rule 293 — the rule we are debating today — amends the Housing Benefit Regulations 2006. It changes the definition of what constitutes a “young individual”. At present, a young individual is deemed to be someone under the age of 25. If the statutory rule is accepted, that age group will be raised to include all those under 35 years of age. The consequence will be that, whereas, at present, a single person over 25 is entitled to housing benefit at a rate that allows them to live in, for example, a privately rented, single-occupancy one-bedroom flat, the entitlement threshold will be raised to the age of 35. It means that a single person under 35 who is entitled to housing benefit and is seeking accommodation in the private sector will be entitled to rent only a single room in shared housing — in other words, accommodation in a HMO. There is provision for exemptions in specified circumstances, but they will not protect the vast majority of people from the change.

According to accepted figures, the statutory rule will immediately affect around 6,000 of the 8,000 individuals who already live in single occupancy accommodation. Their housing benefit will be cut from around £80 a week to £40 — a 50% reduction. In our view, a 50% reduction is tantamount to a notice to quit their current accommodation. To those 6,000 individuals will be added, year on year, all those who will join the list — those who would have been but will no longer be entitled to housing benefit for a single flat rather than a single room. The number of people rendered homeless is 6,000, and that figure will grow.

It is interesting to note that the statutory rule will apply only to the private rented sector, which currently accounts for 20% of available housing here. If those 6,000 people and all the others to follow could access suitable public housing, their housing benefit would be paid. However, we all know that public housing provision cannot meet that need here. The private rented sector offers the only viable option for most single people who are in need of accommodation, and that is one reason why Committee members as a whole viewed the rule as particularly harsh in the context of our local circumstances.

During consideration of the rule, the Committee heard from organisations that deal with housing issues and homelessness, and their evidence

was truly shocking to many of us. I thank the Voluntary Sector Housing Policy Forum, which gave a lot of time and energy to provide important information to Committee members. The plain fact is that there is not enough shared accommodation to provide a roof over the heads of those whom the rule will render potentially homeless. Our hostels for the homeless are already filled to capacity and are turning people away. The Department accepts that argument. If we are forced to resort to emergency accommodation — B&Bs, hostels and so on — it will cost more than the housing benefit that it will replace.

Many of us would argue that the real motivation behind this is worth taking on board. People such as Iain Duncan Smith, the British Government Minister, have argued that this has nothing to do with cuts. He believes that providing public support for single occupancy tenancy for those under the age of 35 “erodes the incentive to work”. Many of us believe that he is wrong. Again, that addresses the issue of whether this is a change, whether it is about cuts or whether it is to further an ideological argument. Homelessness, insecure housing and rough sleeping undermine the ability of people to seek secure work: it renders them less employable, not more employable. Men under the age of 35 will be most adversely affected in our broader community, and this is the group in the North that carries a high risk of suicide. Many who will lose their home will not have the family ties and support that will see them through a crisis. Although the figures for women are lower, the loss of their home will be just as traumatic.

### **1.15 pm**

The debate is not about party politics, and it is not a criticism of the Minister or the Department. All members of all parties on the Committee have expressed serious concerns about this statutory rule and others. Some in the House will see this as an issue of parity and nothing else. Let me reassure them that it does not have to be. Different arrangements could be made, and we argue that, in other circumstances, different arrangements have been made and have not, in effect, been a breach of parity. Those who support the motion believe that, if the Assembly were to support the Committee on this prayer of annulment, it would allow that conversation to take place between DWP and DSD.



I will depart from speaking on behalf of the Committee to make a couple of points in my capacity as a party member. As I said, some Members believe that this is simply an issue of parity and that parity cannot be breached. I remind Members that parity is based on equality of input, output and outcome. In other words, people can be told that they pay the same national insurance and tax and, therefore, get the same level of benefits. However, parity has also been defined as parity of outcome. No one here has argued that properly. In fact, most people argue the reverse, which is that, because people here have a lower standard of living but higher costs, the outcome of adopting such a resolution from Westminster would be inequality for those in this region.

Members of the Committee who voted to propose the prayer of annulment are of the belief that the statutory rule does not represent parity in its strictest sense. We believe that there is and should be considerable room to manoeuvre, given that our housing infrastructure will not meet the needs of those who will be affected by the implementation of the statutory rule. We argue for maximum support from the Assembly. We ask the Assembly to support the motion. The motion is not a criticism of the Minister or the Department, but other Committee members and I feel that, too often, the Department takes the strictest definition of parity. It needs to be more creative in its approach.

In proposing the motion on behalf of the Committee and supporting it as a member of Sinn Féin, I ask Members to support the motion to annul the statutory rule on the basis that it is not, in effect, a breach of parity. It would allow a formal negotiation to commence between DSD and DWP to see whether we can find a more suitable accommodation — no pun intended — to meet the needs of the people whom, collectively, we in the House represent.

**Mr Campbell:** I do not think that there is any doubt in the House or among Committee members about the sense of division that will be felt by those who will feel the most direct impact of this statutory rule. I certainly did not hear any raised in Committee. In every comment that I heard was a broad acceptance that it will unfairly disadvantage young males between the ages of 25 and 35, in particular. The Chairman stated so, too. The amount of money that a breach of parity would cost the Department

and the taxpayer here is, I suppose, the more relevant issue.

I am content that the Committee made the decision to allow the debate to come before the House. We can spend some time talking about the implications of the statutory rule. The rule and the impact that it could have are important matters that need to be discussed by public representatives. However, if we all fail to address how parity is assessed, they almost become side issues. Mr Maskey, the Chairman of the Committee, said that it did not have to be an issue of parity, but, unfortunately, that is the nub of the issue. Whether Members believe this to be a parity issue is not relevant. We can have views about that, and we can express them strongly or otherwise, but that is not the issue. The issue is whether the Minister for Social Development in discussion with the Department for Work and Pensions in London — they are the paymasters — conclude that there has been a breach of parity. That is what matters, not what I, the Committee or anyone in the Assembly thinks. We wait to hear what the Minister will say.

The key point in the debate is that, if the conclusion is that parity has been breached, on this issue alone, we are told, £9 million a year would have to be found from elsewhere in the budget to make up for that breach. We heard from senior DSD officials that, if there were a breach of parity and if, in other matters of welfare reform, there were further breaches of parity, the figure could rise to £4 billion — that is four thousand million, in case anybody thought that they misheard me. However, for this issue alone, £9 million would have to be found if the assessment of the Department for Work and Pensions and DSD is that there has been a breach of parity. Whether I think so is largely irrelevant. Whether the Committee Chairman thinks so is not really relevant either. However, if the Minister responsible determines that it is a breach of parity, it is a breach of parity, and we have to find the money. That is the unfortunate and invidious position that we find ourselves in.

**Mr Brady:** I thank the Member for giving way. Is the Member suggesting that, if the matter were considered to be a breach of parity, the entire £4 billion subvention for social security benefits would fall as a result?

**Mr Campbell:** No, that is not what I said. I do not know if the Member was listening, but I said that the senior DSD official was very clear that,

if this breach of parity were to be replicated across the realm of welfare reform, the figure could be up to £4 billion. We are talking about this statutory rule, which could, in itself, cost £9 million. The point that I am making — I repeat this point because I cannot overemphasise its importance — is that it does not matter whether Gregory Campbell thinks that this is a breach of parity or whether Alex Maskey thinks it is, but it does matter if the Westminster Government say, “We have listened to what you have said, and it is a breach of parity”. We would then have to find £9 million. I have not heard anyone, either in Committee or elsewhere, say where they think we will get that £9 million. I wait with interest to hear anyone outline that on the Floor of the Assembly. People are good at saying, “Find the money”, but, when you ask where they suggest we should find it, suddenly there is a dust cloud as people disappear and say that it is over to the Minister to get the money. However, somebody has to get it. If it is a question of parity, we have to take a decision about whether we are prepared to be upfront about finding £9 million to make up for that breach and the consequences that would follow.

The other issue that other members and I raised in Committee is almost as important as the one I have just outlined — it is a pretty close second — and it is as follows: is there any wriggle room for us to delay introduction of the measures to try to ensure that we can find accommodation, whether through private sector or public sector housing providers, for those who will be most directly affected by the changes within a period of, say, 12 months? Again, the Minister’s answer will be crucial because, if there is no wriggle room or room for manoeuvre, no deviation or obfuscation regarding delaying for another year or so, that will concentrate our minds. We may be told that the answer to both those questions is that DSD and DWP, regardless of what everybody else may think — that is the key — are of the mind that there has been a breach of parity and that there is no wriggle room as regards delay or phased introduction around raising the age either to 30 or possibly 35. If the answer to both those questions is a very direct “Yes, there has been a breach of parity” and “No, there is no wriggle room”, I am afraid that, inevitably, there can be only one responsible response from MLAs in the Chamber.

**Mr Copeland:** It would be unwise to underestimate the importance of what is going on in the Chamber this afternoon. In the Committee for

Social Development, this matter was raised, discussed, chewed, digested and recycled, and a decision was eventually taken. Almost universal concern was expressed in Committee at the effect that acceptance of the rule would have on potentially 6,000 of our most vulnerable citizens. This is not something that we should or did treat lightly. Indeed, when the issue was taken to a vote, only one party, almost without comment, voted to accept the rule. That act potentially reduced the ability for this matter to be brought to the House, where it should perhaps be more properly and fully examined. As Mr Campbell said, the issue is simple: if we accept the rule, it may adversely affect up to 6,000 of our most vulnerable citizens. No one in the Chamber should or will do that lightly.

I received correspondence in response to questions to the Northern Ireland Housing Executive. Uncharacteristically for me, I will read from it:

*“The potential implications are that tenants may have to downsize in terms of the accommodation they occupy”.*

They must lift themselves, against their will, from a place where, presumably, they are reasonably happy and comfortable and for reasons beyond their control remove themselves to some other property that may or may not be available. The Housing Executive went on to state:

*“but the availability of that accommodation in the right geographical location may be problematic.”*

That is a simple phrase, unless you happen to be put out of the house where you live and find it problematic to find alternative accommodation. The Housing Executive cites a range of barriers that deter tenants from moving. Those include sectarian and religious divides, which is peculiar to Northern Ireland, and the need for various types of support in a geographical location, such as family, welfare and education. The Housing Executive also refers to:

*“separated parents, where both have access to children and may have children staying with them, even occasionally, which necessitates an extra bedroom.”*

As stated earlier, the availability of appropriate accommodation in the appropriate location is also such a barrier. In the words of the Northern Ireland Housing Executive:

*"The potential implications are that if they remain in under-occupied accommodation, then there will be a financial shortfall which could lead to possible financial hardship, rent arrears, potential evictions and more homelessness."*

Those are serious issues that are properly brought here for our consideration today.

If we fail to accept the rule, we may break parity and cost the citizens of this part of the United Kingdom billions of pounds. Again, that cannot be taken lightly. We seek the Minister's assurance that our failure to accept this rule will indeed break parity, because his opinion and that of those who advise him is the paramount basis on which we must make our decision. We also ask the Minister to examine the effects that accepting the rule will have on those of our citizens who will be most affected and to take whatever measures he can to lessen the damage, should the rule be accepted, by ensuring that proper safety nets are in place and taking steps to assess the current urban and rural supply of accommodation that qualifies for the single-room rate.

### 1.30 pm

**Mr F McCann:** Every time departmental officials come to the Committee, they speak of parity and tell us that in no circumstances can parity be broken. However, as the Chair of the Committee said, there have been a number of occasions in the House when it has been broken. Indeed, it was broken twice in the Committee for Social Development alone, despite our being advised that it could not be broken, and there were no consequences. There were also indications that parity has been broken a number of times by Scotland, which was able to renegotiate some of the issues that were being dealt with.

If we were to listen to the Department every time, there would be no movement forward, and we would not be able to do anything. What I am asking — I was certainly thinking of this when I put forward the proposal — is that we look at it, go back and renegotiate and try to get a fair crack of the whip for our constituents. Alex said that, in many ways, we are worse off. That needs to be taken into consideration, as do the 6,000 people who could end up being made homeless.

**Mr Copeland:** I thank the Member for his comments, his intervention and his previous contributions in Committee. The Scottish

example that he quoted is slightly difficult in that these provisions are not devolved in Scotland, and the issue on which it challenged parity led to parity being re-established across the rest of the United Kingdom. That is perhaps a slightly different issue.

We are faced with taking a decision today that is based on the Minister's opinion, and his is the only opinion that I can take as a stated point of fact. With respect, what you have suggested, sir, could be a gamble, and the implications of that gamble could be considerable.

We do not intend, without comment, seriously to disadvantage 6,000 of our citizens. If an alternative can be found, let us hear about it. However, if the issue does break parity, to do so would be tantamount to irresponsibility; we cannot do that.

**Mr Durkan:** I support the prayer of annulment. I agree with the proposed change in the definition of "young people" to include those under 35 years of age, but, unfortunately, that is about it.

Much of today's debate has been, rightly, about the issue of parity and whether the prayer of annulment would be a breach of parity. It clearly will be a breach, but it is how we reach that breach that is important. Although I fully recognise the importance of the issue and the implications of a breach, it is important that we look at the real issue that we are discussing and why we have brought it to the Assembly. We cannot lose sight of that. We cannot just tut and shake our heads in disapproval while allowing legislation such as this, which we know will have catastrophic effects, to pass. If we simply let it pass, we will fail those who elected us. Therefore, we must focus on the potential consequences of allowing the legislation to pass so that Members who are not on the Committee and who have not heard the arguments or the implications are more aware of the issue at hand.

The impact of the legislation on many young people and those who are over 35 years of age and, as a result, their families will be huge. The one section of our population that will be particularly affected — a couple of Members referred to it — are young men under the age of 35. I would narrow that even further to young fathers under the age of 35 with shared access arrangements for their children. Many non-resident fathers will be consigned to reside in shared accommodation and in houses of multiple occupation, often with total strangers.

That will obviously have major implications for child protection, and for many it will make overnight access to their children impossible.

In London, where the legislation was dreamt up, the Victorian architecture lends itself to being used for houses of multiple occupation. Here, we are more likely to end up with people living in Victorian conditions than in Victorian houses, as people accept substandard accommodation just to keep a roof over their heads.

I just received an e-mail with an answer from the Minister to a question for written answer that we submitted a couple of weeks ago regarding HMOs in my constituency, Foyle. Of the HMOs inspected last year, 52% failed. Even the approved HMOs are failing inspections, never mind the houses that people will be forced to move into due to the fact that there are not enough HMOs in the first place.

In Committee, Gregory Campbell raised the point that the problem may be further exacerbated as owners of empty properties face an increased burden of rates and will come under pressure to rent them out in a substandard condition in order to generate some income.

The legislation also threatens the rural fabric of our region, as ever-increasing numbers of younger people from rural communities will be forced further away from their families. The Government in London appear to have no appreciation of the make-up of society in Northern Ireland. Figures that we received during the week indicate that there are only 82 HMOs in rural settings in Northern Ireland.

The rationale behind the legislation is obviously to effect a reduction in the sums of money paid out in housing benefit. However, it displays absolutely no concept of the financial, social and human cost of the increase in homelessness that it will inevitably create.

My party believes that the Assembly should resist implementing the proposals until a full equality impact assessment and a cost-benefit analysis are carried out and effective measures are put in place to mitigate the hardship that the legislation will, undoubtedly, cause.

**Mrs Cochrane:** Although I did not vote for this statutory rule to be brought to the Assembly to be annulled, it was not because I did not have concerns about its impact. Such was the strength of my concerns that I put them in writing to the

Chairperson of the Committee, as the rule was originally due to be tabled at a meeting that I could not attend and I wanted to ensure that my thoughts were recorded. My party colleague Naomi Long was also wary of the implications of the outworking of this statutory rule and voted against it at Westminster.

If the Assembly believes that we should be exempt from this statutory rule, surely it is for the Minister for Social Development to have made the case to DWP as to why Northern Ireland should be treated differently. From what I have been told, DWP has assessed that that should not be so. Therefore, I am sure that the Minister is disappointed not to have had the support of his MLAs at Committee Stage, given that the stakes are so high. I know that others have chosen to misrepresent my position in the press, but our constituents will not fall for such childish political gesturing.

When this statutory rule was brought to the Committee for a second time, I had the opportunity to raise my concerns. For example, at the outset, it appears that those who suffer from severe mental health issues, such as schizoaffective disorders, will be bound by this rule and unable to find suitable accommodation. However, the Department has confirmed that those in receipt of severe disability premium will be exempt from the rule. I also sought assurances from the Department that discretionary housing payment will be extended beyond six months and was informed that the discretionary housing payment budget will triple from 2012-13. Though that will not cover all of those affected by the change to this rule, it will lessen the blow.

At this stage, I take the opportunity to press the Department and the Executive to ensure that those who are affected are provided with advice and support in accessing suitable housing options and that potential wriggle room is fully explored.

My party has sympathy with housing benefit claimants. However, we believe that this is an issue of parity, and the cost of breaking parity, with regard to the shared accommodation rate, prohibits that course of action. We are honest enough with our electorate to say that that is the case. Unfortunately, the impacts of this rule are minimal compared with what is likely to be coming down the line.

Today, the Alliance Party will be responsible and sensible, as our voters expect. No doubt the DUP will support its Minister. Perhaps some



will publicly oppose the welfare reform parity measures, safe in the knowledge that others will vote them through. Parity will be maintained, but those who opposed it will not be tarnished in the eyes of their supporters. If the issue had gone to the Executive, perhaps there would have been collective responsibility for it.

**Mr F McCann:** Go raibh maith agat, a LeasCheann Comhairle. I support the Committee for Social Development's motion on the prayer of annulment. I do so because of the particularly harsh impact that the ruling will have on the people whom we represent. Several weeks ago, at my suggestion, the Committee agreed to bring the matter to the Assembly to allow Members to voice their concerns, or otherwise, at the passage of this statutory rule and to come to a decision on how we can deal with this attack on the poorest and most vulnerable in our society.

As the Chairperson explained, statutory rule 293 will reduce the entitlement to housing benefit for single occupancy and, in doing so, put thousands of people out of their homes. In the future, it will undermine the ability of some of our most vulnerable citizens to secure appropriate accommodation.

Recently, a British Minister likened the plight of those who could lose their homes to that of students sharing accommodation while at university or young professionals sharing while they save for a deposit on a home. Nothing could be further from the truth. The lives of students and professionals do not mirror the experiences of the poorest in society. They cannot choose who they live with; they might not even know the people with whom they are forced to share. Those who have worked in housing for many years know the reality that the poorest in society face. In some shared accommodation, drug addiction, alcohol abuse and even violence are the norm. Imagine the plight of a single woman or vulnerable man who is driven by fear of destitution into accepting a room in a house where they do not feel safe.

I have had occasion to deal with people living in shared accommodation and know the problems that they face. They describe the chaos that such accommodation brings to their lives. Their cry for a place of their own goes unheard because the system will not allow it. They speak of constant parties in houses, bullying, intimidation, arguments over bills, repeated fights and the police never away from their door.

I dealt with one person whose cry went unheard, and he attempted suicide. Is that the road that the Assembly wants to go down? Is that really the best that we can do?

To be honest, I did not come into politics to put people out of decent homes and push them into untenable situations or on to the streets, and I know that the vast majority of Members in this Chamber did not do so either. However, it is a fact that those could be the consequences of a decision that we make here today. As we speak, 5,892 people —

**Mr A Maskey:** Will the Member give way?

**Mr F McCann:** Yes.

**Mr A Maskey:** In my opening remarks as Chairperson, I made comments that were echoed by Gregory Campbell and other Committee members. We all endeavoured to be fair about the motivation of all members who voted or did not vote at the Committee meeting. On behalf of the Committee, I made it clear that members of all parties had expressed reservations and that the question of parity was the basis of their decision to vote for or against the prayer of annulment or to abstain. Does the Member agree that it is unfortunate, therefore, that Judith Cochrane introduced party politics and suggested that other Members might make their decision for the wrong reasons? That was unfortunate, and it was unfair, because at no time during my remarks did I give any subjective interpretation of others' behaviour at Committee.

**Mr F McCann:** That is a fair point. One of the other comments that was made —

**Mrs Cochrane:** Will the Member give way?

**Mr F McCann:** No. She seemed to minimise the impact that it will have on 6,000 people by saying that there will be further problems down the line. The possibility of 6,000 people becoming homeless should be on all our minds.

As we speak, 5,892 people aged between 25 and 35 are claiming the one-bedroom rate of local housing allowance. Those people will not be able to afford to make up the shortfall in their rent. On top of housing benefit, many already pay a top-up to their landlord for accommodation. How will they afford the additional money? Will they turn to crime? People will do whatever it takes to protect themselves. Will they end up sleeping rough on the streets?



**1.45 pm**

On 7 October 2011, the MP for West Belfast Mr Paul Maskey and I visited the Welcome Organisation. It has premises in the Divis area, where it deals with many vulnerable people. The organisation spoke of its concerns about the impact that statutory rule 293 will have. It has already seen an increase in the number of people who attend the centre and it is afraid that that number will increase further.

Unlike in Britain, there has never been a history of shared accommodation here. From what I gather, the level of that type of accommodation required to make moving possible is not available. Throughout the North, there are 4,000 registered houses of multiple occupation and many that are unregistered. Many of those houses are used as student accommodation. Several years ago, I read a report that commented on the atrocious conditions in the HMO sector, especially among unregistered HMOs. Is that the sort of accommodation into which we wish to force our constituents? Of the 4,000 registered HMOs, only 84 are in rural communities. What sort of impact will the statutory rule have on those communities? I stress again that the majority of HMOs are unregistered and unsuitable and provide substandard accommodation.

We have also been informed by the Department that there will be an increase in the money available for discretionary payments to help those who are affected by the changes. However, the word “discretionary” speaks for itself; the payments are at the whim of district managers. They are also temporary and last for only 13 weeks.

Official figures tell us that a greater number of people will be affected here than in Britain. The Voluntary Sector Housing Policy Forum has said that in Britain, 0.1% will be affected, but in the North, 0.3% of the population will be hit by the change. It is also my understanding that the Social Security Advisory Committee, which carried out a consultation on the introduction of the legislation, subsequently advised the Government that the extension of the shared accommodation rate should not be introduced. However, the Government ignored that.

None of us in the House knows the severity of the impact that that change will have in the North. When we make our decision on the matter today, we should worry about not only

the almost 6,000 people who will be affected immediately but the additional 5,000 people who will seek that type of accommodation each year. Over the term of this mandate, more than 21,000 people will be affected by the introduction of statutory rule 293. A vote against that statutory rule is a vote to protect vulnerable people who will suffer as a consequence of its introduction.

The Assembly is being asked to endorse a statutory rule when it does not have all of the information at hand to make a judgement. The least that we should do is wait. When the Assembly makes a decision —

**Mr Campbell:** The Member has just said that a vote on the annulment would be a vote to protect 6,000 vulnerable people. No one disputes the fact that those people are vulnerable and that this is a disadvantageous move that appears to have been foisted upon us. However, the Member has not said from where the £9 million will come to protect those people. It could, possibly, come from other vulnerable people.

**Mr F McCann:** This is not the first time that we have argued against the introduction of such rules. Certainly, we have argued against them in Committee. When departmental officials come to the Committee, we are told that decisions cannot be turned around or negotiated. However, in some instances, the Assembly has breached parity. The Committee should go back and try to negotiate. We need to take a stand to protect these people. As Alex said, this is not the only piece of legislation that we will have difficulty passing; there are others that will be equally difficult. We need to go back and try to negotiate the terms of the legislation given the differences between people on benefits here and those who are on benefits in England.

In conclusion, we are being asked to endorse this statutory rule. We should, at least, wait. When we make a decision, we should do so on the basis of hard evidence. We are not doing that at present. In the midst of the statutory rule's being brought to the Assembly, a consultation had just started. We were being asked to approve the rule in Committee even though the consultation was still on the go. That tells us something about the contempt in which we are held, certainly with regard to our opinions on this matter. I ask Members to support the motion.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I want to talk about two different aspects of the debate. I know that people have already covered the parity issue. I am not on the Committee, but, from what I know about the matter, this need not be viewed as a breach of parity. That is because there is sufficient flexibility in the operation of parity to allow for different circumstances.

I want to touch on the issue of suicide. The suicide rate in the North of Ireland is considerably higher than that in Britain, and it has risen particularly sharply in recent years. There is clear evidence of a relationship between unemployment and the rate of suicide. When we look at the age and gender profiles of people in that vulnerable group, we will see that men under 35 will probably be most adversely affected by this change in housing benefit entitlement. Unfortunately, that same group carries the highest risk of suicide in the North. When we look at figures showing recorded deaths by suicide, we will see that that group of males constitutes three out of every four of such deaths and that the highest percentage is among men aged 25 to 34. We need to look at that issue when we debate housing benefit entitlement, because it is very important.

**Mr F McCann:** Some of the information papers that we all probably read in the run-up to the debate mentioned the type of accommodation that people will lose and said that this would not work for them. It has been said that 28% of people who are on low pay get housing benefit to help them, so this change could force many of those people out of employment, because they will be unable to find accommodation.

**Ms J McCann:** I thank the Member for that intervention.

Some people have already touched on the issue of homelessness and those people who find themselves on the streets. Over time, landlords may look to rent to older tenants, and that will reduce the availability of accommodation to younger people, particularly younger men, in the 16-25 age group. We need to think about the vulnerability that we could be pushing young people into. Young people, particularly young men but also young women, may have to sleep rough on the streets because accommodation is not available.

There are all sorts of reasons why people may not have the backup of an extended family or

the support that they need. We will find that that means that those people may be pushed on to the streets. For a lot of people, the only recourse to date has been the private sector. This rule would close off the option of renting a single flat, for instance, to great numbers of people, and, as I say, it may propel more and more people on to the streets.

I am not on the Committee, so I have not debated the issue in full. However, as my colleague Fra McCann said, he has visited the Welcome Centre. We have talked to groups who work with people who have been bereaved through suicide. We have talked to groups who run support networks for people with drug and alcohol addictions. If we accept this statutory rule in the Assembly, I believe that we will make vulnerable people even more vulnerable, and our doing that would not be responsible. We need to look at protecting those people, particularly from suicide and homelessness.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. Like my party colleagues, I firmly believe that the Assembly should reject statutory rule 293, as it would undoubtedly have a negative effect on the lives of many young people.

We need to ask a number of questions when we look at this rule. What will be the human effect? As the Chair of the Committee and the Member for East Belfast already outlined, 6,000 people will be detrimentally affected, with a reduction in their benefits of approximately £60. Will that leave people homeless? Undoubtedly. Homelessness hostels are already overflowing, and the rule will undoubtedly lead to an increase in evictions and poverty levels. It certainly will not result in more people being ready to go back to work. It will be quite the opposite, and that needs to be taken into account as well.

Many of us are blessed with families, support and social networks on which we can rely in times of stress, but in a lot of instances these vulnerable people will not have those supports. A lot of them, perhaps estranged from their families, will have no one to turn to. You can see how quickly the journey from being housed and having a roof over your head to becoming homeless and sleeping rough can happen. It will come about as a result of this statutory rule, if it is passed.

As other Members mentioned, men under 35 will be most adversely affected by this statutory rule. That is the social group that carries the

highest suicide risk in the North. Undoubtedly, that risk will increase if those members of society lose their homes.

This need not be a breach of parity, a *LeasCheann Comhairle*. There is sufficient flexibility in the operation of parity to allow for the accommodation of differences. That is why parity has worked, and that is acknowledged in the language of the legislation itself, which refers to the British Secretary of State for Work and Pensions and the Social Development Minister —

**Mr Campbell:** I thank the Member for giving way. He says that it need not be a question of parity. I thought there was some clarity about that but I repeat the question: if the Westminster Government say it is a breach of parity, what then?

**Mr McKay:** I was just coming to that point. If the Westminster Government say it is a breach of parity, we can refer to past examples when they said the same but, when challenged, we sometimes came to a more positive result than if we had merely sat back and done nothing. Doing nothing in this instance is not an option.

Of course, there is an onus. The legislation states that the Minister for Work and Pensions and the Social Development Minister from time to time consult one another and agree between them. It is not a case of one telling the other what to do. There has to be some agreement and some give and take in that process. The legislation talks about ensuring a co-ordinated system, not one that is identical in every way. It is not identical as it is. Significant differences have been accommodated which have not been viewed as being in breach of parity. That can happen when a significant difference in circumstances and outcome can be identified, and this is clearly such a case.

A report from the Policy Research Institute identifies flexibility at the heart of parity and cites that as one of the main reasons why parity has worked. It also identified three elements encapsulated within the operation of parity: parity of input, output and outcome. The element of outcome allows for divergence, when the imposition of parity is clearly disadvantageous to people here.

Members may well remember when the additional difficulties faced by lone parents here in attending work-focused interviews because of the lack of childcare here compared with Britain were first pointed out. At first, we were told that

nothing could be done because it constituted a breach of parity. The Assembly challenged that anyway, and a way was found to maintain parity while accommodating that additional circumstance and difficulty.

There are parallels to be drawn from that and there are clear and significant differences in relation to this statutory rule. First, there is the lack of availability of shared accommodation, which Members referred to. The outcome here will not be to push single-tenancy occupants into renting a room as it will in Britain. What it will do, however, as Members said, is force people to seek emergency hostel accommodation or sleep on the streets. That is not what the legislation intends. Secondly, consideration must be given to the high rates of suicide here, particularly within the age and gender profile of those who will be most badly affected by this change.

I urge the House to support the prayer of annulment and allow the issue to be considered again. We need to stick up for the 6,000 people who will be so badly affected, many of them already in very vulnerable positions.

It does not matter whether it affects 6,000, 60,000 or 600,000 people, although some parties might take a different opinion if it affected a significantly larger number of people. We need to stick up for these people, and we need at least to challenge the matter. Parity is not rigid. Members should not treat the issue as though it is; it can be contested without being broken, and that is what we need to do.

**2.00 pm**

**Mr McCausland (The Minister for Social Development):** I listened with interest to Members' contributions, and I thank all who have spoken for their input. As Minister with responsibility for social security matters, I will take a few minutes to outline the purpose of the housing benefit regulations that we are discussing and to explain how voting to annul the regulations would have much wider implications for everyone in Northern Ireland.

The regulations amend the age threshold so that the shared accommodation rate applies to most single claimants living in the private rented sector who are under 35 years of age. To date, the age limit has been set at 25 years of age. The aim of the measure is to help to contain the spiralling cost of housing benefit expenditure and to ensure that single people aged 25 to

34 years of age who are in receipt of housing benefit have to make the same choices about their accommodation as those who are not in receipt of benefit.

Under the proposed measure, the amount of housing benefit for rent payable to single claimants under 35 years of age living in the private rented sector would be restricted to the shared accommodation rate based on rent levels for a single room in accommodation that is not self-contained. The restriction for those who are under 25 years of age has been in place since 1996. It was never the intention that housing benefit should guarantee that people on benefit would have unrestricted access to accommodation at any price. Many young people who are working cannot afford to rent by themselves and already live in shared accommodation.

In seeking to ensure that work always pays, it is important that benefit levels — in this case, housing benefit levels — are pitched at a level that encourages individuals to join the labour market and do not act as a disincentive to take up work by affording access to accommodation that their peer age group who are in work cannot afford.

I recognise the fact that some of those who spoke during the debate have very real concerns. Everyone has concerns about how the measure will impact on individuals. It is, therefore, important to emphasise that not all those single claimants who are under 35 years of age will be expected to live in shared accommodation. Under the existing rules, there are exemptions for many of the groups that were mentioned: for example, claimants entitled to the severe disability premium of housing benefit; claimants in certain supported accommodation; claimants under the age of 22 who were formerly in the care of social services; claimants who have a non-dependant residing with them; and claimants who require overnight care and a bedroom for a non-resident carer. The shared accommodation rate does not apply to those living in the social rented sector.

In addition, there is already a general housing benefit easement that entitles new claimants to have their rent met in full for 13 weeks if they have not claimed housing benefit in the past year and could afford the rent at the time that they entered into the tenancy. People who have been recently bereaved are entitled to

similar protection for 12 months — for example, following the loss of a partner or, for a lone parent, the loss of a child.

Those current exemptions will continue to apply, and two new exemptions are being introduced for those aged 25 and over. The first new exemption is for those who have spent at least three months in a homeless hostel or hostels specialising in rehabilitating and resettling in the community. The second new exemption is for certain offenders subject to risk management, where there is a risk of serious harm to the public. The aim is to protect the general public.

Of course, a case could be made for further groups of individuals who should not be expected to share accommodation. However, rather than creating blanket exemptions for broad categories, I consider that support to those who need it, via the discretionary housing payment scheme, is a more appropriate mechanism for dealing with such cases. In recognition of that and other housing benefit reforms, the discretionary housing payments budget has been increased by 50% to £1.713 million in 2011-12, which will triple to £3.426 million from 2012-13. There has therefore been a significant increase, and there will in future be a substantial increase in the discretionary housing payments budget. That is intended to give the Northern Ireland Housing Executive the flexibility to sustain tenancies where additional support is needed in vulnerable cases.

*(Mr Speaker in the Chair)*

I accept that shared accommodation is not popular, and, as we heard today, some find difficulty in supporting its extension to a wider age group. However, it is crucial that we consider the policy issue contained in the regulations as part of the wider welfare benefits and social security arena. The change is not restricted to Northern Ireland; it was announced by the Chancellor of the Exchequer in the comprehensive spending review last October. The regulations correspond to regulations already made in Great Britain, which come into effect there from January 2012.

Although social security is a transferred matter, there is a longstanding principle of parity in those matters. In effect, a single system of social security operates in Great Britain and Northern Ireland — that is, across the United Kingdom. The principle of parity means that an individual in Northern Ireland is entitled to



the same level of benefits, paid subject to the same conditions, as an individual elsewhere in the United Kingdom. An additional practical consideration is the extent to which we utilise the IT systems provided through DWP for the delivery of benefits to our claimants here in Northern Ireland. Those practical difficulties in departing from the United Kingdom system that operates in Great Britain need to be kept in mind.

We receive over £3 billion a year from general taxation and by way of subvention from the Great Britain national insurance fund to fund our social security system. Funding that is outside of and additional to our block expenditure for departmental budgets is predicated on parity. The obvious consequences for the Northern Ireland block if parity were breached cannot be underestimated. The consensus across all parties is that parity has worked to the advantage of people in Northern Ireland; it has resulted in higher rates of benefit being paid than would be the case if Northern Ireland were to set up and maintain its own social security system. Without parity and the associated funding, the Northern Ireland social security system would probably be unsustainable.

Should the regulations in question be annulled, the additional cost to Her Majesty's Treasury for all the expected Northern Ireland claims impacted could be about £9.17 million. That figure is based on the June rates and the number of claimants. The figure of £9 million is a recurring cost, which would probably increase each year. As I mentioned, because of our dependence on the IT systems operated through DWP, there would be additional costs on top of the £9 million to adapt the computer system and for any other administrative expenses.

The position was stated very clearly by the Commercial Secretary to the Treasury in December 2010. When asked whether the Treasury:

*"will adjust the annual transfer payment if new housing benefit payment policies are not introduced on a parity basis in Northern Ireland"*

the unambiguous Treasury response was:

*"Where costs arise due to divergence between the Northern Ireland system and policy in Great Britain, the Northern Ireland Executive must meet those costs."*

You cannot have anything more explicit than that in a response from Westminster.

That means that, if these regulations are to be annulled, the likelihood is that Executive Ministers will be required to meet a shortfall of more than £9 million from their already overstretched departmental budgets. I emphasise Executive Ministers, because that would be a burden that would fall on the Executive and all Ministers, not simply on the Department for Social Development. If Members want to work out the implications for areas such as education, health and other sectors if we start down that road, I am sure that they can do that very easily. I will return to that point in due course.

I add that, although a breach of parity would have particular implications in relation to these regulations, there is a risk that such a breach of parity could trigger a review of the present, very favourable social security funding arrangements and could well result in a less favourable outcome; for example, funding in line with the Barnett formula or regional benefit rates. The dangers of going down that road must be recognised by all who approach this in a responsible manner. It is possible that a successful prayer of annulment could begin a process of undermining parity, which would have profound implications for the Northern Ireland block. Clearly, it is in the best interests of the people of Northern Ireland that we protect the principle of parity with all its benefits and are very careful not to undermine or jeopardise it.

I hope that Members will be persuaded by the purpose behind the regulations; that is, to reduce benefit costs and provide fairer choices between those young people who are working and those who are on benefit. However, for most Members, the overriding issue must surely be that, when we take into account the concerns and fears that exist, we start down a very dangerous and slippery slope if we go down the road of breaching parity.

I want to quickly pick up on a number of points that were raised by individual Members. Mr Campbell asked whether introduction could be delayed. After its deliberations on the findings of the Social Security Advisory Committee, the Department for Work and Pensions concluded that there is no case for delaying the introduction of this change to a statutory rule that has been in existence since 1996.

Mr Copeland sought an assurance on parity. I will make the point not just to Mr Copeland but to all Members: the Treasury has stated



categorically and clearly that this would be a breach. Earlier on, some Members expressed the views that I might not think that it was a breach or that I interpret a breach or understand a breach in a particular way. You can talk about outcomes and outputs from now until next year.

At the end of the day, let us remember — and this is a response to Mr McKay — that the sovereign Parliament of the United Kingdom is at Westminster. He may not like that, but that is how it is. Northern Ireland is part of the United Kingdom, and this is a devolved Assembly. In other words, power is handed from the sovereign Government at Westminster to the devolved Assembly here in Northern Ireland, but the sovereignty remains at Westminster. The fact is that, in spite of all the arguments put forward by Mr McKay and others, if Westminster decides that this is a breach of parity and the Treasury says that it is, that settles it. They are not going to change their minds.

## 2.15 pm

**Mr McKay:** I thank the Minister for giving way. Perhaps he was not listening to or learning from what I was saying. The Treasury would say that, wouldn't it? It said it before in other instances. The fact is that there is a devolved Assembly here, and its role is to challenge when necessary and to stick up for the people out there on the streets. That is your role as well, Minister. You are putting forward, through the Assembly today, the impression that you are quite happy just to roll over for the British Government.

**Mr McCausland:** Some people are slow learners. The question is whether there is any scope to diverge from Great Britain. There is some room for divergence in the administration of housing benefit. For example, under local housing allowance arrangements, we retained claimant choice as to who received the housing benefit while Great Britain moved to payment to the claimant as the norm. However — let us be clear so that Mr McKay understands — any financial costs would have to be met from the Northern Ireland block grant. You can have certain divergence as regards some administrative matters. However, where there is the financial implication that we are talking about, which, at £9 million a year every year, is a substantial financial implication, it would have to be met from the Northern Ireland block grant.

**Mr Campbell:** I thank the Minister for giving way. Perhaps he could outline, because the issue was raised by several Members, a couple of instances in which there was a deviation or departure from strict parity. He has been absolutely clear and precise so far about the Westminster Government saying that they believe that this would be a breach of parity, but will he outline the instances that were referred to by Members opposite?

**Mr McCausland:** What I gave was an example of the sort of thing that I am talking about. It is around administration. Where there is a financial cost involved, we are not in a position in which we can in any way depart from it. Treasury has said that it would be a breach. I assure Mr McKay that it is not about rolling over to a Government at Westminster; it is simply acknowledging the fact that we are part of the United Kingdom and that the sovereign Parliament is at Westminster.

Mr Copeland wants the effects that flow from this to be monitored. Housing division is commissioning research on impact with a view to addressing those issues within the constraints of parity. Research will be done to monitor the impact to see how it will work out.

I return to a number of things that other Members raised.

**Mr Wells:** I think that the honourable Member has convinced the vast majority of Members of the House of why he is correct. Members opposite, in their enthusiasm to break parity, have tried to indicate that there are fundamental differences between the situation in this part of the United Kingdom and that in other parts of the United Kingdom. Does he accept that many of the points about the lack of social inclusion, people on poor incomes and people with broken families apply exactly the same to inner city Glasgow, London, Cardiff and Belfast? There is no difference. Exactly the same pressures affect young people throughout the United Kingdom, so there is not even a philosophical argument for the breach of parity. There is no good reason for it.

**Mr McCausland:** There is no doubt that there are many parts of Great Britain where the situation is similar to that in Northern Ireland.

I will pick up on some individual points. Mrs Cochrane said that all have concerns and that it is important to debate the issue on the Floor of the House. She is absolutely right. I welcome

the fact that she spoke of the need to approach the measures responsibly, and she is also right to say that this is a minor issue in comparison with some of the much larger ones that are coming down the track on welfare reform. I hope that, when we come to those other issues, we do not have the same grandstanding or beating of chests by people who are going to take on the world and everyone else for their cause. There has to be a bit of realism and reality that says that we are where we are.

Mr McCann raised the issue of the nature of housing provision in Northern Ireland. As I said earlier, it is important that we monitor the outworkings of this and, over the next while, look at the impact of the sort of housing provision that we have in Northern Ireland and our housing policies. For a long time —

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

**Mr McCausland:** Yes, but I am running out of time.

**Mr F McCann:** On the question of supply, are there enough places to take the 6,000 people who will be affected? Most of the accommodation, especially in the HMO sector, remains unregistered and, in many ways, would provide poor living accommodation for anyone. Does he advise people to go into that?

**Mr McCausland:** In Northern Ireland, the private rented sector is already a large sector and is growing. We have not had the sort of oversight of that sector that we should have had, and I share the concern that I am sure the Member has about that. Therefore, we are looking at a range of issues. We are aware of the changes that there will be with the Housing Executive, housing associations, welfare reform and housing policy. We need to look at housing in the round to consider how we get more affordable housing and how we deal with housing issues. The Department is taking a new look at it and, perhaps, reprioritising some things and de-prioritising others. We need to look at the nature of housing stock, whether we are building the right sort of houses with the right mix of tenures, whether we are building the right size of accommodation and so on. I accept that all of those things need to be looked at carefully, and many of us have concerns about the outworking of the private sector in our constituencies. Not all landlords are exemplary landlords.

On Mr McCann's other point, if a claimant experiences difficulty in finding somewhere

affordable — for example, due to a shortage of suitable accommodation — further assistance to help with the rent shortfall may be available through discretionary housing payments. The Member said that he had concerns about the word “discretion”, but it is not at the whim of someone sitting at a desk. I take it and believe discretion to mean that it is dependent on the individual circumstances and situation. That is not a whim; it is looking at the evidence of a situation. The Member may not have confidence in the staff who work in our social security offices and the Housing Executive, but I have a much higher confidence level.

I was a bit concerned by the line that Jennifer McCann took. There is a danger of overplaying certain things. The other day, I visited the Stella Maris hostel in north Belfast, and, fairly soon, I am due to visit another hostel that is run by the same organisation, Depaul, in Londonderry. I have looked at the issue of homelessness and the provision that we make, such as hostels for people who are sleeping rough and so on. We in Northern Ireland are in a much better position with the provision than is the case in Great Britain. The provision is based around the faith sectors, whether Salvation Army or Depaul. There are a lot of positives around how we assist the most vulnerable people. However, bearing in mind the fact that I outlined the various categories of exemption earlier, there is concern and, therefore, accommodation for some of the most vulnerable people.

Mr Durkan said that the Government have no idea — I think that those were his exact words. I assure him that, in all areas of welfare reform, we have very full and in-depth engagement with the Government. Lord Freud, for example, has been over here on a number of occasions about other aspects of welfare reform and benefits. He is taking a hands-on approach on behalf of the coalition Government at Westminster, and people who represent Northern Ireland are on some of his working groups. He is conscious of the differences, and those relate to other aspects of welfare reform. So they do know, and those points are being forcibly conveyed. I was pleasantly surprised at his level of understanding that Northern Ireland is not exactly the same as some parts of London, and so on.

However, having dealt with all those points, I come back to the core point, which was identified by my party colleague Mr Campbell and is one that I have made again and again

here. This is a difficult decision, but it has to be made. We need to respect the principle of parity as defined by Westminster. There is no point in us trying to fool ourselves or anyone else, which is all we would be doing. Let us have the honesty, courage and integrity to face the facts, to do what we can to take this forward in the most acceptable way and to ensure that, when we look at our future provision and policy for housing, we take into account the impacts of this regulation.

If we go down a road that will cost £9 million for a single regulation, which Department will pay for it? Will it mean that we close more rural schools? Will it mean that we impact more on the hospitals sector? Where will the £9 million, and all the other £9 million that come down the road after that, come from? Let us have the courage and integrity to take this forward.

**Mr Speaker:** As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. We will come back to the debate after Question Time, when Mickey Brady will conclude on the motion.

*The debate stood suspended.*

2.30 pm

## Assembly Business

**Mr Speaker:** Order. Before we come to questions to the Office of the First Minister and the deputy First Minister, I want to say something about the serious challenge that took place in the House today. To me, there was a very vicious challenge to the authority of one of the Deputy Speakers, Roy Beggs. Members should not feel that they can challenge the Chair when they want to. On this occasion, Mr Dominic Bradley made a very vicious challenge to the Chair. The Member may take the matter lightly. It was around an issue of language, and it is the convention for any Member to speak in any language in the House. However, it is a different matter when Members deliberately go out of their way to abuse the issue.

The Member is shaking his head, but he needs to learn the lesson, a very clear lesson. Too many Members feel that they can challenge, totally and absolutely, the authority of the Chair. I say to the Member directly that that will not happen. On this occasion, the Member will not be called to speak on any issue in the Chamber for some time. He should reflect on his actions today. I understand that, in the heat of debate, Members say things that perhaps, on reflection, they might have said differently or that they might have acted differently. I am saying to the Member that he will not be heard for some time in the House. He should reflect on his actions and words, and then he should come and apologise to the House for his actions. I would think far more of a Member who came to the House and apologised for his actions.

I warn the whole House that any Member who challenges the authority of the Chair will be dealt with. On this occasion, as I have said directly to the Member, he will not be called to speak in the House for some time. I also warn Members who might feel that they want to get the Member in on an intervention that they will also be dealt with. My ruling is absolutely clear. I do not want other Members playing games in getting the Member to speak because of an intervention. That will also be dealt with.

What I saw this morning was a vicious attack and challenge to the Chair. It was probably one of the most vicious attacks that I have seen and heard in the Chamber for some time.

# Oral Answers to Questions

## First Minister and deputy First Minister

### Investment Strategy

1. **Mr McNarry** asked the First Minister and deputy First Minister, in light of the current budgetary constraints, for their assessment of how expedient the investment strategy has been in assisting the Executive to deliver on their targets. (AQO 486/11-15)

**Mr P Robinson (The First Minister):** The Executive's Programme for Government makes a clear commitment on infrastructure investment and promoting sustainable development. We honoured that commitment with £5 billion of new investment in the three years up to 2010-11. Our investment strategy was key to the delivery of that record level of new expenditure. The strategy helps us to plan ahead with more certainty and consolidates the capital investment plans of all Departments. That collaborative approach enables the Executive to identify opportunities for sharing and co-ordination that can save money, speed up delivery, share best practice and support service improvements.

The progress we have made to date on our investment commitments is available for public scrutiny through the website of the Strategic Investment Board. Projects completed or in delivery are clearly set out in detail and are characterised by each sector. Those investments are important elements in ensuring that the Executive achieve their Programme for Government strategic priorities. The Executive's investment and budget plans have been affected by the significant reductions in public spending imposed on us by the coalition Government. We have taken a number of measures to manage those reductions and remain determined to continue with our substantial programme of new investment. We switched £256 million from current to capital expenditure and included nearly £600 million of receipts to boost capital expenditure. As a result, the Executive's Budget committed £4.9 billion for capital investment up to 2015. We are determined to maintain the momentum of our investment programme, and we will continue to

examine further options that have the potential to allow us to deliver additional projects.

**Mr Speaker:** Question 3 has been withdrawn and requires a written answer. I call Mr McNarry for a supplementary question.

**Mr McNarry:** I thank the Minister for his answer. I recognise the commitment and the compliments that he made in his response. I also note with enthusiasm the determination that he injected into his reply. Does he accept that an up-to-date investment strategy is needed now to best serve Northern Ireland going forward? Will he move in that direction?

**Mr P Robinson:** The Member is right: a new investment strategy is required. Back in March, we had it in reasonably finalised draft form but decided not to publish it prior to the election. I think the hope and expectation is that we should be able to do that alongside the Programme for Government.

**Mr Spratt:** Will the First Minister indicate what impact the UK spending review will have on our ability to deliver our investment plans? What can we do to increase our spending power?

**Mr P Robinson:** Slightly over 40% of our capital budget was slashed by the coalition Government. I think that that was a much more painful cut than any of us could have expected. You cannot have a cut of that magnitude without it having a significant impact. However, the Executive determined that they would seek to take as much of the pain out of that process by looking for additional sources. We did the transfer from revenue to capital. We have produced proposals, which provide us with a very significant proposal for projects moving forward. However, it still takes us only to the 2005 levels of capital expenditure.

We are also looking at how it is possible to factor in private finance for existing projects that we have intended to bring forward, for instance. We could also look at the possibility of creating other bodies, within Treasury rules, that will allow us to be able to get additional private finance on an arm's-length basis.

**Mr Speaker:** Once again, I warn Members that they need to continually rise in their place, if they want to be called for a supplement question. I emphasise the word "continually".

**Mr A Maskey:** Thank you for that, a Cheann Comhairle. In a way, my question follows on



from the First Minister's previous answer. Has the Budget review group been able to consider the establishment of particular special purpose vehicles to ensure that we can have a method of moving some of our capital spend off?

**Mr P Robinson:** It has talked about the issue. We are hoping that the Budget review group will meet tomorrow at, I think, 3.00 pm. I understand that there are several papers on how to access private finance and the creation of other bodies that might be able to draw down that funding. That will be on the agenda for tomorrow.

### **St Andrews Agreement: North/South Co-operation**

2. **Mr McMullan** asked the First Minister and deputy First Minister for an update on the St Andrews Agreement review of North/South implementation bodies and areas of co-operation. (AQO 487/11-15)

**Mr P Robinson:** The St Andrews Agreement review into the North/South implementation bodies and areas of co-operation is being taken forward under the auspices of the North/South Ministerial Council (NSMC). As we advised the Assembly in our statement of 21 June on the NSMC plenary meeting, which took place on 10 June, the Council discussed the review and noted proposals relating to its first term of reference. That concerns the efficiency and value for money of the existing North/South implementation bodies and Tourism Ireland. The Council agreed that proposals on those bodies, which had been put forward by the review group, should be forwarded, along with a copy of the report, for consideration by relevant Ministers in the Executive and the Irish Government. Most Ministers have responded, and, in line with the plenary decision, the NSMC joint secretariat is preparing recommendations on that element of the review for consideration at the forthcoming plenary meeting in November.

It was also agreed that the second and third terms of reference of the review would be discussed at that meeting. In accordance with the statutory requirements, we will make a statement to the Assembly on the outcome of the plenary meeting of the Council in November. That will include any decisions taken on the St Andrews Agreement review.

**Mr McMullan:** Why was the report of the experts and advisers on the efficiency and value

for money of the existing North/South bodies not made public, and when will the outcome become known?

**Mr P Robinson:** To some extent, the Member answered his own question. As the outcome has not been agreed, we have not released any documentation. It is still a matter to be considered. The intention is to discuss it at the November meeting, and it will be up to the NSMC and Assembly Ministers to decide what further steps are to be taken either on decision-making or, indeed, publication.

**Mr Ross:** Value for money is obviously very important in all aspects of government, particularly in North/South bodies. Will the First Minister indicate what steps have already been taken to maximise efficiencies in North/South bodies.

**Mr P Robinson:** The Finance Ministers, who are, of course, charged by their Government to look at ways of making efficiencies, met and considered what efficiencies could be made in North/South bodies. Their proposal was that there should be 3% cash-releasing efficiencies year-on-year. That was sent out by way of each Department informing the sponsor Departments of each North/South body that they should effect that saving. Indeed, the corporate plans and business plans have been brought forward on the basis of that proposal, which is for 3% efficiencies this year and a cumulative total of 9% in the next three years.

**Mr McDevitt:** I am sure that the First Minister would agree that the area of co-operation that might well deserve urgent attention is how this island jointly commemorates the forthcoming centenaries. Has his office and that of the deputy First Minister included in their submission to the review specific proposals as to how we might co-ordinate our acknowledgement of this decade's centenaries?

**Mr Speaker:** Order. Once again, I will say to the whole House that I know that, on occasion, supplementary questions can grow legs. This one has certainly grown a lot of legs. *[Laughter.]* There is no doubt about that whatsoever. I will allow the First Minister to decide whether he wants to answer it or whether he should answer it. The Member knows very well that the supplementary question must clearly connect with the original question. I must rule the Member out of order on this particular issue. I think that he knows fine well why.



I call Mr Jim Allister.

**Mr B McCrea:** My goodness. *[Laughter.]*

**Mr Allister:** I will resist.

The Finance Minister said that necessary and practical co-operation does not require all the costs and formal structures of the North/South bodies, yet we continue to spend £100 million a year on them. Why, then, is the option of a reduction in the number of bodies not included in the terms of reference of the review? The only option is expansion. Why is that?

**Mr P Robinson:** It is good to see the Member back speaking in the Chamber. I hope that he is now house-trained and will behave himself in the future. *[Interruption.]* He was, of course, present at St Andrews and knows as one who endorsed this proposal and was party to the statement made collectively by all of our members at the end of St Andrews— *[Interruption.]*

**Mr Speaker:** Order. Allow the First Minister to answer.

**Mr P Robinson:** The Member knows very well that the terms of reference were in three parts, the first of which related to efficiencies. Of course, under that part, proposals for a reduction in the number of bodies can be considered. Overall, I agree entirely with the Finance Minister. I have found that, in practical terms, it is much more advantageous to make personal contact by a telephone call or a meeting rather than through the structures of the North/South Ministerial Council or the various bodies.

The second term of reference of the St Andrews Agreement review clearly qualifies the option to expand, in that the review has to examine objectively whether there is an advantage in having any more bodies. I think that anyone looking at the matter objectively would say that there is much more advantage for Northern Ireland in having direct contact with Ministers using the normal procedures that any two Governments employ.

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

**2.45 pm**

## Corporation Tax

4. **Mr P Maskey** asked the First Minister and deputy First Minister for an update on their

discussions with Treasury in relation to the devolution of corporation tax powers.  
(AQO 489/11-15)

**Mr P Robinson:** Members will be aware that the Treasury consultation on rebalancing the local economy, which included a proposal to devolve corporation tax powers to the Northern Ireland Assembly, ended on 8 July this year. We were very pleased with the level of interest that was shown in this important economic policy issue. The Exchequer Secretary to the Treasury, David Gauke MP, wrote to us on 30 September following his exchange of letters during the summer with our Finance Minister, Sammy Wilson. That correspondence and the discussions at official level raised a number of concerns about estimates for corporation tax that would be collected.

The Acting deputy First Minister and I recently met with the Secretary of State for Northern Ireland, Owen Paterson MP, to discuss the next steps. Most recently, the Exchequer Secretary to the Treasury wrote again to us last Thursday to seek ministerial nominations for a joint working group that will be tasked with seeking to establish with clarity the costs, administrative changes and potential legislative vehicle for transferring corporation tax powers. Although the recent Treasury correspondence is to be welcomed, and we will respond positively, we are disappointed that its commitment to a final decision this year appears to delay momentum.

This is an urgent issue. While in Northern Ireland on 10 June, the Chancellor, George Osborne, indicated that the UK Government would make their decision in the autumn. We will continue to press the Government for an early resolution.

**Mr P Maskey:** Go raibh maith agaibh, a Cheann Comhairle agus a Aire. I would be grateful if the First Minister would outline some of the benefits of devolving corporation tax powers that he and his office believe will result for the Assembly and the Executive. He mentioned the time frame being put back. Is there any sign of that possibly being brought forward?

**Mr P Robinson:** First, the time frame is clearly going to have to take into account meetings of the group that is being tasked with looking at the appropriate cost to our block of a reduction in the rate of corporation tax. I suspect that that job is unlikely to be completed much before the end of this financial year.

The advantages have been fairly well established by a number of economists and business representatives. However, the deputy First Minister and I have been in no doubt about the advantages, because we have spoken not just to people involved in foreign direct investment but to representatives of companies based in Northern Ireland. They all indicated that a reduction in corporation tax would have a major impact on the decisions that they will take on placing more business in Northern Ireland or on expanding existing business. Most recently, during our visit to the United States, we spoke to several people who indicated that it was a significant factor in their decisions as to whether they would make various investments in Northern Ireland. Only last week, I spoke to people here in Northern Ireland who indicated that it would be a key factor as to which part of the United Kingdom they would place further business.

**Mr A Maginness:** I thank the First Minister for his answers. I agree with him that this is very important for the future development of our economy. That being so, will the First Minister say to the Finance Minister that he needs to make a robust case for the devolution of corporation tax powers? It is essential that there be no weakness on this side, because there seems to be such a weakness on the Westminster side. Does the First Minister detect some lessening in Westminster's commitment to the devolution of corporation tax powers?

**Mr P Robinson:** In my private meetings with representatives of the Government, I do not detect that those who supported it in the past are any less supportive. I think that they recognise that there are difficulties that we must overcome, and the working group will set about the business of overcoming those difficulties.

The Finance Minister responded on behalf of the Executive to the general consultation process in the most robust terms, and he indicated the Executive's support for that fiscal instrument. It must also be said that four representatives of the Executive will be on the task force, and they will put a united case from the Executive on the devolution of such tax-producing powers.

The Member should be under no doubt as to the strength of support that there is within the Executive for this measure or the benefits that the power to reduce corporation tax will have for Northern Ireland.

**Mr Humphrey:** Will the First Minister outline how quickly the Executive would set a rate for corporation tax in the event of it being devolved to Northern Ireland?

**Mr P Robinson:** We have now reached the stage in the process of appointing representatives to the group that was set up by the Treasury, and it will be necessary for the Executive to be brought along with any proposals that are put forward by Executive colleagues at meetings of that group. One would assume that, if we reach the stage of the power being devolved to Northern Ireland, it will have been preceded by agreements in the Executive to take that power. Therefore, the decision on what level we should strike the tax at should be taken fairly expeditiously. We would have the options of announcing but delaying the beginning of the reduction or of phasing in a reduction, and that would be an Executive decision. However, I would imagine that, if we were given the power, decisions would be taken fairly instantly.

**Mr Cree:** The First Minister referred to the cost to the block grant. Given the wide variance between Her Majesty's Treasury figures and those of the Department of Finance and Personnel, would he care to give me his assessment of the most accurate figure?

**Mr P Robinson:** There is a difference between the Treasury's sets of figures. In the consultation document, it gave us two sets of figures for a reduction in the block grant, and it brought out a further and much higher figure after it had produced that document. One would be tempted to say that, if its higher figure were true, we would not need to introduce a lower rate of corporation tax, as we would be doing so swimmingly well on our own. Therefore, there is a false nature to the final set of figures that we have from the Treasury, and it is the job of the Executive to ensure that the reduction in our block grant is as small as possible.

I will not be tempted by the lure that the Member has put in front of me to give him a figure. All that I can say is that the Treasury figure is far too high.

## Older People: Discrimination

5. **Mr Ó hOisín** asked the First Minister and deputy First Minister what progress has been made on proposals for legislation to address

discrimination in the provision of goods, facilities and services for older people. (AQO 490/11-15)

**Mr P Robinson:** Mr Speaker, with your permission, I will ask junior Minister Jonathan Bell to answer that question.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** The Office of the First Minister and deputy First Minister is committed to the principle of equality for all the people of Northern Ireland. With that in mind, we are continuing to consider the issue of discrimination in the provision of goods, facilities and services for older people, which is one of the six proposals for legislative reform that were flagged up by the Equality Commission for Northern Ireland. We are also monitoring developments in Europe on anti-discrimination directives that would extend the protection on the grounds of age to the provision of goods, facilities and services.

We are aware that the Westminster Equality Act 2010 contains provisions that enable a ban on age discrimination in the provision of services and public functions. We are also examining the draft EU equal treatment directive, which seeks to prohibit age discrimination in the workplace. Should that draft directive be adopted, we will take steps to comply with EU law. However, it is important to remember that implementing the age discrimination ban would require secondary legislation to be made, which would set out the circumstances in which it would remain lawful to use age as a reason for treating people differently. We will carefully consider the outcome of the consultation by the Government Equalities Office which sets out the proposed acceptance of the ban on age discrimination and any other developments in that area. We also intend to seek the views of the recently appointed Commissioner for Older People, Claire Keatinge, after she formally takes up her post on 14 November.

**Mr Ó hOisín:** Go raibh míle maith agat, a Cheann Comhairle agus ba mhaith liom buíochas a ghabháil leis an Aire. Why are we waiting on the outcome of a possible EU directive on this issue when we should be taking it forward on equality grounds in their own right?

**Mr Bell:** Members will understand that, before we progress the matter, it is reasonable to await the draft EU Equal Treatment directive and the outcome of a consultation undertaken by the

Government Equalities Office which sets out the proposed acceptance of the age discrimination ban. It is also important that, having appointed a Commissioner for Older People, Claire Keatinge, we take her mind on the subject.

**Mr T Clarke:** Following the recent appointment of the older people's commissioner, will the junior Minister outline to the Assembly how valuable Dame Joan Harbinson was in the interim as the Older People's Advocate?

**Mr Bell:** It is difficult to put words on just how valuable the contribution that Dame Joan has made. The whole House salutes the service she has given. She was appointed as an independent adviser to Ministers and has been in post from 3 December 2008. Following the appointment of Miss Keatinge as Commissioner for Older People, Dame Joan will formally stand down as of 14 November 2011. The immense contribution that Dame Joan has made is hard to put into a two-minute answer. I would say that she has identified all of the current problems faced by older people and she has done an excellent job of bringing to all our attentions the issues that concern them. Those issues include pension provision and transport, and she has forged links with her counterparts in Europe. The advocate has provided independent advice on a range of issues impacting on older people, including what the issues and problems are; and she frequently brought solutions to those problems and how they might be addressed. The advocate's appointment and office will cease once the commissioner is appointed, as I have said. However, the whole House will join me in saluting the work and contribution that Dame Joan gave us all.

**Mr B McCrea:** Has the junior Minister had the opportunity to take any advice from older people, notably today?

**Mr Bell:** If I may, I will answer that question in two ways: first I will make a serious point, and, secondly, a point of levity, which the honourable Member and I encountered when on a cycle ride this morning.

As to advice, there was a very successful launch given by the Office of the First Minister and deputy First Minister on the appointment of Claire Keatinge. It was hugely well attended. As junior Ministers, we continue to listen carefully, through avenues such as the pensioners' parliament, in order to gauge people's views directly. Recently, we met many of the charitable-

sector organisations for older people, which have a large number of people feeding views into them, and those views are distilled down to us as Ministers.

Older people can be direct and straight-talking, and in that way their contributions are probably more valued than a lot of what we take. Mr Basil McCrea and I, among others, were doing a wonderful cycle ride to highlight the issue of addictions and which was organised by Fr Martin Magill. We were escorted by four police cyclists. An elderly lady passing us turned to the policewoman accompanying Basil and I and asked: "Are they all prisoners?"

**Ms Lo:** We now have a raft of anti-discrimination law in Northern Ireland. Does the junior Minister have any plans to put forward a single equality Bill in line with the rest of the UK?

**3.00 pm**

**Mr Bell:** The Member is right about the legislative background to that question. There is a lot of material. The Equality Commission gave us six proposals for legislative reform in the introduction to the legislation, specifically prohibiting unjustifiable age discrimination by those providing goods, facilities and services. As has already been mentioned, that proposal is being driven elsewhere in Great Britain and Europe. Do we look specifically at the inclusion of a provision in the GB Equality Act 2010 to prohibit age discrimination outside the workplace, because, in those terms, it would relate to adults only? Do we look specifically at a draft EU equal treatment directive seeking to prohibit age discrimination outside the workplace against people of all ages?

GB has decided not to wait for or rely on agreement to be reached in Europe to legislate against age discrimination in the provision of goods, facilities and services. It has decided that that is the right thing for it to do, and it has included the necessary provision in the Equality Act 2010. However, to legislate in advance of Europe on this matter would require primary legislation — that is, an Assembly Bill. Should the draft EU directive be adopted, we would then be required to take steps to comply with EU law. That could be achieved either by way of an Assembly Bill or by subordinate legislation, using the enabling powers in section 2(2) of the European Communities Act 1972. Legislation is being taken forward in GB, and we will monitor

those developments closely and consider any implications that they may have for us here.

## Finance and Personnel

### Public Expenditure

1. **Mrs McKevitt** asked the Minister of Finance and Personnel for a breakdown of the 25% of expenditure which is not approved by the Assembly. (AQO 501/11-15)

**Mr Wilson (The Minister of Finance and Personnel):** I presume that the Member is referring to the recent discussion that my officials had with the Committee for Finance and Personnel on Her Majesty's Treasury's misalignment exercise, which was conducted in 2008 and in which Northern Ireland participated, when it was estimated that about one quarter of the Northern Ireland Executive spend is not formally voted for in the Estimates process.

I want to make one point clear before I go any further. It is not that we have made some attempt to hide spending from the Assembly so that it does not know what spending actually goes on. It is more as a result of the way in which the information is presented to the Assembly. At no stage is the information hidden in any way. Indeed, where there is misalignment between the Budget Bill and the Estimates, there will be a reconciliation table at the end of the big blue book that Members receive that will show where that misalignment occurs and that there are historical reasons for it.

There are three areas in which there might be a misalignment: the first is on national insurance contributions and the national insurance fund; the second is on capital resource; and the third is on the full resource consumption of non-departmental bodies.

**Mrs McKevitt:** What actions are being taken to ensure that the financial process is streamlined, accessible and transparent?

**Mr Wilson:** During the Budget debate last year, I made it clear that we were engaging in an exercise in which we were seeking to make the figures much more transparent. I want the figures to be more transparent, because, apart from anything else, we had three different debates — the Budget, the Budget Bill, and



the Vote on Account — and they may as well all have been the one debate because people did not recognise the difference between what was being presented in each of those debates. My officials who attended the Committee meeting were marking up the fact that there would be a consultation paper, which I hope will be published this week and will look at what changes we intend to make.

The whole idea is to try to have all that expenditure aligned, so that people will know exactly what is being voted for and where all the spending is going, and the figures will be much more transparent. I also want the heads of expenditure to be clearer so that people will know where the money is going. All of that will be included in the proposals that we are bringing forward, which I hope will be in place within the next couple of years. However, I cannot remember the exact timetable.

**Mr Murphy:** Go raibh maith agat, a Cheann Comhairle. I welcome the Minister's commitment to the consultation. He will know that the Committee for Finance and Personnel has also been doing work on that in consultation with the other statutory Committees. Can he assure the House that the review of the Budget process — some of the anomalies have been outlined in the original question — will take account not only of the passage of the Budget through the Chamber but of the scrutiny function that Committees wish to provide and will ensure that there is a meshing of the House's requirements and those of the scrutiny Committees?

**Mr Wilson:** I thank the Chairman for raising an important point that I should, probably, have mentioned in the first part of my answer, which is that it is a matter not just of having the accounts in a better position for debate in the Assembly but of presenting the information that is contained in those accounts in a way that enables proper scrutiny of how Departments spend their money. Therefore, headings will be clearer. All the money that is available to, for example, non-departmental public bodies — not just their cash requirement — will be fully declared and, therefore, open for scrutiny. That should better enable Committees to do their job of scrutinising Departments' spending.

**Mr Speaker:** Question 3 has been withdrawn. I call Leslie Cree to ask a supplementary question.

**Mr Cree:** The Minister was getting close to answering my question. Obviously, non-

departmental public bodies are part of the problem. Will the scheme that is envisaged bring them within the accounting boundary?

**Mr Wilson:** Non-departmental public bodies are within the accounting boundary. The difficulty was with the information that was presented. At present, the information is presented in such a way that only those bodies' net cash requirement or the net cash that goes to them is voted on in the Estimates. However, if, let us say, a non-departmental public body had a source of revenue, and then it had a total spend of, say, £80 million and, on top of that, a depreciation, which is a non-cash figure, of, say, £20 million, all that would be available in the Vote on Account would be the net figure of £70 million. The non-cash element is not there. The revenue element is not there. Therefore, there is a misalignment between what is actually spent and what is actually voted on. That is an accounting procedure. It is not the case that there is no accountability or no vote on the money at present. However, the amount of money that is actually spent is sometimes misaligned because, currently, some elements are not included.

## Public Services Training College

2. **Mr I McCrea** asked the Minister of Finance and Personnel for an update on the final business case for the Desertcreat training college. (AQO 502/11-15)

**Mr Wilson:** I am delighted that, on 30 September 2011, the Department of Finance and Personnel (DFP) approved a business case for the Desertcreat joint public services college. That was announced in the media last week. When it is completed, the new facility will provide a combined and integrated training and learning environment for the police, the Fire and Rescue Service and the Prison Service in order to equip professionals from all three services and to provide a level of service that is expected and required. Now it is up to the Department of Justice to go to market and identify partners to take the project forward.

**Mr I McCrea:** I thank the Minister and commend him for the speediness with which he and his Department finalised the business case for the project. Will he detail the cause of the delay of the project? Although it was an Executive priority, the previous Health Minister refused to sign off on it. Will the Minister comment on



that? Furthermore, will he ensure that adequate social clauses are —

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

**Mr I McCrea:** — included in the tender?

**Mr Wilson:** First, the business case was submitted to DFP on 12 September and approved on 30 September. Therefore, I do not think that any of the delay was the responsibility of my Department. Preparing the business case was a considerable piece of work. Of course, as the Member will know, towards the end of the previous Assembly, there was a dispute as to whether the Health Department would actually make the £30 million contribution towards the capital cost and the running cost contribution towards the Fire and Rescue Service element of the college. That probably caused some delay to the decision even to go ahead with the project. However, it is worth pointing out that, although the project goes right back to the time of direct rule, the Department of Justice has been involved only from April 2010 and the Department of Finance from September 2011.

**Mrs Overend:** I very much welcome last week's decision. Will the Minister advise of the likely revenue costs of running the facility, including the cost of its being hired by any other bodies?

**Mr Wilson:** The detail of the running of the college will be down to the Department of Justice. However, it is my understanding that the ongoing annual running costs will be £35 million.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for the efficiency with which he took the decision and signed off on the business case. Is the Minister in a position to indicate any timescale for the tender process?

**Mr Wilson:** I am not in a position to do that. As I said to Mr McCrea, it is now up to the Department of Justice to take the project forward. Obviously, procurement comes under my Department's remit. We will advise on procurement and how best to move that process along. However, it is really up to the Department of Justice to take the project forward.

**Mr McCarthy:** Will the Minister give credit to the Department of Justice for its involvement in the decision to bring this vital college to Northern Ireland?

**Mr Wilson:** I am sure that the Member's party leader will have heard his comments and reward

him accordingly. I do not know whether the party leader has any posts that he is about to allocate, but I will convey to him the fact that the Member has praised him for bringing the project forward so quickly. I am sure that the Member's reward will follow swiftly.

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

## Air Passenger Duty

4. **Mr Ross** asked the Minister of Finance and Personnel to outline the process for devolving air passenger duty powers. (AQO 504/11-15)

**Mr Wilson:** The first stage is for us to agree the precise arrangements for the devolution of the powers. That will include agreeing which aspects of air passenger duty (APD) will be devolved and the administrative arrangements for its collection. As indicated in the Government's announcement, the next stage will be the primary legislation that is required. The Government are considering precisely what kind of legislative changes will be required. We will work with them to ensure that the devolution of the powers is secured as soon as possible so that our longer-term competitiveness is maintained. We want to use the devolved powers to ensure that we have the best possible connectivity to as many destinations as possible.

**Mr Ross:** I welcome the Chancellor's announcement. At the risk of sounding like Mr McCarthy, I praise my colleagues the First Minister, the Finance Minister and the Minister of Enterprise, Trade and Investment for their efforts in negotiating with the Chancellor on the issue. It is important for our economy and for tourism that we get air passenger duty powers devolved. Will the Minister indicate the anticipated cost to the Northern Ireland Executive of devolving those powers?

**Mr Wilson:** As I promised Mr McCarthy, I will pass on the Member's comments to the First Minister. I am sure that he will also be very pleased, and, indeed, he may well be in a better position than Mr McCarthy's party leader to confer some reward.

The cost of the proposal to reduce air passenger duty on flights to North America is £3 million. In 2009, total air passenger duty receipts were estimated at between £45 million and £55 million. The cost to the Executive will depend on what they do with air passenger duty and how

far they decide to extend exemptions or reductions once the powers have been devolved.

**Mr McLaughlin:** Go raibh maith agat, a Cheann Comhairle. Obviously, there is still work to be done on air passenger duty. Has the Minister's Department identified any other fiscal powers, in addition to air passenger duty and corporation tax, that could be transferred to assist the Assembly in building economic recovery?

**3.15 pm**

**Mr Wilson:** First, I noticed that the Member did not praise the deputy First Minister for the part that he played. I will also pass that omission on when I have the opportunity to talk to him.

There has been no discussion about any other taxes that may be devolved. Although I understand the reason for the devolution of air passenger duty, which we believed to be the only mechanism to achieve our objective of keeping and extending flights to North America, the corporation tax issue has been well aired in the Assembly on previous occasions.

I do not believe that we should seek the devolution of a whole range of taxes to Northern Ireland, for two reasons. First, I am a unionist and believe that being part of the United Kingdom and having a regime that complies with the rest of the United Kingdom is important. Secondly, for very good economic reasons: having more taxes devolved to Northern Ireland — tax revenues from corporation tax, air passenger duty or other forms of tax can be volatile — makes budgetary planning much more difficult. Currently, with the block arrangement, when tax arrangements go up and down we are sheltered to a certain extent because they are not reflected in the block grant allocation to Northern Ireland.

**Mr B McCrea:** No doubt the Minister will send his thanks to George Osborne, who did a fair amount of work on this. If it is within our remit to change APD on transatlantic flights, do we have the same powers to alter domestic routes for the Northern Ireland element of it, and has he given any undertaking that that will not, in fact, be enacted?

**Mr Wilson:** The Member always aims higher than anybody else. Mr McCarthy praised the mere leader of the Alliance Party, Mr Ross the First Minister, but Mr McCrea goes right to the top to the Chancellor. Perhaps he is hoping for a job from Tory headquarters.

More seriously, however, the Member raises an important point. This would not have happened but for the personal intervention of the Chancellor. I am not seeking a reward from any of them, but the Secretary of State and Hugo Swire also played an important part. The Chancellor acted promptly when the crisis point arose, and it is important that we recognise that. I do not know the Member's motive for raising that matter, but I am glad that he did because it gave me the opportunity to make that point.

With regard to air passenger duty for internal or other flights, once the power is devolved to Northern Ireland — and we will know whether full power is devolved or power just for certain bands once we have the legislation — it will be up to the Executive to decide what they wish to do. As the Member will know, however, if we do accede to reducing air passenger duty for a wide range of flights, we forego that duty and have to find the money from somewhere else.

**Mr Byrne:** I welcome what the Minister said in relation to air passenger duty. Would the Minister hope that there would be some way of recovering the £3 million internally from economies of scale? Secondly, is the Minister content that there are detailed figures relating to all tax revenues collected in Northern Ireland? There seems to be an uncertainty about the corporation tax figures.

**Mr Wilson:** As far as recovering the tax is concerned, we believe that for the transatlantic link to North America it is a cost worth paying. Attracting tourists to Northern Ireland may have been a minor reason. The importance of the link was to get the business connections and, therefore, the return that there is from investment by having easy connectivity with North America. That is where the return will be, and that is one reason why we want to see it devolved.

It was probably a bit easier to estimate the amount of air passenger duty than the corporation tax, because it was estimated on a cost-per-ticket basis. There are all sorts of problems with estimating corporation tax, such as the year you take and whether businesses are considered by their postcode or the tax office they make their payments to, or whether they are part of an international or UK-wide organisation. That is one of the things that we have to talk to the Chancellor about between now and the new year.

## Civil Service: Equal Pay

5. **Ms Boyle** asked the Minister of Finance and Personnel what steps he is taking to resolve any outstanding equal pay issues. (AQO 505/11-15)

**Mr Wilson:** The Northern Ireland Civil Service equal pay settlement has been implemented in line with the terms agreed with the Northern Ireland Public Service Alliance (NIPSA). It has been approved by the Northern Ireland Executive, and I have no plans to extend the agreement to include groups of staff who have no entitlement under the terms of the settlement.

**Ms Boyle:** How much of the money allocated to offset the equal pay settlement has been used to date?

**Mr Wilson:** Almost all the cases have been settled. I cannot give you the exact figure. A few cases are outstanding where people have taken tribunal cases, but, by and large, and off the top of my head, most of the approximately £120-something million has been allocated. I cannot give the exact figure, but if the Member wants it, I shall make sure that it is passed on to her.

**Mr Wells:** I think that many Members have been approached by staff working for the Police Service. Why have they not been included in the settlement? Many of them seem aggrieved by that decision.

**Mr Wilson:** We negotiated on behalf of Northern Ireland Civil Service staff. At that stage, those who work for the Police Service were in the Northern Ireland Office, and they are now in the Department of Justice (DOJ). Staff employed in the PSNI were not included in the settlement except for those times when they spent eligible periods in the Civil Service. There were discussions between the PSNI, DFP, the Northern Ireland Office and the DOJ regarding the entitlement of PSNI staff to the lump sum settlement. However, it is the opinion of the Departmental Solicitor's Office that, given that the pay delegation was passed to the NIO pay group in 1996 and remained in place until the devolution of justice in April 2010, police staff did not have an entitlement to access the Northern Ireland Civil Service equal pay scheme.

It is, therefore, up to the PSNI to say whether there is justification for an equal pay claim in the Police Service because of a difference in payments between people in certain grades

where one is exclusively female and the other exclusively male. No case to that effect has been made by PSNI to date.

**Mrs Dobson:** Is the Minister aware that the head of the Civil Service has confirmed that secondees continue to be civil servants and remain subject to Northern Ireland Civil Service terms and conditions of service, including pay?

**Mr Wilson:** That may well be the case. Where there have been secondees and the exercise has been purely a secondment, that will be the case. However, many of the cases we are talking about concern not secondees but those whose pay remit was passed either to the Department they went to work in or to the organisation they went to work with. In that case, it is up to the organisation to show whether there is an equal pay issue to be addressed. If there is such an issue to be addressed because of a difference in pay among grades in that organisation, it has to present the case for that. However, we can look at and deal with only those cases where there is a legal entitlement because of a differential in pay between groups deemed to be doing a similar job but where there was a discriminatory element because one group was mostly male and one group was mostly female. Where people have moved into an arm's-length body or another Department, it is up to that body or Department to make a justification.

**Mr McDevitt:** As the Minister begins to reflect on the prospect of his own retirement from office in the next couple of years, will he tell the House why he will not use his discretion today to come to a fair and equitable agreement with the Northern Ireland Pensioners' Alliance that is capable of delivering to them the justice that they believe they deserve?

**Mr Wilson:** First, we can make settlements only where there is legal entitlement to such settlements. It is quite clear that anyone who left the Civil Service six months before the legal claim was made does not fall under the terms of the Equal Pay Act 1970. Many who may have retired before that date do not come under the terms of the legislation and are therefore not eligible for payment. I have no doubt that the first organisation to descend on payments of that nature would be the Audit Office, looking at why payments have been made that did not have to be made.

Secondly, let us say that we did decide to use some discretion, whether it would be legal or

not to do so. How far do we go back? Do we go back to 1975, when the 1970 Act came into force? We would not have records of many people who might be covered by that. Although it may be populist for the Member to make the calls that he is making, he has to consider the legality and practicality of doing so. No one has given me an answer as to what kind of criteria they would use to select individuals. The last question is where, at a time of austerity, would we get the money to do something that we are not even legally obliged to do?

## Banks

**6. Mr T Clarke** asked the Minister of Finance and Personnel for an update on discussions he has had with local banks. (AQO 506/11-15)

**Mr Wilson:** I met local banks on a number of occasions in recent months. Those meetings have included representatives from the Ulster Bank, Bank of Ireland, First Trust, Northern Bank, Barclays, Santander and HSBC. Discussions have focused mainly on the current economic context, the state of the financial sector and the property market, bank lending and the implementing of the business finance task force recommendations to improve the services that banks provide to their customers. Just last week I attended a bank lending clinic at Barclays' Belfast branch to promote lending to small businesses, and I am due to meet the governor of the Bank of England, Sir Mervyn King, in November to discuss banking issues as they relate to Northern Ireland.

**Mr T Clarke:** I thank the Minister for that answer. The Minister will be aware, and it is widely known, that there is a perception that the banks are restricting the amount of lending. I suppose that explains why the overall figure seems to be decreasing. Will the Minister give any other reason why there is a decrease in the amount of money that the banks are lending?

**Mr Wilson:** It has been surprisingly difficult to get to the bottom of that. One of the reasons why we have engaged with the British Banking Association and asked it to implement all of the recommendations of the task force report in Northern Ireland is to try to find out what is actually happening to bank lending. We have had the first report, which causes me some difficulty, although it is all fairly high-level information at present.

Even on that high-level information, between the last quarter of last year and the second quarter of this year, bank lending to small businesses in Northern Ireland has gone down by 30%. We do not have the long-term trend, so I do not know whether it is seasonal. We probably need the data for a year or two to show whether there is any significance in that. However, the anecdotal evidence and high-level evidence presented to me causes me some concern. On the other hand, the banks would say that 90% of all loan and finance applications made to them are actually granted.

## 3.30 pm

**Dr McDonnell:** I draw the Minister's attention to the fact that, despite all the suggestions from the banks — I have heard the patter from the banks that they are lending shops and all the rest — there is a serious shortage of credit liquidity for small businesses. Are there any additional steps that he could take to ensure that small businesses have access to the credit that they desperately need at the moment?

**Mr Speaker:** I remind all Members not to walk in front of Members who have the Floor. I issued that warning some weeks and months ago. Minister, please continue.

**Mr Wilson:** There are two or three things. First, the constant meetings with the banks give me an opportunity to raise the issue of lending to businesses. Secondly, the information that is now going to be provided on a quarterly basis as a result of the task force report and the requirements of the British Bankers' Association will give us data that we can look at. Thirdly, I will meet Mervyn King to discuss banking in Northern Ireland and to see whether we can get more detailed information on the figures that are produced by the banks for the Bank of England. That, at least, will give us a full picture. It is a long process of ensuring that, if we are told that the banks now have sufficient liquidity to do the lending, we will engage them in doing that.



## Committee Business

### **Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011: Prayer of Annulment**

*Debate resumed on motion:*

*That the Housing Benefit (Amendment No 2) Regulations (Northern Ireland) 2011 (SR 2011/293) be annulled. — [The Chairperson of the Committee for Social Development (Mr A Maskey).]*

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. At the outset, I would like to say to the Minister and anyone else who cares to listen that I am not here to grandstand or beat my breast. I am here to represent my constituents and, indeed, those vulnerable people to whom this legislation particularly will apply. I want to make that clear, Minister, because you seemed to suggest that we were doing this as some sort of stunt. I can assure you that it is no stunt.

As the Committee Chairperson pointed out, there was some lack of consensus in the Committee on supporting this prayer of annulment. However, I think that the House should be in no doubt as to the concerns that all members of the Committee expressed about these draconian regulations. It is not necessarily a matter of parity — I will talk about that later — nor is it necessarily about a breach of parity. However, it opens the way for the Department for Social Development (DSD) and the Department for Work and Pensions (DWP) to have some constructive discussions around the issues.

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

Gregory Campbell, who was first to speak after the Committee Chairperson, talked about the broad acceptance that the statutory rule will disadvantage young males aged 25 to 35 and that there was some concern about that. He said that there was a cost implication of £9 million per annum. It strikes me that £90 million in housing benefit is paid out yearly to the unregulated private rented sector, yet no one seems to be particularly bothered about that. That may be something that we should also be addressing.

Mr Campbell went on to say that parity must be addressed by all of us. That is obviously very relevant, whether we consider the regulation to be a breach of parity or not, or whether DSD and DWP consider it to be a breach of parity or

not. We do not know that at present, because that was not stated. The Minister has given us his opinion, but he has not given, constructively or concretely, DWP's views. According to him, it is DWP that makes the decisions, not him, with respect. That is what he alluded to in his speech. Perhaps that could be addressed.

Mr Campbell went on to talk about the £9 million, but it could cost us up to £4 billion.

**Mr Campbell:** It is probably not in anyone's interests to second-guess what we heard the Minister say. I was very clear that the Minister's reading out of what DWP said was unambiguous and unequivocal. That was my reading of it. Did the Member hear a different statement?

**Mr Brady:** I heard the Minister say that the Chief Secretary to the Treasury had made statements, but I did not hear him say that he had had discussions with DWP about the issue. Perhaps he can enlighten us on a future date, but he certainly did not mention it today. That is simply the point that I was making.

Mr Campbell talked about wiggle room for delayed introduction to try to ensure that appropriate accommodation can be found. We have a waiting list of 60,000, so I look forward to your solutions to that problem. Michael Copeland mentioned the Committee's concern about the impact on approximately 6,000 citizens and said that the decision should not be taken lightly. All but one Committee member agreed that parity was the issue, and that, given its importance, it should be dealt with on the Floor of the Assembly. He quoted from the Housing Executive about the impact of the changes on the 6,000 citizens and said that it may be problematic to find alternative appropriate accommodation in the appropriate geographic location. It is probably more than problematic.

The Housing Executive also highlighted the risk of homelessness. The University of York and Heriot-Watt University in Edinburgh recently did research into the correlation between the reduction of the welfare safety net and homelessness. It is clear that there is a link. According to the research, homelessness in Britain is rising; people are sleeping rough on the street. There is no doubt that that will be replicated here.

Mr Copeland asked the Minister to examine the effects on those who will be affected, ensure that measures will be taken to protect



those who are affected by the regulations, and address the shortage of appropriate housing supply in urban and rural areas. He said that the Minister's opinion is key to the decision that is made today and that breaking parity would be tantamount to irresponsibility.

Mark Durkan spoke in favour of the motion. He said that we cannot let this legislation pass because we would be failing the constituents who voted for us; he also said that we must consider the impact of the legislation. He highlighted the plight of young non-resident fathers and said that the legislation would make access to children very difficult. He also highlighted the difference in housing supply between London and the North and the fact that our housing supply does not lend itself to shared accommodation. In addition, he highlighted the plight of those who live in rural areas and said that 82% of multiple-occupation dwellings are not in those areas. I presume that that was not taken into account when the legislation was being drafted. He also, reasonably, called for a full cost-benefit analysis of the regulations before their implementation, as well as an equality impact assessment.

Judith Cochrane was not in favour of the regulations. She did a reasonably good impression of Pontius Pilate, and we know about the bad press that he has had for a couple of centuries. I will leave her contribution at that.

Fra McCann said that he did not accept the British Minister's assertion that this is similar to the case of students who share accommodation. I agree with him. Many constituents have been forced to share accommodation, often with disastrous and tragic consequences. He also spoke about the 6,000 people who are affected by the regulations and asked how they will afford any shortfall in rent. In addition, he spoke about his visit to the Welcome Centre, highlighted the risk of homelessness and asked how organisations that deal with homelessness every day will cope. He spoke about the unsuitability, and the often dire state, of HMOs across the North and the lack of HMOs in rural areas. That was also highlighted by Mark Durkan, who said that 52% of HMOs that had been inspected in the Foyle area were found to be unfit for purpose.

Furthermore, Fra McCann said that the discretionary housing payment is not an adequate safety net. The fact that it is discretionary highlights the difficulties therein because it can

often be at the whim of a local office and what it considers to be deserving and non-deserving. Fra McCann said that we must go back and negotiate on the regulations, and that should be considered. Any decision on the regulations must be based on evidence.

Jennifer McCann spoke on two different aspects of the issue: parity and suicide rates.

**Ms Gildernew:** I thank the Member for giving way. As he is aware, today is world mental health day. I accept that the legislation contains some provisions for people with identified mental health issues. Given that the statutory rule is likely to have a disproportionate effect on young men, is there a risk that, if the legislation were to go through, many of our most vulnerable young people could find themselves homeless? That could compound mental illness difficulties and, possibly, lead to an increase in suicide rates.

**Mr Brady:** I thank the Member for her intervention. In the case of many people with mental health problems who have not been diagnosed, the problem gets worse, particularly when they are put in the position of being in shared accommodation.

Jennifer McCann went on to highlight the high rate of suicide among young males aged between 24 and 35, and that group will be particularly affected by the regulations. The regulations will reduce the supply of private sector accommodation and increase the rate of homelessness as people are pushed on to the street. Passing the regulations will push already vulnerable people towards increased substance abuse.

Daithí McKay said that the regulations will lead to an increase in homelessness and eviction. He highlighted the fact that many of the vulnerable people who will be affected by the regulations do not have the necessary family support network to help them to cope. He reiterated the risk of suicide among the under-35 group and said that the regulations will serve only to push people towards suicide. He did not consider an annulment of the regulations to be a breach of parity. He highlighted previous examples of parity being contested and flexibility being found, such as in the case of lone parents, as the lack of childcare was an issue here. He went on to say that we must consider the outcome, the issues that will be affected and the difference between here and Britain.

The Minister outlined the purpose of the regulations and recognised the concerns of

all about the impact of the regulations. He cited the exemptions provided for under the regulations and two new exemptions that have been introduced. He considers the discretionary housing payment to be an adequate safety net, and he highlighted the substantial increase in that budget over the next three years. He accepted that shared accommodation is not for all and recognised people's concerns about it.

The Minister reiterated that the issue is one of parity and highlighted the practical difficulties of moving away from parity with regard to the IT system. He also warned of the consequences for the block grant if parity is breached. He said that parity has worked in favour of people here and that, without parity, the social security system here could not be maintained. He also said that the cost of breaking parity would be in excess of £9 million, not including the cost of altering the IT systems. If parity were breached, it would be up to the Executive Ministers to meet the £9 million shortfall from their budgets. He warned that a breach of parity could trigger a review of the current funding arrangements and lead to less favourable funding for social security. He said that maintaining the principle of parity is in the interests of people here and warned that, if we were to breach parity, we would be heading down a slippery slope. He said that the Treasury is unambiguous that an annulment of the regulations would be a breach of parity, and he quoted the statement that the Treasury Secretary made earlier in the year.

In response to Mr Campbell, the Minister said that there was no room for delayed introduction, and in response to Mr Copeland he said that the Westminster Government were very clear that an annulment would be a breach of parity. In response to Mr McKay, he said that the power is handed from the sovereign Government in Westminster to the devolved Administrations and that we must be ruled by what they decide. Also in response to Mr Copeland, he said that research will be done to monitor the impact. He welcomed Mrs Cochrane's responsible approach, and, no doubt, he was entitled to do so. In response to Mr McCann's point about the supply of suitable accommodation, he accepted the need to have a comprehensive look at housing and he said that the discretionary housing payment was sufficient.

### 3.45 pm

In response to Jennifer McCann, the Minister warned of the danger of overplaying the issue. He said that, thanks to the faith sector's provision of hostels for the homeless, the position here is better than in GB, and he pointed out that there may be an exemption for homeless people in the regulations. He also assured her that there is ongoing engagement with the Westminster Government in respect of the impact of welfare reform changes.

In summary, a difficult decision has to be made. The principle of parity, as defined by Westminster, must be maintained to ensure that, when we look at future housing policy, we take into account the impact of the regulations. Where is £9 million to be found?

I will now speak as a party member. In his statement, the Minister seemed to be supporting Tory policy, even though his party often attacks the Ulster Unionists for doing so. He seemed to be happy enough with the Government's ideological position on housing benefit and welfare reform and more than happy to implement that. I ask that the Minister give us some detail —

**Mr Humphrey:** I think that it is unfair of the Member to misrepresent the Minister. The Minister did no such thing. In fact, he stood up to Tory cuts. At Westminster, the Democratic Unionist Party clearly voted against such cuts. All that he was doing was explaining the position of our national imperial Parliament in London.

**Mr Brady:** With respect, I was not misinterpreting the Minister. I was simply giving my interpretation of what the Minister said. *[Laughter.]* I think that there is a subtle difference there. We both have our views. You are entitled to yours, and I am entitled to mine. He was not just supporting Tory policy but saying that he is quite happy to implement it. I would like to know what discussions he has had with Lord Freud. It seemed that the previous Social Development Minister was on first-name terms with Lord Freud and was never away from him. That was the information that the Committee was getting in the previous mandate.

Parity is a huge issue that requires wider discussion. What the Minister did not allude to is the fact that there is selective parity. There are many differences between the two. Parity is about ensuring like for like. However, the

fact that much more is deducted from people's benefits in the North, because the Department has the power to do so, and that a council tax that was introduced in England was not introduced here — most people would agree that it is probably just as well that that was not introduced here — show that parity is not always what it seems.

The Barnett formula is supposed to deal with parity. Barnett is all about providing equality in Britain and the North. However, it is very clear that there is inequality here given the availability of housing and the number of people with disabilities. Those issues do not seem to have been factored in. There is also selective parity in Scotland and Wales for certain issues. If the Minister's argument is based on parity, that is fine. However, parity is not simply about our accepting legislation from Westminster. There has to be some room for negotiation. Even Mr Campbell talked about the possibility of wriggle room, and I think that that should be open to debate. Perhaps the Minister could give us some details on the degree of engagement that he has had with the Department for Work and Pensions and on what wriggle room may or may not be available. I do not think that anybody here wants to see a £4 billion subvention disappearing into thin air. It would be nonsense for anybody to argue that. We are not saying that. Parity issues affect how things are administered and are done better, and they impact the people we represent. The Minister needs to take that on board.

In conclusion, some view the Department for Work and Pensions' proposal as a form of blackmail, because we are left with no option but to accept it; we cannot refuse. It is like when Henry Ford told potential customers that they could have any car as long as it was a black one. We do not seem to have a choice. By extension, the Department for Social Development is telling us that we can have any regulations we like as long as they are the ones made by Parliament in Westminster and do not, of course, break parity. Members noted that parity is the fundamental issue raised by these regulations, which the Committee voted to pray against. Some Members are not convinced that we would be breaking parity by annulling this statutory rule.

There are examples in which parity has been broken, and the sky has not fallen in. We have given some examples of that. That raises the

question of whether we can realistically stretch parity on this issue. The Minister and other Members mentioned that welfare reform is coming down the road. We are talking about the dismantlement of the welfare state as we know it, social engineering and all sorts of issues that will affect the people whom we represent. It is time that we took a stand, took a considered view on parity and engaged in negotiations on how parity is impacting on the people whom we represent instead of applying south of England standards to the North. Go raibh míle maith agat.

*Question put.*

*The Assembly divided: Ayes 34; Noes 55.*

## **AYES**

*Ms M Anderson, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Doherty, Mr Durkan, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKevitt, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr Sheehan.*

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

## **NOES**

*Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr T Clarke and Mr Spratt.*

*Question accordingly negatived.*

## Department of Justice: Initial Ministerial Provision

**Mr Deputy Speaker:** The next item on the Order Paper is a motion to refer matters to the Assembly and Executive Review Committee. The Business Committee has agreed that it will be treated as a business motion. There will, therefore, be no debate.

*Resolved:*

*That, pursuant to Standing Order 59(4)(b), this Assembly refers to the Assembly and Executive Review Committee the matter of a review of the initial ministerial provision in relation to the Department of Justice; and agrees that the Committee should make recommendations relating to the provision that should exist from 1 May 2012. — [The Chairperson of the Assembly and Executive Review Committee (Mr Moutray).]*

## Private Members' Business

### Water and Heating Supplies

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

**Mr F McCann:** I beg to move

*That this Assembly calls on the Minister for Social Development to put in place measures to safeguard water and heating supplies and repair services in anticipation of severe weather conditions; and to work closely with the Minister for Regional Development in preparation for the winter period.*

Go raibh maith agat, a LeasCheann Comhairle. A leasCheann Comhairle agus a chairde, Sinn Féin has brought this motion to the Floor to ensure that the Minister for Social Development explains to the House what preparations are in place to avoid a repetition of last year's failure by the Housing Executive and housing associations to offer a service to their tenants. I believe that it is not down to only one Minister to develop a strategy; that rests with a number of Ministers. I ask that the Minister for Social Development uses his good offices to find out what strategies have been put in place, especially by the Minister for Regional Development, to deal with severe weather. Many people had to fend for themselves and depended on local organisations to assist them through the worst of the severe weather. That was greatly appreciated, and I commend them here today.

I will not try to rehearse all the issues, because those have been well documented, but I notice that a number of Members have been active in asking what has been put in place to avoid a repetition of last year's events. That indicates the level of concern not only in the House but in our constituencies. I ask the Minister for Social Development to lay out for us what strategy has been put in place to deal with possible bad weather this year. Will he tell us what the Housing Executive has learned from last year and if the housing associations learned from the events of last Christmas?

We need to hear what strategy will be put in place to ensure that all eventualities are covered. Last year, I was particularly peeved at the attitude of some people in NI Water who



believed that they rose to the occasion and that it was not really their fault that everything went wrong. The housing authorities had serious questions to answer. They were receiving complaints up to a week before Christmas, many days before the crisis hit the water service. From speaking to people in the Housing Executive over that period, I know that they were struggling to deal with the large number of calls, but it took days to react. I understand that the call operation played a crucial role for people, but for many it was too little too late; the damage had been done. The heaters that the Housing Executive left with people were inadequate and offered little heat, and many contractors who called to houses told people what they wanted to hear — that they would be back — but did not return.

Systems connecting the Housing Executive with some contractors collapsed at an early stage of the crisis, which had serious consequences for residents. People were told that parts for heating systems were not available and would not become available until after the holidays. I might have accepted some of the excuses had there not been any warning of severe weather, but not to the extent of what transpired.

To have nothing in place was not good enough and was, in fact, inexcusable. It makes it all the more important that we learn from our mistakes and that we ensure that whatever strategies are put in place can cope with the type of weather that we had last year. Again, I ask the Minister to use his offices to engage with other Ministers and to have a joined-up approach to any severe weather.

I ask that people know their lines of responsibility so that one agency cannot blame another at the height of any crisis. I ask that all holidays are arranged in the knowledge that staff could be called back to work at a time of crisis; that there is a central control team to oversee the operation that Ministers can tap into at any time; that there is a system that elected representatives can feed into for the most up-to-date information; that there is a publicity strategy so that the media can help to get information to people; and that press briefings take place regularly to update people on how things are being handled.

I ask that suppliers are contactable so that they can reopen their premises to allow contractors to be supplied with the items that they need;

that additional contractors be put on standby to ensure that, if one contractor cannot manage, additional help can be brought in; and that a new form of temporary heating is found to replace the outdated electric heaters used at present.

I ask that local government knows its responsibility in times of emergency. It was embarrassing to listen to the inter-agency arguments about who was responsible for gritting cities, towns and villages last year. There should be no magic line that one agency says it cannot cross because the area beyond it is the responsibility of another agency.

I ask that housing associations with responsibility for elderly dwellings in their stock ensure that people and staff in those dwellings are made aware of the strategies being put in place to offer assistance in times of crisis. I believe that senior management in those organisations need to take control of events to ensure that the strategy works and that a senior staff member is nominated by all those organisations and is on standby so that they can be easily contacted over the holiday period.

We all have a responsibility to put our shoulders to the wheel to ensure that what happened last year does not happen again. I again ask the Minister to tell us what has happened since last year to ensure that pipes have been lagged, that condensate pipes have been relocated and that frost stats have been provided that can trigger a pump to circulate water around the system. The Minister for Social Development gave that information to a member for Foyle just last month, but it did not detail how many homes had been fitted with those systems.

I ask Members to support the motion.

**Mr Campbell:** The motion is really a preparatory motion in that all of us are concerned that we may well — although hopefully not — be about to get the third extremely bad winter in a row. Mind you, I marvel at how some in the press can speculate on the type of winter that we will get as some of those same people told us that we would get a barbeque summer, and I did not hear any apology in September. The experts tell us that they cannot tell us the weather more than four or five days in advance, so I think that we can park the guarantees of a bad winter. However, we do know that we have had two bad winters.

**Mr F McCann:** My point is that, up to seven days before the bad weather arrived, there were

warnings on TV that we would probably get the most severe weather that we had had in many, many years.

**Mr Campbell:** For once, I was not attacking Sinn Féin. I was just making the point that it was a national issue. Over the past couple of years, there have been big headlines in the press about what the winters would be like. It was nothing at all to do with what the Member had said.

There are people who tell us that they can predict the weather months ahead when, in fact, they cannot. However the relevant point is that the Department needs to be in a state of readiness and preparedness for what might be yet another exceptionally bad spell of winter weather.

I remember last Christmas, when we were into the third day of extreme weather. I, like other Members, had been informed that some of my constituents were without any bottled water — many others were in the same position — and they were told that they would have to make a 60-mile round trip to collect some. So, I arranged with one of my constituency colleagues that I would collect the water as I lived closer to the NI Water depot than the constituents. When I went to the depot, I was met by a very efficient staff member who informed me that I could have four bottles of water but that that was as much as I could have. I explained that I was going to load the bottles in my vehicle to take to dozens of people without water. A senior member of staff then came to talk to me, and we overcame that problem. We got a sufficient quantity, which then allowed me to drive to constituents to distribute the water. We need to hear from the Minister that as soon as it becomes obvious that extreme weather conditions are not just probable or likely but are imminent — and we can normally tell within 24 or 48 hours — all members of staff in all the relevant agencies will be on standby and ready to go. That addresses the point that the Member for West Belfast raised.

#### 4.15 pm

We hope that that will not be the case but if it transpires, we must ensure that lessons have been learned from last year and previous years, and that a pragmatic view will be taken by the Department so that people will have confidence that, whatever the severe winter is going to throw at us, officials will be there to try to deal with it. That can be done through manned phone lines, getting bottled water out there, and having maintenance people ready to respond as soon

as any thaw occurs. This is really about getting in place a state of readiness in advance of any expected extreme weather. I look forward to the Minister's response.

**Mr Copeland:** The events of last winter, which I presume are the seed point of these proceedings, are a matter of some interest to those of us who lived through them. It seemed, in some ways, that the weather and the climate had taken charge of us, and that our ability to respond was somewhat limited. At the time, I was aware of criticism, some of which may have been justified, of Northern Ireland Water (NIW) and the Northern Ireland Housing Executive by members of the public who, in some cases, had genuine difficulties in contacting both organisations.

Just before the holidays, I learned that there was the possibility of an extremely cold snap. I made arrangements with the Northern Ireland Housing Executive and Northern Ireland Water to access an emergency email address. In fairness, I worked from home, taking reports from Sir Reg and some of our office staff who were out on the ground. I must say that I found the workers from Northern Ireland Water and the Northern Ireland Housing Executive particularly attentive, even though they were under intense pressure.

A statement was issued today by the Met Office that we in Northern Ireland are facing a mini ice age due to the return of a phenomenon referred to as La Niña. That was news to me, but it indicates that this winter may be extremely difficult. We have heard that between 1,000 and 1,300 people died last year because of the effects of cold. We have heard about the effects of fuel poverty. I am not sure what command over water and heating supplies any individual Minister has. However, this motion, in a roundabout way, indicates that we have to do something. We have to plan and to give citizens the notion that, should their pipes freeze, their water supply be interrupted or their houses become incapable of being heated, there is a readily contactable number with someone at the end who can record their difficulties and take action to alleviate them.

The Department for Regional Development seems to have got away in the smoke somewhere because I would have thought that part of this issue comes under its remit. I appreciate that Minister McCausland has been in the Chamber for quite some time today. I am sure that he will take away with him the feelings of all of us

about what needs to be done, but I sometimes wonder whether his time would not be better spent actually doing some of the things that we ask him to do. That having been said, there is nothing in the motion that gives me any difficulty in supporting it wholeheartedly.

**Mr Byrne:** I support the motion. It is important that the subject is debated at this time. I accept what Mr Copeland said about the Minister for Social Development's not being wholly culpable for all of last year's difficulties.

On the substance of the motion, it was the lack of water supply to many households and businesses that caused the greatest concern. I pay tribute to Northern Ireland Water engineers, who, at a local level, tried to come out and repair supplies to houses and businesses. However, the real concern was that people could not log their complaints. The call centre failed, and, despite the regulator intimating a year previously that there should be better call centre facilities, that was not acted on. Senior management in Northern Ireland Water seemed to go missing over the Christmas period, the public got frustrated at not being able to log their complaints, and, as a result, we had a near disaster because people felt so angry about what was happening. However, I have to pay tribute to those in the communications department of NIW, particularly those middle- and lower-ranking communication personnel, who coped admirably under severe pressure.

I also pay tribute to the way in which the Housing Executive responded in many instances. Although the situation occurred during the Christmas holidays, many of its subcontractors came out and did a good job. Indeed, I would contrast Northern Ireland Water's subcontractors with those who worked for the Housing Executive. The Housing Executive's subcontractors worked extremely well. I blame NIW for having only three main maintenance contractors, which is a system that it brought in about five years ago. The result of that was that, when NIW needed subcontractors, they were not there. There seems to have been a disconnect between NIW and its subcontractors, and I think that that is where a lot of the difficulties arose.

In some cases, water bowzers were available. However, they were not available at all NIW depots, and I think that that was a mistake. Hopefully, that has been rectified for the ensuing year.

I also pay tribute to local plumbers. Many small plumbing companies worked extremely hard over the Christmas period, and I know of at least two who did not have even a Christmas dinner because they were out trying to help householders get their water supplies reconnected.

There is a real problem with Northern Ireland Water that arises from the fact that, in housing estates, some people have purchased their properties and some are still Housing Executive tenants. If there is a connecting supply between households of different ownership, that seems to cause great confusion and annoyance. I ask the Minister for Social Development to examine that. It is very frustrating for those who are caught up innocently in situations and who have no water supply, but no one knows exactly where the leak occurred. If it happens to be in the private garden of one of the houses that has been purchased outright, neighbouring Housing Executive houses with a connecting supply have no water. That causes great frustration.

Finally, I hope that NIW is in a better state of preparedness this time —

**Mrs McKevitt:** Will the Member give way?

**Mr Byrne:** Yes.

**Mrs McKevitt:** Does the Member agree that it is hard for constituents to accept that NI Water can make so much profit when it cannot guarantee the supply of water? Does he further agree that the fiasco that happened last Christmas has left farmers and businesses with colossal water bills?

**Mr Byrne:** I thank the Member. She reflected the great angst and pain that many people experienced. I hope that the new document from Northern Ireland Water will at least address immediate needs and ensure that it is in a better state of preparedness this year than it was last year.

I am glad that Roads Service has stockpiled over 100,000 tons of salt and grit. Last year, it had only about 50,000 tons in storage, and, over the winter period of 70 days, 110,000 tons were used. I was delighted to be told by Roads Service personnel at the meeting of the Committee for Regional Development last week that over 100,000 tons have been stored. That should bode better for the ensuing year.

**Mrs Cochrane:** I want to record my sincere thanks to the individuals, voluntary groups, local

councils and government agencies for their efforts over the past new year period, which was one of the coldest months for 100 years.

Many front line operational teams worked effectively in very challenging weather conditions to restore water and heating supplies to properties across Northern Ireland. As other Members emphasised, it is crucial that we learn from mistakes and ensure that adequate measures are in place to prevent a repeat of the chaos that we experienced last year.

As Members are aware, East Belfast was one of the constituencies worst affected by the water shortage during the freeze-thaw. Northern Ireland Water was not prepared for a crisis of that magnitude and, evidently, neither were many Departments and agencies. Due to the initial lack of a co-ordinated response from key Departments, my colleagues and I spent much of the Christmas period knocking doors and distributing bottled water to the most vulnerable. The action to open up leisure centres from which to supply water originated from local councils.

Strong working relationships with clearly defined roles need to exist between Departments, local councils and public service providers to ensure that urgent action can be taken in a crisis. Last year, around 80% of the additional water demand was created by the freeze-thaw that caused leaks from domestic and business water pipes, but poor communication exacerbated that already difficult situation. For example, information on the rotation of water availability in postcode areas was unclear and resulted in many people unnecessarily filling up vessels with water when, in fact, their water was not turned off. That significantly depleted water reserves and added to the problem.

If temperatures this year are to be any way similar to those of last year, communication methods need to be clear, accurate and up to date. Last week, I met the interim chief executive of Northern Ireland Water, who outlined a number of improvements that have been made to communication tools over the past few months. He also described the role that NI Water played in protecting some schools during last year's crisis. I am sure that similar work could be done to help to safeguard housing estates, and I urge the Minister for Social Development to explore that option as a means of proactively protecting vulnerable citizens.

During the freeze-thaw, an unprecedented number of calls were made to the Housing Executive requesting urgent repairs to heating and plumbing. Almost a quarter of all Housing Executive homes needed some form of repair. That worrying statistic raises questions as to why those homes are more susceptible to damage from burst pipes and broken heating systems than homes of any other tenure. I understand that, as other Members highlighted, considerable work has been undertaken to improve emergency plans. Although I welcome those improvements, I urge the Minister to focus more on prevention than cure.

The winter brought into sharp focus the ongoing problems of fuel poverty that many in Northern Ireland face. There is a real need for investment in Housing Executive homes to ensure that they are protected from future cold spells. The Housing Executive performance review highlighted a number of areas where additional physical works, including insulating and heating-related matters, could be undertaken to mitigate risks in the event of further bouts of adverse weather. By focusing on those measures, the Minister can make an impact. The provision of better insulation will inevitably safeguard household heating supplies by minimising energy wastage and reducing energy bills. I urge the Minister to ensure that such improvements are made as quickly as possible. Better information also needs to be given, especially to the vulnerable, to ensure that they know how to prepare for the winter, deal with an emergency and where to get help. NI Water has winter weather advice on the home page of its website and, although that is welcome, the Department for Social Development, bearing in mind that many tenants do not have access to the internet, should be taking the lead in communicating information to those in social housing on how best to protect their property.

In preparation for this winter, the Minister should also work closely with the Minister for Regional Development. In my constituency last year, the icy conditions and lack of road gritting in certain areas meant that people felt trapped in their homes and were unable to access public transport. Some elderly constituents in Ballybeen missed hospital appointments when taxis were unable to drive into their streets, and pavements were so treacherous that constituents could not make their way out on to the main road. The Minister for Regional Development has confirmed that it costs £150



to supply a new grit box and service it for a year, so thought needs to be given to further provision of those boxes, particularly in areas where constituents rely on public transport. Perhaps the Minister, in conjunction with the Minister for Regional Development, could go one step further and consider ensuring that areas surrounding sheltered dwellings for elderly people are adequately gritted to protect the most vulnerable.

**Mr Deputy Speaker:** Will the Member please bring her remarks to a close?

**Mrs Cochrane:** In conclusion, we have heard that serious lessons have been learned. I hope that, with the benefit of hindsight, the Minister for Social Development will ensure that those measures are taken forward. I support the motion.

**4.30 pm**

**Mr Easton:** Earlier this year, thousands of householders experienced burst pipes, heating system failures and other difficulties. Many of them were tenants of the Housing Executive and/or housing associations. Some tenants' homes were severely flooded, which resulted in damage requiring extensive repair work.

Over the period of the freeze, more than 4,900 temporary heating appliances were distributed by the Housing Executive and others. From 17 December 2010 to 9 January 2011, the Northern Ireland Housing Executive received 24,777 unique telephone calls and tens of thousands more repeat calls. On New Year's Eve, it received more than 3,500 calls, and, on New Year's Day, it received more than 1,000 calls. On the Monday after the New Year, 2,154 calls were taken by the Housing Executive. Between 17 December 2010 and 2 January 2011, some 30,000 work orders were placed with contractors. That obviously put pressure on all involved in trying to resolve system failures. However, it is clear that the initial phase of the response to the emergency could have been better handled.

In my experience in north Down, I found it relatively easy to get through to Northern Ireland Water, even though it seemed to have the biggest problems. However, I had difficulties when trying to get through to the Housing Executive. The Housing Executive's emergency number put you through to an answering machine message, which gave you

another number. When you phoned that number, it put you back to the original phone number. Therefore, you ended up going round in circles. Hopefully, that issue can be resolved. It was virtually impossible to get hold of anyone in DRD over the Christmas period. It is clear that the initial phase of the response to the emergency could have been better.

The Housing Executive and contractors were asked to review their emergency plans in light of the experiences of many tenants. Contractors were requested to revise their emergency plans to take account of experiences learned, and a revised business continuity and emergency plan template was developed by the Housing Executive to aid contractors to build their plans further and in a uniform format. All housing associations were also instructed to review their policies regarding emergency procedures.

It must also be remembered that Northern Ireland Water's response to severe winter weather conditions was appalling, and, as an elected representative who was inundated with calls at the time, I hope that lessons have been learned and that, in the event of severe weather conditions this winter, it has developed new policies that are fit for purpose.

I experienced difficulties trying to contact Northern Ireland Water and receive information that I could pass on to constituents. The same can be said of my experience with the Northern Ireland Housing Executive. I am aware that Northern Ireland Water has commenced a winter awareness campaign, and I think that it is important that all customers take note in preparation for a possible freeze. Customers can take steps to reduce the risks of pipes freezing and subsequently bursting. Those steps include lagging pipes, knowing where the stopcock is, and having contact details of a plumber ready in the event of a burst pipe.

All that is valuable information, but, in order to prevent freezing and to limit the effects of any thaw, you need to be able to afford it. In other words, you need oil in your tank. I know that many people find it difficult to afford oil, never mind getting it delivered during the thaw. However, the key thing is for people to prepare in advance.

I am aware that, given the pressure that Northern Ireland Water came under earlier this year, it has already held discussions with various stakeholders, including the Northern

Ireland Housing Executive and housing associations, on the need to protect pipes. The Housing Executive has also agreed to arrange the distribution of information leaflets to its tenants, and housing associations will provide information and advice in their publications to tenants on how to protect pipes. I welcome the opportunity to debate this issue.

**Mr Doherty:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion. During the severe cold snap at the end of last year and the beginning of this year, it was obvious that the measures in place to safeguard the water and heating supplies were inadequate, as were the repair services.

In parts of West Tyrone, homes were without water and heating for weeks over the Christmas and New Year period. They included entire housing estates, such as the Strathroy housing estate in Omagh, where the water supply was completely cut off. That breakdown had the most profound impact on the most vulnerable people in the community, particularly older people, people with disabilities and households with young children. However, I pay tribute to the local Housing Executive staff who worked closely with councils, residents' groups and community leaders on the ground to try to minimise the impact.

Not only were the local Housing Executive offices understaffed, but the breakdown of the telecommunication system compounded an already dire situation. As a basic measure to safeguard water and heating supplies, it would have been preferable in such a situation for tenants to deal directly with the approved Housing Executive contractor than to try to navigate through an entirely dysfunctional telecommunication system. In addition to the telephone systems collapsing, communications with tenants were, generally, very poor. Many tenants did not have basic preventative information about how to avoid frozen pipes. Tenants lost thousands of pounds due to having inadequate insurance cover for the contents of their homes. It is essential that safeguarding measures are incorporated in the provision of information, especially to the most vulnerable people.

Finally, when I spoke to local Housing Executive officers during the most recent cold snap, they said that, in many cases, the same pipes and houses suffer those bursts almost every year. That should provide some intelligence and information that will enable us, when we move

forward to invest in repairs, to do so with a more planned and phased approach.

**Mr Hussey:** I support Pat Doherty's comments about the estates in Omagh. Does he agree that it was scandalous that the additional cost of dehumidifiers that were required in people's homes after they were flooded at that time was not covered by the Housing Executive, but by tenants themselves?

**Mr Doherty:** I thank the Member for his intervention. I agree with him. I was trying to impart to the Minister that local information, which is held in the memory and in local offices, is advance intelligence that should be used to try to move forward and deal with the problem strategically in the future.

Finally — I might have said that previously — some of the coldest temperatures ever recorded were in Castlederg, which is also in my constituency. That indicates that as the Minister approaches all of that, the west, and West Tyrone in particular, needs special attention.

**Mr Douglas:** I also welcome the debate and the opportunity to provide input. The severe weather throughout Northern Ireland in December 2010 was the coldest for more than a hundred years. Like many others in the Chamber, I witnessed the effects of sub-zero temperatures on the lives of thousands of people. Residents, particularly the most vulnerable, such as the elderly and young children, need our protection this winter from the problems of the big freeze to the thaw.

If we rewind to winter 2010, which was certainly the coldest that I can remember, we will recall that problems with frozen and burst pipes highlighted the problems that many vulnerable people faced from outdated heating systems, which put strain on the water supply. That aspect, and all of the problems of fuel poverty that we discussed in the Chamber recently, must be tackled by the Assembly. The evidence of colder winters in the past few years, as my friend Gregory Campbell mentioned earlier, raises the prospect that we need to work harder and smarter in our preparations to meet the challenge of severe cold weather. There is the possibility of similar adverse weather for years to come.

Northern Ireland Water came in for widespread criticism at the time. I do not want to dwell on that aspect of the debate, because it has been well rehearsed. However, we need to ascertain the progress that has been made on the 57

recommendations in the Utility Regulator's investigation, some of which relate to the importance of communication between Northern Ireland Water and the Northern Ireland Housing Executive.

A number of Members mentioned the problems that tenants and residents had in trying to contact the call centres. I have an iPhone, and I can contact my son in New Zealand on FaceTime. I can speak to him, and I can see him. However, last year, I was not able to contact my local Northern Ireland Water agency a few miles away. Surely there is something wrong with that in this age of global communication, and we have to work on it.

I welcome the Committee for Regional Development's commitment to keeping a close eye on progress against the Utility Regulator's recommendations and the freeze/thaw recovery plan. The Assembly also needs to look at that progress.

I witnessed at first hand some of the communication problems that need to be ironed out. I remember a plumber being sent out and managing to access a home despite all the problems with the frost, snow and ice. However, it was really a heating engineer that was needed rather than a plumber. It is those little foxes that spoil the vines. Those problems should have been sorted out but were not. We hope that those problems will be resolved for the coming winter.

I appreciate the role of call centres in such emergencies, but many of my constituents in East Belfast could not get through to their local centre. Many others simply cannot relate to automated machines or call centres. The Housing Executive dealt with an unprecedented number of calls from tenants during the period of extreme weather. Initially, tenants experienced difficulty in contacting offices to report repairs, which resulted in a delay in jobs being issued and work being carried out.

However, as Joe Byrne did, I pay tribute to the Northern Ireland Housing Executive for its response, particularly at local district office level, and for working closely with local councillors, politicians and others. The district office in Castlereagh, for instance, was open for tenants to speak to staff. Housing Executive staff worked during their planned holidays and went out to people's homes. There is nothing to match the personal touch. This year is the fortieth anniversary of the Northern Ireland

Housing Executive, and I hope that local district offices will be here for the next 40 years.

I understand the enormity of last winter's crisis — the water supply of some 215,000 homes was interrupted. However, for senior citizens in particular, the appearance of someone dealing with the problem in person, rather than it being done through a call centre, is by far the best option. Whatever our response to the challenge of future water and heating supplies, let us do our utmost to ensure that people, particularly the most vulnerable in society, receive the local service that they are entitled to from people, rather than from automated machines. I look forward to the Minister's response.

**Mr Beggs:** The motion calls for improved methods to safeguard water and heating supplies. It is, of course, impossible to guarantee the safeguarding of those supplies, but it should be possible to lessen the likelihood of things going wrong, which is what we must strive for.

It is important to reflect on the huge number of properties that were affected. Over 25,000 Northern Ireland Housing Executive properties were affected, and it had 41,000 repair orders associated with the cold spell. Those caused considerable expense to public services, and so on, but that was nothing compared with the inconvenience and the disruption to the lives of those who had to endure leaking pipes or the absence of a heating supply during that very cold period.

We need to improve our home design fundamentally. As the Member for East Belfast said, it is important not only to conserve energy but to retain that energy and ensure that it contributes to preventing the freezing of pipes and water systems. It is well known that Scandinavian countries survive even more adverse conditions than we experienced. Protection can be built in through the design of homes. We must strive not only to deal with emergency phone calls and emergency responses but to build in further resilience so that we do not experience trauma in the first place.

#### 4.45 pm

The Northern Ireland Housing Executive is already working on relocating gas condensing pipes to try to prevent them from freezing, which is positive. It is also putting frost stats on new oil-fired installations. However, that

leaves many other Housing Executive properties with potential weaknesses. Perhaps DFP and the Minister need to reflect on and review our standards of home insulation and the protection of our water systems for not only social housing but all housing, because they need to be upgraded.

We have learnt that the Housing Executive and Northern Ireland Water have reviewed their emergency plans, have improved their call handling ability, and will, hopefully, work better with their subcontractors to get a faster response. However, again I say that we want to minimise the risk of those events happening, and fewer call-outs should be required.

Will the Minister indicate what the Housing Executive is doing with its vacant properties? Is it already identifying which stopcocks should be closed so that leaks will not happen? In the run-up to a cold spell, it may be wise to empty cold water tanks in homes that will have no heating because they are empty. Those are more proactive plans than simply picking up the pieces, and I hope that that sort of thinking is built into the plans of the Minister and the Housing Executive.

We have to appreciate that 80% of water that leaked during the cold spell was not from Northern Ireland Water pipes but from pipes in private properties, which I assume includes Housing Executive property. So, there is an onus on us all if we see a leak to collectively work to get it stopped at the earliest possible time. I recall visiting an estate several years ago, and water was just pouring out of an empty house. When I enquired, I was told that it had been happening for several days. If we do experience problems and want to retain our water supply, it is important that we, as a community, assist everyone — neighbours, the Housing Executive or local businesses — so that when a leak is identified it is closed off as soon as possible. There is a responsibility on us all.

I notice from Northern Ireland Water's plans that it is improving staff availability, liaising with contractors, looking at transport and at fuel and water storage, and liaising with third parties about alternative water supplies and telephone communications. That all has to be welcomed, because the reviews recognised many failings in the plans that Northern Ireland Water had and a great deal of ability to improve. I hope that we will see that in the coming months.

We all have responsibility, as do a range of Departments.

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

**Mr Beggs:** I hope that, collectively, we will produce a much better response and have fewer difficulties in the future.

**Mr McCausland (The Minister for Social Development):** Members are fully aware of the unprecedented spell of very cold weather that presented major challenges at Christmas last year. They are also aware of the scale of the problems faced by many tenants and homeowners. I, therefore, welcome today's timely motion, which provides me with an opportunity to highlight how the Housing Executive and housing associations have been working to ensure that they will be fully prepared should there be a repeat of the severe weather that we had to endure last winter.

It is, perhaps, worth recalling that, over that period from 17 December to 9 January, the Northern Ireland Housing Executive received 24,777 unique telephone calls and tens of thousands more with repeat callers. On New Year's Eve, there were 3,545 calls, on New Year's Day 1,125, and on new year holiday Monday 2,154. Some 30,300 work orders were placed with contractors between 17 December and 2 January, 14,400 with heating contractors and 16,000 with other contractors. That gives some indication of the scale of the problem that people faced and what they had to endure last year.

Since then, the Housing Executive has responded to the need to review the challenges that it faced last winter and identify any issues that need to be addressed to ensure that its services to its tenants will be of the best quality and the most efficient in any future emergency, and to ensure that all tenants are warm, safe and dry in their homes. Consequently, a considerable amount of work has been undertaken to ensure that Housing Executive staff and their contractors will be in a position to respond effectively and speedily in the future, particularly if we have severe weather conditions again this winter, which some people are already forecasting.

The Housing Executive has put in place a comprehensive list of plans to deal with any emergency situation and to ensure that tenants are provided with a quality and efficient service. All the emergency plans have been reviewed at district, area and central levels to ensure



consistency of response throughout all areas. A formal annual review procedure has also been put in place to ensure that we learn lessons as we go along. To test the effectiveness of its reviews, the Housing Executive has carried out tests of its plans and procedures in three Housing Executive areas, involving area and district staff, contractors and community representatives.

The area of telephone communications was particularly criticised. The Housing Executive has reviewed contacts from tenants and between the Housing Executive and contractors. A number of actions have been taken to address that, including, first, the enhancement of the pool of staff willing and able to respond to an emergency across the Province. Secondly, a review has been undertaken of the triggers that provide pre-warning of a potential emergency, such as the volume of calls coming into the customer service units and the number of calls not being answered. Thirdly, to facilitate use by emergency services and public and community representatives, a priority call-handling system of what are described as silver numbers is now in place. Fourthly, the Housing Executive holds contact numbers for all the contractors that cover both normal working hours and after hours. Those numbers provide round-the-clock contact details.

A review of the performance of contractors during this period is of key importance. As there were issues around the response of one or more contractors in some districts, the Housing Executive has reviewed all of the all-trades and heating contractor emergency contingency plans, and has put a formal annual review procedure in place. Contractors were requested to revise their emergency plans to take account of experiences learned, and a revised business continuity and emergency plan template was developed by the Housing Executive to aid contractors in building their plans further and in a uniform format. Area-based awareness seminars were also held for area and district staff, along with contractors.

Investigations have also been undertaken to identify a range of technical improvements, particularly in relation to boilers and heating. These have been included in the ongoing work. Those include, for example, the relocation of gas condensate pipes internally, or the provision of a frost stat, which will trigger the pump to

circulate water around the system. That is happening at each new oil heating installation.

In offering guidance to its tenants, the Housing Executive's website will provide a series of information pages to provide clear advice and guidance that can be activated at short notice depending on the type of emergency. That leads me on to the issue of Housing Executive properties that suffer damage because some tenants cannot afford to heat their homes properly during the cold weather. To address that, the Housing Executive will strengthen its advice to all tenants about the need to heat their homes in very cold weather through its publication 'Housing News', which will be issued to every Housing Executive tenant in mid-October.

It is also essential that in the event of any emergency, as much local information as possible is available at Housing Executive district level. To that end, a menu of services that community groups may provide, including sharing mobile phone contact numbers, opening community facilities and assisting in identifying those who might be vulnerable, will be agreed locally.

I will now turn to the performance of housing associations during that period. Although the scale of problems was different in the housing association sector — and that may be because much of the stock in that sector is newer — many of its tenants were also affected. Therefore, the housing association movement must also ensure that appropriate arrangements are in place to ensure that tenants are warm, safe and dry in their homes at all times. To that end, all housing associations were instructed to review their policies regarding emergency procedures. Reviews took account of the need for emergency opening of offices during critical incidents, as well as reviewing the need to ensure that offices are also open between periods of bank holidays — that is, that they will not be closed continuously from Christmas until after New Year's Day.

Fold Telecare provides emergency after-hours services. Telecare holds a complete list of contractors, individually provided by social landlords, to respond to call-outs. If the call is assessed as an emergency, the Telecare call adviser will call contractors who have been nominated by their respective social landlord and request that they respond to that call on an emergency basis. Housing associations also provide emergency staff contact numbers

for use when an incident cannot be dealt with without further authorisation or advice. As a final backup, Fold staff will instruct a Fold contractor to respond in the event that there is difficulty in engaging the social landlord's nominated contractor.

Telecare has increased the number of telephone lines from 16 to 24 to meet demand, and its number of call-handling stations has been increased from eight to 12. There is now a roster of additional staff who are available to support Telecare in the event of a future significant increase in emergency calls, and an extensive network of contractors on top of those engaged through its measured term contract.

In reviewing emergency planning arrangements, my Department also took a number of actions. We now have in place emergency contact details for all housing association chief executives and nominated deputies and, in turn, the housing associations have emergency contact details for all senior housing division officials. Arrangements are also now in place for housing associations to register their sheltered accommodations with NI Water.

Finally, I have already been in contact with my ministerial colleague in the Department for Regional Development, who has assured me that Northern Ireland Water is now better prepared to handle the effects of severe weather conditions, and its major incident plan will provide a fully planned response to all types of emergency. That includes a range of contingency plans for specific types of events, such as severe weather conditions.

I am very pleased that Northern Ireland Water has been liaising with various stakeholders, including the Northern Ireland Housing Executive and housing associations, to ensure that tenants receive information and advice on how to protect their pipes during winter weather and what to do if they experience problems. I understand that it is the intention of NI Water to run an extensive public awareness advertising campaign from 24 October. The key message will be "Don't Wait; Insulate", and it will use a wide range of media outlets. The campaign will also include a leaflet drop to all customers throughout Northern Ireland. The Housing Executive will also include the NI Water advice leaflet in the next edition of 'Housing News', which is due to be published in mid-October and issued directly to each tenant.

During the debate, a range of other points were raised which I want to pick up on. A number of people spoke about the need for more energy efficiency, and that brings us into the area of better insulation of homes and maintenance of social housing. I see that as a priority. Some previous Ministers de-prioritised it: we are in the business of re-prioritising it.

#### 5.00 pm

It is important that tenants in public housing, whether through housing associations or the Housing Executive, have good standards of energy efficiency in their homes. For example, I pointed out recently that, at present, 60% of Housing Executive stock has single-glazed windows, which is totally unacceptable. We want to address that and we are seeking the necessary funds to do so. In some constituencies, such as my own, the figure is 70%, which is unacceptable. That is an example of the de-prioritising that I spoke about. There is now an increased emphasis on energy efficiency and insulation.

The Member for East Belfast Mrs Cochrane mentioned sheltered dwellings. She made the valid point that we need to ensure that the tenants of such dwellings, particularly elderly people, have access to gritting facilities and services. The Housing Executive has only one sheltered dwelling complex in north Belfast, which is at Ardavon. We had difficulties there that we had to work on last year. Those are things that will be dealt with by my colleague in the Department for Regional Development. The responsibility stretches across Departments; we do not have many farms in north Belfast, but I heard some farmers talking on the radio the other day about the amount of water that they had lost because of pipes to outbuildings being frozen. We need the holistic approach that I mentioned.

The motion calls on me to put measures in place:

*"to safeguard water and heating supplies and repair services in anticipation of severe weather conditions; and to work closely with the Minister for Regional Development in preparation for the winter period."*

I believe that we have learned from last year's severe weather. I have ensured that social landlords have in place effective emergency and continuity planning arrangements that are fit for purpose. Tenants must not go through a repeat of the problems that occurred last year. Following

in-depth reviews of all that happened, and the subsequent revisions of the emergency planning arrangements, I believe that the measures now in place should ensure that all relevant agencies are fully prepared should we experience another severe winter and that tenants will receive the services that they are entitled to. However, I also want to ensure that social homes are energy efficient. In order to assist tenants in heating their homes effectively, I am working, as I said already, with the Housing Executive to develop a programme to double-glaze all properties as soon as possible. In the interim, I have already made a bid for additional funding in the October monitoring round to enable the Housing Executive to replace single-glazed windows with double glazing and to provide additional insulation measures to tackle the thermal efficiency of individual homes. Much of the housing associations' stock is already double-glazed, and most have advised that they intend to replace any remaining single-glazed windows with double-glazing in their planned programme.

Today's debate has demonstrated to Members that I have ensured that the failures of the past are not repeated but have been used to learn lessons and ensure that procedures are in place for the coming winter. I also assure Members that I consider this issue to be of the utmost importance. For that reason, as well as the regular meetings that I have with the Housing Executive, in which the issue does feature, and because we have entered a cold weather period, I have arranged a dedicated meeting to review preparations and response plans. I am due to meet the chief executive of the Housing Executive on Thursday.

**Mr Lynch:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his comprehensive statement, and all the Members who spoke in the debate. The House is unanimous, and it is good to make a winding-up speech on a motion on which everyone has agreed.

As Joe Byrne said, this is a timely motion, particularly as we move into the winter months. As all those who spoke in the debate outlined, the results of the past two winters, but particularly 2010-11, were devastating. I will not rehash those contributions, but Fra McCann said that what was needed was a joined-up strategy, particularly involving NI Water.

As a member of the Committee for Regional Development, I have experienced officials

appearing before the Committee over the past couple of months, particularly on this issue. I was not there the day that the group went to see the communications centre. From what we read and see, we know that it has been dealing with a lot of the key issues on staffing, technology and communications. Most Members outlined that those were the key criticisms that were made.

Mr McCann talked about the Housing Executive, which is what we are all here to talk about. What happened was not good enough. We have all experienced devastating results. A Member on the opposite Benches — I think it was either Mr Campbell, Mr Copeland or Mr Roy Beggs — said that one third of the Housing Executive's stock was damaged last year. I live in a housing estate in the constituency of Fermanagh and South Tyrone, where one third of the houses was damaged in one way or another.

Mr Campbell said that the Department needed to be in a state of readiness. None of us would disagree with that. I agree with him. As soon as any bad weather is on the horizon, we should get ready to move all the measures into place. Some of the Met Office forecasts tell you that we are in for a cold spell before the end of the month, but it does not always get it right.

Mr Copeland talked about the pressures that the Housing Executive and NI Water were under. We do not disagree, and we are not used to winters of such severity. It was said that a winter as severe as last year's would occur once in 100 years, but we cannot afford to sit on our hands and wait another 99 years. There must be plans to deal with citizens, because the most vulnerable and the elderly were affected by last winter more than a lot of people.

Mr Byrne talked about the lack of water supply, and he paid tribute, as did others, to the social services and community groups. I think that we all agree with that. He said that there were subcontractors who worked over and above the call of duty during that period. There was no doubt that some plumbers worked 24/7. I know some of them. Some plumbers are looking forward to another hard winter so that they can make money; most of them are out of work for most of the year because of the downturn in the economy.

Pat Doherty said that he was in the coldest place — Castlederg. That could be true, but, coming from Fermanagh, I can tell you that it was pretty cold there as well.

A lot of people said that lessons needed to be learned from what happened. We must learn lessons, and there needs to be a joined-up strategy between the two Departments, so I welcome the Minister's statement.

Other Members talked about last winter being the coldest that we have had in a long time. We all agree on that. Mr Douglas talked about the age of global communications. We all know about that, because we can contact people in any corner of the world, but it was very difficult to contact anybody, particularly people in Northern Ireland Water. Hopefully, however, that will have changed, but the whole litmus test will be what happens if there is another bad winter.

The Minister talked about the challenges that the Housing Executive experienced. Nobody would underestimate those. He said that he had addressed the problems, that work was being undertaken to do so and that emergency plans were put in place. I am glad to hear that that has happened. He agreed with the criticism of the communications and said that plans were put in place in that regard.

He mentioned the installation of frost stats. I heard tell of that type of instrument only in recent days. A lot of problems were caused when elderly people and people with few resources switched off their heating at night when going to bed. That led to their water system freezing during the night, and then the thaw burst their pipes.

If frost stats were installed in houses, they would go some way to ending that problem.

I welcome the provision of information at local level. One of the difficulties was the lack of information, and local representatives said that some autonomy should be given to local areas by supplying them with more information rather than the information coming from the top down. That would help them to be prepared for critical periods. Finally, I hope that we do not get the severe weather that the Minister has planned for, but, if we do, that will be the litmus test.

*Question put and agreed to.*

*Resolved:*

*That this Assembly calls on the Minister for Social Development to put in place measures to safeguard water and heating supplies and repair services in anticipation of severe weather conditions; and to work closely with the Minister for Regional Development in preparation for the winter period.*

## **Dealing with the Past**

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

**Mr Lyttle:** I beg to move

*That this Assembly calls on the Secretary of State to convene talks between the political parties to broker an agreement on how to deal with the legacy of the past.*

I realise that we are at the end of today's business, and I am extremely grateful for the opportunity to propose this important motion. I am glad to accept the amendment, which is in the spirit of the substance of our proposal. I make it clear that the motion is not intended to incite party political debate on the complexities of our past. Rather, it is to offer political parties in the Assembly an opportunity to send out a clear message that we can at least agree on the need to deal with our past and to commit to urgent and inclusive talks to progress this important matter.

It is now over two years since the consultation on how we as a society might deal with the past. Since then, the Secretary of State, Owen Paterson, has stated repeatedly that political consensus is needed to progress the issue and that such consensus will be hard to achieve. I do not disagree with that analysis, but surely a meeting of the political parties in the Assembly would be a good start. Dealing with the past is, of course, sensitive and complex. It is vital that we recognise and acknowledge the individuals and families in our community experiencing profound suffering and that we meet their needs and rights. However, we must also recognise the fact that a failure to deal with that legacy comprehensively risks fuelling division and suspicion for generations of our society to come. I, for one, am committed to doing all that I can to ensure that my children do not live in that type of society.



Some people have expressed concern that a comprehensive approach to dealing with the past could be counterproductive and that political stability and distributing resources for the important challenge of service delivery to victims are the best outcomes that we could realistically hope to achieve. Others have argued that, as a result of our contested past and contested future, aiming for an agreed approach to dealing with the past is, at best, naive. It is important to remember that, since around 2006, the Commission for Victims and Survivors has been exercising a mandate to promote the interests of the bereaved, the injured, carers and witnesses of conflict-related incidents. If we can find a way to address comprehensively the civil rights of victims and deal with our past in a collective manner, perhaps we can replace that contested future for a more shared and better one.

Recent statistics have shown that 30% of the population consider themselves to be directly affected by the Troubles, which is more than 500,000 people. Eighty-one per cent do not wish for assistance, and 19%, or around 100,000 people, are receiving or would like help. Ten per cent of the population are bereaved from the Troubles, which is around 170,000 people. In 2010, research identified 50,000 people not in work in Northern Ireland due to mental disorder.

### 5.15 pm

We can debate definitions and processes, but, in my view, the need is crystal clear. Although the Victims' Commission and other groups are working to meet that service need, we have, at present, a fragmented, patchwork approach to recovery and are responding to issues as they emerge. We need an overarching process capable of listening to the individual needs of families and the wider need of our society to heal divisions and to learn from the lessons of the past in order to avoid repeating them.

The significant objection to aspects of the report by the Consultative Group on the Past overshadowed the greater potential at the heart of it. It was a far from perfect report, but my party maintains that many of its recommendations provide a basis from which we can consider a more comprehensive process for dealing with the past. Many loud voices have called for the wholesale rejection of the Eames/Bradley report and have used different analyses to support their claims. One such analysis included

reference to a Northern Ireland Affairs Committee report, which, on closer reading, is clear on the issue. It stated that a "do nothing" approach was not an option and that a number of proposals in the Consultative Group report should be built upon. It stated that the past must be approached within a coherent overall framework and that although a legacy commission could not be supported at that time, it was possible that a similar body could be effective in the future following further debate.

There also appears to be a degree of agreement among victims' groups that key strands for any approach could include investigation, information recovery and the examination of key thematic issues and events that have significantly affected our society. There is also evidence to suggest that storytelling has been a useful mechanism in such processes. I recognise that any approach will have to add coherence to existing structures, such as the Historical Enquiries Team (HET), the Victims' Commission and the Community Relations Council, and underpin the valuable work of community and voluntary groups that are working to support victims.

The Historical Enquiries Team set out to review over 2,500 cases, involving over 3,200 victims by April 2013; it is just over halfway through the murder cases, and, in chronological terms, it has reached approximately 1977. I strongly agree that victims deserve to know whether an investigation into a crime against them or their loved ones has been carried out properly. I also agree that the HET has met the needs of many families through investigation and information recovery. For many victims, that has been the first coherent narrative that they have received about what happened to their loved ones during the Troubles. It is clear, however, that there are outstanding demands for truth and justice and that the criminal justice system may not be able to deal with them all.

If we are to deal with the past, we must recognise and acknowledge victims and survivors; however, to stop there is to fail to examine the full legacy and consequence of our past. Dealing with the past is not just about victims, and it would be wrong to put that challenge out to victims alone. Deep division, sectarianism, segregation, suspicion, and the socio-economic deprivation that affects our wider community and economy are all legacies of the past. It is for that reason that we need an overarching policy framework to include an independent, co-ordinating body that

will take forward, in a realistic time frame and with possible international involvement, investigation, information recovery, the examination of key thematic issues and the use of storytelling to form a basis from which we can consider a comprehensive way of dealing with the past.

I would like to think that —

**Mr Allister:** The Member talked a lot about storytelling and thematic issues. Has he no appreciation of the fact that what those who suffered most in the conflict want most is justice and that they see much of what he talks about as a deflection from justice?

If we had, within our investigative process, the vigour that could have been applied, and could yet be applied, we might actually attain justice against some of those who seem to be beyond the reach of justice and are very good at storytelling, telling us that they never belonged to the IRA or that they resigned on some fictional date. So, before the Member gets carried away with advocating things like storytelling, should he not return to justice, which is the core issue that victims need addressed?

**Mr Lyttle:** I thank the Member for his intervention. I gratefully gave way to him, but I am not sure that he was listening to what I was saying, particularly my reference to and emphasis on the justice that had been brought to bear on many families through the work of the Historical Enquiries Team. In fairness, the reference to storytelling has been fairly minimal in my comments so far, but, nonetheless, international evidence supports the view that it can be a useful mechanism to deal with past conflict and to build a more shared future. I thank the Member for his intervention nonetheless.

I would like to think that the British Government, the Irish Government, this Assembly and our international friends have enough creativity, ability and sensitivity to seek agreement on this issue. As I said, the issue must be addressed in an inclusive manner, not only for the sake of individuals and families but for the good of wider society, so that the more prosperous, hopeful and shared future that most of us are seeking to build is set on stable foundations.

I acknowledge profound concerns about this type of process.

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

**Mr Lyttle:** However, I appeal to Members to support the motion and the amendment, because it would display our collective commitment to this issue.

**Mr McDevitt:** I beg to move the following amendment: Leave out all after "political parties" and insert

*"and, working with the Irish Government, to identify and agree mechanisms to address the legacy of the past informed by the needs and requirements of victims; and to have regard to the views of the Commission for Victims and Survivors, the Consultative Group on the Past and others".*

The SDLP has tabled the amendment to provide further context to the honest and noble sentiment of the motion. We have tabled it specifically in order to reference the fact that dealing with the past is not simply a matter for the British Government and this House — there is an obvious and clearly codified and stated role for the Irish state — and that it is not something that we would start to do or to discuss from scratch, as we would come to any debate on this topic on the basis that a considerable amount of work has already been done. That work has been done by the Commission for Victims and Survivors, the Consultative Group on the Past and others.

The SDLP has long seen the need to be able to frame the debate on dealing with our past on an ethical basis. We see a basic need to inform this debate in a way that has its foundations in some sound ethical grounds. If I may, for the benefit of the House and for the record, I will reflect on some of the ethical bases on which we believe this debate should progress. We believe that full consideration of the past and its impact on the present is more than acknowledgement and accountability: it is a critical part of creating a healed and reconciled society. We also believe that failure now to address the past in the most complete terms will impede the creation of a healed and reconciled society.

The SDLP is of the view that the creation of a healed and reconciled society needs people, communities, politicians and others in leadership positions and elsewhere to acknowledge, listen to and attempt to understand the experience of others. That is not — I repeat, not — to legitimise wrongdoing, to create equivalence in personal circumstance or, in any other way, to diminish the horror of experience during the

years of conflict. It is to make the point that an essential component of attempting to address the past is an understanding of the differing experiences of that past.

Addressing the past on an ethical basis also means that the issues arriving from the past are of the utmost sensitivity, and, as a result, all should tread cautiously and demonstrate, deepen and work to achieve new levels of respect between persons, communities and others. The needs and views of victims and survivors should, of course, be a central and essential touchstone against which to judge proposals for addressing the past. There should be genuine acknowledgement of victims and survivors, accepting that, as we see things, there is not equivalence between each set of individual and personal circumstances. There should be collective caution and constant vigilance against allowing the abuse of history through a rewriting of the experience of the past and the deliberate non-disclosure or partial disclosure of the truth exclusively or primarily to protect individuals, state agencies and terror organisations who have narrow and selfish interests.

Addressing the past on an ethical basis also means that there is a need for truth, defined by each victim, through apology, acknowledgement, independent investigation, prosecution, conviction or any other model of accountability. It means acknowledging each and all debts in the conflict and paying particular regard to victims where there has, to date, been no or little accountability, such as in the case of the victims of the Ballymurphy massacre.

Addressing the past on an ethical basis means truth processes complying with due process, international law and obligations. It also means that there is a particular and urgent responsibility for those in state organisations and terror groups who directed wrongdoing and terror and were in command and control to personally acknowledge and account for their actions. It means that all must address the facts of all the conflict. There is evidence that some seek to misrepresent or diminish the scale of their individual wrongdoing or the culpability of particular state organisations or terror groups. That must not be allowed to continue.

Addressing the past on an ethical basis means that there is a need to acknowledge that many people, by their actions and attitudes, cannot be held culpable for the wrongs of others. The vast

majority of people across the community held to democratic practice, a sense of justice to all and a toleration and acceptance of difference. They cannot be held responsible for those in the state or other groups or parties who did not uphold those standards.

Addressing the past on an ethical basis means that there should be an understanding of the harsh and alienating experience in which people and communities lived and how people of very young ages in particular were made to become involved in violence. It also means that each person — each of us — should consider his or her personal conduct in the context of the experience of years of conflict.

That is not the definitive list of principles, but we listed them to shape the character of our approach to this debate. I bluntly say to anyone who wants to reduce the narrative, argument or future debate about the past to either a justiciable or narrative-based outcome: you are incomplete in your thinking.

There is another context, which, at the times we wrote those words, was not as evident or upon us as it is today, namely the question of commemoration and how it informs our ability to deal with our past.

### 5.30 pm

We are at the dawn of a decade of centenaries, and we must not allow that decade to become dominated by a retrospective, revisionist view of our early past. There is an opportunity for the House to redeem itself in the eyes of the people and to redeem its place in history if it is capable of rising above the selfish interests represented here and seeking a determination to build a process on the principles that we have outlined. It can go further and reach out in a genuine desire to build a shared history, so that, when we come to acknowledge the centenaries that are upon us, we will be able to do so looking forward to another century, one in which we can honestly resolve that the mistakes of the past century will never be repeated, but where we do not forget, where we are capable of remembering without insulting, and where we are capable of finding justice without the need to divide our society. That is the challenge before the House. It will be the standard by which I and my party will forever measure this place. Is it brave enough to face its past honestly, to deliver justice to those from whom it has been denied and to offer hope in the

next century to a land that has, sadly, been too divided for too long?

**Mr Campbell:** I know that the words “this is a timely motion” are often overused. Almost every debate seeks to be timely to one group of people or another. However, it is undoubtedly pertinent concerning today’s motion. We have no difficulty with the motion, but we will oppose the amendment, and I will deal with our response to both of those in a moment.

Although we support the motion, we do not do so with any great expectation of success, and by success I mean the successful outcome of the talks that should be convened as a result of the motion. The reason for that is that there is no clear agreement or consensus on the troubled legacy that we have in Northern Ireland. We had a very explicit reference to that last night and this morning as regards the person who was convicted of assisting the IRA terrorists who attacked a police station. Even though that person was convicted for his part in assisting the IRA terrorists, he was rewarded with a significant amount of money for his trauma — as I think it was described — because he was unarmed, although the soldiers had no way of knowing that he was unarmed. There we have, if we want it, a nucleus of why there is a divergence, a gulf, a chasm of Grand Canyon-like proportions. It would appear that there is not the acceptance by people in the republican community to divest themselves of the reasons for the perpetration of murder in the first instance.

**Mr A Maginness:** Will the Member give way?

**Mr Campbell:** Do I get an extra minute? Then I will give way.

**Mr A Maginness:** The Member has gone on from the court case to talk about memories of the republican and nationalist community and their interpretation. However, a court of law determined that issue, and the court of law decided that there was disproportionate force used by the army in such circumstances, despite the fact that that person was guilty of a criminal offence. The damages were reduced accordingly.

**Mr Campbell:** Heaven forbid what the damages would have been beforehand. However, the point is that if the law concludes that that is the case, then my argument is that the law is wrong.

If a person is engaged in criminal activity, which includes the attempted murder of numbers of people in a police station, and he receives the just rewards of his activity, he should not get any cash reward; he should pay the same price as his colleagues. I do not want to get sidetracked by that particular instance, but I am using it as an example of why we have the dispute about the origins of the past in the first place.

There are those who are unable to face up to the fact that the disadvantage, alienation or whatever they argue existed cannot justify the emergence of a brutal terror machine known as the Provisional IRA. However, there are people who are prepared to do that, and Sinn Féin does so continually. Until those people come to the point where they concede that it was something that they should not have been engaged in, that it was wrong, that it was in error and that they apologise for it, there will be no convergence. However, I happily concede that they are not likely to make those concessions. We will not accept now, or ever in the future, that there was any such need or desire or requirement. If there had been, members of my community, in a much more recent time, could have adopted the same principle and said that they would engage in terror, murder and violence because they felt disadvantaged and alienated. However, they did not adopt the same policy. While there is that divergence, the likelihood of all-party talks reaching agreement on how we deal with the past is remote, to say the least.

There are republicans who talk about the murder campaign as a conflict, as though we are talking about various sides of the coin being equally guilty, to a greater or lesser degree, of inflicting violence on the other. That is the way they word it. The difference, of course, is that there were several organisations on the paramilitary side of the coin whose whole rationale for existence and *raison d’être* was to kill, murder and maim. On the other side of the coin were the forces of the state. However minuscule the number — 0.1% — who may have exceeded their authority, the rationale and *raison d’être* of the British army, police, UDR, RUC Reserve and all the organisations was never to murder, kill or maim. That is the distinction, but Sinn Féin will never accept that distinction. While it does not accept it, there is no possibility whatever of there being a meeting of minds.

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



**Mr Campbell:** Therefore, while we agree with the motion, we think that the likelihood of progress is remote, to say the least.

**Mr McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. That contribution in many ways represents the challenge for all of us. One of the failures amidst a catalogue of quite remarkable political and historical changes over the past number of years has been the inability to agree a methodology for bringing forward an effective truth recovery process.

**Mr Beggs:** Will the Member give way?

**Mr McLaughlin:** Let me get started, please. There cannot be a sensible argument that there was not a conflict. It was a conflict that involved many different sides. There were victims and survivors on all sides, and there were protagonists on all sides. Sinn Féin's position is that you cannot recover the truth by asking some of the protagonists to answer questions, and you cannot recover the truth by asking some of the questions. If you do that, you will recover some of the truth, and that is the most that you can expect.

We have many victims and survivors on all sides in our society. They are represented here by all the parties who have a mandate to be here.

**Mr Campbell:** Will the Member give way?

**Mr McLaughlin:** No, I am sorry. With every day, week, month and year that passes, it will get more difficult to deliver an effective truth recovery process. The fact that we have failed to deliver one is our responsibility. There are many arguments: what was the motivation of the IRA? What was the motivation of the British army? What was its intention? Did it intend to murder? Did it intend to kill people? We are really addressing here the victims and survivors. We should recognise that their grief, trauma and suffering were the same. The colour of their blood was the same.

We cannot refuse to move forward just because people will insist on having a hierarchy of blame and responsibility. Well, we can, of course. It is now 16 years since we reached agreement, and we have not moved an inch. Is that the way to represent the people who sent us here to try to resolve these issues? That is the question that I put to the House. We have to start to talk to each other. Yes, we heard some of the old arguments being rehearsed, and I have a few

arguments of my own. However, the motion gives us the opportunity to begin to find an agreed formula. Not talking to each other ensures only one thing: that we will not find such a formula.

Roy, if you still want in, I will let you in now.

**Mr Beggs:** The Member indicates that he still wants a truth recovery process. Does he accept that when Mo Mowlam let all the prisoners out without placing any requirement on them to tell the truth, the whole truth, in advance, she torpedoed that, and that the great concern is that no truth would come from those involved in terrorism because they have no incentive to tell it?

**Mr McLaughlin:** I do not accept that, Roy, with respect, because we might not have got to first base had that approach been taken. I think that Mo Mowlam acted in a very pragmatic and strategic fashion in responding to that particular pressure. It created the opportunity for the agreement, on which we have been attempting to build ever since, to emerge.

Republicans have made it clear that, in the circumstances of a fair, equitable, objective and independent truth recovery process, they will be there. That has to be contrasted with the remarks of Owen Paterson at the Tory Party conference last week. He basically told us to forget about it and said that we would not recover this truth. In my view, the main reason why we will not recover it is that the British Government refuse to give the lead. They are not forthcoming about their role in what was undoubtedly, undeniably, a conflict —

**Mr Allister:** When did Martin leave the IRA?

**Mr McLaughlin:** I could point the finger of blame —

**Mr Allister:** Some truth.

**Mr McLaughlin:** I am telling the truth. The truth is —

**Mr Deputy Speaker:** Order. I ask the Member to resume his seat. Under no circumstances will any Member make remarks from a sedentary position.

**Mr McLaughlin:** Let me make the point again, without interruption. Unless all protagonists can come forward on the same basis, not all of the protagonists will be willing to address that issue. There is no point in hearing part of the story. The truth of the past four decades of conflict and division, death and destruction,

will be a mosaic of all those different stories pieced together. That is the only way that we will resolve the issue. We cannot resolve the issue for some and leave others to continue to suffer; in fact, their suffering would be increased by the fact that their particular heartbreak was not being addressed. Whether they are unionist, nationalist or republican, combatant or non-combatant, their relatives and families are victims and survivors, and they are entitled to our support in finding the truth that they need to allow them to come to terms with the suffering of the past decades.

So far, the Assembly has failed to respond to that challenge. I will avoid getting involved in a shouting match with anybody on this issue. There are many things to be said about some very difficult and sensitive issues. However, dialogue, we know, will not hurt anybody. So let the dialogue begin. Let the discussion begin, and let us hear each other's perspective on how we can move forward. We have put forward our proposition, and we are entitled to do so. We are also prepared to listen to others' observations and proposals. If they come up with a better model than Sinn Féin, we will respond to it.

**Mr Nesbitt:** On the face of it, what is there not to support in an innocuous motion that calls on the Secretary of State to convene talks? Yet the motion from the Alliance Party, our conscience when it comes to highlighting duplication and the associated costs, makes no reference to the Consultative Group on the Past, the work that it has done or the £1.25 million that it cost to do that work.

The motion, I fear, also does what politicians tend to do with victims — it raises false hope that, finally, an initiative is coming round the corner. Meanwhile, previous plans sit on shelves gathering dust when they should be used to inform decisions by people such as the Secretary of State. Perhaps we should call on the Secretary of State to give us his definitive views on the Consultative Group on the Past.

**Mr Lyttle:** I thank the Member for giving way. Was it not the case that I made specific reference to facets of the Consultative Group on the Past's recommendations that could be used in a practical way for the benefit of victims and survivors?

## 5.45 pm

**Mr Nesbitt:** I thank the Member for his intervention. I refer him to his own motion, which makes no reference to the Consultative Group on the Past.

The motion also fails to address the fact that we cannot even agree on what we mean by "the legacy of the past". Mr Campbell hinted at that. We cannot agree on what happened, and we certainly cannot agree on why it happened. We cannot even agree on the language that we use to describe it. Was it "the Troubles", "the conflict", or was it, as republicans like to say, a "war"? If it was a war — as a small example — putting a bomb on a school bus in Lisnaskea was a war crime, and those responsible should be sent to The Hague to answer for themselves. If the deputy First Minister is correct in saying that some killings by the IRA were, in fact, murder, perhaps the next incumbent of Áras an Uachtaráin will be subject to an extradition request from the British Government.

I agree that the current processes add up to an incomplete, imbalanced and imperfect set of initiatives, be it public inquiries, the Historical Enquiries Team or, indeed, the Office of the Police Ombudsman. The trouble is that, although each investigation in isolation may have some merit, when you put them all together, they add up to something else: a body of work that, in fact, represents the rewriting of history. That rewriting has the result that the state and its agents are consistently portrayed as the villains of the piece.

I question to what end we are doing all this. Who, for example, changed their mind about what happened to Billy Wright in the Maze prison because of the public inquiry? I do not wish to linger on the cost of these things, but that inquiry cost £1 million less than the entire three-year budget for victims and survivors in the previous Programme for Government. For whose benefit do we want to deal with the past? Is it for the individuals who were most impacted, or is it for the benefit of society, moving forward? Those are not parallel tracks.

What is legacy? Is it to be measured narrowly in terms of truth and justice, or is it something much broader? Despite what Mr Allister may feel, if we cannot agree on a single narrative for what happened, perhaps the best thing to do is to facilitate storytelling to ensure that all voices

can be heard and can be left as a legacy and as an educational tool for future generations.

*(Mr Speaker in the Chair)*

We are all aware of the book 'Lost Lives', a thick tome that recounts the stories of 3,000-plus killings during the Troubles. Perhaps what is missing is a whole set of books named 'Impacted Lives'. If it were to detail only the physically injured, we would need no fewer than 10 volumes the size of 'Lost Lives'. If we look at those whose health and mental well-being has been affected by the Troubles — and we should think about that on this world mental health day — there would be innumerable stories and dozens of volumes littering our libraries.

The legacy of the past is with us in the Assembly, the Departments and the Executive. It is with us in the work of the Office of the First Minister and deputy First Minister; the Department of Health, Social Services and Public Safety; the Department for Social Development; the Department of Agriculture and Rural Development; the Department of Education; and the Department for Employment and Learning. We tend to define dealing with the past in terms of the dead: how they died and why they died. I suggest that this House has a duty to deal with the past by doing what we can for the living. Those who suffered during the conflict, who carry the physical and mental scars — those whom we can reach out and help. Perhaps that is the greatest power that we can bring to dealing with the past. If it is a chase for truth and justice then, unless everybody, as Mr McLaughlin hinted, is prepared to tell their truth, there will be no truth.

In conclusion, it is interesting that the Eames/Bradley Consultative Group on the Past did not talk about truth recovery. It talked about information recovery: an acknowledgement that we are on the road to nowhere.

**Lord Morrow:** I believe that the Alliance Party's motion is a genuine attempt to move forward the vexatious issue of dealing with the past. I hope that that does not come as a surprise to the Alliance Party.

Much has been said about dealing with the past. However, it appears that the past means different things to different people, not least the innocent victims who had to suffer the brunt of a ruthless terrorist campaign that went on for far too long; indeed, for almost 40

years. One of the most glaring failures of all was the Consultative Group on the Past, which was established in June 2007 and which was co-chaired by Lord Eames and Denis Bradley. It reported on 28 January 2009. Sadly, it failed to grasp the issues, and, as we read through its report, it was patently obvious that there was no inclination to identify the prime culprits in the years of terror that this country was forced to endure. What was all the more disturbing about that report was the attempt to equate innocent victims and terrorists on the same level and on the one page, with blame equally shared. The report sought to justify why we had had the long years of terrorism, but, in any event, it made a bad situation infinitely worse.

The motion asks the Secretary of State:

*"to convene talks between the political parties to broker an agreement on how to deal with the legacy of the past."*

The amendment is a crude attempt to blur the lines and to politicise the issue. For that reason, as my colleague Gregory Campbell said, the DUP will not support the amendment. There can be no doubt that the Republic of Ireland is culpable, not least because its constitution previously claimed jurisdiction over Northern Ireland. Furthermore, its refusal to extradite wanted terrorists sent out a clear message that the Republic would and could be used as a safe haven for those who were wanted for heinous crimes in Northern Ireland.

I am firmly of the opinion that victims deserve the truth, but I am extremely doubtful that that will ever happen. Sinn Féin has set its face against the Historical Enquiries Team and has made it clear that it will not co-operate with the team's investigations. That is in the face of indisputable statistics that show that republican paramilitary groups were responsible for the murder of over 2,000 people, and it indicates that if accepted ground rules are not endorsed by Sinn Féin its participation will not be forthcoming.

That non-co-operative stance sends out a powerful message about the attitude that Sinn Féin will adopt in any attempts to deal with the past genuinely and meaningfully. Its failure to recognise the Provisional IRA and other terrorist groups for what they are will always be a hindrance to getting to the truth and the hard facts. A much vaunted truth commission on Sinn Féin's terms might only serve to make

victims suffer twice over, as there would be no legal requirement for terrorist organisations to be brought to justice. Is that what we want for the innocent victims of our troubled past? It is a double indignity, and it will add insult to injury.

However, I note a divergence in Sinn Féin's stance. Martin McGuinness recently and finally acknowledged that innocent victims of the Troubles' atrocities were murdered. He said:

*"where innocent people lost their lives, then it is quite legitimate for the term murder to be used."*

Sinn Féin and the IRA had formerly referred to victims by the convenient phrase "regrettable accidents", which trivialises the slaughter of the innocent. Spilling your tea is a regrettable accident; callous murder is deliberate and deplorable.

It appears that Sinn Féin's understanding of victims is polluted by the term "legitimate targets." I accept that its stance has since been altered, but its members still appear to have a major problem with the role that they played in the past. In order to create a future, they must accept that their past has left the victims' blood on their hands; the sooner they reach that conclusion the better it will be for all concerned. There is a long distance to go.

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

**Lord Morrow:** However, an acceptance of past activities would go some way to start them off on a path to a better future for society, and for victims in particular. The challenge for Sinn Féin members is that they can attempt to rewrite history, but despite all the distortions, the truth will come out and they will have to accept it.

**Mr Speaker:** Your time is up.

**Lord Morrow:** The challenge for the rest of us is that, whatever the end result, the legacy of the past must not serve —

**Mr Speaker:** I must insist. The Member's time is certainly up.

**Lord Morrow:** — as a prison for the future.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. The fact is that there is no perfect blueprint for dealing with the past, but there are some universal principles, and one of those has to be independence. If we were to suggest that Sinn Féin, or republicans or even the Irish Government, should set up a truth recovery

process, it would be laughed out of court, and rightly so. That is how we feel about the suggestions that the British Government should set up a truth recovery process. The fact is that the British were protagonists in the conflict and they have a lot of questions to answer. Independence is the first universal principle on the list. No protagonist should have an oversight role in any truth recovery process. Given how small a geographical area we live in and how much mistrust there is, it is not unreasonable to suggest that there should be international oversight of any truth recovery process.

Some rubbish has been written recently about Sinn Féin's proposal for a truth recovery process. Denis Bradley, one of the authors of the Eames/Bradley report, said that Sinn Féin wanted the UN to pay for a truth recovery commission and that it wanted the UN to come in and set it up. That is not true. If there is to be a truth recovery process, the two Governments should pay for it. The UN has a role in advising on best practice in setting up a truth recovery process and on the international personality who should head it. The difficulty is that, in the absence of an agreed truth recovery process, we get the disjointed approach that we have been getting up to now. We have the Historical Enquiries Team, the Office of the Police Ombudsman, the Cory inquiries, inquests, the selective release of information to the media, people writing books and so on.

One of the arguments against any sort of truth recovery commission is the cost. If anyone wants to count up the cost of all those inquests, inquiries and so on, he will find that it amounts to quite a few quid. Look at the Saville inquiry, which cost an absolute fortune. One of the reasons for that is that, at every step of the way, the Ministry of Defence (MOD) tried to block the truth from coming out.

**Mr T Clarke:** I thank the Member for giving way. He cites the Saville inquiry and claims that the MOD blocked the truth. Did the former deputy First Minister not also try to block the truth by not giving evidence at the inquiry?

**Mr Speaker:** The Member will have an extra minute added to his time.

**Mr Sheehan:** Go raibh maith agat.

I do not know how you work that out.

**Mr T Clarke:** He refused to give information.



**Mr Speaker:** Order. Allow the Member to continue.

**Mr Sheehan:** The deputy First Minister went and gave the truth to the Saville inquiry.

However, I do not want to enter into a confrontation with the other side of the House. Republicans have proved their credentials in dealing with the legacy of the past. The head of the commission for the disappeared publicly praised republicans for co-operating with his commission in trying to find the bodies of those people who had been disappeared.

**Mr T Clarke:** Buried.

**Mr Speaker:** Order.

**Mr Sheehan:** The fact is this, and I do not say that in a confrontational way, but there is a challenge here, that unionists and unionism in general needs to face up to its role in the conflict.

#### 6.00 pm

A few months ago, I listened to Arlene Foster speak about her father, and she spoke with obvious pride about the role that he played in the RUC defending the unionist community. That is fair enough. I think that children should be able to have pride in their parents. As Gregory Campbell said earlier, he does not expect to change our minds, and I do not expect to change the minds of unionism. I do not expect the people on the far side of this House to become republicans any time soon. I acknowledge what Arlene Foster said about her father, but I ask unionism to acknowledge that the people in the community from which I come had a different experience of the RUC from the experience that the unionist community had. If we can agree on that, perhaps we can agree to move forward. Sin a bhfuil uaim. Go raibh maith agat.

**Mr S Anderson:** The motion before us is vague and woolly. It does not address the real issues that I imagine those who tabled it seek to address, but, as others have said, I suppose that it is an attempt to deal with the past. The motion asks for talks to be convened with the aim of brokering an agreement on how to deal with the past. Let us suppose that the Secretary of State convened those talks — that would be the easy bit. To broker a deal that deals effectively and fairly with the past will require a commitment from all parties to play their full part. That is something that we have never had. There must be a level playing field.

I thought that Members opposite supported the Belfast Agreement, but it seems to me that they are not even prepared to face up to the present, never mind the past. The Acting deputy First Minister told us no later than yesterday that he will not meet Her Majesty the Queen, yet he sits in this Assembly within the United Kingdom. Surely he and his colleagues need to recognise one very important reality: Northern Ireland is part of the United Kingdom and will remain so.

I suspect that the Members opposite are not prepared to openly, honestly and robustly reveal their own past. They want others to do so, but they will not do so themselves. We see that now on an almost daily basis in the Irish presidential campaign. Gerry Adams still says that he was never in the IRA. No one believes that for one minute, but he sticks to that story. Martin McGuinness appears to be suffering from selective amnesia. I understand that he says that he was in the IRA between 1972 and 1974, but he has no recollection of the years before or after. How convenient is that? He still says that he knows nothing about the murder of Frank Hegarty or the Claudy bombings. What if he maintains that position? The IRA never owned up to the sectarian element in its terrorist campaign or, for example, actions at Kingsmills. Suppose that continues to be the case? As long as some Members of this House are not prepared to face the realities of the present, I have little confidence that they will be prepared to face the reality of their own past.

Turning now to the amendment, I believe that it does no more than turn a vague motion into a totally unacceptable one. I have two main concerns. First, it casts the Irish Government in the role of facilitator, but, with respect, the Irish Government cannot be a broker, for one of the realities of the past is that the Irish Government of the day helped to finance, train, arm and establish the Provisional IRA. That is what happened, and we have to face up to that reality.

**Mr McDevitt:** Will the Member give way?

**Mr S Anderson:** No. I am trying to get through this speech.

The SDLP amendment has handed the Southern Government the chance to stay off the hook over the role of one of their predecessors in helping to set up the Provisional IRA. Various Governments of the Irish Republic also provided republican terrorists with a safe haven during the dark days of ethnic cleansing along the border.

Even today, IRA secrets lie buried with the disappeared in the Irish Republic. It is a shame and a disgrace that those IRA murder victims have still not been returned to their families for a Christian burial. The Irish Government, who have put pressure on the British Government with regard to Bloody Sunday and similar events, must step up to the mark. Until they do so, they cannot be seen as being a facilitator.

The second thing that the SDLP amendment does is to try to resurrect the discredited Eames/Bradley recommendations. Those recommendations took the position that where a family encouraged and supported a family member as he or she set about murdering their neighbour on the sole grounds of religion, that family are victims just like their slain neighbour. That notion is repellent, and it shames those SDLP Members who tabled such an amendment.

The Protestant and Unionist people who witnessed so many of their loved ones murdered and maimed by the Provisional IRA over 40 years are looking for real answers from those who carried out those atrocities. Only when those questions are answered by the people who know can we begin to give proper thought to addressing the past.

**Mr Elliott:** Obviously, I acknowledge the principle behind the motion from Mr Lyttle and the Alliance Party. However, I question the likelihood of making it happen and having a positive outcome. I am sure that Mr Lyttle will go some way towards acknowledging that.

I have noted some of the words that have been used by contributors to the debate so far; in particular, Mr Sheehan, who spoke just a few moments ago. He said that republicans have proved their credentials. I tell you, Mr Sheehan, and everyone else in the House, that republicans certainly have proved their credentials over the past 40 years. They have proved their credentials by murdering, maiming and bombing society. Many people in society and the community will not forget that. That is not to say that many people from the Loyalist community did not do the same. They also murdered their fellow citizens.

It is time that we acknowledged the facts. Despite all of the talk about a truth commission or truth recovery process, does anyone here believe that he or she would get the truth from someone who went out and murdered his or her neighbour and who is still in self-denial about

it? Absolutely not; it is absolute nonsense. I will tell you what one would get from a truth recovery process. One would get some truths from certain people; I acknowledge that. One would get half-truths from others. From the vast majority, however, one would get only a bundle of lies or an absolute blank where nothing whatsoever is told. It is time that people acknowledge the situation.

**Mr A Maginness:** I understand the Member's point about not getting the truth from certain people. However, does he accept that there is a need for the concept of a truth recovery process?

**Mr Speaker:** The Member will have a minute added to his time.

**Mr Elliott:** Thank you very much, Mr Speaker. I thank the Member for his contribution. I acknowledge, and would like to see, the truth. The vast majority of people in the community want the truth. They would love to hear it. They would love to see a proper process in which one would get the truth. What I am telling Members is the reality of the situation. We cannot step away from the fact that one would not get the truth.

In fairness, if there were a system that could actually bring out the truth, I would be all for it. I think that the community at large is all for it. However, a group of people who might be able to give more evidence to the Historical Enquiries Team than most others does not even offer to bring any of that evidence forward. Perhaps, some of them will contradict me. I am quite willing to listen to them. I do not know of any member of Sinn Féin, which, let us not forget, was inextricably linked to the IRA, who has even come forward to HET with a shred of evidence or to give it any support, acknowledgement or assistance in solving some of those heinous crimes that were committed in society.

We must not forget the fact that people are still hurting and suffering, and we do not want to re-traumatise them. That is for all communities throughout this society; it is not linked to just one community. It is right throughout society, where neighbour murdered neighbour. That is the fact of it.

No one can deny that there was ethnic cleansing in the community. I look back at electoral registers from the 1930s and 1940s and realise how some areas in Northern Ireland have been decimated and a particular community totally taken away. The west bank of Londonderry is a prime

example, if we want one that is easy to recognise. However, there are many others, such as Rosslea and Newtownbutler in my own constituency.

We will not move forward, folks, until we have a proper definition of victim. We cannot continue to have a process in which the perpetrators of violence and those who murdered others in this society for no reason whatsoever can be classified as victims and have the rights that — what I would term — real victims should have.

The SDLP amendment says that work should be done in conjunction with the Irish Government. As Mr Anderson highlighted, we must remember the role that the Irish Government played in the Troubles in Northern Ireland for many years. Although they might not have been openly supportive of it, many in this society would suggest that, at best, they turned a blind eye to some of what was going on and allowed terrorists free movement in that society. We need only look at the ongoing Smithwick tribunal. A number of people have given evidence that a member of the garda in the Dundalk station —

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

**Mr Elliott:** — was, if not a member of the Provisional IRA, at least giving significant evidence and information to it.

**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. I half expected the debate to go the way that it has gone. It is unfortunate, because the people who brought forward the motion and the amendment did so in good faith and thought that it would have been supported by the whole House. I see nothing in the amendment to upset anyone on any Benches, but that is for others to decide.

Many Members spoke about the need to deal with the past; no one is saying that that need does not exist. However, there also has to be sincerity and a process of reconciliation. Sometimes the language that we use when we discuss issues such as this in the Chamber does nothing except add pain and hurt to families. My party has said many times that there should not be a hierarchy of victims. As my colleague Mitchel McLaughlin said, all families should be treated with dignity and respect, no matter what has happened in their lives. Any process will undoubtedly be very difficult and painful, particularly for those families, and has to be conducted in a sensitive

and genuine way. It is essential that we put the victims at the centre of it.

Through the peace process, we have created the space in which we can try to reach out and build relationships, not only between communities across this island but between Ireland and Britain. My party wants that relationship to develop; we want to reach out to people in the unionist and loyalist communities. A lot of work is being done between communities to break down barriers and to create the spaces in which that can happen. That work of partnership is ongoing, and it is ongoing in places such as this. It is all about the outworkings of the Good Friday Agreement and the St Andrews Agreement. We really need to build that future for people and make it as inclusive as possible.

### 6.15 pm

However, when talking about the past and how to deal with it, as well as about a truth recovery process, there is also a very clear need to look at the causes of the conflict. I know that we will perhaps never agree on some issues, but we need to look at the causes of the conflict when we are trying to deal with the past. It is really important for us here to ensure that our children, the children out in those communities now and the children of the whole of Ireland, never have to experience and see what people of our age group experienced and saw. For me, that is the important thing about this process. It is about reaching out and trying to deal with the issue in a way that is sensitive and that gives all those families dignity. I really hope that we can do that and not create a hierarchy of victims.

**Mr T Clarke:** I probably disagree with my colleague to the rear of me, who referred to the debate as possibly being woolly in substance. The motion is a genuine attempt to look for avenues to see how we could discuss the past. When I came in here today, I was unsure exactly what I wanted to say, although I had my own thoughts on the subject.

However, it was interesting that, as the debate unfolded, we had probably two different versions from Sinn Féin, one of the parties on the opposite Benches. Mitchel McLaughlin seemed to suggest that a discussion would be useful, but the party then pushes out Mr Sheehan, who had an unapologetic view about what he and other members of his party were involved in. I know that Mitchel McLaughlin talked about the process having gone on for 16 years and about

moving it on, but, whenever you put someone up to speak who has an unapologetic view about what they were engaged in in the past, we will have difficulty examining the past, given that they do not see that what they did was wrong.

**Mr Sheehan:** Will the Member give way?

**Mr T Clarke:** No, I will not give way. The Member then referred to the commission for the disappeared. I think that he wanted a pat on the back for how the commission said that it engaged. It does not deserve any pat on the back, because, at the end of the day, we would not have had that commission had it not been for those in his party who took people up back streets, murdered them and then took them to various parts of Northern Ireland and buried them. So, we would not have needed that commission but for his party's members, himself and whoever else was involved in paramilitarism. I find it difficult to move this argument on when we have that unapologetic view.

We then had the Member from the Front Benches of the same party who was probably trying to show sincerity in her concern for how the debate went. The nationalists keep referring to a hierarchy of victims. There is no hierarchy of victims. I do not think that anyone in the Chamber would describe them as being in a hierarchy. There is either right or wrong, and there was never a right time for someone to take someone else's life. Unfortunately, the people on the opposite Benches were engaged in practices where they went out and murdered people.

One of the good things that I heard in the past number of weeks was the former deputy First Minister suggesting that it was murder. That is a step forward. It has taken us 16 years to get there. However, the only welcome thing I heard from Sinn Féin in the past number of weeks was that it has now decided that it was murder. So, where a hierarchy is concerned, I think that it has now come to the mind that perhaps what it was engaged in was murder and that its members should not be classified as victims.

I heard other things today that concerned me. Mr Nesbitt said that the motion was not very broad, and I appreciate that Mr Lyttle was not going to make his whole speech about why he was proposing the motion. However, one thing that Mr Lyttle said that concerned me, and the Member for North Antrim picked up on this, was to do with storytelling.

The people of Northern Ireland, regardless of what side of the community they come from, have had enough of storytelling. The leader of the Ulster Unionist Party got it right when he said that wrong was done on both sides and murder was conducted on both sides. Regardless of whether people are from a Roman Catholic family or a Protestant family, they do not want stories to be told any more. They have heard stories for years; they want truth and justice.

Until we have some sincerity from those involved in wrongdoing in the past, it does not matter how much we talk. They must genuinely accept that what they did in the past was wrong. All of those who were involved in perpetrating violence must come to the table, say that what they did was wrong and offer information. I do not know whether this applies, but if some of the Members opposite have not yet served time, it may mean their having to serve in Her Majesty's Prison. They are happy enough to take her money here. If they have to serve under Her Majesty in prison, that is where they should go.

**Mr Givan:** Does the Member agree that, where there is the potential for individuals to be prosecuted and ultimately sent to jail, it would be a positive step if Sinn Féin as a party decided to engage with the Historical Enquiries Team and encourage those in the republican community to do likewise? My understanding is that that party refuses to work with the Historical Enquiries Team at the moment.

**Mr Speaker:** The Member has a minute added to his time.

**Mr T Clarke:** I thank the Member for that point, and I agree wholeheartedly. I have had the unfortunate experience of having to deal with the HET because of a family bereavement. One point to make in relation to that is that eight workmen were blown up while travelling, and, as Lord Morrow said earlier, some have said in the past that they were "legitimate targets". I do not believe that anyone was a legitimate target.

The work of the Historical Enquiries Team has been difficult because it looks at only one side of the debate. It cannot examine how Northern Ireland gets the truth from Sinn Féin or others who have conducted murder. Until these people come forward with information and engage in commissions that already exist, we are never going to get the truth. I support the motion.



**Mr McCartney:** On a point of order, Mr Speaker. Will the Speaker, allowing for the emotion of the debate, look at Mr Clarke's references to this party and make a ruling, please?

**Mr Speaker:** I hear what the Member is saying. *[Interruption.]* Order. I will look at Hansard.

**Mr D McIlveen:** I will keep my comments brief as I am conscious that this has been a long debate. It is a challenging motion, and it has been interesting to hear what has been said. Mr Lyttle's comments about our not veering into a complex party political debate may have been wishful thinking, but we are where we are, and we have to accept that it is a very sensitive issue.

It is important to ask why we do not deal effectively with the past. I feel that going down the road of hugely expensive inquiries during an economic crisis would be unfortunate, because all they achieve is further division. We have to accept that these inquiries have veered away from their initial remit, which was to establish the truth. I am all for the truth; do not get me wrong. I would love to see the truth brought to the fore in all cases, but we have to accept that these inquiries have become a push to get the answer that the instigator of the inquiry wants rather than to find the truth.

We have to accept that the cost of these inquiries has got out of control. The Saville inquiry is a perfect example: the cost of that would have paid one year's salary for 15,000 nurses, 5,000 doctors or 11,000 policemen. The party opposite has its red flag unfurled to the wind at the very sniff of industrial action. How it can go back to its constituents and try to justify that sort of waste of money is beyond me. I cannot see how that can be accepted.

Something else that baffles me is the fact that it must be simple to answer some questions, yet we do not seem to be getting those answers. I cannot be alone in finding it disconcerting that we can discover how much the First Minister spends in Asda, but we cannot establish exactly when he left the IRA. I am baffled by that, and that is something that we have to address.

**Mr T Clarke:** You mean the deputy First Minister.

**Mr D McIlveen:** I mean the deputy First Minister — I apologise. *[Laughter.]* I am glad that the party whip is not here.

We have to accept that there is a huge disparity between everybody's version of the truth and what they are looking for. Although, like a lot of my colleagues, I will take the motion in the spirit in which it was tabled, I have huge difficulty with the amendment. I will therefore support my colleagues in opposing the amendment.

**Mr A Maginness:** Dealing with the past is central to the process of reconciliation in this Chamber and in our society. If we do not tackle the past, and address the issues arising from the past, how can we ever reconcile our society? Do we occupy a conflict-resolution process or a conflict-substitution process? If we use issues from the past to shape and form the politics of the present then, in fact, we are not moving from the past at all, and we are doomed to repeat the mistakes of the past. It is that acute and urgent that we have to look at it extremely seriously, and I do not think that we have really applied our minds to it.

It is insufficient for the DUP to state in the Assembly that the motion is not sufficient for addressing the issues of the past. There seems to be reluctance on the part of the DUP to accept the very concept of a mechanism for dealing with the past. I hope that I am wrong about that. At least the Ulster Unionists, through their leader, Tom Elliott, have accepted the need for a process. He may say that it is doomed to failure or will be flawed or imperfect, but at least he accepts that process. I do not sense that from the Benches opposite.

I think that Sinn Féin members are being disingenuous in their embracement of a truth recovery process. They stipulate that it has to be an independent, international process. Sinn Féin has accepted inquiries by English judges, American judges and Irish judges. They have accepted those inquiries and are quite prepared to accept the outcome of those inquiries when it suits them. It seems to me to be less than frank to say that they will only accept an international, independent inquiry. That seems to me to fall short of what is required by the spirit of the Good Friday Agreement, which is an attempt to reconcile people and bring them together.

Through the violence of the republican movement — and that of loyalists, but, in particular, the republican movement — they divided our people even further. There was no justification whatsoever for any violence on the part of republicans. That should be accepted

now by them. It is quite wrong for republicans to justify everything retrospectively and claim that violence was justified. It was not justified. There was a peaceful pathway, which the civil rights campaign developed and the SDLP promoted after that, through which people could non-violently change this society and bring about a reconciliation of our people. Instead, they chose to go down a violent pathway, which divided our people even further. They claimed at the same time that they wanted to unite Ireland.

How can you unite Ireland if you are going to divide the very people whom you want to persuade to come into a united Ireland? How can you do that through murder? That is a reality that Sinn Féin has to address when it addresses the past.

### 6.30 pm

I believe that Sinn Féin is deliberately avoiding that central issue. It is necessary for the party to come to that acceptance, but it is necessary for us all to agree on good and thorough mechanisms that will bring about truth recovery. The report of the Eames/Bradley group outlined mechanisms —

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

**Mr A Maginness:** We can refine those mechanisms, but the very bones, basis and foundation for that truth recovery is contained therein.

**Mr Dickson:** Thank you, Mr Speaker, for the opportunity to make the winding-up speech in the debate. I thank my colleague Mr Lyttle for proposing the motion and Mr McDevitt for his amendment. I will speak briefly about the amendment. We cannot see any reason why the House should not be free to support the amendment. After all, the Irish Government have been part and parcel not only of the history and troubles of the past that we are trying to unravel in this debate for the future but of the settlement that brought us where we are today. Therefore, it is valuable and important that they play a role in any mechanism that we invite the Secretary of State and others to set up to reveal to us and, perhaps —

**Mr Campbell:** The Member is talking about the Republic's part in dealing with our past, but does he accept that part of the problem with the Irish Republic is that, in Northern Ireland, there

are many who talk about our Government being to blame for what arose in the past and how violence was responded to, but the Republic's Government have never owned up to the part that they, as a Government, played in arming and establishing the Provisional IRA that caused 30 years of mayhem?

**Mr Dickson:** Perhaps before I answer that point, I should say that the purpose of the debate is not to enter into what people describe as the blame game. I have to congratulate many Members in the Chamber who have, rightly, not pointed us in that direction although some, sadly, have.

My response to Mr Campbell is simply this: I accept all the debate and discussion that has taken place today. I am not apportioning blame, nor am I saying who is right and who is wrong. Mr Campbell raised a valid point; it is a point of view to which many people subscribe, which is that the Irish Government were as complicit as they were helpful in the process over that period. Yes, in that respect, if the British Government, as Sinn Féin suggested, are to pay for this, why should the Irish Government not participate in that as well? Sinn Féin tells us that the British Government are to blame for this process, Mr Campbell tells us that the Irish Government have also to bear some blame for all this, so why should they not contribute to it? I do not wish to apportion blame today, because to do that would be to fall into the trap from which the motion is genuinely trying to save the Assembly.

The purpose of the motion is to invite the Secretary of State and others, if we agree, to assist in the setting up of a process that will allow us to examine very deep, hurtful and painful issues. I dare suggest that many, if not all, in the Chamber have in some shape or form had such issues visited on our lives. Those issues have touched us in our lives, whether through the death of a loved one or an attack on our property. No matter how the situation of the past has affected each one of us, we owe it to ourselves and to every young person born and unborn who will come into this society in the future to know why we did what we did to one another and to know and understand what drove us to do the things that we did to one another, regardless of who we were and whatever our background or the motivation for doing it.

We did not propose the motion to open up the debate on contentious issues. Rather, it was to

determine that the House could demonstrate our willingness to begin to process the legacy of the past and that it can be addressed effectively. Dealing with our past is a very difficult and complex issue, one that the few minutes — in reality, they have been only a few minutes — in the Chamber have demonstrated today. After 40 years of conflict, peace has not had, and will not have, immediate effect. There still exists deep individual and collective hurt in our society. Everyone in the Chamber, whether sceptical or otherwise of today's debate, will acknowledge that those who have directly suffered as a result of violence and conflict want to have answers. They want to have an answer to why it happened to them, our community and our society. As my colleague Mr Lyttle highlighted at the beginning of the debate, one third of our present population consider themselves to be in that category. One third of the population of Northern Ireland consider themselves to be affected, hurt or damaged in some way by what has gone on over the past 40 years. That is a deeply troubling figure.

It is not just an issue about our past. The debate is also about our present and, most importantly, our future. We have all heard it bandied around the Chamber on many occasions, but it is worth repeating that the cost of division in this society is over £1 billion a year. The number of peace walls, which shame this society, has increased in recent years. Sectarianism continues to account for over 50% of all hate crimes. PSNI statistics show that there has been a 24% increase in sectarian crimes in the past year.

Division affects us all. It affects our children. Recent research shows that one third of children already identify with Protestant or Catholic communities by the age of six. Catholic and Protestant children were found, from the age of three, to show differences in their preference for particular people's names and flags, and differences in their attitudes towards marches and the police. We are a society that is deeply flawed, and we need answers to those flaws.

We must acknowledge that such division is not absent from the Assembly, as we have seen in the debate this afternoon. However, I wish genuinely to rise above that. It is important to emphasise that the debate has set us on a pathway to inviting external forces, our Secretary of State and the Irish Government, if that is the desire of the Assembly, to move the debate

forward. We have had organisations such as the Eames/Bradley group, the Victims' Commission and the Historical Enquiries Team. Those organisations may be criticised for the part that they have played, but they have all played a part. I do not think that anyone would genuinely say that the part they played has not, in some way at least, been a constructive way forward.

**Mr Byrne:** I thank the Member for giving way. Does he agree that the Eames/Bradley group afforded many families that had been suffering quietly in isolation the opportunity to come forward and at least engage in some way in some sort of a process?

**Mr Dickson:** Indeed I do. We are trying to develop that. There are all sorts of pathways and routes for people to come to an understanding about and a conclusion on those things that have hurt them very badly. Mr Allister demanded justice. We all demand justice. Where justice can be achieved, it should be. For many, however, the justice of a jail sentence will not be available to them. For many, simply an acknowledgement of, "I did this to you, and this is why I did it to you" will be sufficient for them to have an understanding of what happened.

My colleagues in the Alliance Party and I have emphasised for many years the importance of overcoming our divisions and building a shared future for Northern Ireland. That cannot be achieved without us, as a society, dealing with the legacy of the past, which, if left untouched, will be a cancer that will grow. It is clear that the legacy of the Troubles must be addressed in a way that transforms our society. We have heard some transformational comments in the Chamber, but we have also heard some regressive ones.

I encourage Members to grasp the need to transform the debate and take it a step forward, not to say that we have finished with the debate and that it is now the responsibility of the Secretary of State and the Irish Government. Remember: the purpose of the resolution is to convene a meeting of the parties, and it is for us, the Members in the Chamber, to determine the way forward. History will not judge us fairly or kindly if we cannot resolve the problems of our past.

It is over two years since the publication of the Eames/Bradley report, and there has been no progress towards the establishment of a reconciliation process. It has been

acknowledged on all sides that that report was not perfect, but it provided a foundation on which a process could be built. In particular, the central recommendations to establish a legacy commission with separate elements of reconciliation —

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

**Mr Dickson:** I will, Mr Speaker. There must be a willingness to address the truth of incidents. I appeal to Members to support the motion and to call on the Secretary of State to convene those talks. If we do that with a united voice, the Secretary of State will have to listen to us.

*Question put, That the amendment be made.*

*The Assembly divided: Ayes 41; Noes 42.*

## AYES

Ms M Anderson, Mr Attwood, Ms Boyle,  
Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke,  
Mrs Cochrane, Mr Dickson, Mr Doherty, Mr Durkan,  
Dr Farry, Mr Flanagan, Mr Ford, Ms Gildernew,  
Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle,  
Mr F McCann, Ms J McCann, Mr McCarthy,  
Mr McCartney, Mr McDevitt, Dr McDonnell,  
Mr McElduff, Mr McGlone, Mrs McKeivitt,  
Mr McLaughlin, Mr McMullan, Mr A Maginness,  
Mr P Maskey, Mr Murphy, Ms Ní Chuilín,  
Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ritchie,  
Ms Ruane, Mr Sheehan.

*Tellers for the Ayes: Mr D Bradley and Mr Durkan.*

## NOES

Mr Allister, Mr S Anderson, Mr Beggs, Mr Bell,  
Ms P Bradley, Mr Buchanan, Mr Campbell,  
Mr T Clarke, Mr Craig, Mrs Dobson, Mr Douglas,  
Mr Dunne, Mr Easton, Mr Elliott, Mr Frew,  
Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale,  
Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin,  
Mr McCallister, Mr McCausland, Mr B McCrea,  
Mr I McCrea, Mr D McIlveen, Miss M McIlveen,  
Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton,  
Mrs Overend, Mr Poots, Mr P Robinson, Mr Ross,  
Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

*Tellers for the Noes: Mr Irwin and Mr Nesbitt.*

*Question accordingly negatived.*

*Main Question put and agreed to.*

**Resolved:**

*That this Assembly calls on the Secretary of State to convene talks between the political parties to broker an agreement on how to deal with the legacy of the past.*

*Adjourned at 6.52 pm.*





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# Northern Ireland Assembly

Tuesday 11 October 2011

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

*Members observed two minutes' silence.*

## Ministerial Statement

### North/South Ministerial Council: Institutional Format

**Mr Speaker:** The Acting deputy First Minister, Mr John O'Dowd, wishes to make a statement to the Assembly this morning.

**Mr O'Dowd (The Acting deputy First Minister):**  
Go raibh maith agat, a Cheann Comhairle.  
In compliance with section 52C(2) of the NI Act 1998, we wish to make a statement on the sixth North/South Ministerial Council (NSMC) institutional meeting, which was held in Stormont Castle on Monday 3 October 2011. Minister Kennedy, who also attended the meeting, has approved the report, and we make it on his behalf as well. The First Minister Peter Robinson MLA, Minister Kennedy MLA and I represented the Executive. The First Minister and I chaired the meeting. The Tánaiste and Minister for Foreign Affairs and Trade, Eamon Gilmore, represented the Irish Government.

Ministers had a broad discussion on practical mutually beneficial co-operation in the context of the current economic and budgetary challenges that face each jurisdiction. Among the areas discussed were shared economic challenges, the context of North/South co-operation and co-operation to save money in service delivery. The Council discussed matters relating to the North/South bodies and noted progress on their corporate and business plans and the implementation of cumulative efficiency savings. It noted that a review of the financial memoranda of the North/South bodies is under way, and a report on progress will be provided to the next NSMC institutional meeting.

The Council also noted that the boards of the North/South bodies are due for renewal in December 2011 and that nominations will be brought forward for approval at the NSMC

plenary meeting in November 2011. Revised reduced remuneration rates for board members that will take effect from December 2011 were also agreed.

The Council discussed progress on EU-related matters that were raised at NSMC meetings. That included discussions on collaboration to maximise drawdown of EU funds from the FP7 research and development programme. Ministers also discussed progress on current EU programmes and the potential for co-operation on future EU programmes.

With regard to cross-border mobility issues, Ministers were informed that systems have been put in place to resolve delays in the processing of certain Department of Social Protection welfare benefit claims with a cross-border element. The Council noted the continuing popularity of the Border People website — [www.borderpeople.info](http://www.borderpeople.info) — and that the Centre for Cross Border Studies, in partnership with other organisations, will apply for EU funding for the website, which will incorporate specialist training for the provision of advice on cross-border matters.

Work taken forward to facilitate the comparison of vocational qualifications obtained in other jurisdictions was discussed. That included the publication of a leaflet 'Qualifications can cross boundaries: a rough guide to comparing qualifications in the UK and Ireland'.

Ministers noted the progress made with regard to the north-west gateway initiative.

The Council agreed that the next institutional meeting will be held in spring 2012.

**Mr Humphrey:** I thank the Acting deputy First Minister for his statement to the House. What progress has been made as regards saving money in delivery service to North/South bodies?

**Mr O'Dowd:** There has been a constant review of the financing of the North/South ministerial bodies. The Member is aware of the ongoing review under the St Andrews Agreement, which is looking at the number of bodies and the implementation costs. Both jurisdictions are conscious of the need for savings to be delivered in those matters. We are conscious of the economic pressures bearing down on both jurisdictions, and we want to ensure that whatever work we carry out is effective and efficient in delivering services for people on the ground.

**Ms J McCann:** Go raibh maith agat, a Cheann Comhairle. Given that the Minister referred to the shared economic challenges, will he give us an update on the National Asset Management Agency (NAMA)?

**Mr O'Dowd:** NAMA was raised at the meeting, and we sought assurances from the Tánaiste with regard to its forward work programme. We also sought assurances that there would be no fire sale of properties in this jurisdiction currently under the control of NAMA and received those assurances. We raised concerns that, although we have a representative on the NAMA northern board, often that representative is given information after decisions have been taken. We sought to ensure that, in future, such matters are fully discussed with our representatives and that they are included in the decision-making process, so that we are kept up to date with all those matters. The Tánaiste noted that NAMA is an arm's-length body of the Irish Government. However, he will do all in his power to ensure that our interests and voice are heard around the NAMA table and that we are kept briefed and up to date on all its workings.

**Mr Nesbitt:** I thank the Minister for his report. With regard to the renewal of the boards of the North/South bodies, what steps are being taken to ensure that the highest quality of applicant comes forward next time, particularly given the view of DUP Executive Ministers, including the First Minister, who, speaking in the House yesterday, offered the opinion that often more can be done by a phone call to our opposite number than by working those formal North/South bodies?

**Mr O'Dowd:** It is recognised and the report shows that the North/South bodies have carried out a significant amount of work. Obviously, we want the highest calibre of individuals to apply

and be appointed to those bodies, and that is something that the Office of the First Minister and deputy First Minister (OFMDFM) and, no doubt, the Irish Government will continue to apply when selecting and appointing candidates to those bodies. As with all circumstances, there are instances when a phone call will do and business can be conducted in that way. It is good that Ministers feel comfortable enough to phone each other regularly and to conduct business over the phone. However, longer-term programmes of work need to be carried out, and detailed work has to be carried out to complete those tasks. In those circumstances, you need well-equipped boards with the right calibre of individual to carry out that work. It is not one or the other; we require both to continue that programme of work.

**Mr Byrne:** I thank the Minister for his statement. Will he update the House on what was discussed with regard to the north-west gateway initiative, given that the people of Donegal and Derry want to see co-operation on health, education and other matters?

**Mr O'Dowd:** The north-west gateway initiative was discussed. Although we are conscious of the economic pressures bearing down on both jurisdictions, it is proposed that programmes of work for the initiative will continue. Alas, as I said, we are conscious of the pressures bearing down on both Administrations. Some of the work conducted around the north-west gateway, whether interjurisdictional or in each jurisdiction, will depend on the finances available to the Executive or to the Dublin Government.

**Mr Lunn:** I thank the Acting deputy First Minister for his statement, in which he mentioned vocational qualifications and how they can cross boundaries. Will the Acting deputy First Minister encourage the Minister for Employment and Learning to engage with his Southern counterpart to improve the transferability of vocational and educational qualifications between the jurisdictions? Will he do likewise with his other hat on as Minister of Education?

**Mr O'Dowd:** Although the Minister for Employment and Learning does not have a formal North/South relationship, I understand that he has been discussing those matters with Minister Ruairí Quinn, whose brief covers further and higher education. Progress has been made on the mutual recognition of qualifications. In my capacity as Minister of Education and as I

reported to the House recently, I am aware that the General Teaching Council on this side of the border and the appropriate body on the other side of the border are working more closely together on teacher qualifications. That work is ongoing. Work is also being carried out by the Council for the Curriculum, Examinations and Assessment and the National Qualifications Authority on cross-border recognition of qualifications. That work, too, is ongoing. I also reported in my statement that an information leaflet has been published that allows for greater transparency for employing bodies in recognising work qualifications that are mutually recognised on either side of the border.

**Mr Spratt:** I refer the Acting deputy First Minister to his comments on EU funds from the FP7 research and development programme. Will he elaborate on what discussions took place on collaboration to maximise Northern Ireland's position in drawing down funds for research and development, which seems to be one of the main areas for which EU money is available at present?

**Mr O'Dowd:** How we benefit mutually from European funding and how each jurisdiction benefits from European funding were raised as issues. The Member will be aware that, even in our Budget discussions, we placed a focus on drawing down European funding to assist our programmes of work, whether they be directly government-led, community and voluntary sector-led or, within that, business-led. It remains a focus of the North/South Ministerial Council and the Executive to draw down European funding for research and development.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Leas-Chéad Aire ghníomhach as a ráiteas. I thank the Acting deputy First Minister for his statement, and I welcome the progress that has been made on dealing with delays in processing certain welfare benefits that have a cross-border basis. I also welcome the fact that a system for that has been put in place. Many of us have called for such a system for years. Will the Minister provide an update and further details on the system and tell us how it will benefit people?

**Mr O'Dowd:** I have not got the complete details of the programme in front of me, but the Tánaiste assured the First Minister and me that the problems with social welfare payments, particularly to those based in the Southern

jurisdiction, have been resolved and that he has been assured by his Department and his Administration that problems that arose in the past have been resolved. However, I will ascertain whether any further information is available and, if so, forward it to the Member.

**Ms Boyle:** Go raibh maith agat, a Cheann Comhairle. How many North/South Ministerial Council meetings have been held since 2007?

**10.45 am**

**Mr O'Dowd:** Since 2007, approximately 92 North/South Ministerial Council meetings have been held. The majority of the meetings are now held in our newly equipped headquarters in Armagh, where staff are located and the functions of the North/South Ministerial Council are, by and large, operated.

**Mr A Maginness:** I thank the Acting deputy First Minister for his comprehensive report on the meeting. I am interested in paragraph 8 of the statement. There is huge potential for collaboration between North and South and other EU member states in relation to the European Union innovation fund. Do the two Governments have any specific plans to intensify the combined efforts of universities, North and South, to work together with business to really impact big time on the innovation fund? That fund is enormous. Somewhere in the region of €50 billion is available, and access to it could transform the economy in Northern Ireland.

**Mr O'Dowd:** The Member will be aware that we identified European funding as potential investment in our Budget to ensure that programmes that are operated by government, business and the community and voluntary sector are driven forward. Research and development and investment are part of that programme of work. Those issues were raised during the meeting between the First Minister and me and the Tánaiste, and both jurisdictions are acutely aware of their potential.

As we move towards the Irish presidency of the Council of the European Union in 2013, it is worth noting that the Tánaiste has offered our jurisdiction, our Civil Service and our senior officials a place at the table in preparation for that presidency. He has also offered the Civil Service membership of a working party that will discuss the terms of that presidency. Therefore, we will have a direct input at that stage. That shows that there is a good working relationship



on EU matters: the Tánaiste is kindly allowing our civil servants and senior officials access to the highest echelons of decision-making in Europe.

I cannot speak on behalf of the Minister for Employment and Learning about the universities. However, through my contact with Minister Quinn as part of my brief as Minister of Education, I am aware that he and the Minister for Employment and Learning are discussing potential work programmes for the benefit of both jurisdictions.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. Will he give the House an update on the A5 and A8 projects?

**Mr O'Dowd:** As I said in my opening comments, Minister Kennedy joined the First Minister and me at the meeting. He raised the A5 project with the Tánaiste, and he outlined the progress that has been made on that project and the time frame in which the work will take place. I understand that Minister Kennedy made a statement to the House yesterday on a number of spends and programmes of work that he is carrying out, and those will have an effect on the A5 project. However, that will be a delaying effect rather than a stalling effect. The Tánaiste offered his reassurance that the Dublin Government are committed to the A5 and the A8 projects.

**Mr Allister:** The statement refers to efficiency savings without quantifying what savings have been made in the £100 million per annum cost. Yesterday, the First Minister told us that a reduction in the number of bodies is on the agenda in the efficiency review. Can the Acting deputy First Minister confirm that?

**Mr O'Dowd:** The review of the workings of the North/South Ministerial Council is open to public scrutiny. I believe that the First Minister informed the Member yesterday that he may have been involved in the negotiations that led to that. I cannot verify that; I am only relaying information that I picked up yesterday in the House — *[Interruption.]*

**Mr Spratt:** He approved it.

**Mr Speaker:** Order. Allow the Acting deputy First Minister to continue.

**Mr O'Dowd:** Sorry. I understand that the Member actually approved the negotiations on the North/South Ministerial Council.

**Mr Allister:** I resigned over them.

**Mr Speaker:** Order. Allow the Minister to answer.

**Mr O'Dowd:** I suspect that the Member knows right well the answer to his question. The review of the North/South Ministerial Council is open to public scrutiny, and its work continues. Both jurisdictions want to ensure that we have effective, efficient services on the island of Ireland for the people whom we serve, regardless which side of the border they reside on.

**Mr Speaker:** That ends questions on the statement of the Acting deputy First Minister.

**Mr Spratt:** On a point of order, Mr Speaker. Is it proper for a Member, from a sedentary position, to accuse the First Minister of lying to the House yesterday? That is the word that he used: "lied". I understand that such language cannot be used in the House.

**Mr Speaker:** Allow me once again to check Hansard. I probably spend my whole life reading through Hansard for points of order. However, I am happy to allow Mr Allister to clarify the position if he wants.

**Mr Allister:** I never used the word "lied" whatsoever. I said that I resigned over the St Andrews matter. I never made any allegation about lying.

**Mr Speaker:** I am happy to check Hansard and come back to the Member or come back to the House. Let us move on.

## Private Members' Business

### Home-to-school Transport

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

**Mr McNarry:** I beg to move

*That this Assembly notes the importance of an effective home-to-school transport policy; believes that the current policy is outdated; and calls on the Minister of Education to initiate an overarching review of the policy to ensure that home-to-school transport is provided in the most cost-effective, efficient and safe manner.*

I see that the proposer of the amendment is not in the House. Perhaps, during the debate, you might give a judgement on what that implies.

The current arrangements for the provision of home-to-school transport came into operation in 1996. It is clearly time for a review. Home-to-school transport is a major operation, involving some 110,000 children, with an annual cost of £74 million. About 30% of those children receive free home-to-school transport, and, of those using public transport, 65% are carried by Translink, 27% by the education boards and 8% by private sector operators. In that last category, some £8 million is spent each year transporting pupils by taxi. I emphasise that I do not suggest that taxis for children with special requirements should in any way be disposed of. However, an analysis of costs indicates that Translink and Metro's costs are significantly lower. That suggests to us all that major savings can be made and that we need to look for greater efficiencies, which, I might add, do not mean job losses solely to reduce costs.

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

If all pupils transported by education board buses were transported instead by Translink, it is estimated that annual savings of £6.8 million could be achieved, which is enough, I suggest, to ease significantly pressure on a

Department that has lost its fiscal direction. We simply cannot afford to ignore such potential savings. However, the least we can look for is a far better working relationship between the education boards and Translink, for the benefit of the public purse, and look further to see what reductions can be negotiated with commercial private companies, using the negotiating tool of bulk purchase. The Department pays way too much for school transport. Indeed, if we consider Translink to be a private company — it is — why should we not widen the scope of private enterprise to compete for contracts or bundles of contracts, to see what enhancement of community bus services can also be realised on the back of that?

There is another aspect of home-to-school transport that needs to be considered. Clearly, if there is to be a major rationalisation of the schools estate, existing rules will become obsolete. School closures are on the predetermined hit list of recommendations of at least one board. Even in advance of general discussions about that following the audit planned by the Minister, some boards are jumping the gun and are trying to force school closures. Look no further than the South Eastern Education and Library Board, which is taking unilateral threats to parents way beyond the limit in Ballykeigle Primary School in my constituency. Every day we hear of such threats being transmitted in other areas under that board's control.

**Mr O'Dowd (The Minister of Education):** On a point of order, Mr Deputy Speaker. I am sorry for interrupting the Member, but is it appropriate for a Member of the House to refer to a public body issuing threats to anyone? I do not think that that is appropriate language for the House.

**Mr Deputy Speaker:** I remind Members to be moderate and to avoid any kind of controversy, which we do not want.

**Mr McNarry:** Mr Deputy Speaker, after yesterday, I will be the last person to get involved in controversy with the Chair. I respect your decision. The only thing that I will say is that I have been sent here by my constituents, and they have told me that they see those as threats, and it is my duty to report that to the House. That is what I have done, and I hope that the House will accept it in that manner.

**Mr Deputy Speaker:** I remind the Member that while he is in the House he should respect the

rules of the House, whatever his constituents might think.

**Mr McNarry:** Indeed, Mr Deputy Speaker. I shall take it no further.

The point that I was going to make was that, if rural schools are closed by the actions of the Executive and the Minister, he must take responsibility and be held accountable for the financial consequences of his actions. That includes the cost of forcing many more children into a position in which they need home-to-school transport. I contend that that will be more than was hitherto the case. That having been said, in a climate of cost cutting and savings, it is incumbent on all of us to look at the most cost-effective way to provide such transport, which may well involve outsourcing those services to the private sector. There is a good example of such a private service being operated in the County Down area by Down Town Transport Ltd.

Mr Deputy Speaker, as you will know, if rural life is to continue and all-age communities are to be preserved in the countryside, good home-to-school transport is essential, not optional. I say that as an MLA who represents the Strangford constituency, where there are many small rural communities, villages, towns and schools. Indeed, that is precisely why I am proposing the motion today: to bring to the attention of the Minister and the public the absolute need to sustain rural and semi-rural life, which is the norm for more than one third of our citizens.

An intrinsic part of sustaining rural life is having good home-to-school transport. It is part of ensuring the viability of the communities that I have talked about. Therefore, we cannot allow that important consideration to fall through the grating in our scramble for savings. The balance between service and costs is crucial, but lowering standards cannot and should not be acceptable.

We know that the Minister has embarked on an audit, which will bring out many stark facts. I hope that the motion, which I trust the House will support, will add weight to the proposition that, in the audit or as an important attachment to it, the Minister will factor in the delivery of school transport. He should do that not just as a cost but as a service and an intrinsic part of a level of servicing necessary for a shrinking schools estate, bringing in its wake, I hope, a

great deal more home-to-school travel than was needed before.

I look forward to the debate. I commend the motion to the House and ask Members for their support.

**Mr Agnew:** I beg to move the following amendment: Leave out all after "Education" and insert

*"to work with the Minister for Regional Development to create an holistic and sustainable school transport policy which will ensure that school transport is provided in the most cost-effective, efficient and safe manner."*

I must apologise to the Member and his party for my lateness and for missing the start of his introduction, but I was caught up in school traffic.

### 11.00 am

I tabled the amendment because I am concerned that the motion focuses too narrowly on a cost-benefit analysis and does not look at the huge array of benefits that investing in sustainable home-to-school transport can bring. The Member mentioned the costs that are involved, and it is right that we look at them, given the financial constraints. However, as I said, we must equally look at the benefits and, perhaps, at how we can spend money more wisely without reducing sustainable transport options for pupils.

It is estimated that congestion costs the economy £250 million a year. As anyone who drives will know, a large part of that congestion is caused by the school run, that is, children travelling to school. Many drivers dread the end of the summer when the schools come back and traffic congestion increases. Therefore, it makes sense that we look at the benefits that investing in sustainable transport would bring to the wider economy and that we look at the wider benefits of that, as opposed to the same indirect benefits.

Other benefits include safety, which is mentioned in the motion. Buses are the safest form of transport that pupils can use to get to school. The pack that the Research and Information Service provided to Members shows that there were no deaths on school buses between 1996 and 2005, while, during the same period, 17 deaths were attributable to other modes of home-to-school transport. Good work is already being done to improve

bus safety, but we must now look at improving the safety of other forms of home-to-school transport. If the motion is passed and the Minister accepts the recommendation to initiate a review of the policy, it must not only focus on safety and cost-efficiency, which, of course, are important, but have sustainability at its core. Part of the reason for my tabling the amendment was that I felt that that was an important omission from the motion.

A policy is needed that focuses on active school transport. Too many of our children get to school by private car. In some cases, that may be necessary. However, I argue that, in many cases, it is not. A policy is needed that has targets to reduce the number of children who get to school by private car. Such a policy should seek to increase the number who cycle and walk to school, because those methods have many benefits.

**Mr Campbell:** I thank the Member for giving way. Most people would appreciate the tenor of his comment that the policy should aim to increase the number of children who walk or cycle to school. However, does he appreciate and understand that many parents are concerned that, if they try to ensure that their children cycle or walk in, for example, extremely rural areas with small, narrow roads, particularly in wintertime, which has been mentioned, then, rather than assisting environmentally, they might actually be putting them in danger?

**Mr Agnew:** I absolutely accept the Member's point. At the start of my comments, I said that we need to move from making buses safer towards making walking and cycling safer. I said that there are circumstances where it may be necessary to use a car — perhaps for safety reasons because there are no alternative forms of safe transport. I will mention the Sustrans scheme to provide sustainable transport to rural schools.

As I said, there are many benefits of active school travel. It will help to tackle obesity, which, as we know, is a growing problem in society.

If children are healthier, their educational attainment will improve. In my short tenure as an MLA, the Assembly has debated reducing fuel poverty a number of times. We must help families to reduce their reliance on the car and, therefore, help them to tackle fuel poverty. As I mentioned, reducing traffic congestion will have wider benefits for our economy. Given

the targets to reduce CO2 emissions, we must be aware that transport accounts for 21% of all greenhouse gas emissions. As has been stated, the school run is a significant part of our transport.

Given the impact on a number of policy objectives, as I read up on the subject I started to think that my amendment, which calls on the Minister of Education to work with the Minister for Regional Development, does not go far enough. As has been pointed out, an active school transport policy will bring benefits to health and to the Minister for Social Development's attempts to tackle fuel poverty.

I mentioned the Sustrans rural safe routes to schools pilot, and that shows what can be achieved. The number of people using cars was cut by 22% in the pilot project; the number of children cycling increased by 100%, and the number walking increased by 40%. That happened in rural areas, which the Member mentioned and where, arguably, there are fewer sustainable transport options. Therefore, we could achieve even greater success in our towns and cities.

It is important that the Executive work together and that we do not have one party represented in the Executive calling on a Minister from another party to do something. We need co-operation at Executive level on policies such as this to ensure that costs and benefits are spread across Departments.

Sustrans estimates that it would cost around £2 million a year to provide the necessary funding to produce measures to run a successful scheme that targets primary schools. By my own crude calculations, £1.3 million or £1.4 million of that would be given to the Minister for Regional Development to improve safety for cyclists and walkers on our roads, and £600,000 or £700,000 would be given to the Education Minister. Given the benefits that I have outlined, those are reasonable costs. Indeed, such investment might increase savings in areas such as health and reduce fuel poverty. It would be a sensible investment at a time when money is scarce.

An active school transport policy would be good for our economy in reducing congestion; good for people in improving health and education outcomes; and good for our environment in reducing emissions and further improving air quality. I hope that the House will support the



amendment. It is not intended to take away from the motion in any way but simply to add to it the importance of sustainability in school transport policies and of Ministers working together.

**Mr Storey (The Chairperson of the Committee for Education):** I thank the Member who tabled the motion for the opportunity to engage in the debate. I speak as Chair of the Education Committee, but I trust that, if time permits, I will be able to make a few comments as a Member.

It is right and proper that I inform the House that the Committee has considered the issue of transport from home to school on a number of occasions since the beginning of this mandate. The thrust of the Committee's work focused on three areas: health and safety issues in such transport; the Department of Education and Department of Finance and Personnel (DFP) joint efficiency review; and the need to review the policy on transport from home to school. I will touch on each of those briefly.

At Committee meetings on 22 June and 7 September, members discussed the provision of school transport and the mechanisms through which compliance, enforcement and monitoring of health and safety issues took place, particularly the procurement process.

Some concerns were raised about contractual provisions vis-à-vis health and safety compliance; the frequency of health and safety inspections of transport; and the resources available to the boards and the Department of the Environment to monitor and enforce health and safety standards in home-to-school transport. Those are vital areas, because, although it is right for us to call for a review of the policy, we need to remember that thousands of children across Northern Ireland were transported today. Although it may take the House some considerable time to deal with the policy, the practice needs to be right today to ensure that our children are being transported in a safe manner.

The Committee, in furtherance of its scrutiny of this important issue, is pursuing information from the Federation of Passenger Transport, the Committee for Regional Development and the Committee for the Environment. It is only right and proper that we wait until such time as the Committee has formed a collective view.

In June, the Committee considered the ongoing work by the Department of Education and DFP

on a joint efficiency review. The performance and efficiency delivery unit (PEDU) review has two stages. The stage 1 report, which was published in March 2011, included school transport as one of its key themes. In short, the report found that, against a background of all boards facing increasing transport costs and falling pupil numbers, there were sharp increases of between 3% and 9% in unit costs across the education and library boards.

PEDU also found that the main sources of increased costs in home-to-school transport between 2004-05 and 2009-2010 were Ulsterbus, or Translink, and the board-owned vehicles. However, the increase in cost of the board-owned vehicles was more pronounced because that mode of transport carried just over half the number of pupils that Translink carried.

If we leave aside the three-for-two funding, the escalation in unit costs of board-owned vehicles was just under 40%, which was nearly twice the rate observed for Translink. If we take account of the three-for-two funding and examine the variation in costs of transporting children with special educational needs (SEN), the PEDU analysis still points to significant variations or growth in unit costs, particularly when comparing the South Eastern Board, the Western Board and the North Eastern Board. The stage 1 report found that, in the case of the Belfast Board, the overwhelming cost factor for board-owned vehicles in SEN —

**Mr T Clarke:** Will the Member give way?

**Mr Storey:** Yes.

**Mr T Clarke:** The Member compared the board-owned transport with the transport provided by Translink. Does the Member accept that those statistics are an unfair reflection, because Translink merely sticks to bigger routes and the board-owned buses tend to stay on smaller routes on which Translink does not function anyway? The statistics are being used to suggest that Translink is possibly cheaper, but the board-owned buses use routes that Translink cannot use.

**Mr Storey:** I thank the Member for that valid point. That needs to be clarified further, and I think that it will be addressed in the second stage of the PEDU report. His point about Translink not having access to rural roads was well made.

However, the point that must be made is that the unit cost of transporting SEN pupils in the Belfast Education and Library Board area by board-owned vehicles has gone up by a staggering 75%. In comparison, the South Eastern Education and Library Board transported more than twice the number of SEN pupils on board-owned vehicles for around the same overall cost. The stage 1 report highlighted what it characterised as some odd and unexplained variations in comparative spending on the taxi and daily allowance.

For example, in relation to the latter, PEDU was unclear why, in some cases, presumably in peripheral locations —

**11.15 am**

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

**Mr Storey:** — the number of pupils should have increased to such an extent —

**Mr Deputy Speaker:** Your time is up.

**Mr Storey:** I support the motion and the amendment.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Éirím chun tacaíocht a thabhairt don rún, agus gabhaim buíochas leis na Comhaltaí a chuir é faoi bhráid an Tionóil. Tá áthas orm go bhfuil an tAire Oideachais anseo chun éisteacht leis an rún agus leis an díospóireacht agus go mbeidh sé in ann a chuid smaointe féin a chur chun tosaigh.

There is no question that transport provision is a huge expense to the Assembly, with £75 million being spent on it each year. However, there is also no doubt about the key role that transport providers play in getting our children and young people to and from school and further education colleges in a safe and timely manner. That is particularly the case in rural constituencies such as my own. There is, however, significant wastage, and there are potential savings to be made in the transport budget. I welcome the fact that the Education Minister has made a commitment to ensure that £5 million is removed from the budget each year within this four-year budgetary period. He has also made commitments that that is to be done in a manner that does not impact on front line service provision, particularly on the needs of rural dwellers and children with special educational needs.

We need to ensure that any review that is carried out is done with rural proofing and equality measures at its core. I look forward to seeing exactly how the challenging targets that the Minister has set out can be achieved, and, later in my contribution, I will outline some proposals through which both savings and service improvements can be made.

I remember travelling to school as a young child from Garrison to Enniskillen, a journey of 25 miles, on a greatly overcrowded bus, where the youngest children had to sit on school bags at the front, and there were at least three people on each seat. That was a completely unsafe method of transporting young children to and from school, but it was good craic. Thankfully, there have been relatively few serious accidents on school transport.

In recent years, there has been a serious fall in the number of pupils availing themselves of our transport provision, so the problem of overcrowding is not so great any more. However, in the same time frame, there has been a huge surge in the cost of providing that transport. Much of those increased costs can be explained by rises in fuel prices, inflation, and the increasing costs of purchasing vehicles and servicing them, but the fact of the matter is that we need to look at how we provide and procure transport from home to school. I, therefore, welcome the motion and the amendment and the opportunity for the debate to take place.

The Chairperson of the Committee referred to stage 2 of PEDU. I look forward to seeing the proposals outlined in that report, and I anticipate the Minister reacting positively to them, as he has done to date throughout the process. I hope that one of the proposals to come out of that review will be to encourage greater collaboration between all our Departments, and particularly in regard to education and library boards, Translink, community transport operators and the Health Department. At present, we have a silo mentality in operation. Education and library board buses are often sitting idle throughout the day, when they could be used to provide affordable and reliable transport in neglected rural areas for the benefit of the entire community. There is also a greater need for collaboration and sharing of information among education and library boards and with transport providers in the South. We should not be afraid to tackle those issues.

We really need to take a serious look at the tender process for transport for children with special educational needs, at whether private taxi operators provide the best value for money for the Assembly and at whether potential savings could be found if there was greater collaboration with other public transport providers. Over the last six years alone, some £45 million has been spent on taxi hire for students.

Many Members who have spoken brought forward stories from their own constituencies, and I will keep with that trend. I was contacted by a lady just last week who had serious difficulties getting suitable transport for her 17-year-old son, who suffers from autism. He has done very well in remaining in full-time education, and he takes part in a course at the college of further education in Enniskillen. The rigid nature of the current policy means that he must get a taxi into Enniskillen for 9.00 am every morning and get one home at 3.00 pm. That normally suits him OK, except on Thursdays, when his class only runs from 11.00 am to 1.00 pm. That leaves a very vulnerable person in Enniskillen on his own for four hours each week. That is an area in which the policy has failed those it is designed to protect.

There is also a whole host of questions regarding the quality of some roads that young people are expected to walk on in dangerous conditions. We all know of the devastating loss —

**Mr T Clarke:** I thank the Member for giving way. He raises a pertinent point about some of the roads. I take it that he is referring to the fact that many of the roads have no footpaths. Does he not think that there is something that the Minister could do in relation to that? For some of the children who live fewer than two miles from the primary school, or three miles from the post-primary school, where there are spaces on the bus and buses are driving past the children walking along those roads, there are concessions that could be made. Can the Minister encourage the education and library boards to fill those places through concessions? In some areas, that is not the case.

**Mr Flanagan:** I thank the Member for his intervention. The motion calls for a review of the policy, so I hope that the Minister will take that issue on board.

To return to the subject of bad roads, we all know of the devastating loss to the local

community of Debbie White and Nathan Gault, who passed away after being knocked down getting off a bus near Florencecourt in November 2008. Since that terrible accident, their school, Devenish College, and other schools in Fermanagh have taken positive steps to attach reflective material to school blazers, a move that was supported by former Minister of Education Caitríona Ruane. I hope that that will be looked into as part of the review.

Mr Agnew correctly raised the issue of safety. In fact, a number of pupils from my former school tragically lost their lives on the way to and from school in private cars, when they could have been travelling on a bus.

**Mr Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Flanagan:** Since those incidents, the school in question has banned pupils from taking their own car to school. I look forward to hearing the rest of the debate and hope that it will get support across the House.

**Mr McDevitt:** I support the motion and Mr Agnew's amendment. I apologise to Mr McNarry and Mr Agnew for missing a good deal of their contributions; I was detained elsewhere in the Building.

It will not escape the attention of those who follow our business carefully that this is yet another day on which we are debating the need to do something at some point in the distant future. It is becoming a bit difficult to justify the House's existence when that is all that we seem to do. As meritorious as this and many other motions are, it would be much better for us all if we were here debating the outcomes of reviews and the proposed policies through legislation that Ministers may be able to bring to the House than simply calling on them to do something at some point in the not too, or perhaps too, distant future.

I am a bit surprised that anyone would come to the House and welcome a £5 million cut per annum in anyone's budget. I am surprised that anyone would suggest that taking money out of a very important public service is in the regional interest. I am particularly surprised that we would welcome it, given that we have the worst uptake in these islands of pupils — children and young people — using public transport to get to school. Fewer pupils in our primary and secondary schools use public transport

in Northern Ireland than anywhere else in these islands. In fact, more than half of all our pupils travel to school by car. I accept that we have a dispersed population, and I am a huge supporter of the integrity of our countryside and the way in which we have historically lived — a way in which we must be entitled to continue to live. However, it is bizarre to say that it is a good thing to cut by £5 million a budget that is already so abysmally failing.

I welcome the Chairperson of the Committee for Education's comments about the need to eliminate the extreme inefficiencies in the school transportation budget. However, if we are to eliminate inefficiencies, surely it would be better to close the gap in uptake so that we do not stand out as the worst-performing region in these islands when it comes to children's and young people's ability to access school transport. Rather, we need to stand out as a place in which there is a considerable increase in the uptake of school transport.

Eighty-eight per cent of schools in England now have school travel plans aimed at shifting kids and their parents away from using cars and towards alternative, safer ways of getting to school. Six hundred and fifty schools in the South use the Green-Schools programme, which, again, is about trying to make sure that children can get to school on public transport or through alternative modes other than their mum and dad's car, or, in some cases, as Mr Flanagan pointed out, and increasingly in some of the schools where the kids come from more affluent backgrounds, their own car.

Here, we have been cutting the budget to try to encourage kids to shift mode from a car to public transport. I accept that the Minister is responsible only for the education side, and I am not going to ask him to do anything else. However, when we look at our regional transportation strategy, which, of course, informs a lot of the debate, there is absolutely no connection whatsoever among health boards, education boards, Translink and the Post Office. Three or four vehicles travel the same country road and pick up three or four different people at three or four different times of the day. That is not duplicating; it is triplicating and quadrupling the amount of public investment that goes into transporting people along that road.

Wouldn't it be great if, rather than celebrating cutting £5 million a year out of the budget,

which is no celebration at all, we were genuinely talking about being able to continue to invest that money and getting so much more bang for our buck; and that, in fact, in the years ahead, it was not a majority —

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

**Mr McDevitt:** — that use their cars to go to school, but a tiny minority?

**Mr Lunn:** I support the motion and Mr Agnew's amendment, which is slightly more specific but has the same aim of tidying up and renewing an outdated policy. I am sure that substituting "holistic and sustainable" for "overarching" does not change the substance of the motion. From contributions previous, it sounds as if everybody will support it, which is good.

There are many points to be considered in this argument. Other Members referred to constituency problems. The most irritating one for me, which seems to recur every year, is the vexed question of the exact distance from home to school and the two-mile and three-mile rule. It worries me that the Department, in the case of which I am thinking, can commission an exact measurement over a three-mile route and then argue about 100 yards, particularly when the suggested route involves crossing a busy road at the nearest point without the benefit of a crossing patrol or traffic lights. The parents, in that case, did their own measurement using proper safety considerations and traffic lights. Their measurement was different to the Department's, but the Department won. It also worries me that, when two children live on the same street and attend the same school, one could be regarded as qualifying for free transport and the other not on the basis of the same rule.

Having got that out of my system, it is also a fact that, across all boards, transport costs have been rising while pupil numbers have steadily fallen over a number of years. That has produced the unit cost increase, to which the Chairman referred, of up to 9%. We are all familiar with the rapidly increasing figure of 85,000 empty desks, which only a couple of years ago was being quoted at 50,000.

Mr McNarry talked about greater efficiencies. He made some very good suggestions, mostly around privatisation and outsourcing. Mr Agnew went a different route and talked about



sustainability and environmental and health considerations. That is all very worthy. Mr McDevitt and others mentioned the £20 million that will be taken out of the budget over the four years. I wonder whether the real problem is the same one that affects every aspect of education at the moment: the fact that we have too many schools and sectors. Many schools operate well below what is regarded as a sustainable pupil number but still have a requirement for transport. Furthermore, there is the need for the controlled and maintained sectors to largely employ different school buses even though, as a result, they pass each other, sometimes half empty. That applies to the schools as well as the buses.

I do not, for one minute, advocate the closure of small schools. The Minister's viability review will take everything into consideration, not just pupil numbers. However, we need a root-and-branch review of our school estate and a meaningful post-primary review, not just the maintained sector review, which will be announced shortly. It needs to be across all sectors, and it will lead to a serious attempt to rationalise our system. That is now advocated by so many interested parties, which range from the One School of Thought campaign right through to the First Minister. There is certainly a wide range of interested parties that seem to think that the Alliance Party view has been right all along.

### 11.30 am

In recent days, the Minister has made statements that may lead to serious decisions being made. If the House were to allow the Minister to get on with that in the short, medium and longer term, perhaps problems such as the cost of school transport would resolve themselves to some extent. If the schools estate were put into the right framework and pupils were being sent to school in the most efficient way possible, obviously it would mean that there would be fewer schools and more co-operation across the sectors. That would mean that the requirement for transport would diminish, so the problem that we are looking at today would sort itself out to some extent. I look forward to what the Minister has to say. We support the motion and the amendment.

**Mr Craig:** I support the motion and the amendment. I refuse to take the pessimistic view that all of this should have been done a long time ago and that we are discussing

something that should have been sorted out. There are a wide range of reasons why it has not been sorted out, and there are a large number of reasons why it will not be sorted out in the short term. We inherited the policy from a direct rule Minister, and there is a whole raft of reasons why it is now completely out of date. One of the main reasons is the rising cost of transport, and there are rising costs of between 3% and 9% in the education and library boards (ELBs). In addition to that, the spending review that was announced by the coalition Government has led to the cut in the transport budget. All of us seem to forget that we do not have a magic hat from which we can summon up money from nowhere. Money has been taken away from us, and, unfortunately, school transport is one of the areas being cut.

The current arrangements for the provision of home-to-school transport came into operation in September 1997, and the transport costs for each pupil vary significantly between cases and between boards. Across the five boards, there are examples of it costing £513 a pupil, and there is an example of it costing £1,741 a pupil. Another reason for transport costs having risen is that the three-for-two policy was, quite rightly, abolished. In a lot of the vehicles, children now have to wear seatbelts, and that is a good safety measure. That has played a part in changing the landscape in the area of transport.

The statement that the Minister made in the House on the review of schools will also change the landscape. He talked about the sustainable schools policy, and that will have a major impact on the transport system. I can speak only from experience about the impact that that policy is having in my constituency. When we are looking at the rationalisation of schools, the impact on the transport system needs to be taken into account.

In my constituency, I have watched with interest the impact that the announcement of a consultation on the closure of Dunmurry High School has had. Quite frankly, there is no way to describe it other than that pupils are now going to the four winds. A lot of them are going to schools in east Belfast. Some of them are going to the next nearest school, which is now at complete capacity. They are being handed on to yet another school, which is further away. Even today, I have heard that a number of pupils have been toured around a third school that is even further away, because there is no spare capacity

in the other schools. That is, in miniature, what I see happening as a result of the rationalisation of schools. That will have a major impact on the whole infrastructure of home-to-school transport for our children.

I am an optimist, not a pessimist, and I think that now is the time to review the whole strategy for how we transport children to school and the way in which we do so. Whether the Minister likes it or not, the rationalisation of schools will have a major impact on the provision of transport right across the board. I appeal to the Minister — as has been said in the House before — to rationalise the whole school transport system.

I can give the Minister a prime example of where it is all going wrong and where the Member for the Green Party has got it right. A board bus with three pupils on board passes the end of my street every morning and afternoon.

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

**Mr Craig:** A concessionary place was taken off my child and others because of a policy made by the board in my area, the impact of which is that another 15 cars have to travel less than a mile and a half to the local primary school.

**Mr Deputy Speaker:** Sorry; your time is up.

**Mr Craig:** That is an absurd policy, and it needs to be reviewed.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak to the House in support of the motion and the amendment. The current arrangements for home-to-school transport have been in operation since 1997. Pupils eligible for transport assistance must be enrolled at their nearest suitable school and live beyond the qualifying distance to that school, which, at present, is two miles for primary and three miles for post-primary. In Britain, the authorities operate lower walking standards than those used here to determine free transport eligibility.

School transport in Strabane, in my constituency, is a contentious issue at present because a service was withdrawn days before the start of the new school term. The parents of up to 133 young people from one school received letters just before the new school term informing them that their children were no longer entitled to concessionary places. As a

result, families were displaced. Some parents in rural areas received the letter only the day before the child was due to start back at school. Parents were forced to act immediately, almost overnight, to ensure that their child got to school safely the next day. For most of the parents, that was a domestic nightmare, and, more important, a health and safety one. Those who were unable to avail themselves of a car or other transport methods at that time had no alternative but to walk their children along one of the busiest roads in Strabane: the A5 Strabane to Derry road.

Children attending primary schools in my district were also displaced. I have been told by one parent that she had to walk her three small children — one was in a pram and the other two were on either side of her — along an unsafe country road for a mile and three quarters, taking her 70 minutes. There have been similar issues in the Douglas Bridge area, with parents having to make decisions that impacted greatly on their arrangements. For example, one parent had to give up her part-time employment as a result of concessionary entitlement being withdrawn.

The current system of home-to-school transport provision fails those who need it most. There is no doubt that the cost of providing home-to-school transport is rising, and I am sure that other Members also acknowledge that. That has been attributed to a number of factors: the rising number of children with special needs; the increased use of taxis by ELBs for school journeys; the rising cost of public transport due to operating costs; and the scheduling of different services due to schools' starting and finishing times.

Western Board officials in my area informed me as recently as last week that pupils who were entitled to concessionary travel to get a bus from their village in order to then get a connecting bus to their school are no longer entitled to that. They said that that practice has now ceased because they had to downsize. Yet parents from the same village told me only yesterday that the same bus passes by their children with empty seats.

Research tells us that there is significant growth in car ownership, which has resulted in increased traffic and busier roads, adding to congestion close to schools. I acknowledge the concerns that Mr Agnew has outlined. The

current policy on walking distances in home-to-school transport should be reviewed to identify the impact that changes could have on transport provision here and to ensure that all our children and young people can travel to school in a safe and effective manner. There is a need for a comprehensive review of the policy on home-to-school transport, and I believe that now is the time to have that review. It is also important that any review incorporates all existing transport resources to help to address capacity issues on buses and that steps are taken to improve safety arrangements for children and young people —

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

**Ms Boyle:** — travelling to and from school. Go raibh maith agat.

**Mrs Hale:** As a member of the Education Committee, I support the motion and the amendment. I, like many in the House I am sure, have been inundated with calls and letters from concerned parents in my constituency whose children are attending the nearest suitable school and who have seen their transport being withdrawn or cut by the education and library board. That presents major difficulties for parents and children, many of whom live in constituencies such as mine, where they rely on public transport to get children to school on time.

An example that I would like to highlight is Banbridge Academy, which is close to my constituency office in Dromore. It provides an excellent local educational facility for local children. A significant number of its pupils rely on a bus to get them to and from school each day. However, children who are keen to take part in extra-curricular activities outside normal school hours have been left at a severe disadvantage. The bus can take the children to school on time and bring them home, but only if they go home with the rest of the children at the end of the official day. For many children in Dromore who choose to take up extra-curricular activities, the day does not end with formal lessons. That leaves them stranded as there is no bus that will take them from Banbridge Academy to Dromore.

I feel that the approach is inflexible and maybe even discriminatory, as children who wish to stay after school to take part in sports, a homework club or drama, etc, are being discouraged

from doing so for fear of not getting home. That is not acceptable. Future employers and universities look for pupils who have access to the full curriculum as an indicator that they are team players, work well with others and can meet extra work commitments. Are we really going to actively discourage our future workforce from accessing the best jobs and universities because of an outdated policy that is not fit to meet its purpose? As we know, and as the Minister has said, 80% of learning happens outside the classroom, yet here we are in 2011, seemingly preventing a large percentage of that learning from happening. It should also be pointed out that many of those children's parents work, leaving them unable to pick them up from school.

Two weeks ago, the Minister announced a review of schools – one that will ultimately decide which schools stay open and which will close. If we are to go down that route, will we see more children having to travel a considerable distance to get an education that is suitable for their needs? The review could impact on rural areas more than urban areas. There is a greater likelihood that rural children will have to travel further than their urban counterparts. That is the case, as I have outlined already, but I fear that things could get worse. It is for that reason and others that we must see the policy renewed and updated. The current policy is 14 years old and out of date, and it should be reviewed and revised, but not at the child's expense. The child must be at the centre of any new policy, and the policy must fit in with children and their parents. Of course, I understand that costs must be looked at and that they are not an insignificant part of the policy, but the policy must be child-led. Education is vital to any child's life, and we, as legislators, must place children at the centre of any such policy. It therefore gives me great pleasure to support the motion and the amendment.

#### 11.45 am

**Mr Hussey:** I welcome those from the Strabane area who are here to observe the debate. I support my colleague Mr McNarry, and the other Members who have spoken, on the need to review the home-to-school transport policy.

I have been corresponding for a while with the Education Minister on this issue, and he educated me by advising me that the present policy dates from 1996 and is contained in

circular 1996/411, with minor updating in September 2009. He also advised that to alter the eligibility criteria to include pupils who live within the existing two- or three-mile qualifying distance would significantly increase the cost of home-to-school transport at a time when the education budget is under severe pressure. My response was: what value would be put on a child's life?

You may not believe it, but many years ago I walked to primary school from home through Omagh, across the main road with the assistance of a patrol man or traffic lights; I could quite easily walk the two miles there and back. I could not do that now, but that is a different story. In Omagh we have footpaths, street lighting and traffic lights; we had them even that long ago when I was a child — before anyone interrupts to say that. *[Laughter.]*

I now ask you to picture the scene between Magheramason and Bready, Donemana and Strabane, Artigarvan and Strabane, Ballymagorry and Strabane, the Glebe and Strabane, and Killen and Castlederg. Those names may mean very little to Members, but they mean an awful lot to the parents of children who have suddenly found bus services removed. In the case of Magheramason to Bready or from Ballymagorry, we are just short of two miles for primary-school children and just short of three miles for secondary-school children.

Once you leave Magheramason the footpath disappears in a very short time and you are left with a grassy area. The grassed area runs alongside the main A5, and to comply with pedestrian safety guidelines or the 'Highway Code', you walk towards oncoming traffic, which can legitimately travel at up to 60mph. If it is raining, you are walking on slippery grass, keeping your head down to try to avoid the rain and being buffeted by the pressure created by an articulated lorry thundering past. The case is similar when you leave Ballymagorry and attempt to walk towards Strabane.

In Londonderry, it has been decided that the bus service can be withdrawn because the Peace Bridge is now open and children can walk to Foyle and Londonderry College even though in inclement weather the bridge may become a nightmare for pedestrians and at times may be closed.

**Mr Buchanan:** Does the Member agree that it is totally irrational that at the beginning of

this school term 130 children in the Strabane area and those areas that he mentioned were told that they were no longer entitled to school transport simply because of a merger between Strabane Grammar and Strabane High School? Remember, that is an area with no footpaths or street lighting, and children were being asked to walk to school on the busy A5 arterial route where, just a few years ago, a local GP was killed as he cycled along.

**Mr Hussey:** I thank the Member for his intervention. He makes the point clearly that the A5 is not a road for pedestrians or cyclists; it is an arterial route where traffic will travel at up to 60mph. Picture the scene with a child attempting to carry his schoolbag, head down, heading towards that road. A child could be drawn under an articulated lorry, and I would not wish to see that at any time.

Glenmornan is a small rural school with windy roads that make it a nightmare for children to attempt to walk to school, with two-way traffic battling for control of the limited space available on a rural road. With the withdrawal of certain services to the newly amalgamated Strabane Academy, parents were left with a decision: pay approximately £8 to send a child to school by bus or walk them to school. The police at one stage suggested that they would be prosecuted because by walking as a group they were taking part in an illegal parade. Two to three miles may not seem a big deal when walking up the leafy lanes around Parliament Buildings, but when you are living in a rural area such as west Tyrone it can be quite a battle.

I mention the Children's Commissioner's report 'Safer Journeys to School', which was produced in June 2006 in collaboration with the Consumer Council and the Department for Regional Development. One of the recommendations in that report was a review of the current statutory walking distance for home-to-school transport to identify the impact that changes could have on school transport provision. It also stated that, in order to help achieve a modal shift, the current walking distances might need to be reduced to make bus services attractive and viable for those who need them. On the other hand, it stated that current walking distances might need to be increased or removed and that provision could be based on household car ownership and/or low household income in order to target need.



Michaela already made reference to the case of a parent of three children: a baby, a toddler and a primary-school child. Her words to me were, "She has three weans, and she has to get them out to school in the morning."

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

**Mr Hussey:** How does she do that? Would you like to see a five-year-old child walking to primary school? I certainly would not.

**Mr O'Dowd:** Thank you, a LeasCheann Comhairle. I welcome the opportunity to speak to the motion and the amendment. Both should be supported. I assure you that I fully agree that there is a need for an effective home-to-school transport policy. It is on record that I have indicated to the Education Committee, in my deliberations with it, that we need to examine every aspect of the arrangements for home-to-school transport.

It is worth noting that approximately 90,000 pupils were transported to school this morning by some form of public transport. That is a mammoth task undertaken every morning by the transport services of the boards. However, we have to examine whether we are transporting the right children to school and whether we are using our finances and resources efficiently. I make that remark in the context of trying to identify savings that can be released to support teaching and learning in classrooms.

Mr McDevitt asked whether we should be celebrating the fact that we have taken £5 million out of the transport policy budget. It was the right decision, because even a preliminary examination of transport costs shows us that the £75 million was not being used effectively or efficiently. We have taken £5 million off that, and I support that decision. That £5 million was not returned to the centre or the Finance Minister; it was reinvested in education services in a more effective and efficient way.

**Mr Byrne:** How can the Minister definitively say that the education and library boards' transport departments are inefficient? What statistical analysis has been done? I assure him that in the Western Education and Library Board area, the transport service managed by the board is very efficient and its garages are extremely efficient.

**Mr O'Dowd:** This debate will be in Hansard. I suggest that, in several months' time, when the PEDU stage 2 reports are published, he returns to his comments. I assure you that all the examinations of school transport have shown that it is not being effectively or efficiently run. I also assure you that PEDU stage 2 reports will also show, when they are finally published, that our education transport system is not being effectively or efficiently run. I am not prepared to waste any money on this matter. My comments are evidence-based. The examinations are not being carried out by my Department; they are being carried out by officials from the Department of Finance and Personnel. The work of the Education Committee and the knowledge in the Department of Education and among Members here show that transport services are not being effectively or efficiently run. So the Member's statement cannot be stood over in any way.

It would be remiss of me not to say that Mr McNarry's comments about boards and board members are completely unacceptable. No public servant working for the Education Department or the Assembly has threatened anyone. No board has threatened anyone, and the use of that language is not helpful and does not assist any public servant in carrying out their work. What is going on at the moment, as has been referred to by Mr Craig, which will have an effect on school transport policy, is —

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

**Mr O'Dowd:** I will give way briefly.

**Mr McNarry:** You know that you are being given every assistance to deliver education in your capacity as Minister. I will tread very warily, because the Speaker already mentioned this in response to your previous objection. When I mentioned the word "threat", it was specific to one board. It was also specific to the fact that your Department denied any knowledge of what I called a hit list. There is something wrong, Minister, when your Department does not know what a board is doing, and that is from where the word "threat" emanates.

**Mr O'Dowd:** The Member has —

**Mr McNarry:** You are either in or out.

**Mr O'Dowd:** The Member has refused to take the opportunity to withdraw his comments. I think that that is a mistake and unfair on staff,

who are public servants and have to carry out a very difficult task. All Members, whether they accept it or not, are aware of the practice that I have put in place to deal with our unsustainable schools estate, and every Member agrees that we have an unsustainable schools estate. To deal with that, action is required. Difficult decisions will have to be taken, but no Member, including me as a representative of Upper Bann, can seriously expect that all other constituencies except their own will see school closures. That is neither a sustainable nor a practical way forward. I appeal to Members to show leadership on the matter and not to offer false hope where there is no hope. There are instances in which Members are rallying to the flag —

**Mr McNarry:** *[Interruption.]*

**Mr Deputy Speaker:** Order, please. The Minister should resume his seat. I pointed out yesterday and today that no Member should make any comments from a sedentary position. If Members insist on doing so, they will not make a comment from any position.

**Mr O'Dowd:** Thank you, a LeasCheann Comhairle. Members are rallying to the flag of convenience, seeking 15 minutes of fame, and their main focus is not where it should be. It should be on the educational well-being of the young people whom we are here to serve.

I will return to the motion. The viability audit that is ongoing and the area planning review that will take place will have an effect on our school transport policy, and rightly so. I think that both will have to heed the other.

I have no intention of rushing into a short-term fix. A full review of our transport services and policies across the areas is required. We currently have five boards that, by and large, run similar programmes. However, as Members also said, only three of the boards offer concessionary seats. It is worthwhile putting on record exactly what a concessionary seat is. It is a seat on a bus that is provided to transport eligible children that may be made available to a child who is not eligible at that time. The concessionary seat can be removed by the board at any time. That causes difficulties when an eligible child needs that seat. It is worth noting that only three of our boards carry out such a practice, while two do not.

I intend to look at our transport services and the planning of education provision in every area. Both should support access to high-quality education and the appropriate educational pathway that all children and young people need. Transport needs to be kept in focus as part of the need to identify savings. Any savings identified will be driven back into the education service to ensure that the educational requirements of all our young people are met in the schools that they attend.

As I said to Mr Byrne, some work is already under way as a result of the Executive agreement in July 2010 to exempt the education and health sectors from the in-year Budget adjustments. It was agreed that DFP would commission PEDU to undertake work on the scope for and delivery of significant cost reductions across the two sectors. Stage 1 involved the identification of broad areas in the education sector in which there appeared to be scope to make savings, and transport was one of those areas. The evidence was primarily in the form of unexplained variations in the cost of provision from one board to another or unexplained changes in the cost of provision over time.

The previous Minister requested that home-to-school transport be examined further in stage 2 of the review. Work on that stage is nearing completion, and the draft reports will be published by me and the Minister of Finance and Personnel. Although the report will focus primarily on the scope for improving efficiency and reducing costs in the existing policy framework, I expect that it will also signal areas in which policy change could yield further savings and produce a more rational system to complement a strategically planned school system. I will want to consider those and other areas carefully, and in the context of the wider financial climate, before producing any proposals for change.

As I have said, in the interim, a savings requirement of £5 million was set for the ELBs for 2011-12, and those savings are to be achieved through greater efficiency in operating home-to-school transport within existing policy parameters. The scope for further work lies in the nature of the existing policy and how services are delivered. Members will, I hope, bear with me while I briefly account for those.

**12.00 noon**

Legislation obliges education and library boards to make arrangements for the provision of transport and other provisions, subject to the approval of those arrangements by the Department. The Department and the boards must then have regard to the general principle that pupils shall be educated in accordance with the wishes of their parents in so far as is compatible with the avoidance of unrealistic public expenditure. The combined effect of those obligations, which is outlined in the Department's circular on home-to-school transport, is the provision of transport assistance for pupils who qualify for it according to two criteria: distance and suitable school. Pupils are essentially eligible for transport assistance if, within the specified distance — two miles for a primary school child and three miles for a post-primary school child — they may not attend a school of a suitable type and so must travel further to attend one.

The Department of Education recognises six types of schools: controlled, integrated, Irish-medium, maintained, grammar and non-denominational grammar. As I have said, 90,000 children are eligible for that assistance. The form of assistance they receive — and this is key — is determined by the five education and library boards, having regard to the need to avoid unreasonable public expenditure. So, if Mr Clarke, who I understand sits on an education and library board, believes that a change in services is required in his area, the first port of call is the education and library board, and that request for change of service should then be sent to the Department of Education.

Boards must consider providing transport assistance through one of the available forms of mass transport: Translink, board services or private bus operators. Translink, comprising Ulsterbus, Metro and NI Railways, has the widest network for providing transport assistance. Accordingly, 50,000 eligible pupils travel on Translink buses using a sessional ticket or bus pass. Board services have the next widest network, primarily in rural areas and carry 27,000 pupils, and private bus operators carry approximately 7,500 pupils.

Translink provides two different forms of service. First, it provides the stage carriage service, which is a public service that carries adults and pupils. Secondly, it provides designated

services or school buses. Designated school buses are provided by Translink where there are a large number of eligible and non-eligible pupils in one location, such as a town. A significant proportion of the boards' fleet of nearly 900 vehicles and most private operated taxis are used to transport pupils with special educational needs.

When we look at the review, all those elements will have to be examined. I await the vote of the Assembly on the motion and the amendment. However, if they are passed by the Assembly, that would be welcome. If we are to carry out a review of transport services, we have to look at them in their entirety. The outcome of that review will have to ensure that we live within the current budget of around £70 million. So, the services proposed at the end of the review will have to operate within that budget, and we will have to look at the categories of school that we transport children to. Are Members prepared for that challenge? Are they prepared to look at the challenge of cross-departmental uses of transport services? Mr McDevitt suggested that we have three different forms of public transport in some areas. That, in itself, presents challenges, because if we adopt one of those transport services, two will lose out. Therefore, at least two transport drivers will lose their post as a result.

So, whatever recommendations the review comes forward with, they will present a challenge to us all to provide a transport service for 90,000 people. There is no quick fix or easy solution through the review of transport services to our education system. We have to ensure that the outcome of the review looks after those who are most needy in our society and young people with special educational needs, and embraces the rights of rural dwellers. We must provide a service that is cost-effective and delivers an efficient service for our pupils, our schools and the public purse.

**Mrs McKevitt:** Will the Member give way?

**Mr O'Dowd:** I have nearly finished, and I want to finish with a number of points.

We await the outcome of the vote and the recommendation of the Assembly today. I will embrace a review of the transport service. I am more than happy to report back to the Assembly on those recommendations and how we carry them forward. I suspect that several will require legislative change, which, in itself, will take time.

However, difficult decisions will have to be made by individual Members. Not all of it will be up to the Minister to carry forward, although I have no difficulty in doing so. Individual Members will have to decide where the priority for school transport rests and where they want the limited budget available to the Department of Education and the Executive to be spent. I am happy to carry out my role, but I suggest that Members will be required to make decisions around the matter, too.

**Mr Agnew:** I thank the Minister and Members for supporting the amendment. A revised policy that reduces bus services without providing safe alternatives has the potential to be detrimental. An option that increases the cost to families and increases the risk of death on our roads is not an acceptable alternative or an acceptable way of saving money. In seeking to make savings, we cannot simply pass the cost on to families. We would be doing with one hand what we are trying to prevent with the other by tackling fuel poverty. The cost of the average school run is about £340 a year for a family using a private car as transport, and that is predicted to go up to £400 a year with rising fuel costs. I do not think that that is an acceptable alternative.

Any new policy must have active travel at its core and include targets to reduce the number of pupils travelling in cars and increase the number of those cycling and walking. The statistics are pretty damning: 52% of pupils travel to school by car. As Mr McDevitt pointed out, that is the highest percentage of any region on these islands. Only 2% cycle to school, compared with 50% in Denmark. I am not sure that we or our children are so different, but the facilities and incentives that we apply to active travel are different. We need school travel plans: 88% of schools in England have travel plans, and 650 schools in the Republic of Ireland have green school travel plans. Only nine schools in Northern Ireland have travel plans. Although it is important for the Minister to conduct a review, we need to ensure that policies get down to school and board level and that those travel plans are drawn up.

There will be health benefits. As I said earlier, obesity is a major problem. Significant numbers of our children are considered obese: some 33% of two- to 10-year-olds are considered obese, with only one out of seven children getting the required 60 minutes of exercise a

day. There will also be educational benefits: a 3-4% improvement in test scores can be gained by exercising for 15 minutes earlier in the day.

I call on the Education Minister to work with his colleague the Minister for Regional Development to ensure the safe provision of pedestrian and cycle routes to schools. He can ensure that our pupils are trained in cycle safety skills and pedestrian safety; that school travel plans are based on active school travel; and that the provision of cycle sheds is compulsory, particularly in new capital builds. If he works with the Minister for Regional Development, we can ensure that those pedestrian and cycle routes are safe. Modest investment now can and will lead to long-term savings across Departments.

**Mrs Dobson:** I thank Members for their contributions and the Minister for his response. Having called on the Department in June this year to review the guidelines on home-to-school transport, I am pleased that we are having the opportunity to debate the issue in the House today.

The provision of home-to-school transport is a vital lifeline to the thousands of students who use the service daily. It is especially important to those students with special educational needs who benefit so much from attending their schools. The Department of Education, quite rightly, has a duty to provide transportation for students to and from their schools, and there are many examples of good practice from Translink drivers and, indeed, private bus and taxi companies. However, the needs of our children have outgrown the 15-year-old legislation. Although the overall number of pupils being transported has decreased on average by 8% since the 2004-05 academic year, the average cost for the transport has increased by some 17.6% in the same timescale. Therefore, the legislation needs to be reviewed.

In my constituency of Upper Bann, I have been contacted by a number of concerned parents about SEN students travelling to and from schools in taxis that are overcrowded. That is an issue that may very well affect all our constituencies and raise serious health and safety concerns. The consequences of an accident occurring when children do not have access to a seatbelt are too horrific to contemplate. We have all seen the television



advertises that graphically highlight the issue in adults, but it would be abhorrent to think that in being transported to and from their schools, our young children were being put in danger.

People who live and work in rural communities know how dangerous country roads can be. It only takes someone to be travelling too fast on a twisty road to cause an accident, and I fear for children who may not be properly protected if such an accident were to occur.

I welcome that random inspections are carried out by the boards and the Department of the Environment for Translink and private bus and taxi companies. However, I know that parents and teaching and non-teaching staff employed at schools would welcome more information as to how they can report health and safety concerns directly to the boards via school principals. That would aid the targeting of inspections, which would result in a greater degree of public accountability for the home-to-school service and, ultimately, the safer transport of our children.

As part of my winding-up speech, Mr Speaker, I will draw attention to Members' valuable contributions. In particular, Mr Hussey made a good point about the importance of home-to-school transport in rural areas. He highlighted dangers such as the lack of proper footpaths or street lighting and, of course, the fact that the distances to and from schools in rural areas are obviously longer and more dangerous than they are in our towns. I can certainly imagine the Member crossing the main road in Omagh with a schoolbag over his shoulder. That is quite a vivid image from today. Mr Hussey also asked what price we placed on the life of a child, which is a very serious point.

Members also raised the following important points. Steven Agnew urged that money be spent wisely, and he spoke about the benefits of sustainable transport. He also urged that any review focus on cost and safety, and he urged co-operation on the issue at Executive level to improve health and the environment.

Mervyn Storey reminded the House that the Committee has discussed the issue, and, quite rightly, he described it as vital. He also highlighted the 75% increase in the cost of transporting SEN students in the Belfast Board.

My colleague David McNarry reminded us of the importance of the issue and highlighted

that 110,000 students are transported via the scheme. He also said that if rural schools are closed, the Minister must be responsible for the financial consequences of his actions. Such closures may result in an increased demand for home-to-school transport.

Phil Flanagan highlighted the £75 million that the Assembly spends annually on home-to-school transport, and he pointed towards potential savings.

Conall McDevitt supported the motion. He said that half our pupils travel to school by car and that few use public transport. He welcomed the call from the Chairman of the Committee for Education to limit inefficiencies. He also said that the lack of a connection between the different transport agencies heightens public expenditure.

### 12.15 pm

Trevor Lunn described how, because of the two-mile and three-mile rules, some children who live on the same street qualify for the scheme while others do not. He also said that safety should form a greater part of the consideration of that issue.

Jonathan Craig welcomed the opportunity to sort out the issue and gave many valid reasons why the issue has remained unresolved to date. He also outlined the practicalities of the rationalisation of schools. He talked about students having difficulty finding suitable places and highlighted how that will impact on the home-to-school transport scheme.

Michaela Boyle referred to school transport in Strabane, which is a contentious issue because of the withdrawal of the service. She detailed the concerns of many about the rise in the cost of home-to-school transport.

Other Members also made valuable contributions. They highlighted the issues of safety and cost and suggested that the needs of children be placed at the heart of any review.

I thank the Minister for his response and for echoing many of the views raised in the House. I welcome his assurances that he will conduct a review of home-to-school transport. I trust that, in that review, he will address the issue of half-empty buses, which came up time and again during the debate.

If one thing is to come out of the debate today, let a review of the policy identify that parents, teaching and non-teaching staff should be made more aware that a mechanism for the reporting of health and safety concerns exists. They should be made aware that they can easily use that mechanism to report clear breaches that put our children's lives in danger. If more people are aware that such a mechanism exists, those who place children in danger may alter their practice, and the fear of losing a contract may be enough to ensure that all of our young children travel safely. To that end, I wrote to the Minister this morning to ask him to detail the number of private companies that have been reported, and, as a result of random and targeted inspections, were no longer being used by his Department.

Once again, I thank all Members who contributed to the debate. I commend the motion and the amendment to the House.

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

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

*Resolved:*

*That this Assembly notes the importance of an effective home-to-school transport policy; believes that the current policy is outdated; and calls on the Minister of Education to work with the Minister for Regional Development to create an holistic and sustainable school transport policy which will ensure that school transport is provided in the most cost-effective, efficient and safe manner.*

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

*The sitting was suspended at 12.18 pm.*

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

**2.00 pm**

## Oral Answers to Questions

### Health, Social Services and Public Safety

#### NHS: Plastic Surgery

1. **Mr Kinahan** asked the Minister of Health, Social Services and Public Safety what proportion of plastic surgery carried out in the health service is done for cosmetic reasons. (AQO 516/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I can advise that no plastic surgery is carried out by the health service in Northern Ireland for purely cosmetic reasons. Current policy on plastic surgery is contained in the document 'A Policy to Make Best Use of Resources in Plastic Surgery and Related Specialities', which was developed in 2006 by the four legacy health boards. That document sets clear clinical criteria for a range of routine, non-urgent procedures. Patients who do not meet the criteria are not referred for surgery. The Department has asked the Health and Social Care Board to review that guidance in 2011-12. That will promote discussion on both the physical and psychological criteria to be used in decision-making. Clearly, hard choices will have to be made and interventions of low clinical value may not routinely be available on the health service.

**Mr Kinahan:** I thank the Minister for his answer. He has already touched on my supplementary question in his reference to the review of the guidelines. Will the review look at whether more plastic surgery procedures that involve a hospital stay can be carried out by consultant dermatologists in day surgery?

**Mr Poots:** Clearly, we want to see as many procedures as possible carried out in day surgery. Day surgery potentially has fewer problems for the patient, a lesser potential for cross-contamination or infection and is also much more cost effective. For all those reasons, it is our desire to reduce the number

of overnight stays and have a greater number of day surgery procedures take place. Any efforts made on that front will help.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his responses. How many of those procedures involve gastric band surgery?

**Mr Poots:** Not many of those procedures involve gastric band surgery. The present Health and Social Care (HSC) Board does not routinely commission bariatric surgery, and we are looking at that. Bariatric surgery has huge potential and is extensively used in some other areas, although it is not without problems. We have been carrying out a pilot and reviewing its results. There is evidence that, even after bariatric surgery, some people return to eating habits that lead to them becoming morbidly obese. However, other evidence indicates that it reverses diabetes, and that it is the only type of intervention that does. It certainly has pluses, but also some minuses.

**Ms P Bradley:** What actions have been taken to identify treatments that are or have become inappropriate for provision by the National Health Service?

**Mr Poots:** Plastic surgery is very important. It is of huge benefit particularly to people who have had serious burns or suffered trauma incidents. We must use our resources wisely, and we have to give fairly broad consideration to a number of areas. For example, breast augmentation may have to be carried out to correct congenital conditions such as amastia or endocrine abnormalities, etc. However, they should not always be carried out on the National Health Service. Similarly, eyelid surgery may be performed to remove excess skin on the upper eyelids that results from the ageing process if it starts to interfere with vision or the function of the eyelids, but it should not necessarily be provided on the National Health Service if it is only to enhance appearance. Therefore there are areas where judgement calls have to be made. The report will help surgeons to ascertain what should and should not be done.

**Dr McDonnell:** I thank the Minister for his answers. We could spend all day debating the merits or otherwise of plastic surgery. You recently mentioned restricting caesarean section procedures. How do you compare the two procedures? Is plastic surgery an option for

cutting? Could optional plastic surgery procedures be reduced instead of caesarean sections?

**Mr Poots:** There is certainly plenty of cutting in plastic surgery, but, as for cutting plastic surgery, 85% of procedures are done purely on a clinical basis, and there is a question mark over whether the remaining 15% are done purely for clinical or cosmetic purposes. Surgeons could do with some clarification in those areas. Therefore, it is down to the personal choice of individuals. If they wish to pay for a cosmetic service, it is open for them to do so privately; however, it is not necessarily something that we should do on the National Health Service.

## Pharmacy

2. **Mr Dallat** asked the Minister of Health, Social Services and Public Safety how his Department intends to deal with the pressure put on service delivery resulting from the cuts to the pharmacy budget. (AQO 517/11-15)

**Mr Poots:** As I advised the House on 19 September, the Department recognises that it has an obligation to provide fair and reasonable remuneration for community pharmacy. In January 2010, the High Court found that the arrangements in place at that time did not meet that obligation. Thereafter, the Department and the HSC Board engaged in extensive negotiations with Community Pharmacy Northern Ireland (CPNI) in an attempt to reach agreement on community pharmacy arrangements in 2011-12. However, agreement could not be reached.

New arrangements were introduced with effect from 1 April 2011 to meet my Department's statutory obligation to provide fair and reasonable remuneration. CPNI has brought forward a judicial review challenge to renew remuneration and reimbursement arrangements. Against that background, it would be inappropriate for me to comment further on community pharmacy remuneration until the outcome of the hearing is known. However, I do not accept the assertions that are being made by CPNI, and I assure Members that I am committed, as required by law, to provide a fair and reasonable system of remuneration to community pharmacists in Northern Ireland.

**Mr Dallat:** No doubt, the Minister will be aware that up to 80% of small towns and villages in England no longer have pharmacies. If the cuts continue and rural pharmacies close, what plans

does he have to protect the most vulnerable people living in rural areas?

**Mr Poots:** Pharmacists have a key role in delivering healthcare, particularly in our rural towns and villages. Unfortunately, however, I inherited a legacy arrangement that was subsequently challenged through judicial review. Therefore, I have not been able to involve myself in arriving at an arrangement that will help us to ensure that we have pharmacies in rural areas and in many deprived areas in our cities. We have a pharmacy system that does not lead to the extensive costs that we currently have, because costs have been going up year on year and have got to the point where they are unsustainable. Therefore we need to challenge the cost structure in our pharmacies.

**Ms Gildernew:** Go raibh maith agat, a LeasCheann Comhairle. Is the Minister aware that at least one pharmacy in Rasharkin has closed and that another in Dunloy is on the verge of closure? Pharmacies from Belcoo right across the North are ready to close their doors thereby doing away with a valuable community service, not only in rural areas — although I take the point that the questioner raised — but in areas of social deprivation as well. Does the Minister accept that you cannot impose an English model on the Six Counties because it will not work? It will be a disaster not only for our communities but for businesses that are struggling to keep their doors open in a very harsh funding environment?

**Mr Poots:** I recognise that Northern Ireland is not London. In the English model, the prescribing cost is £169.13 per head of population. In Northern Ireland, it is £244.67. Wales and Scotland, which are not dissimilar to Northern Ireland in that they have some large urban areas as well as being strongly rural, have costs of £192 and £195 respectively. Therefore, as far as pharmacy is concerned, one can see that we are not getting good value for money in Northern Ireland as things stand. We need to do better. Whether the current arrangements are the correct ones is being tested in court. Therefore, I cannot comment on them. However, I can say, clearly and unequivocally, that, irrespective of the court's findings, I am happy to engage with pharmacists as soon as the court case is over to arrive at a position that delivers a good quality service for the people of Northern Ireland and provides sustainable pharmacies for the future.

**Mr Campbell:** My question is further to that precise point. People understand the legal situation and the position in which it puts the Minister until it is resolved. Will he give an undertaking that as soon as the situation is resolved, there will be intensive discussions in order to try to take matters forward so that community pharmacies and the people whom they serve will best benefit from the outcome?

**Mr Poots:** I give that undertaking, and would have done so prior to the court case had Community Pharmacy NI been prepared to drop the judicial review and allow negotiations to take place in good faith. I do not think that pharmacists are being well represented by going through with that particular court case. There was preparedness on my part and on that of the Department to engage in reasonable negotiations to arrive at a reasonable outcome. It has been particularly punitive on smaller pharmacists and those that operate in more rural areas and are almost wholly dependent on prescription fees. Unfortunately, I believe that some of the larger pharmacies have driven that particular court case. It is not to the good of the population of Northern Ireland nor, indeed, to small pharmacies.

## Economy: Health Sector

3. **Mr Newton** asked the Minister of Health, Social Services and Public Safety what action is being taken to harness the potential of the health sector to contribute to growing the economy. (AQO 518/11-15)

**Mr Poots:** I believe that there is considerable potential for the health sector to contribute to economic growth. I have given priority to disease prevention and having a strong public health agenda, which should lead to a healthier and more productive workforce. There is scope for research and development in the health and life sciences sectors to have benefits both for patient outcomes and attracting inward investment and assisting development of local business. My Department is working with the Department of Enterprise, Trade and Investment (DETI) on the application of e-health technologies here, including using technology to provide healthcare remotely.

The health and social care sector is also involved, along with the Department of Agriculture and Rural Development, in the RAFAEL project, centred in the north-west, to encourage and support local food producers and processors to



compete for business in the public sector, specifically in hospitals and schools. As an employer, both directly and through significant capital investment, the health service is a major contributor to the local economy.

**Mr Newton:** I thank the Minister for his question. It is good to know that the health service is moving in a direction in which it can make a contribution to the economy. Does the Minister believe that there is further potential to expand the type of relationship that he has described both with DETI and Invest Northern Ireland?

**Mr Poots:** I have been working closely with Minister Foster on a range of those issues. It is our intention to develop a memorandum of understanding between my Department and DETI's Invest NI to take forward a health-and-wealth agenda. It is my intention to move things forward considerably next week, as we visit Boston, and we are working closely with Invest NI to develop that particular agenda. Northern Ireland is very well placed to bring jobs to the area through the life sciences sector. The greater the degree of co-operation that takes place between the two Departments and Invest Northern Ireland, the greater the potential to bring significant job benefits to Northern Ireland as a result.

## 2.15 pm

**Mr Copeland:** Will the Minister detail the amount of money received from the Government of the Irish Republic last year in return for our National Health Service's treating its citizens?

**Mr Poots:** It is very simple, even though the question is slightly off the subject: we get full reimbursement for whatever treatments are carried out. I see the new hospital in Fermanagh and indeed the facilities at Altnagelvin and Daisy Hill as creating opportunities to provide healthcare to people from the Republic of Ireland, to be paid for by the Republic of Ireland, and to assist us in sustaining and enhancing services in Northern Ireland.

I regard that as a win-win situation. I do not see any underlying political connotations that are bad for the people of Northern Ireland. I see significant benefits of the new facilities, such as the hospital being erected in the south-west of the Province, as they will provide a greater level of service for all the people in the area.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I would like to tease

out further information on the RAFAEL project. Given that a number of reports indicate that older people who go into hospital are more likely to be malnourished than other patients, and that the RAFAEL project has assisted greatly in that regard, does the Minister have any plans to expand the project from the north-west to right across the Six Counties?

**Mr Poots:** We must have a starting point. At the outset, we look at the success of what has happened, and we then make judgements on how to expand. We will deal with that in due course, once we have a better understanding of the project's success or otherwise.

## Mental Health

4. **Mr McCarthy** asked the Minister of Health, Social Services and Public Safety what measures his Department will be taking forward to reduce the stigma associated with mental health issues. (AQO 519/11-15)

**Mr Poots:** A new public information campaign Under the Surface was launched on 6 October. That campaign aims to de-stigmatise mental illness and raise awareness of the early warning signs and symptoms. In addition, the Public Health Agency will continue to deliver training programmes and community-focused mental health awareness programmes that aim to increase the understanding of mental illness. The reduction of the stigma associated with mental illness will be a priority in the new mental health and well-being promotion strategy being developed. An improved understanding of mental health issues will encourage people to seek help before problems escalate.

**Mr McCarthy:** I thank the Minister for his response. Does he agree that, unless the Department and wider society address the stigma fully, people with mental health conditions cannot have proper equality of access to the full range of services and opportunities in line with the Bamford review and, moreover, that, as a consequence, our economy will suffer through absences from work and the loss of productivity?

**Mr Poots:** At any one time, one in six adults in the UK has a mental health condition. Therefore, if stigmatisation is happening, we are stigmatising an awful lot of the population. The Department wishes to challenge the stigmatisation of mental health. We wish to give the lead on that issue, and that is what we are doing.

Evidence suggests that Northern Ireland's levels of psychiatric morbidity are up to 25% higher than those in the rest of the UK and that poor mental health affects almost 300,000 people in Northern Ireland. We cannot ignore poor mental health. We cannot write people off as a consequence of mental health issues. Early intervention and prevention can bring major benefits to the individuals concerned and to Northern Ireland and its economy.

**Mr Dunne:** What does the Minister hope will be the impact of the mental health services framework?

**Mr Poots:** The mental health services framework, which we launched on Monday, can have significant benefits. It can identify treatment paths and assist us in engaging in early interventions. It also gives strong guidance to people who provide mental health services on how they should respond.

At that event, I listened to a carer and to someone who had been in the mental health system, and I found their views on how mental health problems have been treated in the past very challenging and certainly not satisfactory.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister recognise the excellent work carried out by Home-Start in supporting families and children, thus helping to prevent mental illness?

**Mr Poots:** Yes, I do. I believe that Home-Start has a very useful purpose and I would like it to be able to continue to provide that service. I think that the next question is about funding. That money was dealt with specifically under the children's fund, and my Department did not have that money to continue with. It is somewhat unfortunate that, last year, the funding was discontinued for that project. I was not in a position this year to reinstate that, given the financial circumstances we are in.

**Mr McCallister:** The Minister will probably be aware that yesterday was world mental health day. My colleague Mr McCrea and his colleague junior Minister Bell marked that event by riding bicycles around Belfast in the soaking rain. Does the Minister agree that such events play an important role in reducing stigma and raising the profile of this important issue?

**Mr Poots:** Yes; I think events such as Mr McCrea and Mr Bell riding bicycles in the rain

are of significant benefit to the rest of us.  
[Laughter.]

Nonetheless, I will not treat this issue glibly. It is important to highlight concerns about the stigmatisation of mental health. It is important for others to step up to the mark and say that it is wrong to stigmatise it, that there is help out there and that we all have some role. It will affect virtually everyone's families at one stage or another. Many young women have postnatal depression and so forth. One in four of our over-65s has depression. There are so many cases that will affect nearly every family in Northern Ireland. It is important that we all assist in de-stigmatising mental health issues and depression, and that we work with the authorities and trusts to ensure that the right service provision is there to provide the right quality of care for those individuals.

## Cancer Drugs

5. **Mr T Clarke** asked the Minister of Health, Social Services and Public Safety what plans he has to improve access to newly developed cancer drugs. (AQO 520/11-15)

**Mr Poots:** The development of new technologies in medicines is continually advancing and bringing new ways of treating cancer. I want to improve access to such interventions when there is robust evidence to support their introduction here.

I recently approved a new process that will reduce the time it takes to endorse National Institute for Health and Clinical Excellence (NICE) guidance for use in Northern Ireland. Although approximately £22 million is recurrently spent on cancer medicines here, there are, nonetheless, significant costs associated with the introduction of new medicines and treatments. Clearly, some hard choices will have to be made as we cannot fund all new interventions, but I am currently exploring options to increase the resources available to fund access to specialist medicines and interventions, including those for cancer.

**Mr T Clarke:** I thank the Minister for that answer. Will he give the House an assurance that, where possible, the money will be found so that those drugs can be made available to those who are suffering from cancer? That may be the only hope they have. Will he update the House on progress on the cancer services framework?

**Mr Poots:** NICE has approved a range of drugs to treat cancer that are currently not available in Northern Ireland. Particularly when we are talking about people who have cancer, which is an illness that can lead to their early death, and when we are talking about other drugs that can help people to absolutely transform their lives, we have a responsibility. We have a mechanism that tests those costs against the outcomes. When that has been tested, as it has by NICE, we have a responsibility to respond.

Unfortunately, that is not currently the case in Northern Ireland. It is an issue that I wish to address positively. I want to deliver on that and ensure that people in Northern Ireland who have cancer are not left in a worse situation than those in other parts of the United Kingdom. Those with cancer in Northern Ireland must not be second-class citizens.

**Mrs Overend:** Will the Minister consider the creation of a special cancer drugs fund in his budget to fast-track treatments outside the normal NICE regulatory process?

**Mr Poots:** There is such a fund in England. However, I think that we need to play catch-up in the first instance and deliver on the NICE drugs. It will get to the point where we will have some challenging decisions to make. There are big questions for the House: do we not fund those drugs because of the current financial restraints, or do we find a way of funding them? Do we introduce fresh income into the Department, or do we strip income from something else? Those are the testing questions in front of me. I feel morally obliged to provide those drugs, and I want to resolve that issue.

**Mr A Maginness:** I acknowledge the Minister's very sympathetic and thoughtful approach to this matter. Bone marrow donations relate to the treatment of cancer. Has the Minister any measures or support mechanisms in place to increase such donations?

**Mr Poots:** Bone marrow donations can certainly be of significant benefit and are carried out regularly to assist people who have cancer. We are constantly trying to raise the general public's awareness of how they can become involved and seeking to get more people to donate bone marrow. It has been demonstrated in quite a number of, though not all, cases that donated bone marrow can be of considerable benefit to people suffering from cancer. It can help in the

recovery process and in beating cancer, and I want to use every element of the armoury that exists to that end.

## Suicide

6. **Mr Weir** asked the Minister of Health, Social Services and Public Safety what action he has taken to address the issue of suicide.  
(AQO 521/11-15)

**Mr Poots:** I am very concerned that the local suicide rate continues to rise despite the strenuous suicide prevention efforts made over the past five years. Actions that I have taken include the ring-fencing of £6.7 million of funding for 2011-12; consultation with community and voluntary support groups; the launch of a new public information campaign on mental health and suicide prevention, Under the Surface; meeting other Ministers and suicide prevention experts from the USA to consider new and innovative ideas; and ongoing discussions with the health and social care sector to progress actions such as places of safety. The learning from those actions will be reflected in the forthcoming updated Protect Life strategy.

**Mr Weir:** I thank the Minister for his response. Will he indicate how the community and voluntary sector can help to stem the tide of suicide in Northern Ireland?

**Mr Poots:** The community and voluntary sector plays a key role. It has a tremendous amount of goodwill. Indeed, in the Colin area, the community and voluntary sector was instrumental in positively challenging the number of deaths from suicide. I would like to look at how we can extend similar activities to other areas and provide more training for people in the voluntary sector so that they can assist us in providing counselling services for those with suicidal tendencies. I would like to do that in conjunction with developing safe places in hospitals, close to hospitals or in facilities that people with suicidal tendencies can easily access.

2.30 pm

## Justice

**Mr Deputy Speaker:** I advise Members that question 1 has been withdrawn.

## Antisocial Behaviour

2. **Mr Weir** asked the Minister of Justice what new initiatives his Department intends to introduce to combat antisocial behaviour. (AQO 532/11-15)

**Mr Ford (The Minister of Justice):** Tackling antisocial behaviour is a key priority for my Department. A graduated response of prevention, intervention and enforcement has contributed to a 20% reduction in antisocial behaviour since 2008. I am determined to build on that success and support communities to address the issues that matter locally. At a regional level, the response has included initiatives such as CCTV, community safety wardens, neighbourhood watch schemes, inter-generational projects and youth diversion programmes. Community safety partnerships across Northern Ireland have, in consultation with local communities, identified specific types of antisocial behaviour that are of concern to their local areas, and they have delivered initiatives to help address those concerns.

Members will know that earlier this year I consulted on a new community safety strategy and met groups across Northern Ireland to listen to views on our approach to addressing antisocial behaviour and on how we can best support local communities. The responses to the consultation broadly supported that graduated approach, focusing on early intervention and prevention, recognising the need for effective enforcement where required. The consultation also highlighted the role of the voluntary and community sectors, in partnership with statutory agencies, in addressing antisocial behaviour. My officials are in discussions with key stakeholders to develop the final community safety strategy, taking account of the views raised during the consultation process. I aim to publish a new community safety strategy by the end of this year.

**Mr Weir:** I thank the Minister for his response. Given the widespread public concern about antisocial behaviour, will he give an assurance that, when he implements any youth justice strategy, combating antisocial behaviour will be the cornerstone of any actions that are taken in that field?

**Mr Ford:** I can assure the Member that the issue is being taken seriously. The youth justice strategy is not particularly concentrating on antisocial behaviour, because that is covered predominantly by the community safety

strategy. However, we should also recognise the successes that have been achieved against the target of a 15% reduction over three years. We have actually seen a 20% reduction, which is clearly a sign that the different agencies and the non-governmental organisations concerned are working together well.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. In considering any future community safety strategy, will he recognise, first, the importance of people who are directly affected by antisocial activity and are victims of it, and, secondly, the input that the wider community can have in formulating any such strategy? How does his Department see that process happening?

**Mr Ford:** I agree with Ms McCann about the vital necessity — not just the importance — of ensuring the widest possible involvement in developing the strategy. That is why the Department arranged a significant number of public events across Northern Ireland, several of which I attended. There were many meetings with specific groups representing particular interests, and that is why we have had a detailed and full response to the consultation exercise in general, which, I believe, will mean that the views of every part of the community are fully taken on board.

**Mrs Overend:** I thank the Minister for his answers. Will he explain what he proposes to do, or is doing, to encourage people in the community to come forward with information to the PSNI that would help build a case against those who carry out antisocial behaviour?

**Mr Ford:** It is incumbent not just on me but on every Member of the Assembly, and anyone else with influence, to ensure that we encourage people with any information about crimes or antisocial behaviour to come forward to assist the police and to ensure that the perpetrators are dealt with appropriately.

**Dr McDonnell:** I thank the Minister for his answers. He has touched on the consultation with local communities, but will any new initiatives to curb antisocial behaviour be presented to the local police, district policing partnerships or community safety partnerships (CSPs) before they are introduced in local areas?

**Mr Ford:** That is part of the key direction of the Department. The issue, frankly, is that



the Department is open to assisting, whether through CSPs or the new partnerships, in whatever can be done that is seen potentially to deliver locally. It is also open to assisting in good practice being taken from one district to another. However, it is not about the Department directing things from the top down but about encouraging local people to find local solutions and assisting them in doing so.

## Parades

**3. Mr Humphrey** asked the Minister of Justice how many illegal republican parades have been held over the past three years and how many people have been convicted as a result. (AQO 533/11-15)

**Mr Ford:** The Police Service has advised that figures on illegal parades are available only from July 2009. Records show that, since then, there have been nine illegal republican parades. The Public Prosecution Service has advised that 25 individuals have been charged. No one has yet been convicted in relation to those parades, as the cases have yet to come to court. Decisions on prosecutions are pending in a further 23 cases.

**Mr Humphrey:** I thank the Minister for his reply. Does he agree with me that the Parades Commission in Northern Ireland is now discredited and that it is part of the problem, not the solution, and, quite frankly, should be abolished?

**Mr Ford:** No, I do not agree with the Member. The management of the Parades Commission is a matter for the Northern Ireland Office, or indeed, the Office of the First Minister and deputy First Minister, of course, if it were to come forward with agreed alternative proposals.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. Gabham buíochas leis an Aire as a fhreagra. I thank the Minister for his answer. Will he give us the statistics on the number of people who have been arrested and charged for recent rioting in north Antrim, east Belfast and north Belfast?

**Mr Ford:** The answer at this stage is that I do not have the figures available. However, I will write to the Member about them.

**Mrs McKeivitt:** Does the Minister agree that the Parades Commission offers the most effective and fair way of dealing with contentious parades?

**Mr Ford:** I think, Mr Deputy Speaker, that I will duck the opportunity to repeat what I just said to Mr Humphrey. The issue of parading is clearly one of significant contention. The responsibility at the moment for the Parades Commission lies with the Northern Ireland Office. That is the only arrangement that is currently in place. Whether it is the best or the only method is not the issue; the issue is the institution that is currently in operation. Certainly, the institutions of the Department of Justice are committed to working with the Parades Commission to ensure that parading proceeds as well as can be arranged.

**Mr Cree:** I thank the Minister for his answer. Will he explain whether there is a repetitive pattern in the parades in question? Is he satisfied that the penalties are adequate to deal with the problem?

**Mr Ford:** It is a little bit difficult to say whether the penalties are adequate, given that, although 25 people have been charged, which I just said, none of those cases has come to court. However, the issue of penalties is one that has to be carried through by the courts. It will be for the Assembly to decide whether it wishes to increase penalties on the basis of experience.

## Human Trafficking

**4. Mr Hussey** asked the Minister of Justice what action he is taking to deal with the growing prevalence of human trafficking. (AQO 534/11-15)

**Mr Ford:** As Minister of Justice and chair of the Organised Crime Task Force (OCTF) stakeholder group, I am committed to seeing that all reasonable measures are taken to tackle that appalling crime and ensure that the victims have the support that they need. The PSNI and other partners in OCTF have undertaken a number of co-ordinated intelligence-led operations. Those will continue, as will the ongoing cross-border co-operation between the PSNI and an Garda Síochána. Our approach is twofold: first, to rescue the victims of human trafficking and support them in a safe environment; and secondly, to put the traffickers before the courts.

**Mr Hussey:** I thank the Minister for his response. I presume that you are referring to the police Operation Pentameter 1 and Operation Pentameter 2. Will the Minister outline what steps he is taking to ensure that

the scale of the problem of human trafficking is properly investigated and known?

**Mr Ford:** I am not sure that I can do much other than take the statistics as they emerge from the police and the other agencies that are concerned with dealing with that dreadful crime. It is certainly an issue for the Department that we are seeking to reduce rather than merely assess. We have run the Blue Blindfold campaign twice, for example, to emphasise the significance of human exploitation, and we are doing all that we can to remind people that those who are currently making use of prostitution are, in many cases, supporting the exploitation of people who have been trafficked. That is why we are encouraging and assisting the relevant agencies in all the work that they do. We have seen significant successes in the past couple of years, but there is clearly still an ongoing problem both within Northern Ireland and to or from other regions of these islands.

**Mr Agnew:** I thank the Minister for permitting two of his officials to attend the meeting of the all-party group on ethnic minority communities today. That meeting addressed the issue of human trafficking.

Given that sex workers are often the victims of human trafficking, what work is he doing to ensure that the policy focus is on enforcement towards those who avail themselves of the services and create the demand for sex workers, rather than the sex workers themselves?

**Mr Ford:** Mr Agnew raises an extremely serious position. Like so much else in organised crime, trafficking and exploitation of individuals would not happen if there were not a demand created for them. The Department is working on a policy on prostitution and, this week, hosted a seminar on the issue. I hope that, later this year, we will publish specific conclusions and proposals on addressing the range of issues. Mr Agnew's point on the victimisation of those who work in prostitution will be taken on board.

**Mr I McCrea:** Given the international dimension to human trafficking, have international links with other police forces been established? Will the Minister again confirm that his Department is addressing the issue with the priority that it deserves?

**Mr Ford:** As for prioritisation, I can confirm only that, when I chair the regular meetings of the OCTF stakeholder group, the issue of human

exploitation features at every meeting. The OCTF brings together a range of organisations, including the Serious Organised Crime Agency, the UK Border Agency and the Police Service, and subgroups work on a cross-border basis. From recent court cases, there is clear evidence of co-operation between the PSNI and police forces across the UK and the Garda Síochána. I am not sure whether Mr McCrea was asking specifically about structures. The practical working relationships are at an extremely high level.

**Ms Lo:** I was in the same meeting as Steven, who mentioned the presentation from a number of Department of Justice officials and the police, who told us about the many initiatives.

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

**Ms Lo:** Yes, I am coming to that. I understand from the presentation that the British Government are in the process of ratifying the EU directive on human trafficking.

**Mr Deputy Speaker:** Will the Member ask the question, please?

**Ms Lo:** Does the Minister anticipate that any legislation or policies will come out of Northern Ireland to comply with the new directive?

**Mr Ford:** As I understand it, the initial position of the UK Government was that they would not ratify the EU directive. That position has now been reversed by the Home Office. My officials have been in discussion with the Home Office, and, undoubtedly, we will implement whatever is required. At this stage, I am not sure whether that will involve legislative change or merely administrative change, but I make a commitment that the Department of Justice will do all that is needed to ensure that we remain at the top of the European league in dealing with this dreadful problem.

## Police Ombudsman: Payments

5. **Mr McMullan** asked the Minister of Justice to detail the overall amount in salary, expenses, and other financial contributions that his Department expects to pay to the Police Ombudsman between 1 September 2011 and 1 June 2012, including the amount for any special severance arrangement.

(AQO 535/11-15)

**Mr Ford:** The overall amount in salary, expenses and other financial contributions that my Department expects to pay to the Police Ombudsman between 1 September 2011 and 1 June 2012 is £133,000. That is made up as follows: gross pay of £96,000; pension of £24,000; housing allowance of £9,000; and £4,000 in flights. There has been no discussion of any severance arrangements following Al Hutchinson's decision to leave office on 1 June 2012.

**Mr McMullan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer. When he met the Police Ombudsman to discuss his departure from office, did the Minister question whether it was in the interests of the public purse to pay a single penny more to Mr Hutchinson for the sensational failure that defined his time in office?

**Mr Ford:** Mr Hutchinson has given a date on which he proposes to leave. He has indicated his willingness to leave early if arrangements are made to put in place a replacement, and he will carry out the duties of ombudsman until that time. Therefore, he is entitled to the salary and expenses until that date, but no question has arisen of any specific severance payments beyond that.

**2.45 pm**

**Mr Spratt:** Can the Minister confirm that Mr Hutchinson will be treated in an equitable way and in the manner that any other public servant would expect to be treated, that the Police Ombudsman has served the Province well up to this point and that we therefore wish him well for the future?

**Mr Ford:** I can confirm that Mr Hutchinson will continue to receive his salary and expenses, which were agreed on his appointment, before I came to office. That will apply until the date on which he ceases his duties, which, at this stage, is projected to be 1 June 2012. I believe that the Department of Justice's obligation is to ensure that Mr Hutchinson is appropriately remunerated, in accordance with that previous agreement, for as long as he continues to exercise the functions of ombudsman.

**Mr Byrne:** Does the Minister accept that the Police Ombudsman's office is a very important public office and must enjoy widespread public support? Given the uncertainty over Mr Hutchinson's recent statements and inquiries, would it be sensible to encourage him to move

a bit earlier in order to restore morale and confidence in the office?

**Mr Ford:** I must say that it seems that we are stretching the question a little bit beyond its initial point. The simple reality is that there is no alternative in Northern Ireland to the ombudsman functioning under the corporation sole model, so Al Hutchinson must remain in office, continuing to do the job for which he was appointed, while arrangements are made to appoint a replacement ombudsman. That responsibility lies with the Office of the First Minister and deputy First Minister (OFMDFM). The Department of Justice has offered any assistance that might be requested by OFMDFM to carry out those duties, and we will do what we can to assist.

In the meantime, there is ongoing work in the office. The ombudsman is committed to carrying out the day-to-day work as well as working on the necessary reforms for his successor. On that basis, he will continue in office until a replacement is appointed, which might be before 1 June, subject to OFMDFM.

**Mr McCallister:** Given that the Criminal Justice Inspection report recommended that the Police Ombudsman's office should not carry out investigations into historical cases, will the Minister indicate what he has done so far to advance the process of looking into historical investigations?

**Mr Ford:** I appreciate the question. However, I need to be very careful, because we are coming perilously close to the point where I am being asked to intervene in the operational responsibilities of the office. The Department can, however, quite legitimately give support on governance issues.

I met the ombudsman and his two senior staff members this morning. We discussed some of the arrangements that are being put in place for the reform and restructuring of the office as well as the governance issues in which the Department has a role. However, it would have been completely improper for me to go into the detail of how the operational work of the office is being carried through.

### **Office of the Police Ombudsman: Serious Organised Crime Agency**

6. **Mr Murphy** asked the Minister of Justice when the Office of the Police Ombudsman

agreed, and began to implement, a memorandum of understanding with the Serious Organised Crime Agency. (AQO 536/11-15)

**Mr Ford:** On 3 March 2010, the Police Ombudsman signed an agreement between his office and the Serious Organised Crime Agency (SOCA) for the investigation of complaints against SOCA staff operating in Northern Ireland. The Office of the Police Ombudsman has advised that the agreement was implemented from the date of signing and that the ombudsman has not received any complaints for investigation under that agreement.

**Mr Murphy:** I thank the Minister for his answer. The Minister will be aware that the Serious Organised Crime Agency has been engaged in very public and publicity-orientated action since its inception in April 2008. Does he, therefore, feel that coming to some arrangement with it almost two years later — just one month short, in fact — is a further serious indictment of the Police Ombudsman's office under the directorship of Al Hutchinson?

**Mr Ford:** Given the fact that I became Minister in April 2010, I am not sure that I am in a position to give any interpretation of what happened and of what role the Northern Ireland Office, the ombudsman or SOCA had in reaching that concordat prior to my appointment.

**Mr Durkan:** Can the Minister please outline in detail the terms of the memorandum of understanding?

**Mr Ford:** No, I cannot outline that at this stage, but I will certainly write to the Member with what detail we have.

**Mr Kinahan:** I thank the Minister for his answers. Will he give his assessment of the success of criminal assets recovery, especially considering its immediacy in Northern Ireland following the merger of the Assets Recovery Agency and the Serious Organised Crime Agency?

**Mr Ford:** We really seem to be getting to the point where we are stretching supplementary questions beyond any bounds of connection to the original question. I can give an assessment only of what I have seen in my connections with SOCA and its role in the Organised Crime Task Force stakeholder group since I became Minister almost 18 months ago. It seems to me that we have an effectively functioning organisation, working in partnership with the other agencies,

including on a cross-border basis. As for the comparison with its predecessor agency, I am not in a position to make any statement.

## Criminal Responsibility

7. **Mr B McCrea** asked the Minister of Justice for his assessment of the call to raise the age of criminal responsibility to 12 years old. (AQO 537/11-15)

14. **Mr McGlone** asked the Minister of Justice if he will act immediately on recommendation 29 of the criminal justice review of the youth justice system and raise the age of criminal responsibility from 10 to 12. (AQO 544/11-15)

**Mr Ford:** With permission, Mr Deputy Speaker, I will answer questions 7 and 14 together. I spent some time covering proposals on the age of criminal responsibility during the questions that followed my statement on the youth justice review report. I appreciate that it is a subject on which people have strongly held and often opposing views. However, the review team was required to consider the subject, given the inclusion of the requirement in the Hillsborough Castle Agreement's reference to a youth justice review:

*"to ensure compliance with international obligations and best practice."*

The review team sought to take a careful and balanced approach to reflect the views it received and how Northern Ireland sits in relation to international norms and standards. I am not proposing at this stage to make an assessment of the merits of the review team's recommendations. With the report now out for consultation, I welcome the opportunity that it provides to promote an informed public debate on this important matter.

Rather than acting immediately, the proper process is to put the issues out for public consultation and to make decisions once the results of the formal consultation exercise have been fully analysed. I also remind the House that it is only one of 31 recommendations in that important report and I invite Members to afford equal consideration to the other recommendations and to play a full part in the consultation process.

I am committed to listening carefully to the debate generated by the report and to draw on its conclusions in shaping decisions on the direction of youth justice to provide a modern,



effective youth justice system that meets the needs of our children and young people and of the wider community.

**Mr B McCrea:** Minister, I wonder whether you might do more than just listen. There is a requirement for you to explain why the UN Convention on the Rights of the Child is legally binding, but it is not proposed —

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

**Mr B McCrea:** It is not proposed that there will be no criminal responsibility, but some other form of looking after those young people.

**Mr Ford:** Mr McCrea makes the point that I made when I answered questions on the review report. If we are talking about a tiny number of young people aged 10 or 11, or even 12 or 13, we are talking about those who, if they come to the notice of the criminal justice system, will almost certainly be dealt with by care methods rather than criminal sanction, recognising their age and vulnerability, even as offenders. Therefore, the significance of the age of criminal responsibility is perhaps sometimes overrated by some, including some in this House. We need to take account of international norms and best practice, recognise that Northern Ireland has among the lowest ages of criminal responsibility in Europe, and ensure that we see what is best for our children and young people and for the community.

**Mr Deputy Speaker:** Patsy McGlone appears to have left the Chamber, so I call Mr Stewart Dickson.

**Mr Dickson:** I thank the Minister for his answers. Minister, you said, and I welcome it, that there should be an informed debate about the criminal age of responsibility. It should not just be a single recommendation, but should be linked to the enhancement of parental responsibility, prevention and early intervention. Those methodologies need to be deployed.

**Mr Ford:** I agree. It may be that the Member has read some of the other 30 recommendations, which refer in significant detail to issues such as early intervention and recognise that youth justice is not something to be dealt with at the sharp end when problems arise. We need a joined-up approach across Departments, and I welcome the constructive engagement that my

officials have already had with those in other Departments on the matter.

## Peace Walls: Belfast

8. **Mr A Maginness** asked the Minister of Justice if he has any plans to continue to work, on a systematic basis, to remove the peace walls in Belfast. (AQO 538/11-15)

**Mr Ford:** The process of dealing with interface structures will be a major pillar of the community safety strategy. I want to ensure that we continue to work on a systematic basis with communities and statutory agencies to make communities safer for all. That will create the circumstances in which barriers can be reduced and removed.

It is important that we build on recent successes. Mr Maginness was with me at Alexandra Park to celebrate the opening of the gate there. That was a significant day, and I share the Member's underlying sentiment that we need to keep the momentum going at a strategic level.

A collaborative approach has helped to bring about progress at Alexandra Park and Newington Street. A key aspect of the community safety strategy will be the creation of an inter-agency group to build on the good work that has already been carried out. The group will address safety and security concerns at interfaces and seek to maximise the impact of limited resources with more targeted interventions.

Community engagement and agreement for change at interface barriers is vital to progress. My Department, in conjunction with community representatives and other agencies, is looking at other areas where positive change is possible. I am on the record as saying that I do not wish to see any more security structures being built. Priority must be given to forms of investment in people and places that will provide appropriate levels of safety and security and enable us to create the environment in which structures can be dismantled.

**Mr A Maginness:** I welcome the Minister's answer and agree that the Alexandra Park initiative was very significant. Will the Minister undertake to meet Belfast City Council and work out a systematic programme to address the whole issue of peace walls throughout Belfast? The council has committed itself to that, and I hope that a genuine relationship can be built

between the Minister and the council to address the issue.

**Mr Ford:** I agree entirely with those sentiments. I think there was a question buried in there somewhere; if it was about my willingness and that of the Department of Justice to engage with the city council, then I give an absolute assurance that the work that is under way between my officials and the city council will continue. I have met the chief executive of the city council on a number of occasions, when we have been looking at the north Belfast subgroup of the Executive.

It is clear that there are significant issues to address around interfaces, promoting the general issue of good relations and working to make the community safer by building bridges instead of walls. It is too easy to build walls; after 30 or 40 years of building them, we have to face up to how we can remove them, how we build relationships and how we ensure that the community gains the confidence that has been demonstrated in Alexandra Park and Newington Street. I hope that we will see progress in some other areas in the near future.

Whatever is required to build that partnership, the Department of Justice will be taking part, and I welcome Mr Maginness's support.

## Alternative Dispute Resolution

9. **Mr Copeland** asked the Minister of Justice what action he plans to take to increase the use of alternative dispute resolution.  
(AQO 539/11-15)

**Mr Ford:** On 13 September, I published the final report of the access to justice review. The report is a comprehensive analysis containing 159 conclusions and recommendations. The review supported the promotion of alternative dispute resolutions. Many disputes do not necessarily need to be resolved in a court hearing, and the review recommends the promotion of mediation, conciliation, collaborative law and other alternatives to court proceedings in the right cases.

As Members may know, I believe that greater use of mediation and other alternatives in suitable cases can avoid cases' having to be heard in court, which brings benefits to all concerned by providing a less stressful environment for the resolution of disputes and reducing costs. In

some cases, changing our approach could also help prevent abuse of the system.

I have published the final report of the review for public consultation, which will last for three months. Once I have received and considered those comments, I will publish a formal response to the review in the new year, including any proposals for the development of alternative dispute resolutions.

**Mr Deputy Speaker:** That ends Question Time. Members may take their ease for a few moments while we make changes at the top Table.

# Private Members' Business

## United Assembly Against Terrorism

3.00 pm

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

**Mr I McCrea:** I beg to move

*That this Assembly stands united against continued dissident republican attacks on the PSNI; condemns any attempts on the lives of officers; and fully supports the Chief Constable and the PSNI officers in dealing with this growing threat.*

It gives me no great pleasure to bring before the House a motion on continued attacks by dissident republicans on the lives of our police officers and, indeed, society at large. However, it is a topic of major importance and concern, given the significant number of attacks on the police and our wider community in recent years.

I pay tribute to all members of the Royal Ulster Constabulary, the full-time and part-time Reserve, and any other members of the Crown services who paid the supreme sacrifice. I also pay tribute to those who bear the mental and physical scars suffered as a result of defending against terrorists the rights of the people of Northern Ireland and democracy.

I am pleased that we find ourselves in a new era in which democracy rules supreme over the unlawful and criminal actions of terrorists. I am, however, concerned about the ever-growing threat to our officers and the wider community. In April, we witnessed a gruesome attack on the PSNI when a young constable, Ronan Kerr, was brutally murdered by dissident republicans. Prior to the murder of Constable Kerr, we witnessed the murder of Constable Stephen Carroll in Lurgan, which followed the unlawful killings of Sappers Quinsey and Azimkar at Massereene Barracks in Antrim in 2009. Both sappers were to have been deployed to Afghanistan the next day. Those gruesome acts of murder remind us

of the threat that our police officers remain under, despite the fact that the majority of the people of Northern Ireland wish to move forward.

It is also worth mentioning the attacks on police officers and those associated with the security forces in which, thankfully, the bombs and devices did not explode. Nonetheless, such attacks cause people to suffer hurt and to have lifelong memories of them.

Although the number of deaths is at its lowest when compared with 15, 20 or even 30 years ago, murder continues to present a major, unwelcome theme in our society. Sadly, terrorism continues to rock Northern Ireland. It is, therefore, important that we as an Assembly support the police during this immensely difficult time and unite in sending a message to the police and the Chief Constable that we fully support them in their fight against those who intend to destroy our society.

Of the 72 shooting incidents recorded in 2010-11, 61 were attributed to republicans, three were attributed to loyalists, and, unfortunately, the remaining eight attributions could not be determined. There were seven shooting incidents involving shots fired at police, five of which occurred during July 2010 when shots were fired at Crossmaglen and Lurgan police stations, and there were three serious public disorder incidents between 12 and 13 July. Shots were also fired at police during public disorder in Lurgan in August 2010 and in Londonderry in March 2011. All those incidents were attributed to dissident republicans.

Statistics show that bombing incidents have doubled over the past two years, with 50 recorded incidents in 2009-2010 and 99 in 2010-11. As the statistics show, that is the highest number recorded in eight years, although it is significantly lower than the 2001-02 figure of 318 bombing incidents. The 99 bombing incidents recorded in 2010-11 involved 101 devices, of which 52 exploded and 49 were defused by the army. Injuries were reported on six occasions when a device exploded.

We must not forget that many of the incidents inconvenienced hundreds and thousands of people who were refused access to their houses or businesses for their own safety. Pipe bombs were the most frequently used device and were involved in 64 bombing incidents, and there were also four incidents when a viable device was located under a vehicle. Of the 99 bombing

incidents, 59 were attributed to republicans, 28 were attributed to loyalists, and 12 were undetermined. There were 26 bombing incidents involving attacks on the security forces, including 11 attacks on police officers and 12 attacks on police stations. The other three incidents were attacks on army premises and personnel.

Although it does not strictly tie in with the motion, I feel that it is important to mention paramilitary-style attacks, which, in many ways, relate to the strength and threat of dissident republicans who threaten peace. During 2010-11, there were 83 casualties as a result of paramilitary-style attacks, compared with 127 casualties in the previous year. Paramilitary-style shootings accounted for 33 casualties, all of which were attributed to republicans. In comparison with the previous year, the number of casualties from paramilitary-style shootings decreased by 13, while the number of casualties of paramilitary-style assaults decreased by 31. Furthermore, 86 firearms and 2,574 rounds of ammunition were found during 2010. In addition, 2.9 kg of explosives were recovered during that year. I welcome those finds and commend our police force and the security services for their sterling work in removing those weapons from the hands of those who desire to kill and injure our people. Although the figures are not necessarily right up to date, there is no doubt that the perception today is that we will see yet another increase in attacks when the next round of figures is available.

Most of the incidents are attributed to rural areas, although there have been a significant number of security alerts, in addition to attacks on serving personnel, in Belfast and Londonderry. It is only right for any decent and law-abiding person to condemn such acts. I stand before the House today to condemn all such acts of violence, whether in the past or the present. I have repeatedly condemned such incidents in public and privately in the past, and I have done so again recently. I hope that every Member of the House joins with me in the condemnation of any attack.

**Mr Allister:** I endorse and note the Member's condemnation of all these heinous attacks. How far does the Member think that the rewarding of terrorism in the past by delivering a system of terrorists in government in response to those who murdered is, in fact, an encouragement to present-day terrorists? Is it not one of the lessons of the past that, by virtue of what has

been done as that legacy, we encourage new terrorists to think that they too, using Provo-owned Semtex and weapons, will attain the same end?

**Mr I McCrea:** Obviously, the Member has an axe to grind. Although I agree with some of his sentiments, he attended and was part of the St Andrews Agreement talks that set down the basis on which any government that included Sinn Féin could be set up. He is more than aware of the issues. He sits at the back and snipes and has very little that is constructive to bring forward. People know exactly where he stands on that issue, and he is not the saint that he makes himself out to be.

There is no justification for the sort of behaviour and illegal activity in question, especially when it involves the murder of security personnel. However, I make no apology for saying that, I do not care: the people of Northern Ireland come into that as equally as security personnel.

I turn to the amendment tabled by Sinn Féin. Initially I was not willing to accept the amendment, specifically for the reason that it removes the term "dissident republican". However, I am willing to consider Sinn Féin's comments on and reasoning for the amendment. If I truly feel that members of Sinn Féin have the desire to include dissident republicans — although I do not see why they had the need to take it out — I am willing to consider what they have to say before we make up our minds.

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

**Mr I McCrea:** Mr Deputy Speaker, I thank you for the opportunity to bring the motion before the House. I commend the motion to the House and ask the House to support it. We will consider the amendment during the speeches that Members from the opposite Benches make.

**Mr G Kelly:** I beg to move the following amendment: Leave out all after "continued" and insert

*"attacks on the PSNI and the wider community; condemns any attempts on the lives of officers; and fully supports the Chief Constable and the PSNI officers in dealing with this threat in a way that gives primacy to community policing, is human rights compliant and engenders greater confidence throughout the whole community."*



Go raibh maith agat, a LeasCheann Comhairle. I thank the Member across the Chamber for tabling the motion. I do not think that anyone in the Assembly can disagree with the intent of the motion. I will explain a little about the amendment in a moment. However, the amendment and the motion start by stating:

*"that this Assembly stands united against continued...attacks".*

That is the important message to be sent out from here today. We do not want to be dragged back into the past. We want to work for and support all those who have been under attack. I add my condemnation of all those who were involved in such attacks, and I know that Ian McCrea went through quite a substantial list of attacks that have happened over the past year or so.

The question is: why the amendment? Some amendments are tabled to change the essence of a motion, and they are opposed. However, I believe that this amendment does not change the essence of the motion. Some amendments are tabled to strengthen and expand the message, and that is our intention in tabling this amendment.

Over the past couple of years, death threats have been made against police officers and there have been threats against political representatives, some of whom are sitting all round the Chamber. There have also been threats against community workers. In fact, there was a blanket threat against all community workers in Ligoniel in my constituency because of their actions. There were threats against people in the voluntary sector and trade unionists, and shop owners and businesspeople were also threatened. Bombs were placed under cars in republican areas as well as in unionist areas, and headlines highlighted a number of bombs placed at businesses where people could have been killed. My constituency office and other Sinn Féin offices have been targeted with pipe bombs. There have also been shootings of young people, kneecappings, and people have been sent into exile.

### 3.15 pm

The essence of the amendment is that this concerns more people than the PSNI, but that is not to exclude officers in the PSNI. The essence is to make sure that everyone hears from the

Assembly the message that all such attacks are being condemned and that we stand united.

**Mr Allister:** Will the Member give way?

**Mr G Kelly:** Not a chance.

People need to hear support from the Assembly and across the Chamber, but I also want to be sure that the response builds on the confidence in policing, because at the core of this is an attempt to undermine the new beginnings of policing. There is an attempt to drag us back into situations we were in previously. I want to make sure that policing does not get undermined, even in the motion and in the actions. The whole community is rejecting the actions of the people who are carrying out all of the attacks, irrespective of whom they are on or whether they are on police officers. We need to show that we reject those attacks on the community and show support for all of those involved in the attacks. When those attacks come to members of the community, they are, clearly, an attack on the whole community. That message also needs to go out from the Chamber today.

**Mr I McCrea:** In my initial comments about Sinn Féin's amendment, my main concern was the effect of the removal of the words "dissident republican". I accept that there are people on the loyalist side who are involved in some of these activities, but although the Member has mentioned in his comments that everyone is involved, I have yet to hear him refer to dissident republicans. It would be useful if he was willing to at least refer to the fact that they are there and give us a reason to at least consider supporting the amendment.

**Mr G Kelly:** I thank the Member for his intervention. I have no hesitation whatsoever in mentioning dissident republicans. As he pointed out, the bulk of the attacks are coming from that area, but I thought that it was important to table the amendment, because there are people out there who want to know that they are not being left out of the list of people who are being attacked. If you have an attack on a community service, that clearly is an attack on the community as well. I have no hesitation in saying that; we simply wanted to expand the amendment to cover that.

It is important to point out the primacy of community policing, as is done in the amendment. Without that combination and that relationship

between the Police Service and the community, the Police Service can be set apart from the community it serves. It is important that we make sure that that does not happen; it is what those opposed to policing are trying to do. They are trying to drive a wedge between them.

The Assembly wants to send out a united message. For that reason, I ask the proposers of the motion to accept the amendment and the intent in which it was put forward.

**Mr B McCrea:** The motion before us might be considered predictable, given its source, but no less worthy for being predictable. It is not unusual for the DUP or any unionist party to be concerned about attacks on the PSNI and to look to see what it can do about them. What is of real interest is the amendment put forward by Sinn Féin. I realise that some people may be concerned that that is a cynical ploy. However, when you read the amendment, its content is quite astonishing. I mean no offence by that. The amendment states that the Assembly: "condemns any attempts on the lives of officers; and fully supports the Chief Constable and the PSNI officers in dealing with this threat".

I regard that as an entirely positive statement and one that should not be missed. There is a danger that we look for problems, and I understand the point that Mr McCrea made. Nevertheless, the amendment contains a significant statement, and I want to acknowledge that I see it as such.

**Mr Allister:** Will the Member give way?

**Mr B McCrea:** If you just let me develop my point first, I will give way in a moment. One of the other elements of the amendment is the idea of putting community policing at the centre of policing, and I agree with that, too. I am convinced that you cannot impose policing on people and that policing should be done with communities, for communities and, frankly, by communities. However, there are some issues with how you deal with that.

I want to deal with another issue, but I will take the intervention first.

**Mr Allister:** Before the Member gets too effusive about the content of the Sinn Féin amendment, will he reflect on the fact that what it really points to is the total divergence and hypocrisy of that party in being willing to say

that attacks on police officers today are wrong, yet attacks on the RUC and anything else up to 1998 were justified and continue to be so? So long as that is the position, does the Member agree that very little credence can be put on the self-serving stance of the moment?

**Mr B McCrea:** There is much that I admire when the honourable Member speaks, but sometimes I need to challenge what he says. On the basis of the motion in front of me, and given the time and place, I cannot demur from what is being said. I could point out certain inconsistencies, but there are lots of inconsistencies with this issue. For example, I would like people to examine certain issues when talking about community policing. Alex Maskey has spoken to WIMPS.tv. He needs to make it clear that the only form of policing in the community is through law and order and the PSNI. Although Mr Maskey might have supported other methods in the past, that is not where we are now.

I also understand the issue raised about dissident republicans, and I am not one of those who would have forced that particular phraseology out of Sinn Féin. I understand what the amendment was designed to do and why Sinn Féin might want to make that change. I accept that and move on.

I want to deal with the point about human rights. I dealt with that matter when I chaired the human rights and professional standards committee of the Northern Ireland Policing Board. That committee had many interesting debates on stop-and-search powers and how they should be used properly. What was significant about those meetings was that Sinn Féin members of the committee accepted the right of police officers to stop and search individuals, yet they were never given the credit for that. Their counterargument was that using stop-and-search powers in the wrong way or inappropriately can be counterproductive. I accept that argument, and, to my mind, that is realistic and reasonable dialogue.

The problem in this place when we talk about human rights is that people forget about what human rights mean, and the term becomes a stick to beat people with. Everyone, including police officers, has human rights, and they exist because we all agree that they are the basic standards of a civilised country. The most fundamental of all human rights is the right to life — article 2.

We have all been trying to deal with the past for some time, but I do not think that we have dealt with it properly. The past must be examined in such a way that we address what was wrong and make sure that it does not happen again.

I agree with Mr McCrea that we should listen carefully to how the debate develops. However, on the basis of the motion and the current debate, it seems that the House has accepted a counter-terrorism message. That is excellent. I urge people to support the motion, and I am sympathetic to the amendment.

**Mr McDevitt:** The SDLP also supports the motion, and I add my voice to those of colleagues from across the House who appear to be uniting against the threat posed by those on our island who still believe that physical force is a means to a political end. Let me say at the outset that I will happily give way to anyone who wishes to join me and the rest of us in uniting around that simple message.

The pressure under which young police officers live today is entirely at odds with the expressed will of the people of Ireland. It flies absolutely in the face of the more than 90% of people across this island who have endorsed every step of our peace process. It is not an act of patriotism to attack someone who seeks to serve their community. It is not an act of British or Irish patriotism to do that. It is not legitimate to profess a violent mechanism and expect a political outcome. The futility of violence is evident to us all, and the fact that we are able to unite around that now is a great testament to the very many people who made this Chamber possible.

I know that, when he speaks in a few minutes, Joe Byrne will refer to a young man from his home town who joined the PSNI to serve us all, and who was killed for no other reason than because he made that decision. If Dolores Kelly were here today, she would speak similarly of Constable Stephen Carroll, and so on and so forth. That we are able to unite as a Chamber and a political body is a very special thing. Like Mr McCrea before me, as current chairperson of the human rights and professional standards committee of the Policing Board, I know how much it will mean to police officers.

However, uniting around the need to respond to this crisis from a security standpoint is only half of what we really need to do, if we are honest, because the history books tell us that, ultimately, eventually someone will have to

sit down and work through the thwarted logic of whoever it is who thinks that violence is still a legitimate basis for pursuing a political objective. Someone, somewhere, is going to have to show the courage to sit down and start talking. I just hope that, in the years ahead, as we settle down in this Assembly and go from simply debating a peace process and start debating the transformation of our region and of this island, we are able to honestly assert that. I do not expect us to do it today; I can understand why we would not feel able to. However, we must surely accept that, for all of us, it is legitimate to dissent. It is fair enough to disagree — in fact, it is necessary and healthy that we do so — but it is not legitimate, fair or in any way potentially justifiable to do so in any other manner than democratically and through force of argument.

**Mr Allister:** Will the Member give way?

**Mr McDevitt:** I will not, and I will tell you why. I suspect that the Member wants to agree about the determination to dissent, but what we are about here today is uniting against those who refuse to dissent — to be fair to the Member and to his full credit — in the way he is able to in this Chamber. I want to use my five minutes, if that is OK, to assert the primacy of politics and to celebrate the fact that, with all our imperfections, and we have many —

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

**Mr McDevitt:** This House will silence every gun, if we remain united.

### 3.30 pm

**Mr Lunn:** I support the motion and the amendment, but, before I continue, I wish to associate myself with Ian McCrea's acknowledgement of the sacrifice of those who have gone before in the PSNI, the RUC and other organisations. It is entirely appropriate that that sacrifice always be mentioned.

The DUP motion is clear and unambiguous. It seeks Assembly unanimity in sending a message to dissident republicans that we stand with the PSNI and the Chief Constable in dealing with the threat against them.

The Sinn Féin amendment predictably removes the specific reference to dissident republicans, but Mr Kelly has unequivocally stated in response to a prompt from Mr Ian McCrea

that he is not seeking to avoid that question and that he includes dissident republicans in the overall thrust of his party's amendment. He includes all attacks on the PSNI and the wider community, so, presumably, that includes attacks by dissidents, UVF-orchestrated riots, attacks and killings in paramilitary groups and all other attacks, from whatever source they come. The amendment also offers full support for the Chief Constable and the PSNI as they deal with the threat in a way that gives primacy to community policing, observes human rights and builds community confidence. I join Mr Basil McCrea in saying that I cannot find any fault with that. If that wording had come from the DUP, it would not have surprised me.

I am a member of the Policing Board, and I think that every political member of the Policing Board is here today, as well as some former members. I have listened to the views of the Chief Constable and his senior officers and think they will be very encouraged and would certainly support the wording of the amendment. Community policing and human rights observance are absolutely front and centre in their thinking. The drive to increase community confidence, particularly in disadvantaged areas, also has the highest priority.

Over the past few years, we have heard so many condemnations of terrorist and paramilitary atrocities in this House and beyond. The voices of those who still advocate violence for political or any other ends have been drowned out by the united voices of condemnation from all sides. The motion and the amendment are further evidence of the desire across the community to live in a normalised society.

We want no more Stephen Carrolls, no more Ronan Kerrs and no more Peadar Heffrons. We do not want any more Bobby Moffats, or any other punishment shootings or summary justice from any part of the community. The motion will send a message to the dissidents and to others that they have no support. It is equally important that a very strong message of support will be sent to the PSNI if the House unites today, preferably around the Sinn Féin amendment.

*(Mr Speaker in the Chair)*

I have been very encouraged, because, up until some time ago, I heard that there would be some resistance from the unionist side, but Ian McCrea said at the start of his contribution that

he wanted to hear what Sinn Féin would say on the subject. I think that he and the Ulster Unionists have heard the right message from Sinn Féin. I see absolutely no reason why the motion should not be supported on the basis that, to all intents and purposes, the Sinn Féin amendment encompasses the DUP motion.

I will leave it at that, Mr Speaker. It will be a good day for the Assembly if we can pass a motion jointly without a Division on a subject such as this. Tomorrow morning, we might even hear something constructive from Stephen Nolan about the activities in this House. He may give us some credit instead of picking out particular minor incidents, as he did this morning.

**Mr Newton:** I also wish to be associated with the tributes that have been paid to all the members of the security forces — many of whom gave their lives in the duty of service — who stood between us and the objectives of the terrorists. It is absolutely necessary that the Assembly know exactly what we are up against from dissident terrorists. I will refer to some remarks that were made by a dissident, who, following an interview with 'The Guardian' on 15 July 2011, indicated:

*"mainstream republicans were coming over to organisation's way of thinking."*

He also claimed that members of the group that placed the bomb underneath the car of Catholic policeman Constable Ronan Kerr in Omagh were relatively recent defectors from the Provisional IRA.

He also said that Constable Ronan Kerr and Constable Stephen Carroll, who was murdered in Lurgan, were murdered by dissident terror groups because they were legitimate targets. Indeed, although he left it out, I dare say that he would apply the same words to the two members of the army who were murdered in Antrim. That is what we are up against.

I want to pay tribute not only to the security forces — the PSNI, the RUC and the army — but to the people of Northern Ireland. They have stood against terrorism not only in recent years, but for generations. They have stood against those who wanted to remove their birthright by extreme violence and attack the very things that are dear to them. Throughout the generations, during the dark days of terrorism, the law-abiding people of Northern Ireland did not bend. Terrorists could not break their will. When murder and



mayhem by the Provisional IRA was at its peak, they stood firm against Provo terrorism.

We must pay particular tribute to the business community, which was often terrorism's target. In the clear-up after every bomb that was placed in their premises, a sign went up saying, "Business as usual". It did not really matter whether the business belonged to someone from the Protestant, unionist, nationalist or Catholic community; the owners continued on and stood firm against terrorism. In all the difficulties of life that we witnessed during the most recent terrorist campaign, when there was a ring of steel around Belfast, when every village and town in Northern Ireland had its own security arrangements, and when practically every retail shop had to implement security arrangements, the business community stood firm against terrorists.

I welcome the stand that the Assembly has taken. All indications are that the motion will pass. Over recent years and following attacks on the PSNI and the army, the House has stood united to condemn those attacks in the strongest possible terms. Those cowardly attacks on police officers have been condemned by the First Minister and the deputy First Minister. I have to say that many of us were surprised when the deputy First Minister stood side by side with the Chief Constable and the First Minister on the steps of Stormont Castle and condemned the dissidents as traitors. I welcomed his words. Many of us were surprised when he used those words.

An attack on any member of the security forces is not just an attack on him and his family; it is an attack on the entire community and the aspects of life that we all hold dear, such as the democratic process. Of course, we face an increased threat from dissident terrorists. The implementation of the Patten report saw many very experienced officers lose their jobs and move on to other employment. Is it not interesting that they have been headhunted by Governments around the world because of their experience of the infrastructure to combat terrorism?

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

**Mr Newton:** I support the motion.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Like many in the House, I support

the motion as, I hope, amended. I hope that Members accept the amendment in the spirit in which it was tabled.

There is a peace process here. There are new institutions that are the envy of many countries and societies throughout the world. That is not to say it is perfect; it is not. At times, many of us would say that it is very imperfect. However, the fact is that many countries look to these new institutions. They look to see what checks and balances and new institutions are being established. They want to learn how the Assembly is doing it. Recently, as part of the Committee for the Office of the First Minister and deputy First Minister, I joined Tom Elliott and other members in discussions with a delegation from Cyprus.

Like many Members, I lived through the difficult times. I also worked in other parts of the world and saw different war-torn places. They look at what we are doing here and want to move on in the way in which we are moving on. Like many Members, I attended Ronan Kerr's funeral and saw poor Mrs Kerr, who was absolutely distraught. She was heartened by the support of people from across the political spectrum.

The amendment is important because, as Gerry Kelly and others said, we need to build safer communities. We need to build new policing structures that are accountable, representative —

**Mr Humphrey:** I am grateful to the Member for giving way. Does she agree with me and my colleagues that, in building policing structures, there can only ever be one police force in Northern Ireland and that community policing on a two-tier level is not acceptable?

**Ms Ruane:** I thank the Member for his intervention. I was going to go on to say that the more we ensure that policing structures are supported by the communities that they represent and serve — serve is the key word — and adhere to international standards and human rights, the more we have a solid foundation on which to continue with our peace process and the new institutions and the bigger the message we send to people who are opposed to change and the agreements that we have reached.

Many sections of our society have suffered attacks. My office, like Gerry's, has suffered an attack. I have been attacked by people who should know better. There have been racist

attacks in our society. We awoke this morning to hear that a child had been wounded by glass after an attack on her house. It is not good enough for that to happen in our communities.

Many of us in the House are on the Policing Board. We spend days and nights trying to build the new structures. I welcome the engagement that I have — *[Interruption.]*

**Mr Speaker:** Order.

**Ms Ruane:** — on that board with members of all the different political parties. We have many different viewpoints, but it is good to hear people such as Basil, Trevor and members of the DUP speaking in this important debate. We will have many more debates. I do not agree with everything that everyone says, and people do not agree with me. However, the point is that we are having those debates. That is what makes today's debate so important.

The best way for us to ensure the continuation of our process and arrangements, and our new justice and policing structures, is to engage on every single issue. We must build the new structures and ensure that no one in our society is attacked.

**Mr D McIlveen:** I also commend the Members who tabled the motion. We have to acknowledge that Northern Ireland has come a long way in recent years. We should all be very proud of the progress that has been made to date. I also take this opportunity to pay tribute to members of the security forces who paid the ultimate sacrifice at the hands of terrorism. We must keep them at the front of our minds in this debate.

I will pick up on one point. A view has been expressed that the existence of the Assembly somehow incentivises terrorism; that is ultimately what was said. When such a view is pontificated from the Benches, I have to say, "Look around." We are in a devolved United Kingdom Assembly. Surely the very fact that people on the Benches opposite are sitting in such an Assembly is proof that terrorism does not work rather than proof that terrorism does work. I struggle to get my head around that argument.

**Mr Allister:** Will the Member give way?

**Mr D McIlveen:** Unfortunately, however, there are still issues to be resolved. Continued attacks on the PSNI constitute a fundamental issue. *[Interruption.]*

**Mr Speaker:** Order.

**Mr D McIlveen:** Sorry, I will give way.

**3.45 pm**

**Mr Allister:** I am much obliged because — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** — I think that the Member might just have been referring to me.

The point, which I would like Members to seriously consider, was that we are in the scenario where we are all condemning the murder of PSNI officers. I was making the point that some of those who are today condemning the murder of PSNI officers are those who have justified, and continue to justify, the murder of RUC officers. Yet, it was in order to accommodate those very people that these artificial political structures were created. Something — before this nonsense is repeated — which I never endorsed and for which I resigned from the DUP. The point — *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr Allister:** The point is this: one of the products of the Belfast Agreement, which Members on those Benches used to oppose, was the rewarding of terrorism and special accommodation for terrorism. My point is that — *[Interruption.]*

**Mr Speaker:** Order.

**Mr Allister:** — having set that template, are we not inviting the new generation of terrorists to reap the same reward?

**Mr Speaker:** Order. Can I just say this to the House: let us calm down. Let us be reminded of the language that we use in the House. I also say this to all sides of the House: I would like to think that when a Member takes an intervention — the Member quite rightly had the Floor and gave way — out of courtesy, the Member who intervenes will make the intervention short and sharp. I say that to the whole House.

**Mr D McIlveen:** I thank the Member for his intervention. There is one very simple answer to his question: no, I do not agree with him. I think that the vast majority of people do not agree with him. The reality is that —

**Mr Speaker:** The Member will have an extra minute added to his time.

**Mr D McIlveen:** Thank you very much, Mr Speaker.

I think that, if people did agree with the Member, he would not have to contribute to the debate through interventions as he would have the allocated speaking positions and the mandate to put his view across.

**Mr Storey:** Does the Member agree that, if the Member were being consistent with his claimed policies, he would not even be in this House? *[Interruption.]* Of course, the very fact that he is now here is evidence that he has not even got the support in the country. Of course, sitting there as a lone jack in the corner is evidence —

**The Speaker:** Order. Could we please get back to the motion?

**Mr D McIlveen:** I thank the Member for his intervention. I could not agree more.

I feel that issues still have to be resolved. The continuing attacks on the PSNI are an absolutely fundamental issue, and we have to address them today. The reforms of the PSNI over the years and the equality work that has been done by the organisation should be very much commended. Tribute has to be paid in that regard. Public confidence is increasing, with 94% of people saying in 2008 that they felt safe in their communities. However, it is unlikely that a similar poll of police officers and their families would yield the same results.

The threat from dissident republicans made it into a July 2011 Home Office report outlining a UK counterterrorism strategy. Attacks on police officers are becoming far too regular an occurrence. Those people keep our communities safe. It is thanks in no small part to their tireless work that we are now enjoying relative peace and stability in the Province; therefore any attempts on the lives of officers must be wholeheartedly and unreservedly condemned.

Today's motion is vital. What a day it would be if we could unite as one Assembly to condemn the brutal attacks on our police officers by those wishing to derail the peace process. I believe in this passionately, which is why I find it rather unusual that the other side of the House cannot accept the motion as written. For the whole Assembly to unite entirely against terrorism would be a huge step. In fact, it would be a

seismic step, and I believe that we are either moving forward or we are not.

I find the amendment all the more difficult to comprehend given that the deputy First Minister has called those responsible for the murder of Ronan Kerr the enemies of the peace and the enemies of the island of Ireland. Indeed, my colleague Mr Newton mentioned the comments made after the murders at Massereene Barracks. Why, then, will the other side of the House not just accept the motion as tabled so that together we can present a united front against terrorism?

The threat against PSNI officers is almost exclusively from dissident republicans. We have heard facts, figures and statistics proving that that threat is incontestable.

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

**Mr D McIlveen:** We should send out a message today condemning the acts of dissident republicans. I commend the motion to the House.

**Mr Hussey:** When I read the proposed amendment to the motion, one of the first things that hit me between the eyes was the phrase "human rights compliant". That means something to an awful lot of people, but it seems to mean different things to different people. We all know — my colleague Basil McCrea referred to it — that the basic human right is the right to life. Constable Kerr gave his life in the service of the Police Service of Northern Ireland, which incorporates the Royal Ulster Constabulary GC. Similarly, Constable Michael Ferguson of the RUC gave his life in Londonderry when he was shot dead in the street. Both were Roman Catholic officers, and both paid the supreme sacrifice for being police officers. So, where are we today? Have things changed much?

Police officers carry a heavy burden. In Northern Ireland, they carry an exceptionally heavy burden. In fact, throughout Irish history, police officers have carried a heavy burden. They have always been targeted by terrorists. They were targeted in the 20s, 30s, 40s, 50s, 60s, 70s, 80s, 90s, 2000s and beyond. I find it strange that we cannot use the term "dissident republican". I find it strange that some people find the word "terrorist" to be one that they cannot use. At a recent meeting of the Policing Board, we considered the Winsor review, and

one of the paragraphs that was to go back to the review referred to the specific targeting by terrorists of members of the Police Service of Northern Ireland. Who in this House would deny that police officers are being targeted by terrorists? A Member who spoke previously objected to that word. They objected to the words “targeting” and “terrorist”. I find that difficult to swallow.

I fully support the Police Service of Northern Ireland without question, and I fully support the Chief Constable without question. He has a role to undertake, and he undertakes it exceptionally well. If mistakes are made by any police officer in this country, various organisations can investigate those complaints. I do not and cannot accept attacks on any members of this community. I cannot accept attacks on people who have their windows put in. I condemn those who attacked the offices of the Members opposite, because that is wrong. That does not happen in a democracy. In a democracy, a police officer does not have a bomb placed under his car. In a democracy, a police officer is not shot at, and his home is not targeted because he is a police officer. I condemn all attacks, and I condemn the attacks on police officers, but we can and must call a spade a spade.

Dissident republicans are clearly there, and they will not go away. We cannot make them go away by covering our eyes and pretending they are not there. I am sorry, but, until people accept that dissident republicans are here and that they are here to cause havoc and to murder police officers and those who support this state, I have no truck with them. If the words “dissident republicans” cause so much offence to those opposite, I cannot support the amendment.

We have a completely new Police Service. Those new police officers are being specifically targeted because Catholic officers were prepared to join the Police Service of Northern Ireland. Catholic officers were prepared to join the Royal Ulster Constabulary, and many of them paid the supreme sacrifice. The words “dissident republican” will not go away. Like another organisation that once said that it had not gone away, they have not gone away. Until those words are included, I am afraid that I cannot accept the amendment.

**Mr A Maginness:** This has been a very good debate, and there has been considerable agreement right across the Chamber. That is

encouraging, not just for political reasons but, in particular, for the PSNI, which has a very difficult job to do in safeguarding our community, and I mean the whole community. Dissident republicans are out to destroy policing and the PSNI if they can; they are out to destroy the political progress that we have made in recent years.

Of course, the answer to their campaign of destruction and their campaign against the PSNI is not just to condemn their actions but to support and deepen the political progress that we have made, because it is through partnership and working together in the Chamber, in the Executive and in the other architecture of this institution that we will continue to make political progress. By making political progress, we undermine the very point that dissident republicans are trying to make, which is that this cannot work. However, this can and is working, but it can work much better; therefore we should deepen our resolve to create an even better partnership right across the community. In supporting the PSNI and encouraging young people in particular from every part of the community to join it, we are strengthening the police service.

What the PSNI has, which its predecessor did not have, is the fact that it is a representative police service; it has a critical mass in its cross-community make-up. It is a legitimate police service. Right across the community, people respect and support the PSNI, and it is therefore very important —

**Mr Humphrey:** I am sure that the Member will appreciate that that is very difficult for some of us on this side of the House. He seems to imply that the Royal Ulster Constabulary was not legitimate. The Royal Ulster Constabulary was not as representative as he and his community would have wanted it to be because people who sought to join it were targeted — as were their families — and prevented from doing so. That has to be remembered.

**Mr A Maginness:** Of course I accept that the RUC sustained savage attacks, and many members lost their lives in the service of the community. However, it has to be said that the RUC did not command universal political or community support; that was one of its fundamental weaknesses. I believe that, as a result of the reforms in policing, we have built a police service that commands almost universal support across the community. That is a very powerful weapon,



more powerful than any physical weapon that any police service has. Having popular support is so important. Thus the murder of Ronan Kerr shocked the whole community and brought an outpouring of sympathy right across the community. That is a testament to the political progress that we have made and the achievements of the PSNI in a very short period. That is something of great value.

In the final half minute that I have, I appeal to those who are involved in dissident republican activity to desist and to reflect on what they are doing, because they are simply repeating the mistakes of the past.

Physical force will not work to achieve what they are setting out to achieve, which, I believe, is a united Ireland. You cannot unite Ireland by murdering your fellow citizens. You cannot unite Ireland by murdering policemen and policewomen who serve the community.

#### 4.00 pm

Therefore, I appeal to them to desist from violence and to work politically to achieve what they want to achieve, which is the unity of the Irish people. They will not succeed with violence, of that I have no doubt. I believe that the very powerful support in the Chamber today for the PSNI underlines the fact that those people cannot achieve, through violent means, their ultimate political ends. I hope that the House, by uniting today, will demonstrate that to them.

**Mr Ford (The Minister of Justice):** I am responding to the debate on behalf of the Executive as the result of a specific decision at last week's Executive meeting that I should be here to give a response, even though the motion and the amendment do not formally call for action by my Department. I want to make it clear at the outset that I support the motion and the amendment.

I welcome what we have heard today, which is a unified voice in the Assembly. It is absolutely important that the Assembly send out a clear and united message to the community and to the police on this hugely important topic. Of course, the views around the Chamber have not exactly been unanimous. They were never going to be unanimous when dealing with an issue such as this, given the differing backgrounds that are represented here. In fact, it shows something of the strength of unity that it is not unanimity. People have come from different

backgrounds, we have all kinds of different perceptions and we all bring different baggage, yet, around the simple motion and amendment, it seems to me that we are close to achieving the unity that, I believe, our community deserves.

The debate is a valuable opportunity for us all to recognise, as we so rarely do, the service and commitment of those who work on behalf of the Assembly and the entire community to tackle criminality and terrorism in all its forms: the officers and other staff of the Police Service and, of course, their colleagues in a number of other agencies. It is clear that the principal target of the terrorists is police officers, yet, at the same time, the amendment in particular recognises that those who resort to violence are unconcerned about the lives of other civilians. They are unconcerned about civilian injuries and the loss of business, jobs, tourism opportunities, and so on — the losses that are inflicted on us all.

I commend the PSNI and its colleagues in an Garda Síochána for their continued determination, despite the threats that they face, to prevent terrorist attacks and to bring to justice those responsible for them. I welcome the significant successes that there have been in recent weeks and months on both sides of the border in dealing with those who resort to violence.

Nevertheless, there are other important points that need to be made in the debate. The first, which has been highlighted by a number of Members, perhaps more on one side of the House than on the other, is about the police's commitment, supported by the Department of Justice, the Policing Board and many others, to neighbourhood policing, community safety and key priorities to ensure a service that meets the needs of the community as a whole. Those will not be sacrificed. Let us remember the words of the Chief Constable, Matt Baggott, who said:

*"It is the ambition of the Police Service of Northern Ireland to be the finest personal, professional and protective police service in the World"*

and

*"community policing is the means to achieve this."*

In the face of the threats that police officers are under, the determination to continue with that policing for the entire community must be respected by us all. In the aftermath of Constable Ronan Kerr's murder, the chairman of the Police Federation said that the police:

*"will never be deterred by terrorism from doing our duty and serving the whole community."*

Perhaps even more poignantly, a young Catholic officer interviewed by the BBC in the summer said:

*"every person that needs us, needs our help or advice, that's who I work for".*

If that is not a clear statement of what policing in the community means from the perception of a new, young constable, one that is would differ very little.

Let us also remember the public statements that were made by political leaders, Church leaders and leaders in every section of this community in the face of the murder of Ronan Kerr earlier this year. Let us remember the determination that was expressed in particular by the First Minister and deputy First Minister to continue to make the necessary progress for this society. I stood with them and the Chief Constable that day. The symbolism of the Chief Constable, accompanied by three political representatives from very different backgrounds but who were united, in the context of the devolution of justice, to show that the Executive and Assembly could work together, cannot be overstated.

Let us remember the words of Nuala Kerr, who said:

*"We were so proud of Ronan and all that he stood for. Don't let his death be in vain."*

I think that the response that we have seen in the Chamber shows that his death was not in vain. Sometimes, we have produced that unity in the short term in the face of a particular act of violence. The fact that the Assembly is having a measured and sensible debate about the response to violence and, looking at the wider circumstances, the recognition from both sides of the House of something of the perception of the others in the House, has been a very positive statement.

Let us look at something of what normal policing means. Earlier this year, we had the publication by the police of their principles of policing. They stated that the police will put communities and victims first. The policing plan, which was prepared by the Department and the Policing Board in conjunction with the views of district policing partnerships, refers to a clear focus on policing with the community and a focus on delivering an excellent service.

Community policing is and must be the bedrock of policing here. That is why confidence in the Police Service is at such a high level.

Policing is far from the only response to the threat that we face from terrorists. We all need to play our part in the Chamber and the community to assist the police by uniting to demonstrate to terrorists from whatever quarter, and whatever cause they claim, that their actions are out of step with the vast majority of the people of this island, who have rejected violence and wish to see a peaceful solution to our issues.

As Minister, I commit myself to supporting work that will remove the causes of conflict in our community so that we can develop a safer and shared community. I will continue to work on the relevant issues such as the community safety strategy, the reducing offending strategy, the work that we talked about during Question Time on removing or remodelling interfaces in line with community aspirations, and assisting in reducing tension around parades and public order generally. Those are ways in which the Department of Justice and every Member can help to build a positive future in which communities can see the positive impact that the devolution of justice can make and has started to make over the past 18 months.

Of course, it is not enough that justice has been devolved. This is a matter for partnership around the Executive table, in the House, on the Policing Board and in the Assembly Committees, especially the Committee for Justice. I stress that ongoing community support for the Police Service is vital in the work that it does to keep us all safe. I am glad of this opportunity to remind the public of the importance of that support and to encourage them to assist the police in any way they can. In return, we expect the police to serve the community. We expect them to operate professionally and in a manner that is compliant with human rights. That means protecting the public and officers, and pursuing terrorists, within the law. The service is naturally and rightly accountable in a variety of ways for its role and operation.

I assure Members that, as Justice Minister, I will continue to work with all Members, especially Executive colleagues, to help to build a positive future in which all of us, including police officers, members of the wider community and

ordinary citizens, can be free from the fear of terrorist attack.

As I said earlier, too often in the past, we have seen Members united in the short term in the face of specific terrorist acts. I welcome the way in which the debate has been conducted. I welcome the united views that have been expressed. That is unity in an extremely positive sense because it is support for the Police Service, the Chief Constable and all of his officers, and the work that they do in policing with the community.

I trust that all Members will feel able to join together in supporting the motion and the amendment to show such unity in the face of terrorism and in support of the Police Service.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Beidh mé ag labhairt ar son an leasaithe. Thank you very much, Mr Speaker. I will speak in favour of the amendment. I hope that Members have seen the amendment as strengthening the motion. In particular, I hope that, when Gerry Kelly took an intervention from the mover of the motion, Ian McCrea, he went some way to allaying the fears about labels or designation. The same applies to Ross Hussey's comments. Gerry Kelly said that this is not about labels but about ensuring that we have a united voice against all attacks that are made on our community. I hope that, when Members come to vote, they will see the spirit and intention of the amendment.

Sinn Féin is totally and absolutely opposed to all attacks, be they on persons or on property. Gerry Kelly said that, when you say that you are opposed to all attacks on all persons, including PSNI officers, people sometimes think that you see them as a category that is separate from the rest of the community. I hope that Gerry Kelly addressed that. They are part of the community and do not stand apart from it. In that sense, therefore, we want that point to be realised.

We also stand opposed to all those who attack persons and property, and we do so without reservation or designation. As we go forward, that is important. We hope that our amendment, if accepted, will send a very clear message to the community that the Assembly stands opposed to all attacks on all persons and all property. It is very important that we send that message.

That message cannot stand in isolation, because we have to show political leadership. The message

will be stronger if such leadership runs alongside it. In my opinion, key to that leadership is the creation of a society that is based on mutual co-operation, respect and equality. Underpinning that must be an attempt by all of us to ensure that prosperity is brought to the lives of the people whom we represent. Therefore, these attacks can be seen in that context.

I will dwell on one particular initiative that took place in Derry in my constituency of Foyle, and I know that the Ceann Comhairle — the Speaker — was also involved in it. That initiative is a good example of co-operation, and, in the main, it was a response to the two car bomb attacks in the city. At the end of last year and coming into the new year, political representatives and people from across the city came together and tried to come up with an agreed position on how we would move forward. People came from all shades, and we accepted that there were political differences and different political perspectives. We were able to agree a statement, part of which read:

*"Any attack against any part of the city and region or against any person or people in or of the area is an attack against the interests of everyone and against the future wellbeing of this City and its people."*

That message can be stretched right across the North and across the island of Ireland. It is important that we do that, because people appreciate the strength of the message. There was no need for labels or for designation. When people in our city read the message and saw the work that had gone into the statement, they did not ask whether it referred to attacks by dissident republicans on the PSNI or those by vigilante groups on individuals in our community. They got a very clear message that the city and its political representatives were totally and absolutely opposed to any attack on any person or property in our city.

That is the message that we must send today, and, as I say, it can extend right across the North and across the island. That is the tone of and the sentiment behind our amendment, and that is why we ask that the House not divide on it. I acknowledge that the Minister is here. As he outlined, he did not have to respond on behalf of the Department, but we all welcome his positive tone and his lead in calling for support for the motion.

**4.15 pm**

**Mr Craig:** I want to take this opportunity to thank all who participated in the debate. I believe that the debate is significant, and the reason is quite simple. Given that we have come out of 30 years of violence, during which the Royal Ulster Constabulary successfully defended and protected the rights of our citizens against terrorist attacks, and have moved into a new era of peace, which has been marked by the Assembly, there is an onus on all of us here today to give leadership and to stand up to those who continue to commit acts of terrorism and refuse to accept the will of the people of Northern Ireland.

After the indefensible and sickening murders of Sappers Azimkar and Quinsey, outside Massereene Barracks in Antrim, and the murder of Constable Stephen Carroll, who was responding to a call involving a community policing matter, the deputy First Minister of Northern Ireland, Martin McGuinness, called those involved in the incidents “traitors” — a very strong word indeed. It came from someone who, at the end of the day, confessed to his membership of the IRA. There are Members in the House who refuse to recognise that step forward, but I am not one of them. That was a statement of how far forward we have moved and why we stand here today. We must give our full, wholehearted support to the Chief Constable and the PSNI. There must be no ifs, buts or maybes about whichever group decides to take up arms against the will of the people of Northern Ireland.

I, for one, want to thank the PSNI for all that it has done to cope with the situation in which it finds itself. Many serving officers have been left with physical and mental scars. I speak with some experience because some of those officers are my friends and colleagues, and I know what they have been through. I also want to pay a huge tribute to the 300 members of the RUC who made the supreme sacrifice, and to their families. We are always reminded of them — some of us have very personal reminders — and we will always remember them.

I do not want to single out any one victim or victims, but given the inquiry south of the border into the IRA murders of RUC officers Harry Breen and Bob Buchanan outside Newry in 1989, I want to point out that those murders are, quite frankly, no different from the murders

of PSNI officers in recent times. We all hope and pray that no one else is killed at the hands of terrorism. However, given the significant increase in violence that we have seen, as my colleague pointed out at the start of the debate, we cannot rule that out. Nevertheless, what we can do today is to send out a clear message to the terrorists about what the House believes: democracy is the only way forward.

Like many in the House, I knew nothing but the way of violence in my youth. That was the way that was imposed on me; I did not have an option. We lived through 30 years of waking up every day to hear a list being read out on the morning news of the people who had been murdered. Ironically, the programme is now called ‘Good Morning Ulster’, but back then there was never a “good morning”. I will not go into the rights and wrongs of who murdered whom. However, that was my youth, and that is what I lived with.

Some of it is quite comical; to this day I have not got used to the fact that when you walk into a shop you do not get searched. I also always found it strange when you went to another country and were not searched. That is the progress that this House and this process have brought. However, there are those who refuse to recognise that process and progress. I just wish that they would open their eyes and, more important, their ears and listen to what was said here today.

The fact that Gerry Kelly mentioned dissidents is a significant point in the history of this House. There is recognition by all Members and parties that the only way forward is through dialogue and democracy. We need to send out a clear message to those who think that they can get their way through violence, whether they label themselves loyalists or dissidents, that that is not the way forward. That way failed my generation for 30 years. We are not going back there; we are not having it.

I could go through the long list of what Members said, because I listed their main points in bullet form. What shines out is quite simple: every one of them paid tribute to serving officers and the stress and pressure that they are under; everyone supported the police and security forces in their efforts; everyone paid tribute to those who made the ultimate sacrifice in securing our safety in this community; and everyone pointed out that the only way forward



is for the police to have the full support of all communities in Northern Ireland.

I have little more to say about that. However, I appeal to the House to send out a clear message to the people of Northern Ireland and to those who still think that there is a way forward through violence: there is no room for violence in Northern Ireland, the Republic of Ireland, the United Kingdom or anywhere else. The way forward is through democracy, which is being exercised in this House tonight.

I support the motion and the amendment.

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

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

*Resolved:*

*That this Assembly stands united against continued attacks on the PSNI and the wider community; condemns any attempts on the lives of officers; and fully supports the Chief Constable and the PSNI officers in dealing with this threat in a way that gives primacy to community policing, is human rights compliant and engenders greater confidence throughout the whole community.*

*Motion made:*

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

## Adjournment

### Flags and Emblems: East Belfast

**Mr Speaker:** The proposer of the Adjournment topic will have 15 minutes in which to speak. All other Members who are called to speak will have approximately seven minutes.

**Mr Lyttle:** I thank you for the opportunity to discuss the display of flags and emblems in east Belfast, which is not only a local issue but one of regional significance.

I want to make myself clear today, because, unfortunately, some Members in the House have proactively misrepresented the Alliance Party's position on this emotive issue for their own political gain. Alliance upholds the right to freedom of expression that does not infringe on other people's rights or breach the hard-earned peace in this community. We actively encourage positive celebration of culture and identity and recognise the right of an individual to display non-proscribed flags on their own private property on any day of the year.

However, I hope that all Members agree that the display of flags in order to demarcate territory or to intimidate, including flags depicting the names of proscribed organisations, is negative for east Belfast and undermines peace and progress in Northern Ireland. As I stand here, in the middle of October, there are flags of different nationalities displayed on public street furniture across east Belfast in a tattered state. Some of them are even upside down. Is that really the way we want to express our culture and identity?

We have had a difficult summer in east Belfast with an increase in the display of flags, some of which display the names of proscribed organisations, and new wall murals that are alleged to be in contravention of the Public Order (Northern Ireland) Order 1987 and the Terrorism Act 2006.

The Office of the First Minister and deputy First Minister funded Queen's University research which established that the display of flags on public street furniture, flags depicting the names

of proscribed organisations and flags that are left to tatter for months after commemorative dates impacts negatively on areas. I am not sure whether we needed Queen's research to tell us that. Those types of displays are considered intimidatory, bad for good relations and bad for development in areas that need it the most.

In the 2008 Northern Ireland life and times survey, 84% of respondents objected to the display of flags on lamp posts. I have received anonymous correspondence from many constituents, including those from expressed Protestant backgrounds and inner-city areas who were too afraid to give their details, expressing concern about the impact that such displays have on our community. I have heard from businesses in inner-city areas of east Belfast that have experienced losses, have laid off staff and are considering relocating as a direct result of the display of illegal flags and emblems in their area.

Perhaps most importantly for the Assembly, those residents and businesspeople are asking why elected representatives and the PSNI have so far been unable to do anything about the issue. Members of this House, particularly those from East Belfast, including the First Minister of Northern Ireland, need to listen to those anonymous residents who are too afraid to give their details. We need to listen to businesspeople living in our constituency who are too afraid to give their details.

This is not about limiting the expression of identity, unionist or nationalist. It is about saying clearly that the consequences of the problem are serious. I recognise that this is not just an issue for east Belfast, and that if I am to call for change in east Belfast I must also call for change across Northern Ireland. I also have to express serious concern that a mural depicting masked men was unveiled this summer in west Belfast by Members of the House.

I must reference the positive work that also goes on in our communities, particularly in east Belfast, which has led the way on this issue in many respects. Many people in east Belfast, including those with an expressed loyalist background, have worked courageously on Re-imaging Communities projects, supported by the Arts Council of Northern Ireland and Belfast City Council. Those projects have shown how works depicting the Titanic, CS Lewis and shared future murals can display and record the culture and identity of east Belfast in a way that

promotes community spirit, development and good relations in the area.

However, if we are to avoid that work being lost, we need to take further action.

#### 4.30 pm

The Office of the First Minister and deputy First Minister has policy responsibility for good relations and for the public display of flags and emblems. If the First Minister and deputy First Minister's commitment to a shared east Belfast and a shared Northern Ireland is to be taken seriously, it is time for them to deliver a long overdue and inclusive review of the flags protocol and to give their full support to a policy framework that encourages the respectful display of flags and emblems that is consistent with a shared future. That policy must also set out clear responsibilities for the PSNI and other statutory bodies to prevent illegal displays and enforce the legitimate rights of law abiding citizens and communities to live free from fear or intimidation. That policy should, at the very least, deliver a more respectful and time-bound public display of flags and the removal of tattered and paramilitary flags to help us build a shared and better future in east Belfast and Northern Ireland.

**Mr Douglas:** I welcome the chance to contribute to what I believe is a timely debate. On average, over 4,000 flags are put up on lamp posts and houses in town centres and on arterial routes throughout Northern Ireland every July. I read somewhere that the average number of unionist flags erected was approximately 3,500 to 250 nationalist flags.

As the Member who spoke previously said, the Office of the First Minister and deputy First Minister commissioned the report, 'Public Displays of Flags and Emblems in Northern Ireland', which was published in 2010 by the Institute of Irish Studies at Queen's. That report highlighted the fact that the number of paramilitary flags being flown on main roads in Northern Ireland during July had more than halved. Members should take note of that. I remember speaking to Dominic Bryan from Queen's about how he calculated the number of flags that were flying. He told me that he walked the streets and arterial routes and literally counted the flags.

The protocol around flying flags, interestingly enough, dates back to direct rule, and it was

published by the then Labour Secretary of State Paul Murphy in 2005, which was when the Assembly was in suspension. Therefore, the time is right for us to take a fresh look at the protocol as long as we ensure that all stakeholders have input.

The 2005 protocol aimed to work towards the removal of flags from arterial routes and to limit the flying of flags to particular periods. It stated:

*“where flags are displayed for a festive or other occasion, that the display is reasonably time-bounded”.*

I think that we can all sign up to that. It also stated:

*“flags, including plastic ties, tape and poles, should be removed by the community after the agreed period”.*

That has certainly taken place in some areas, and it should be encouraged. Another aim was to:

*“encourage communities to accept that flags displayed which are tattered and torn or discoloured do not enhance the environment and should be removed.”*

We have all seen flags that leave us unable to identify what or whom they belong to, and we cannot even make out the colours.

In response to the report, Duncan Morrow from the Community Relations Council said:

*“It is very disappointing to learn that six years after the introduction of a Protocol on the public display of flags and emblems along arterial routes that there has been little change”.*

I think that the Member who spoke previously mentioned the Terrorism Act 2000. One of the clauses makes it an offence for someone to invite support for a proscribed organisation, and that should or could cover paramilitary flags.

I also looked up the flags protocol for the Republic of Ireland. Again, it is interesting to note that the national flag, or the tricolour:

*“should never be defaced by placing slogans, logos, lettering or pictures of any kind on it, for example at sporting events.”*

I have been at a few sporting events at which that flag was defaced.

In east Belfast, there has been a long history and tradition of flying flags, especially since the outbreak of the Troubles more than 40 years

ago. A number of years ago, a protocol was established by a loyalist commission that all flags should usually be removed by Ulster day in September. Generally speaking, that was adhered to for a number of years.

Last weekend, I spoke to some loyalist leaders who were in the process of removing the last flags in east Belfast. Most of those flags have been removed. It should be noted that, very often, flags are put up by people who are not associated with any loyalist groups, and they end up tattered and torn. For instance, young people might put flags up, and some people in the street might be afraid to remove them because they think that the flags might be related to a loyalist organisation.

I will move on to murals and symbols. In 2003, after months of vicious rioting at the Cluan Place/Clandeboyne Gardens interface, sectarian graffiti appeared across east Belfast. After months of discussion between community leaders and paramilitary groups, every piece of graffiti was removed, and, importantly, senior loyalists in the area offered to remove images of hooded gunmen from along the main arterial routes. They did so mainly as a gesture of goodwill but also to encourage businesses to stay and bring jobs to the area. As the Member said, people have made very positive contributions.

A community project called The Writing is not on the Wall was set up. It was a local project that entailed removing dozens of paramilitary murals and replacing them with new community-friendly images celebrating local culture and human achievement. Those murals included C.S. Lewis, The Lion, the Witch and the Wardrobe, George Best and the Titanic. In the Tullycarnet estate, the grisly UFF grim reaper mural was replaced by an image of a Catholic World War II hero. James Magennis, from the nationalist Falls Road in west Belfast, is the only Northern Ireland man awarded the Victoria Cross for bravery during World War II.

Fast forward to this summer, when two freshly painted loyalist murals depicting balaclava-clad UVF men clutching machine guns and poised for action appeared in east Belfast. The media reported at the time that the murals were understood to have been erected in frustration over a new republican mural in west Belfast that commemorates the 30th anniversary of Bobby Sands's death and depicts shots being fired

over the coffin. I decided to speak to loyalists in east Belfast about the murals, and they conveyed to me their frustration at alleged double standards on the issue of paramilitary murals. They referred to the Whiterock republican mural that was erected earlier this year and shows an IRA firing party at the 1981 funeral of hunger striker Bobby Sands. I also spoke to Jim “Bimbo” Wilson, a local community worker and former internee who has worked tirelessly to reduce tensions at the interface. He told me that there was no difference between the east Belfast murals and the west Belfast mural of IRA men standing in combat uniforms, firing guns and wearing berets. Certainly, there is a window of opportunity to remove the recent east Belfast murals if there is a positive reciprocal response from republicans in west Belfast.

Over the years, a huge amount of positive work has been done in east Belfast, so let us not focus too much on some of the recent developments, albeit that some were steps backwards. There is now an opportunity, at a devolved Administration level, to shape a new flags and emblems protocol. However, if we are to have a Northern Ireland in which we are at peace with ourselves, we need to engage with all stakeholders on all those contentious issues.

**Mr A Maskey:** Go raibh maith agat, a Cheann Comhairle. I thank the Member for securing the debate and allowing us to address the issue to some extent. However, I am not entirely confident as to what the most positive outcome can be. Although we probably need protocols and legislation to tackle those issues, I still firmly believe in the need to ensure that we do so in a way that engages with communities. We must assure people that it is not about removing their version of history, their culture or their heritage. Rather, it is about trying to make sure that we have a society here in which people respect one another, whether through equality legislation at all levels of our lives or in the display of flags and emblems.

Any future protocol has to deal with the fundamental inequality between the British Union flag and the Irish national flag, to which all nationalists give their political allegiance. We need to address that elephant in the room. It is unfortunate that people driving up and down pass what are supposed to be illegal flags, as do we on coming to the Building every day. However, not one single person is addressing the fact that those illegal flags are still on display.

However, I suggest that if someone were to replace one of those flags with an Irish tricolour, you can be sure that it would be removed immediately and described as an illegal flag. It is a difficult issue that has to be addressed if we are to treat with respect people in the community as a whole when it comes to how they view their inheritance, their allegiance and their cultural heritage.

The debate deals specifically with east Belfast, and, following on from Sammy Douglas, the Member who spoke previously, I want to put it on record that there are a number of people from what would be called the loyalist community in east Belfast who have worked very hard over many years. Their work is not always very popular. The great and the good do not often give credit to some of those individuals, and quite a lot of the great and the good would look down their nose at some of those individuals, and have done so publicly. Sammy referred to a gentleman who has been involved in tackling problems at interface areas, who has been involved in cultural and political exchanges and who attended and organised many debates on a very open-ended and inclusive agenda, and I commend that work.

Unfortunately, this year, we had an outbreak of flag mania. We all know that there was a shift in power, or whatever it may have been, and it is not up to me to give an analysis of that. However, everybody knows that there was a specific problem in east Belfast earlier this year that manifested itself in a number of ways, one of which was a massive increase in the number of flags on public display. Unfortunately, most of them would be described as illegal paramilitary flags. That caused tremendous annoyance and upset this past year in particular because, as I said, it was a complete departure from what clearly had been an ongoing reduction in the number of flags on public display. Members have already said that we have a mixed community, and that should be welcomed. More and more people are trying to share on an equal basis in this community, but it is difficult if you have to move in and out of an area that is completely and utterly emblazoned with flags, particularly if they represent paramilitary organisations.

I do not want to second-guess people in those communities who have allegiances, sympathy or empathy with any of those organisations or that part of our history. This is not about an attack on that. Surely at this time in our lives and our



history it is important that we can agree some type of protocol that would allow flags from a particular tradition or heritage to be flown respectfully but that would also respect others who may not come from that particular tradition. A call has to go out for clear political and civic leadership. It is not just down to politicians or to the First and deputy First Ministers, because whatever they agree may not be deliverable as a result of others not putting their shoulder to the wheel. The issue goes much deeper than party politics. If people think that it is down to the First Minister and the deputy First Minister, they are being very foolish. It is matter of political and civic responsibility, and it requires leadership. It also requires discussion and debate with those who are involved in those activities.

I support the idea that we renew our flags protocol. However, that will not be delivered unless it is backed up with legislation, and it will certainly not be delivered if it is not backed up with civic and political leadership at local level in those communities, with people being prepared to discuss how best we reflect our own particular heritage, culture and history.

**Mr Speaker:** I call Mr Michael Copeland.

**Mr Copeland:** Thank you very much, Mr Deputy Speaker: I thank the Member for bringing this debate — unfurling it to a degree.

**Dr McDonnell:** It is Mr Speaker.

**Mr Copeland:** Mr Speaker. Did I not say that, sir? That is Mr Speaker.

**Mr Speaker:** I was not listening to the Member.

**Mr Copeland:** Sorry, did I refer to the Speaker as Deputy Speaker? Sir, you have my most profound apologies. The hour is late, but the mistake is unforgivable. Perhaps I should have kept my glasses on. I do apologise.

I thank Member for unfurling — if that is the right word — the debate and giving it an airing in the Chamber. It is important to establish and differentiate immediately what we are talking about. In some circumstances, a flag is just a piece of cloth, printed or woven. However, in some circumstances, it can take on an almost mythical meaning: regimental colours; Old Glory; the flag that flew at the Alamo; the flag that flew over the General Post Office in Dublin in 1916; and perhaps even the standard, allegedly, of the 14th Battalion, Royal Irish Rifles (Young Citizens

Volunteer Corps) that fluttered momentarily in the third German line on 1 July 1916.

#### 4.45 pm

However, that is not what we are talking about here. We are talking about flags that hang, in some circumstances, until they decay, rip or tear. They do not look loved, and they do not look respected. However, they cause difficulties, which I fully understand, for people who do not subscribe to what those flags represent. We are in danger of viewing flags as the problem, when the truth may be that they are a symptom of a much deeper problem, and treating the symptom will not always cure the underlying difficulty. Indeed, interfering with the symptom, if it is a rash or a lesion, can lead to infection, which can create greater difficulties.

I am very proud of the district of the city of Belfast from which I come; I always have been. I am not always proud of everything that it does; no one could be. A number of years ago, a group of individuals decided to launch the Dressing the City initiative, which Mr Lyttle may be aware of. They decided to do so for no particular reason other than they felt that, in some cases, Union flags and the device of the Government of Northern Ireland, which is often erroneously called the Ulster flag, were flying year in, year out and deteriorating into rags. Under that initiative, banners were sponsored and erected on lamp posts on Templemore Avenue, a section of the Albertbridge Road, a section of My Ladys Road and a section of the Ravenhill Road. Made from PVC, they were put up on a specific date, taken down on a specific date and designed to commemorate particular events appropriately, without seeking to give offence to anyone.

I will support and listen to any notion that makes east Belfast in particular and the city of Belfast or the Province in general a more acceptable place for us all to live. However, as was said by Mr Maskey and echoed by Mr Douglas, what is not arrived at with the agreement, acquiescence and understanding of the communities affected will not work; it is simply words aimed at an audience. The same applies to walls. I know as well as anyone else in the Chamber what those walls are, and I know that, in many cases, the people who live on either side of them suffer in equal measure. They suffer economic exclusion, educational underachievement and the ravages of recession and depression. In many ways, they are identical, yet,

for some ancient reason, an animosity exists almost as an act of nature. Talk of bringing walls down without seeking the acquiescence of those who live in their shadow and who look to them for protection does not help. However, I noted the remarks that were made earlier about Newington and the fence in the park.

These issues are terribly complex, and one solution does not fit all. We should not blunder in; we should go quietly and diligently, like the communities who live in the vicinity of flags. Hopefully, by agreement, the passage of time and the forgetting of ancient enmities, the celebration of one section of our community will no longer come at the expense of another.

**Dr McDonnell:** I welcome the opportunity to take part in this debate, because I have long felt that illegal flags and insensitive flag-waving and flag-flying can poison community relations and undermine trust. Flags flown to be provocative usually serve their purpose. They are perceived to be aggressive and threatening to many people to whom they are directed and, indeed, many to whom they are not supposed to be directed. Ultimately, people are intimidated to a greater or lesser degree.

Inappropriate displays of flags and emblems can lead to economic damage. Although we are looking at east Belfast specifically, there is a town centre aspect to much of the Newtownards Road and the Holywood Road. Those areas need to be safe and welcoming spaces for everyone. Beyond that, improved relationships around interfaces will, I hope, reduce the number of flags that are flown and murals and all the rest.

However, all those things are hopes. I go back to this: the fact is that flags poison community relations and undermine the trust that people need to have in each other. Flags are perceived as aggressive and threatening. They are not seen as positive statements of identity, nor do they reflect the new disposition that we have managed to achieve here in the past 10 or 12 years. I believe that that is a disposition that the vast majority of people want to sustain.

We in the SDLP accept that everyone has the right to celebrate their culture and heritage, but we do not agree that flags always make a positive contribution to community relations or to the regeneration of our neighbourhoods. There is a degree of regret that the Executive have failed to progress the establishment of a meaningful flags protocol that would control

the flying of flags, particularly in contentious situations. We urgently need a protocol that deals with how DRD, the PSNI or both will remove illegally hung flags or, frankly and from my perspective, any Union flag, tricolour or paramilitary flag that is flown in a manner that is designed to intimidate and annoy. Such a protocol would also deal with the prosecution of anyone who tries to replace those flags. Quite frankly, any Union flag or tricolour that is hung out to cause annoyance or provocation does no favours and pays no compliment to the flag or to what it represents.

I have had serious trouble with flags for years in parts of neighbouring south Belfast. The issue is not confined to east Belfast or to the wider Belfast area; it is an issue right across Northern Ireland. In parts of south Belfast, we have been tortured with illegal loyalist flags that are systemically used to intimidate Catholics and moderate unionists who do not want their neighbourhoods turned into ghettos. Time and time again, I have seen elderly and frail people threatened, bullied and intimidated if they object to loyalist flags being flown — from their property, in some cases, or from lamp posts at their gates.

This is a divisive issue which we, as an Assembly and an Executive, have totally failed to address. A shared future policy was created some time ago, and a joint protocol on the flying of flags in public areas was developed and published as long ago as 2005. That was six long years ago, and little has happened since then. That protocol was not followed up, pursued or implemented.

The Northern Ireland life and times survey of 2008 showed that 84% of people did not support the flying of flags from lamp posts in their neighbourhoods. Additionally, 38% were unwilling to shop in neighbourhoods where there were displays of loyalist flags, and that figure rose to 46% for displays in what were perceived to be republican areas.

The Queen's survey, which my colleague from East Belfast referred to, was conducted between 2006 and 2009 and was published last year. As my colleague from East Belfast said, its findings show that there has to some extent been a reduction in the number of paramilitary flags displayed, with their numbers dropping from 161 to 73, which is a more than 50% reduction. However, although paramilitary flags

are the most offensive, they are less likely to be removed than other flags because of the threat that is contained therein and the threat to anybody who tries to remove them. I have had lengthy negotiations with the police and DRD officials, who pass the parcel to each other because nobody quite accepts responsibility. They both feel threatened and believe that to tackle the problem would sometimes cause more disruption than it is worth. That is not much consolation to the people who feel threatened and who have to sell their homes and move out of areas.

The Queen's University survey concluded that, although the flags protocol, which was established some time ago, worked well in some areas:

*"evidence suggests that, in overall terms, it has been largely ineffective ... there remains a lack of 'joined-up' working by agencies in many places."*

That independent report recommended:

*"that the Flags Protocol be restructured to include District Councils".*

It also stated that displays of flags should be time-bound to no more than two weeks. The emphasis was placed on reducing the numbers of paramilitary flags, and it was suggested that a voluntary code of conduct be developed for local groups.

Many other issues are involved: road safety, tourism, intimidation and the need for a revised protocol that statutory agencies and local groups could sign up to. I could go into a lot of those, but the bottom line is that the flying of illegal flags is damaging to the economy, tourism and community well-being. We must do all that we can to tackle this issue, not just in east Belfast but right across Northern Ireland.

**Mr Newton:** I welcome the opportunity to speak in the debate. I also welcome the acknowledgement by the Member who secured the debate that this is not exclusively an east Belfast issue but a feature of life in Northern Ireland, and that it is not exclusively a unionist issue but has connections with the nationalist community, predominantly the flying of the flag of the Republic of Ireland in parts of Northern Ireland.

I, like Dr McDonnell and my colleague Sammy Douglas, want to pay tribute to the work done by Queen's University in its report on the display of

flags and emblems in Northern Ireland. Without that piece of work, we would have been unable to quantify the situation or determine what progress has been made. I believe that we have made progress.

We can make all sorts of broad assumptions or conclusions about the display and regulation of flags as political symbols. In east Belfast, the vast bulk of the political symbols displayed are on arterial routes, and they are flags, although mention has been made of murals. I am not sure whether the debate is about the flying of illegal flags or the flying of flags illegally, but the issue needs to be addressed. The total number of flags that are on display peaks during the marching season; we all know that. In many cases, flags are put up, certainly in the east of the city, to mark out marching routes. That is a fact, and it has been going on for generations. The flags predominantly stay up throughout the summer months. The vast majority of them are the national flag, or the Ulster flag, also referred to as the flag of the Government of Northern Ireland.

As I said earlier, progress has been made. Dr McDonnell referred to the figures on the reduction in the numbers of paramilitary flags. The decisions to reduce the numbers of flags have been made by those who have an affiliation to one paramilitary group or another. That is to be welcomed.

Michael Copeland referred to other initiatives taken by locally based community groups to try to remove what was a controversial issue. For example, bannerettes were erected in a non-offensive way along marching routes as a symbol of the cultural and historical aspects of life in Northern Ireland from the unionist perspective. I happen to be quite proud that I sponsored one of those bannerettes, which has a photograph of Her Majesty the Queen on it. Two local groups embarked on that welcome initiative. They did so for their own reasons, which were very positive.

## 5.00 pm

Dr McDonnell referred to the life and times survey and indicated that although a joint protocol in relation to flags in public areas has been utilised well in some areas, evidence suggests that, in overall terms, it has been largely ineffective. I have indicated that I believe that progress has been made, and the figures sustain that. Police officers, and workers from

many key agencies such as the Roads Service, the Housing Executive, and so on, have been involved in local issues, and they have been effective. Surely, the situation, at least in part, is that we need to encourage more of that PSNI statutory involvement from the Housing Executive, Roads Service and so on, to see if further progress can be made.

I will finish by saying that we need to acknowledge that progress has been made. It is not all negative. I understand where Members are coming from, be it at a local level by those statutory agencies, and encourage more of that. However, I agree with my colleague Sammy Douglas that we need to look again at the protocol for the flying of flags. Hopefully, we can arrive at a much more positive situation than many people see at this moment in time.

**Mrs Cochrane:** As others have already said, the issue of flags and emblems not only affects our constituents in East Belfast but has a much wider grip right across the region. Flags and emblems have a long history of commemorating and celebrating a variety of occasions and are seemingly part of the fabric of the streetscape in east Belfast and beyond. Indeed, the joint protocol in relation to flags flown in public areas asserts that the use of flags in instances such as celebration or festivity is not normally an issue. However, we cannot overlook the growing problem of flags flying from lamp posts for indeterminate periods and the demarcation of public space that that inevitably creates. That is not constructive to social understanding or to economic development, at a time when it is most needed.

Although we appreciate that some people consider that those symbols represent their traditional and cultural values, we must not ignore the feelings of the silent majority who fail to share the same sentiments. Distinctions must be made on flags, in particular, and reticent inaction must be substituted with greater regulation and enhanced enforcement.

Members will be aware of the strict time constraints that exist for election posters throughout the election period. However, the flags protocol is seemingly disregarded when it comes to flags attached to lamp posts. Furthermore, any display of paramilitary emblems is illegal on a number of grounds, primarily in accordance with article 19 of the Public Order (NI) Order 1987, and, additionally, under the Terrorism Act

2000, which prohibits the display of articles that may arouse suspicion of membership of or support for a proscribed organisation.

The launch of two corresponding reports in 2005 — ‘A Shared Future’ and the ‘Joint Protocol in Relation to the Display of Flags in Public Areas’ — identified main roads and town centres as significant front lines in the symbolic demarcation of public spaces here in Northern Ireland.

Others have already referred to the OFMDFM-commissioned report back in 2006. That research has been undertaken annually in subsequent years and has examined the number of displays in key areas, the nature of the displayed emblems, and, ultimately, the removal rates following key cultural events around Easter and July. The findings from the 2010 report tell us that, over the five years, flags have accounted for the overwhelming majority of emblems displayed, with around three quarters of those displayed in July 2010 being attached to lamp posts. Furthermore, the removal rate after the summer of 2010 was only 67%. In other words, of the 3,239 flags that were flying from lamp posts in July 2010, more than 1,000 were still there in September.

Not only does that indeterminate time for the display of flags impose an unseasonable clannish camouflage on our constituency, but the elements of our infamous weather also take their toll on those flags and, as time progresses, leave them in a state that would instil pride in few people. Members need only take a short drive through east Belfast to see for themselves the torn and discoloured flags that still hang from countless lamp posts. Those flags are an ongoing source of contention for many of my constituents in East Belfast. I firmly believe that a new flags protocol with sufficient enforcement procedures would go a long way to addressing the failings in existing provision. As it stands, the current protocol sets out a framework for the regulation of flags and priorities for action. However, it is unclear as to how those can best be taken forward.

There is a fearful reluctance on the part of Roads Service and the Housing Executive to remove flags from their properties without consent from local community representatives. Although the PSNI has previously removed flags in some areas without first seeking local permission, that willingness has not yet been evidenced across the board.



The reports that were brought forward by Queen's University raised other interesting points for consideration, specifically the suggestion of district councils' involvement in co-ordinating a response; the need to focus on a reduction of the timescale of flags as opposed to outright removal; and a call for enhanced public access to information and consultation on the part of OFMDFM. The Alliance Party believes that the onus is on this Administration to build on the work that has been done previously on the issue and to use to their advantage the wealth of gainful information that has already been gathered. In the light of all that we have touched on, we must take those factors into consideration going forward and work together to establish and enforce an expressive and suitable new flags protocol.

*Adjourned at 5.08 pm.*

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# Northern Ireland Assembly

Monday 17 October 2011

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Speaker:** Before we come to this afternoon's business, I want to say something that especially concerns the Matter of the Day. I understand that today's Matter of the Day is quite an emotive issue for some Members, but I remind the whole House of the standard of debate that we all expect. We expect courtesy, good temper and, certainly, moderation of language.

I have watched Matters of the Day over the past while, and some are being turned into political footballs. Let me say that that is not what Matters of the Day were to be about. When the particular Standing Order was introduced, it was done really to deal with issues that cannot be discussed anywhere else, with the only appropriate place for their discussion being the House. I hope that Members, irrespective of the Matter of the Day, do not turn it into a political football. That is important. I say that for the benefit of the whole House.

## Matter of the Day

### Pat Finucane Case

**Mr Speaker:** Mr Gerry Kelly has sought leave to make a statement on the handling of the Pat Finucane case, which fulfils the criteria set out in Standing Order 24. I will call Mr Kelly to speak for up to three minutes, and I will then call Members from the other parties, as agreed with the Whips. Those Members will also have up to three minutes to speak on the matter.

As Members will know, there will be no opportunity for intervention, for questions or for a vote on the matter. I will not take any points of order until the item of business is concluded. If that is clear, we shall proceed.

**Mr G Kelly:** Go raibh maith agat a Cheann Comhairle agus ba mhaith liom cúpla briathar a rá ar an ábhar tábhachtach seo.

I am grateful for the opportunity to say a few words on this very important issue. I listened to what you said at the start of the sitting, a Cheann Comhairle, and I think that it is reasonable to assume that the Assembly is very concerned about this matter.

Pat Finucane was murdered 22 years ago. It took until 2001 to get an agreement from the British Government at Weston Park that there would be an inquiry. Some of the facts about the killing are known. It is already known and in the public arena that the RUC and the Special Branch knew about the killing and that agents were involved. The British army knew about it, and, in fact, Brian Nelson, a well-known agent, was involved in the run-up to that terrible killing. The British Government have agreed that there was collusion. As that is the case, why have successive British Governments resisted inquiries?

The Finucane family was brought to Downing Street last week. It has been said that they were lured there, and it is hard to resist the thought that that is exactly what happened. After something like a year of negotiations, there were high hopes and expectations that, eventually, the family would get some justice through the announcement of an inquiry. Instead, they were told that there would be a review. At no time during the year of negotiations with the family was a review mentioned. It is still hard to understand why the family would be brought to Downing Street for what I can only describe as an insult.

Let us deal with the issue of a review. There have already been two reviews: under Stevens and under Judge Cory. Judge Cory found that there should be an independent public inquiry. Reviews cannot make findings by law. There is a very strong belief out there that the state thought that Pat Finucane was expendable. Of course, he was not the only person to be killed. I listened to his wife, Geraldine, say that the notion of expendability must stop and that it should not happen again.

I listened to what you said before the debate, a Cheann Comhairle, and I will finish by saying that this issue should unite the victims we represent right across the Assembly. The Finucane family deserves the truth. Frankly, so do we all.

**Mr Givan:** I acknowledge that this is a very difficult issue for the family. A father was murdered, and a husband was lost. We all recognise the grief that that brings to a home. However, I think that the vast majority of people will recognise that a further costly, open-ended inquiry is simply not reasonable. Not only is it an issue of affordability, but previous inquiries have shown that they do not bring closure. There is a clear concern on this side of the House that public inquiries have been used to wage a vendetta against the Royal Ulster Constabulary, as opposed to seeking closure for the families. That is a cause of grave concern.

This case has already been subject to inquiries. One, by Lord Stevens, cost over £9 million, involved over 9,000 witness statements and created an archive of over a million pages. It is very important that we do not elevate certain crimes above others and that the sense of injustice of many other victims is not heightened or exacerbated. Over 3,000 people have been murdered in Northern Ireland. More than 1,000 of them served in the security forces, and we

owe it to the family and friends of every one of those victims to ensure that all those murders are equally investigated and justice sought for everyone.

**Mr Nesbitt:** My party supports any family seeking an opportunity to establish the truth. I regret that the Finucane family were unable to listen to the full proposal from the Prime Minister. I would like to acknowledge that the Prime Minister committed his personal time to the case. It should be remembered that some in the House, including the deputy First Minister, have complained recently about the lack of access to Downing Street.

When the Finucanes left the meeting, the impression given was that Sir Desmond de Silva would conduct a paper review only. Yet, the Secretary of State reported to the House of Commons that Sir Desmond would:

*"be free to meet any individuals who can assist him in his task. It is, of course, open to him to invite or consider submissions as he sees fit."*

So, clearly, it is more than a paper exercise. However, as Mr Givan said, we already have over 9,250 witness statements. If every Troubles-related killing received the same focus, the number of witness statements would exceed 32 million, which equates to something like 20 per head of population, and those relate only to the dead, not the injured.

Every family is on a journey. The starting point is the loss; the finishing line represents the point at which a family has some understanding of what happened and why. In this case, the Finucanes know who killed Patrick Finucane, they know that there was collusion, they have received an apology from the Prime Minister and they are being given a £1.5 million investigation because, as the Secretary of State said:

*"Accepting collusion is not sufficient in itself. The public now need to know the extent and nature of that collusion."*

The Ulster Unionist Party accepts that way forward and says no to any more open-ended, expensive inquiries.

Remember that no agreement was reached on the terms of the inquiry. An expensive clock was ticking, as lawyers swapped correspondence confirming the stand-off over the Inquiries Act 2005. Mechanisms such as the inquiries by the Historical Enquiries Team and the Police Ombudsman are means to an end. We believe

that the current mechanisms are imperfect, incomplete and imbalanced, serving always to paint the state and its agents as the guilty parties. As we cannot agree on what happened, why it happened or even on the language — the Troubles, the conflict or a war — perhaps we need to think again. Many, many war crimes remain uninvestigated by those mechanisms. At this point, we remember the hundreds of families still on the starting line and peering enviously into the distance at what the Finucane family has had and is getting.

**Mr A Maginness:** This is a long-standing issue, but it was thrown into sharp focus by the recent decision of the British Prime Minister, David Cameron, to have the relevant papers reviewed by an eminent QC. My party and I believe that that was a serious breach of an international agreement reached by the Irish and British Governments at Weston Park to have a public independent judicial inquiry. The British Government are simply in breach of that obligation. Not only that, but we have witnessed the scandalous abuse of the Finucane family. A former Secretary of State Shaun Woodward described the Prime Minister's decision as "crass and cruel", and I agree. The hurt that the Finucane family sustained last week was, I believe, enormous. There was an angry response from the family, but I think that it was a justified response to the way in which the British Government dealt with the issue.

It is time for the British Government to live up to their responsibilities in relation to this case. It is clear that the British Prime Minister has accepted that and apologised on behalf of the British Government and state. However, that apology and recognition are insufficient. The extent and nature of the collusion must be exposed, and that cannot be done simply by reviewing the papers. It must be exposed by an independent inquiry that has the right to call witnesses and, by so doing, get to the kernel of the extent and nature of the collusion.

This is a sad aspect of British policy in Ireland over many years that needs to be explored to restore the reputation of those involved and to give justice to Mr Finucane, who simply carried out his work as a lawyer in defending people in our courts of justice. It is right and proper that such an inquiry take place.

**12.15 pm**

**Mr Dickson:** Our thoughts today are not only with all victims and survivors but with the

Finucane family, whose expectations were raised by the British Government. Clearly, the issue could have been dealt with more sensitively: after all, a promise is a promise. The situation yet again raises the issue of the lack of a coherent way to deal with the past. Piecemeal approaches and isolated inquiries risk focusing almost entirely on the failings and injustices of the state and risk rewriting history, which compounds the hurt of others who feel ignored or forgotten. Quite simply, the cases of many victims will never be reviewed by an eminent QC.

The talks for which the Assembly has called need to be convened urgently between the parties and between the British and Irish Governments so that we can find a coherent way to deal with the legacy of the past. We need a comprehensive process so that there is a clear way forward for dealing with the past. It is crucial that we agree that overarching strategy instead of having a fragmented approach so that we can address the needs of victims and survivors and build what we all want: a shared future.

**Mr Allister:** The murder of Pat Finucane was indisputably wrong, as was every murder. However, the point needs to be made — some would like to forget it — that the Finucane family had the offer of a judicial inquiry under the Inquiries Act 2005 and rejected it. Many other families never had such an offer. Some families — the Nelson family and the Wright family — had such offers, which they accepted, and had their inquiries. If the Finucane family had not been so insatiable in their demands, they would also have had their judicial inquiry by now. Something about the matter is self-inflicted in that regard.

Many people love to talk about collusion in the context only of the British government authorities. However, collusion has more than one side. I could well ask how much collusion there was from some who now sit in government in the House in the murder of soldiers, policemen and civilians such as Patsy Gillespie, Frank Hegarty and Joanne Mathers, a census worker? Those are unanswered questions about which I hear no calls for inquiries and no apologies, yet they go to the very core of probity in government right here in Northern Ireland, never mind Westminster. When we reflect on collusion, perhaps this place should begin by putting its own house in order.



## Executive Committee Business

### **Legal Aid, Sentencing and Punishment of Offenders Bill: Legislative Consent**

**Mr Ford (The Minister of Justice):** I beg to move

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions dealing with information about financial resources contained in clauses 21 and 32 of the Legal Aid, Sentencing and Punishment of Offenders Bill as introduced in the House of Commons on 21 June 2011; and agrees that the UK Parliament should consider amendments to the Bill to provide for equivalent arrangements in relation to the Northern Ireland Legal Services Commission.*

This will allow for the sharing of information regarding an individual's financial resources held by the Department for Work and Pensions (DWP) for the purposes of determining his or her eligibility for civil or criminal legal aid. Information contained on the DWP's customer information system (CIS) includes data originating from DWP, Her Majesty's Revenue and Customs (HMRC) and the relevant Departments in Northern Ireland, which are the Department for Social Development (DSD) and the Department of Finance and Personnel (DFP).

Although the DWP owns the CIS, there is a deficiency in its statutory authority to release Northern Ireland information held in that system. When the DWP has been asked to supply CIS-held Northern Ireland data in the past, it has only released the data by compulsion of legislation or by prior agreement with Northern Ireland colleagues. This current approach is not adequate for the purpose of assessing eligibility for legal aid, in particular the requirement to make such an assessment quickly.

Unfortunately, the DWP cannot always distinguish between Northern Ireland data and DWP data that is held on the CIS. There are, therefore, concerns that, as there is no statutory authority to release Northern Ireland data, the DWP could be at risk of unlawfully disclosing data that relates to persons resident in Northern Ireland. Clause 21 of the Legal Aid, Sentencing and Punishment of Offenders Bill, which was introduced on 21 June 2011, creates information gateways for both criminal and civil legal aid and legislates for information held by the DWP, HMRC and Northern Ireland

Departments to be shared with the legal aid department in England and Wales. We have asked for this to be reciprocated to allow the sharing of information with the Legal Services Commission in Northern Ireland, as that would be of great benefit to the commission, giving authority to access UK information and allowing the commission to obtain all the information it requires from one UK source.

The proposed provision will allow the director of legal aid casework in England and Wales and the chief executive of the Legal Services Commission here to make an information request for personal details about an individual, a person's benefits status and any other prescribed information for the purpose and only for the purpose of establishing eligibility for legal aid. The proposed provision would allow the DWP to provide the information requested without breaching the Data Protection Act. The Bill will place restrictions on the onward disclosure of the information obtained and, in clause 32, create a criminal offence of unlawful onward disclosure.

The chief executive of the Northern Ireland Legal Services Commission fully supports the proposed sharing of information as set out in the Bill and welcomes the opportunity of having primary legislation in England and Wales to provide the commission with the power to obtain information from the DWP. It is anticipated that once the Bill is implemented the commission can have direct access to that information via an IT link, and that will reduce the time taken to assess an individual's financial eligibility for legal aid, as the work would be carried out much more efficiently.

The Bill, once amended to include reciprocation, will mean that the chief executive of the Legal Services Commission could also make a request to the Secretary of State for Work and Pensions to enable or assist in the assessment of a person's financial resources to check that they are financially eligible for legal aid, both civil and criminal.

The Bill will allow the chief executive to enter into a data-sharing protocol with DWP on how information can be shared electronically, thus enabling the more efficient assessment of an individual's financial eligibility.

I am grateful for the support of the Committee for Justice, the Executive and the relevant

Departments for this proposal. I ask the House to support the motion.

**Mr Givan (The Chairperson of the Committee for Justice):** The Department advised the Committee for Justice on 8 September that the Minister was proposing to put a legislative consent motion to the Assembly to allow for the provisions of clauses 21 and 32 of the Legal Aid, Sentencing and Punishment of Offenders Bill, as introduced at Westminster on 21 June, to extend to Northern Ireland. The Bill will give the Department for Work and Pensions the legal authority to disclose Northern Ireland data to the Legal Services Commission in England and Wales for the purpose of assessing eligibility for legal aid without breaching the Data Protection Act. The Department advised that it was asking for this to be reciprocated to allow the sharing of information held by government Departments in England and Wales with the Legal Services Commission in Northern Ireland, and the Justice Department agreed to make the necessary amendment to the Bill during its passage through Westminster to provide for reciprocation.

The Committee took oral evidence from departmental officials on 15 September, during which officials outlined how, if the arrangements are put in place, the system for processing applications for legal aid will be much more efficient and quicker, thus achieving better value for money. Following consideration of the written and oral evidence presented by the Department and having satisfied itself that the necessary arrangements and funding are in place to implement the new system, the Committee for Justice agrees to support the proposal to extend the provisions in clauses 21 and 32 of the Legal Aid, Sentencing and Punishment of Offenders Bill to Northern Ireland by way of a legislative consent motion, on the basis that there is reciprocity through the sharing of information held by government Departments in England and Wales with the Legal Services Commission in Northern Ireland. Therefore, the Committee for Justice supports the motion on the grounds that the Bill is amended to provide equivalent arrangements in relation to the Northern Ireland Legal Services Commission and notes the commitment given by the Department of Justice to do that.

**Mr Allister:** This is a sensible and practical proposition, and I particularly welcome the proposal that there should be reciprocal

arrangements. It is all the more necessary because today we have a very mobile population, moving about not just within parts of the United Kingdom but within the whole EU. There are some who start from eastern European countries, come through GB and end up here and vice versa. So, one can see the necessity for all of this and the need for the reciprocal requirement that is proposed.

I go on, though, to make this observation: it is striking that, so many months into this term of the Assembly, this is the closest that we have got to legislating. We call ourselves MLAs: Members of a legislative Assembly. Yet the only legislation — Budget apart — that we have discussed since I came to the House are matters such as legislative consent motions, where we are consenting to Westminster, quite properly, doing it for us. It raises this question: what is this House all about? Was my MP, the Member for North Antrim, right when he described it as just a glorified county council?

**Mr Ford:** I am grateful to the Committee Chair for his confirmation of the Committee's support for this procedure. I will make the usual comment that I make on these occasions that I do not resort to LCMs lightly, but I think it has been acknowledged in the way the matter was discussed in Committee that the benefits of ensuring that Northern Ireland and reciprocity are covered in the existing Bill mean that it is important. I am not sure, however, whether I should take Mr Allister's remarks as a compliment to the Department of Justice, in that we are at least doing LCMs, or whether it was also an implicit criticism of us, but I assure the House that there is a heavy legislative programme being discussed by the Committee in consultation phases at this stage, and I have no doubt that Mr Givan, Mr McCartney and others will join me in this Chamber for lengthy sessions in the future.

*Question put and agreed to.*

*Resolved:*

*That this Assembly endorses the principle of the extension to Northern Ireland of the provisions dealing with information about financial resources contained in clauses 21 and 32 of the Legal Aid, Sentencing and Punishment of Offenders Bill as introduced in the House of Commons on 21 June 2011; and agrees that the UK Parliament should consider amendments to the Bill to provide for equivalent arrangements in relation to the Northern Ireland Legal Services Commission.*

## Assembly Business

**Mr Speaker:** The next item of business is the motion on the development of an all-Ireland job creation strategy. The Business Committee has agreed to allow up to one hour and 30 minutes for the debate. The proposer will have 10 minutes in which to propose the motion and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Allister:** On a point of order, Mr Speaker. Before you move into the business, I refer you to last Tuesday in the House, when the Member for South Belfast Mr Spratt firmly asserted to you, sir, that I, from a sedentary position — as, of course, I should not have done — had asserted that the First Minister had lied. He was very explicit in saying:

*“That is the word that he used: ‘lied’.” — [Official Report, Bound Volume 67, p182, col 2].*

I pointed out at the time that I had used no such word. I understand that your inquiries revealed the same.

### 12.30 pm

What is the procedure now, when a false allegation has been made and a Member has accused another of lying when they patently did not? I waited until Mr Spratt was in the House. He has come and gone, and he made no mention of it. What is the procedure now? I do not mind being held up for what I say and do, but I take some exception to being held to account for what I do not say.

**Mr Speaker:** I have no doubt that, as the Member raised in his point of order, he knows exactly what action I have taken on the issue. The Member was in the House when Mr Spratt raised the point of order, and I allowed the Member a right of reply. I have read the Hansard report. I agree with what the Member has said this morning. I even agreed with what he said last Tuesday.

As far as I am concerned, I have dealt with it. I deal with such matters in the manner that, if a Member is in the House and an allegation is made on a point of order by another Member — it was Mr Spratt on this occasion — I allow the Member a right of reply. I told the Member that I would go and check Hansard and come back to him directly. The Member should have received a letter from me this morning. I suppose it is

the old saying, “Never ask a question unless you know the answer.” I believe that the Member already knew the action that I had taken before he made the point of order today.

**Mr Allister:** I have one question: is there a procedure —

**Mr Speaker:** The Member is really trying my patience, but I will allow him to ask the question. As the Member will know, I am very patient in this House.

**Mr Allister:** When a Member makes a false allegation, is there a procedure for that Member to withdraw the allegation in the House?

**Mr Speaker:** Order. Let me say first of all that I do not believe that that is appropriate on this particular issue. It would have been different if the Member had not been in the House and unable to reply. Members from all sides of the House will know that, when a Member rises on a point of order to make an allegation against another Member, I will normally allow that Member a right of reply if he or she is in the House. The Member got a right of reply last Tuesday. That is how such issues have always been dealt with; that is the convention.

## Private Members' Business

### All-Ireland Job Creation Strategy

**Mr Flanagan:** I beg to move

*That this Assembly calls for the development of an all-Ireland job creation strategy under the auspices of the North/South Ministerial Council to focus on areas of high unemployment across the island.*

Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom an rún seo a mholadh agus tá áthas orm í a chur faoi bhráid an Tionóil. I am very happy to propose the motion. This year, the Irish cricket team beat England and is now ranked eleventh in the world. The Irish rugby team is a world force. It reached the quarter-final of the World Cup and is ranked seventh in the world. Conversely, the South's soccer team is ranked twenty-ninth in the world, and the soccer team here is ranked seventieth in the world. "What has that got to do with job creation and the economy?" I hear you ask. *[Interruption.]*

**Mr Speaker:** Order. The Member has the Floor.

**Mr Flanagan:** It is simple: as a small island, we have to maximise the efficient use of all our resources. We can continue to compete North and South and follow the soccer model.

**Mr A Maskey:** Does the Member agree that boxing, which is an all-Ireland sport, has had the highest achievement of any sport on this island over many years?

**Mr Flanagan:** It is hard to argue with Mr Maskey's comment, but I would also like to point out that darts has been a hugely successful sport on this island in recent times.

Do we need to follow the soccer model? Alternatively, we should seek to unite our economy under one system. This island faces many challenges that have been presented by the current global economic crisis, the catastrophic financial mismanagement in the South and the historical underperformance of the Northern economy. Recent events, such as the increase in cross-border trade, greater regulation in banking and insurance, and the potential of the all-island energy market, have demonstrated the interlinked and interdependent nature of our economies.

I bring the motion to the House in the hope that it will be debated in a mature manner

and that realistic steps can be taken to create meaningful employment in areas where it is badly needed. I know that some in the House are quite apathetic to the success of the Southern state's economy. In fact, some Members have, in the past, welcomed its demise. However, I ask them to think beyond narrow political agendas and to remember that the still considerable wealth and experience in each and every one of the 26 counties provide a huge area of potential for businesses based here.

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

As the motion states, we are calling for the establishment of an all-island job creation strategy under the auspices of the North/South Ministerial Council. Such a strategy would be jointly chaired by the two Enterprise Ministers on this island — Minister Foster and Minister Bruton. It would focus on areas of high unemployment across the island. If one looks at the most recent statistics, the excessively high figures in many border areas stand out. Places such as Donegal, Fermanagh, west Tyrone, Leitrim and Cavan have all suffered terribly since the beginning of the recession, but things were not so great there during the so-called boom years. The roar of the Celtic tiger never reached that far north. The fact is that partition, since its creation, has failed our island, particularly those who live near the border.

**Lord Morrow:** It is interesting to hear what the Member has to say about the state of the economy in Northern Ireland and the state of the economy in Southern Ireland. Does he accept that one of the reasons that the economy here in Northern Ireland had its difficulties over the past 35 or 40 years was the relentless terrorist campaign waged by the IRA? If the money spent on rebuilding Northern Ireland after the bombs had been poured into the creation of jobs, we might be in a better position.

**Mr Flanagan:** I thank the Member for his intervention, but he wants to hark back to the past. Maybe he wants to go the whole way back. He should look at the origins of the conflict, the inequality in our society and the unequal access to jobs, housing, and things like that. However, that is a completely separate issue. The Member prefers to have a dismissive or insular attitude rather than looking for opportunities for



change, but if we take that attitude, we will not make progress on such matters.

Partition has resulted in counterproductive competition, disjointed infrastructure and differing taxation regimes, legislation and economic development policies. It also reduced the value for money of our public services. It is no coincidence that the border counties in both states have the highest unemployment rates, the highest emigration rates, the poorest infrastructure, the weakest health services and, indeed, the lowest investment across the island. Partition has failed our people and undermined the competitiveness of our economy. Continued partitionist economics will fail another generation and fail to realise the value of our wealth for the benefit of all of our people.

To those of you who think that what happens in places such as Dundalk or Manorbhamilton does not matter here, let me tell you that it does. Our retail sector has managed to survive the recession as long as it has only because of the influx of cross-border shoppers into places such as Newry and Enniskillen. The recent drop of 10% in retail sales over the past year is very worrying. We can no longer afford to sit on our hands and ignore the only viable solution to the mess.

Before we can think about introducing a job creation strategy, we need to look at what already exists to see whether it is, if you will pardon the pun, working. It is abundantly clear to me, to many in the business sector and, indeed, to society, that the current direction of travel is not working. The change in name of the £19 million short-term employment scheme to the jobs plan is a fine marketing exercise for the Department of Enterprise, Trade and Investment (DETI) and the Minister, but let me be clear: it is not a plan. The Minister has no plan, nor is there a clear strategy.

Had the Department been working towards a coherent and well-thought-out job creation plan, the Minister would not have had to hand back to the Department of Finance and Personnel the £17.5 million that Invest NI could not spend on creating jobs. If there was a strategy, the Minister would be able to offer a better defence to soaring unemployment than saying that at least our average rates of unemployment are lower than those in Britain. That is hardly much consolation to those who find themselves unemployed with no prospect of getting work

One of DETI's most recent initiatives for jobs creation is entitled Boosting Business. All that has been done is that a range of existing and largely ineffective policies have been lumped together into one easy-to-read document. The initiative contains nothing new or fresh and definitely nothing innovative or radical. Most worrying of all is the fact that nothing is providing hope to our young people, who are being left with no option but to emigrate in search of employment.

More and more people are leaving this island. It is estimated that 1,000 people leave the South every week, and the figure for the North is not much better, with an average of 500 people leaving every week last year. If that continues, the ability of our economy to recover will be undermined, because we will have exported all our young, skilled workers. With increasing all-island co-operation and collaboration, there is a host of opportunities to grow our economy sustainably and create thousands upon thousands of meaningful jobs. We can create jobs across all sectors, but there are particular opportunities in agrifood, in tourism, in developing new technologies, in renewable sustainable energy generation, in manufacturing for export, in innovation and in research and development. The agrifood sector, uniquely at a time when global business is in contraction, has demonstrated consistently strong growth across the island.

More support mechanisms need to be put in place for our small indigenous businesses across the island, including the potential for tax breaks or incentives and the consideration of enterprise zones. Banks are still not assisting local enterprises and individual businesspeople quite as enthusiastically as they expected taxpayers to help them when they were in need. We need to see what co-operation we can get from the banks in that regard. More pressure needs to be put on the financial sector to assist in job creation by relaxing the suffocating conditions that are placed on borrowers. The resources and role of InterTradeIreland need to be reassessed to ensure that it can further promote all-Ireland networks of research, development and innovation for complementary industries.

There is also a need to assist start-ups in getting into the global marketplace. We have the scarce resources of Enterprise Ireland and Invest NI duplicating promotions and activities,

all the while competing with each other. A better approach surely would be to combine forces to promote industries in the global marketplace. A single investment and job creation agency would eliminate the counterproductive anomaly of competition for inward investment. It would eradicate the waste of duplication, open wider opportunities to business throughout the island and generally contribute to growing the economy.

**Mr Allister:** The Member paints this utopia that few of us find easy to recognise, but will he simply answer one question? Will this utopia be within or outside the euro zone?

**Mr Flanagan:** I thank the Member for his intervention. That is a debate for another day, and if the Member wants to table a motion for such a debate, I will be happy to participate in it. There are pros and cons to being a part of the open European market. There is greater collaboration with other member states for free trade and free movement of people, but there are also the contradictions of handing over economic sovereignty to places such as London or Brussels. We have consistently argued for the transfer of fiscal powers out of those places to here.

The Assembly and the Executive need to push for the devolution of further fiscal powers. I thank the Member for bringing me to that point. We can look at taking serious measures to tackle unemployment, including the possibility of improved social security safety for the self-employed as a key change.

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

**Mr Flanagan:** There were two interventions. Do I not get an extra minute?

**Mr Deputy Speaker:** You have 10 minutes.

**Mr Flanagan:** All right. We need to look at the options for encouraging young people to become entrepreneurs. Both the North and the South face similar problems. In the North, we have limited fiscal powers.

**Mr Deputy Speaker:** Sorry, the Member's time is up.

**Mr Flanagan:** Members will note that, earlier, I used a GAA analogy.

**Mr Deputy Speaker:** Your time is up, please.

**Mr Flanagan:** I did so because the son of a former Member of the House once said that the GAA is more important than money.

**Mr Deputy Speaker:** Before I call Mr David McIlveen, I remind Members of the need to observe the standards of debate for the House, which are good temper and moderation. The cut and thrust of politics, yes, but there is too much shouting across the Chamber.

**Mr D McIlveen:** It will probably not come as a huge surprise that I oppose the motion. I do so for a couple of simple reasons. First, I have to say that we must approach such motions with an element of responsibility for what we are doing. I speak with a degree of personal understanding, because I own a business. One of the things that people in the private sector find most frustrating in this economic climate is false hope. People who are unemployed and who opened the paper this morning or looked at today's order of business may have some expectation that this debate will bring about a wonderful announcement that will make everything rosy in the garden. The reality is that it will not. To play with people's lives and the stress and strains that the unemployed are under, with a remit of nothing beyond trying to extend the ambit of the North/South Ministerial Council, is very irresponsible.

The motion should not really be taken seriously. The message needs to be sent out loud and clear that real people are affected by the decisions that we make in the House.

## 12.45 pm

The reason for the lack of need has already been touched on. There is this thing called freedom of movement in the European Union. We already have it. There is a joint employment strategy, as there is throughout the rest of the European Union. To go down the road of trying to introduce something for which there really is no need is a bizarre proposal.

We also have to cast our minds back to 2006, when a report was done on the all-Ireland economy. It promised riches and rewards and competition on a global scale if we all came together to promote a single economy. There were some obvious areas to target, such as infrastructure, research and development, co-operation on tourism promotion. However, that report was published in 2006, when the economy looked quite bright. Indeed, Ireland

was competing on a truly global scale at that stage. The Republic of Ireland's current fiscal situation is even worse than ours. Therefore, why would we want to go down the road of having an all-island job creation strategy?

The debate really does not merit much more time. We have to take the motion as it has been clearly intended: there is a political motive to it. It involves real people's lives —

**Mr McKay:** Will the Member give way?

**Mr D McIlveen:** I will.

**Mr McKay:** Aside from the bigger political questions about the Union and a united Ireland, I think that most businesses recognise that we need to see more collaboration on the island. We have a small labour force and a very small resource in general. Collaboration, as businesses recognise, will lead to more innovation, competitiveness and resourcefulness. That is a fact. Aside from the big Union politics, we need to look at the reality of the situation.

**Mr D McIlveen:** I thank the Member for his intervention, but I have not actually mentioned the Union in my contribution. I agree with him, but it is already there at an all-Europe level. The mechanisms are in place. We are making use of them, and I hope that we will continue to do so.

Although I like the Barack Obama, "Yes, we can" approach to all-Ireland job creation, we have to accept that, with 14.5% unemployment in the Republic of Ireland, where are the jobs, anyway? It is all well and good coming to the House with such proposals, but I reiterate that the motion is unrealistic and unworkable. We will certainly oppose it.

**Mr Nesbitt:** The motion is very interesting. Its text:

*"calls for the development of an all-Ireland job creation strategy".*

Surely there is some merit in it. The Republic of Ireland has a population of 4.6 million people and a gross domestic product (GDP) of \$165 billion. Surely there is some merit in doing business there. However, we are, of course, part of the United Kingdom, which has a population of 62 million people and a gross domestic product of \$2.715 trillion. No matter how much you bob and weave, even Mr Maskey will find that that is something of a knockout blow.

Is it to be North/South or east-west co-operation? Should it be done through the North/South Ministerial Council or should we be looking to the British-Irish Council? I say to Mr Flanagan that it is a competitive world. Co-operation can go only so far before competition trumps it. The answer is not a strategy on an all-Ireland basis but to pick our own sectors and skill up accordingly. Agrifood, creative industries, information and communication technology (ICT), financial services — pick what you want, but then get on with it and skill up. The answer has to lie partly in the economies of agglomeration. It lies in geographic concentration, not in spreading out over the whole of the island. The answer is also a three-legged stool: not just the public and private sectors but the social economy, which offers local solutions to local problems. Again, that is not something that is best suited to an all-Ireland strategy. To me, the answer is economic expediency, not political ideology.

I wonder whether the motion is an implicit criticism of the North/South Ministerial Council and the implementation bodies therein, the Special EU Programmes Body and InterTradelreland.

Let us look at InterTradelreland. It exists to promote trade and business on an all-island and cross-border basis and for the enhancement of the global competitiveness of the all-island economy to mutual benefit. Is the motion not a criticism that that aim has failed to be achieved? InterTradelreland says:

*"We bring together networks of companies to help them to become more profitable and competitive through joint marketing, skill-sharing, product or process development, meeting supply needs or co-production opportunities."*

Again, is the motion not implicit criticism of what InterTradelreland does? Finally, InterTradelreland says that its strategy is to:

*"enhance North/South business co-operation, delivering mutual economic benefits to Northern Ireland and Ireland."*

Again, I read in the motion an implicit criticism of the North/South implementation body InterTradelreland.

As for the Special EU Programmes Body, we have had Peace I, Peace II and Peace III, the last of which offered some €333 million. Is the party not happy with how that has been

allocated? Should we not look also to framework programme 7 (FP7), which makes some €55 billion available for innovation, half of which is still unallocated? We could look to the Republic, which has a population of 4.6 million people, or to Europe, which has a population of over 700 million. We could look to the Republic, which has a GDP of \$165 billion, or to the European Union, which has a GDP of some \$20 trillion. It seems to me that our focus is a little too narrow.

**Mr McKay:** The Member seems to be very big on numbers. He mentioned the agrifood sector and InterTradelreland. As all parties in the House will agree, InterTradelreland does a hell of a lot of good work. It has also done a study on the benefits of building an all-Ireland approach to the agrifood sector. That study was completed a few months ago. Will the Member join me in asking that the Minister release the findings of that report?

**Mr Nesbitt:** I thank the Member for his intervention, and I will leave it to the Minister to respond to that. Numbers and the economy tend to go hand in glove, so I make no apology if you believe that I am hitting you with too many numbers. Perhaps those numbers are just very uncomfortable to your economic world view.

I question whether there is not a mixed message coming from Sinn Féin with this motion. It is calling for the development of an all-Ireland job creation strategy, yet, in September of last year, its leader in Dáil Éireann, Caoimhghín Ó Caoláin, published a Sinn Féin plan for a 26-county economic strategy. Which is it to be: 26 or 32? I leave the Member with more numbers to ponder.

**Mr A Maginness:** It will come as no surprise that the SDLP supports the motion, which calls for an all-Ireland job creation approach and on the North/South Ministerial Council to focus areas of high unemployment across the island. There is no harm in any of that, and it is right and proper that that should be the approach. I say to unionist colleagues in the House that that does not exclude having east-west co-operation on economic matters. There is a view in the House that a North/South strategy excludes an east-west strategy and vice versa, but they are not mutually exclusive. They can, in fact, be married together quite properly so that we maximise the benefit of our position in these

islands. That is right and proper for all of the people in Northern Ireland.

I have looked at the draft Programme for Government. Where in that Programme for Government is there an all-Ireland job-creation strategy, whether it comes under the work of the North/South Ministerial Council or any other body? There is a complete absence of such a strategy. Why does the Programme for Government neglect to address this issue? Surely, if Sinn Féin was serious about the motion, and I hope that it is, it would have included it in the draft Programme for Government. Why is there this absence? Why does Sinn Féin not pursue this in the Executive, where it has substantial membership? If that is absent from the Programme for Government is not Sinn Féin letting down its own support base and people in general?

With regard to North/South co-operation in the Programme for Government, there is an absolute lack of any meaningful commitment to developing partnership between the Executive in the North and the Government in the Republic. That is fact. Look at the Programme for Government. That needs to be addressed if we are serious about developing an all-Ireland job-creation strategy. We in the SDLP therefore look forward to receiving a credible and more detailed version of the Programme for Government.

In relation to North/South co-operation, we are fully supportive of the development of any job-creation strategy. I hope that everybody in this House is in favour of that and that their own political position — and I refer specifically to unionists — does not prevent them from supporting that on a reasonable cross-border basis. On this island, we should be co-operating together.

**Mr McGlone:** I thank the Member for introducing this theme. With respect to the construction industry in particular, people want to see some creativity. They also want to see joined-up thinking and joined-up government, not only within the island but within the North. One of the criticisms that we are hearing from the industry is that all Departments with responsibilities in the area are almost acting as silos. It is for us — all parties in the Assembly — to ensure that that advances to the stage of working for the people and delivering and getting decisions out into the community.



**Mr A Maginness:** I agree with that.

In relation to North/South co-operation and the development of job-creation strategies throughout this island, the European dimension is very important. The Department of Enterprise, Trade and Investment is doing good work in that respect by using the resources at our disposal to link in to European programmes particular to FP7 and to innovation to get investment moneys for research and development. That is the right way of going. InterTradelreland, for example, is doing a very good job in trying to develop trade between North and South and trying to develop investment within businesses both North and South. Those synergies are important to developing our economies both North and South.

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

**Mr A Maginness:** We support the motion, but there is much more work to be done, particularly by Sinn Féin, to persuade the Executive about the Programme for Government in that respect.

**Mr Lyttle:** I am content to support the general principle of the motion, although I was somewhat disappointed by the lack of specific proposals put forward. I noted with interest the reference to duplication and how important it is to tackle duplication, given the lack of action on that issue that has been taken in this Assembly by the party that tabled the motion.

### 1.00 pm

I also agree with the House that creating jobs and tackling high unemployment must be the priority for the Executive and North/South Ministerial Council at such a difficult time. It is important that we identify specific potential growth sectors, such as renewable energy, tourism and infrastructure, on which to focus our work. I have noted and understand that there may be political sensitivities around such co-operation but would hope that Members agree that this is primarily an issue of harnessing economic benefit for people in Northern Ireland.

We do, of course, also support ongoing work with the UK Treasury to robustly cost and consider the devolution of corporation tax powers to Northern Ireland, not least given the competitive disadvantage we experience in that respect compared with the rest of Ireland. I

note the support for development of east-west working relationships also.

With regard to renewable energy, the island of Ireland has excellent access to wind and tidal power. However, Governments have some way to go in capitalising on that resource in comparison with other European countries such as Denmark and Germany. Potential employment opportunities in the sector range from manufacturing to maintenance at wind power plants and exist also in agriculture, with biomass production.

Scotland appears to have made significant progress in capitalising on wind resources. The Government there has designated specific land and territorial waters as renewable energy enterprise zones. It is important that we work together to capitalise on our resources in that sector, not only to maximise job creation but also for improved sustainability. By 2020, for example, EU targets demand that 20% of our energy will come from renewable sources. Therefore, it is critical that we work together to improve our innovation and productivity in the sector.

**Mr Newton:** The Member indicated that he would be generally supportive of the motion. I am not sure that that transfers into supporting the motion. Will he agree, however, that it will take the Republic of Ireland at least two decades to return, if that is possible, to the boom years that it experienced under the Celtic Tiger? Does he also agree that the unemployment rate in the Republic is twice that of Northern Ireland and to combine two rates of unemployment that are in difficulty does not make common economic sense, never mind political sense?

**Mr Lyttle:** I thank the Member for his intervention. I do, of course, recognise the significant difficulties being faced by the economy in Ireland and the length of time that recovery will take. However, there are specific areas in which strategic co-operation will benefit our economy in Northern Ireland. For example, I am aware of existing North/South co-operation in the tourism sector and agree that promoting Northern Ireland and Ireland as a joint destination to visitors from America, Europe and all over the world would be of economic benefit to our region.

The Northern Ireland Tourist Board has made progress in that area but we are still behind

in tourist spend, and we need to ensure that anyone who visits Ireland is encouraged to include in their stay all that Northern Ireland has to offer. Obviously, 2012 offers unique opportunities in that respect, with the Derry/Londonderry — “legenderry” — Capital of Culture, the Titanic centenary and many other exceptional cultural, musical and sporting offerings. We need to do all that we can to ensure that Northern Ireland is regarded as a vital part of any Irish tourist experience in order to maximise and spread the economic benefit of that opportunity.

The important work of InterTradelreland was mentioned. It should be supported and developed to help to increase trade, research and development, and tendering co-operation even further across the island and to help our business services sector to sustain and create jobs at a challenging time.

Other areas of co-operation, such as health and transport, have demonstrated how savings and opportunities can be created from shared service delivery and investment.

There are, of course, Executive proposals with the specific aim of tackling high levels of persistent unemployment in Northern Ireland, such as the social investment fund. It remains to be seen, however, if we can really target such resources to deliver improved life chances and job opportunities in this region. Indeed, the Alliance Party has consistently highlighted vital reform that is needed in education and tackling the cost of division if we are to get anywhere near achieving that aim.

I have identified the importance of improved North/South co-operation to realising savings and helping to create job opportunities that are necessary for economic recovery in Northern Ireland. Therefore, I am content to support the motion.

**Mr Newton:** When I first read the motion, my reaction was to look at it from an economic point of view and to think that the arguments should be about that. However, after hearing the Members who tabled the motion speak in this debate, I know that that is not the case. It is purely and simply a political argument that is being advanced.

It is not a difficult motion, and it is not a complex issue. Quite simply, Northern Ireland needs to take a pragmatic approach to how it

develops its economic well-being, and there is the potential for co-operation for Northern Ireland in areas that will lead to job creation. However, to restrict those areas to co-operation with a neighbour that has major economic difficulties, rising unemployment and fiscal difficulties and that needs to be bailed out not only by the EU but, at the same time, by the UK, does not seem to me to make good economic sense. It is purely a political argument.

**Mr Byrne:** I thank the Member for giving way. Does the Member accept that the economy of Ireland and the economy of the UK are inextricably linked and that that is the reason why the Chancellor recognised the financial necessity of having some co-operation on the banks rescue scheme?

**Mr Newton:** There are implications for the UK and the Republic, and I will not argue that there should be no co-operation. However, there are also implications for the UK economy in Greece, Italy, Spain and Portugal, which are all connected into the euro. The UK has responsibilities that will have a negative impact on the UK economy when trading in a European context. The people of Northern Ireland would be extremely disappointed if we looked only south rather than looking to the east and west, and we should look even more to international connections in potential job creation opportunities. Northern Ireland has the potential to do more in areas of co-operation with international partners, the other devolved Administrations and England, where there is much greater potential for success.

There is no bar to a working-together arrangement, co-operation or concerted action by Northern Ireland and the Republic of Ireland. There are many examples where business-to-business co-operation already exists, and that is to be welcomed. However, co-operation should be for economic reasons rather than be motivated by a political agenda. It should be the economy first, the economy second and the economy third. Only through that approach will more jobs be created.

The vision of any western economy in the current economic situation must be characterised by a strong, competitive and socially inclusive ethos. Strong economic clusters need to be developed, and their development must not be impaired by politics but be purely economic in its approach. The

aim of any economic strategy has to include economic initiatives and strategies and business performances that can be measured against best performance internationally. Only by doing that will our businesses in Northern Ireland survive and thrive. For Northern Ireland, it means developing the capability to become even more fully aware of operating in the global economy and includes the ability to act locally but to think globally as well. It means building the economic and competitive advantages that we enjoy, particularly in the areas of our roads, rail, sea and air connections, and it means developing our ports and airports to allow ease of export and, indeed, easy access to Northern Ireland.

I conclude by saying that, because of the educational base of Northern Ireland, we have a great opportunity to look at research and development. Developing R&D, upgrading skills and innovation, which are essential in securing a strong position in a knowledge-based economy of the future and are already prioritised in the Programme for Government, are the successes we should build on if we are to trade on an international basis.

**Ms J McCann:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak in the debate. I am disappointed that people have used the issue to score party political points in the Chamber. We are debating a very important issue. Mr McIlveen said that we are talking about real people, real lives and real families and the effect that unemployment and people losing their job has on those people. I met some of those people earlier this morning, when I met young people from east Belfast who had been working with a project 'Training by Choice', which was recently closed down. Those 50 young people are the real people who will be looking for jobs in another year or two or, perhaps, are looking for a job right now. When discussing the issue, it is important to be mindful of what we are talking about.

Like me, many MLAs have been lobbied by people in our constituencies and beyond with regard to the hardships and financial difficulties that families find themselves in because people have lost their job due to the recession or have been unable to secure a job. It is important to do all that we can. We must co-operate and share with whoever we can to create those employment opportunities. There is a clear need to look at where we can work more

collaboratively and have a more co-ordinated approach. Someone said that we must have a more strategic, co-ordinated approach right across the island. Some Members have already talked about the agrifood sector; tourism; the development of the creative industries, particularly for our young people; and training, research and development. Surely, best practice must be a shared and co-ordinated approach right across.

In the short time that I have to speak, I want to concentrate on one or two issues. Someone already referred to the all-island energy market and the fact that we live on an island and have the potential to produce energy from wave and wind. We should be looking at how to develop the all-island market with regard to exporting our energy. We should also find ways to create jobs and build the economy.

Public procurement was discussed a few weeks ago. We must look at how we can best utilise public procurement to create employment opportunities and whether we can be more innovative with regard to government contracts. Those contracts should include social clauses so that young people can have apprenticeships and the long-term unemployed and those who need jobs can access them.

A Member — I think that it was Mr Nesbitt — already mentioned the social economy sector. We have great potential in the social economy sector to create employment and to regenerate communities at the same time. A Member once said in the House that, if we concentrated on the small, local businesses and the social economy sector, and if those businesses could employ one or two more people, we would have full employment.

When we debate these issues, it is important that we see them as issues that affect real people and real families. People do not need to be afraid to talk about it on an all-island basis. I cannot understand why anybody would be concerned about working on an all-island basis and would think that it is a big political issue that cannot be looked at. It is about growing the economy and looking at duplication and waste. It is also about co-operation and co-ordinating our approach. We can be innovative, and we can look at all of those sectors and create employment, because we need to create new employment opportunities and sustain the employment that we have.

**Mr Deputy Speaker:** Will the Member draw her remarks to a close?

**Ms J McCann:** Unless people have jobs, we will never grow our economy. Go raibh maith agat.

**1.15 pm**

**Mr Moutray:** As we continue to suffer from the global economic downturn, it almost goes without saying that the pain is being felt across the board. Businesses are suffering, and jobs have been lost. Unemployment in the United Kingdom is now at its highest since 1994, and recent figures for Northern Ireland reveal 7·6% unemployment. Of course, all of that is a result of the economic recession, not only here in Northern Ireland but across the globe. Unfortunately, unemployment is a by-product of the economic downturn and has severe knock-on effects. It is a known fact that high unemployment serves to deepen and prolong a recession. I think that we all agree that job creation is a priority for the Executive and the Assembly.

Minister Foster is all too aware of that fact, and I commend her continuous work to create jobs. We need only look back over the past year, when the Minister and her Department announced jobs in PwC, Capita, Kainos and Micro Focus. Invest Northern Ireland has identified the IT sector as a key driver for growth. I am sure that the Minister will elaborate on those points in her response. In addition, the Minister, along with colleagues throughout the House, has been pushing the case to have the powers to devolve corporation tax. That would allow us to attract further businesses, which would create jobs for people in Northern Ireland.

The Minister is operating in a difficult and genuinely challenging environment. Therefore, it is a great pity that there are those in the House who, while professing to be committed to dealing with our economic difficulties, seem prepared to play politics with those difficulties. The kindest interpretation I can put on the motion before the House is that it is mischievous. Rather than suggesting sensible and practical ideas and solutions, it seems that the proposers of the motion are, like their party, driven largely by political ideology and dogma. Job creation is merely a mask.

I fully accept that we live in a global economy and that economic and fiscal isolationism is a thing of the past. However, we have only to

look at the unemployment rates to see that Northern Ireland and the Republic are very different. As I mentioned, Northern Ireland has an unemployment rate of 7·6%.

**Mr A Maskey:** Will the Member give way?

**Mr Moutray:** No. It will do you good to listen.

The Irish Republic's unemployment level is 14·5%, which is almost double. I accept that we should co-operate with our nearest foreign neighbour when it is in our best economic interest, but a synchronised strategy would not work. The island of Ireland has two separate and very different jurisdictions and two very separate and different economic and financial systems. The Irish Republic is in the euro zone and teetering on the brink of an economic and financial precipice. We are part of the British economy and, thankfully, outside the euro zone. Our economy is, undoubtedly, weak, but it is nowhere near as bad as that of our Southern neighbours. Why on earth would we want to tie ourselves to a much weaker economy? Why would we want to engage in the sort of joint initiatives outlined in the motion? We must remember one very important fact: we are in direct competition with the Irish Republic in areas such as job creation. Not only is the motion wrong in principle, but what it proposes cannot work in practice.

I wish the Irish Government every success as they grapple with the serious challenges of a faltering economy, but they must plough their own furrow, and so must we. We can co-operate and negotiate where it makes business sense, as has been the case with Invest Northern Ireland programmes and the existing InterTradeIreland body, which assists in cross-border trade and business development, but we do not need further bureaucracy and additional bodies that replicate work that is already happening.

I commend the Minister and Invest Northern Ireland for their hard work, and I urge them not to be diverted by the sorts of gimmicks and smokescreens that are proposed in the motion. I oppose the motion.

**Dr McDonnell:** I am very glad to support the motion. It draws attention to the need for a job creation strategy across the island, North and South. However, I will come to that in a moment.

At the outset, I want to say that there is a desperate need for a job creation strategy



in Northern Ireland. The Executive must get their act together across Departments and ensure that there is a clear pattern of where they want us to go with the issue. I urge the Executive to make a job creation strategy part of the Programme for Government, which they are moving slowly towards. It must be a key component of the Programme for Government, and the Executive must be clear and unambiguous in where they want to go.

Reference has been made to the issue being politicised, but that does not have to be the case. It is a bread-and-butter and life-and-death issue for many people, and I will not politicise it. I do not believe that there should be politics in the economy or that the economy should be politicised.

An early contributor to the debate referred to Greece, Portugal and other places, but I am not particularly interested in those countries. I live here, and I am concerned about our economy and about my neighbours having jobs. If I must be blunt, I want to ensure that the unemployment figures in Northern Ireland are as low as possible and that we do everything in our power to ensure that that happens.

There are many opportunities out there. The first area that springs to mind is the single energy market, which creates a whole range of opportunities. There are job opportunities in generation across the hard-core, traditional energy market, but even more opportunities can be achieved if we can get our act together on renewables. There is absolutely no reason why that cannot be done. Work in that area is probably already happening, but it needs a wee bit of encouragement. However, giving that wee bit of encouragement is not the same as politicising the issue.

Not very far away from here, Harland and Wolff is constructing some of the components that are used in windmills, which are one example of a renewable. There is a spectrum of subdivisions within renewables, and we are very far behind places such as Denmark, Holland and other European countries in our approach. There are vast opportunities to harness some subdivisions of renewable energy on this island, whether that is through biomass or tidal power. Indeed, if there is an opportunity to harness tidal power and to create jobs in Strangford Lough, opportunities will also be created in Carlingford Lough, Lough Foyle and a number

of other areas. We have a lot of the technical knowledge that is required, particularly in traditional companies such as Harland and Wolff, and we should do everything in our power to ensure that whatever renewable energy contracts are going on in the South are brought home to Northern Ireland.

A few years ago, I was happy to be able to do something that was very simple in brokering a connection and a deal between Harland and Wolff and fishing-boat owners in Killybegs. Harland and Wolff employees in east Belfast were able to take advantage of that contract, and it has now been expanded to other fishing ports in the South.

I could talk on about energy, but I want to move on. There is another big opportunity in R&D, and I compliment the Minister for her efforts and for pushing opportunities in that area. Bombardier, which is only a few miles away from here, works with a broad spectrum of Irish universities across the island in R&D work. Some of it is done in Galway, and some in Coleraine and Jordanstown.

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

**Dr McDonnell:** There are massive opportunities in R&D to draw down European money under frameworks 7 and 8.

**Mr Deputy Speaker:** Your time is up.

**Mr Dunne:** I, too, welcome the opportunity to speak in the debate. It is regrettable that Northern Ireland faces the problem of unemployment across the country. We are not alone in that. Unfortunately, it is a global problem, shared throughout the United Kingdom and the Republic of Ireland. As an Assembly, we must try to tackle that problem. My colleague Minister Arlene Foster has made every effort to tackle unemployment. She has made it a central priority for her Department, and I trust that that work will continue.

The current rate of unemployment in Northern Ireland is over 7.5%, with over 64,000 people out of work. The issue affects many families in Northern Ireland, and, regrettably, it can equally affect young people who are trying to take their first steps on the employment ladder. Others have worked for many years and have lost their jobs due to companies going down in the recession.

We can all play a part in trying to address this issue in the Assembly. An all-Ireland job creation strategy will not be the answer to the wider unemployment problem. In order to tackle unemployment, the focus needs to be on supporting and encouraging existing businesses and trying to attract new investment and jobs. We need to continue to work towards getting the right business-friendly conditions in order to attract business here. We need to cut the amount of red tape and bureaucracy that both small and larger businesses have to cope with. Having spoken to businesses and business organisations, I share their desire to see on the ground delivery and incentives for those creating jobs, not endless amounts of strategies.

Northern Ireland is very much open for business, and I am sure that everyone will welcome the job creation announcements made in recent weeks. We must keep our eyes on achieving those goals, which will, I hope, help to reduce the unemployment rates. We all want to see increased levels of foreign direct investment here, and I trust that we will continue to see greater investment in research and development from foreign investors. That is an incentive that we can work towards, and one that will help to generate jobs in this country.

Northern Ireland and the Republic of Ireland face similar challenges but, despite their similarities, they are economic competitors. They are two jurisdictions, with different tax systems and currencies. No doubt there is merit in some degree of co-operation. However, that would be most effective if it were industry-led instead of a mere political attempt.

Invest NI has taken a key role in trying to tackle unemployment here, and I know it already works with bodies such as InterTradeIreland to try to get the best deal for businesses here. Co-operation across the border exists, and we have no problem in seeing it progress. It exists; all we need to do is encourage it. We recognise that it exists. Businesses work on an all-Ireland basis. Good work goes on between Northern Ireland and the Republic: that we recognise and support. The Republic is an export market for Northern Ireland. Having a working relationship with that country is to the benefit of business here. There is room for relationships between the business sectors of Northern Ireland and those of the Republic. They can help to develop local firms by enabling them to gain experience

in the euro market and by encouraging greater exportation to Europe.

I feel that our further and higher education sectors also have a role to play in helping to tackle unemployment.

### 1.30 pm

We need to ensure that our young people are educated and trained in sectors that are in demand and in areas of need. On a visit last week to the Southern Eastern Regional College, I met a group of young students who cannot get apprenticeships. They are looking for apprenticeships in the building trade, and they have had to resort to refurbishing a room in a college. That was where they were learning their skills and the only experience that they were gaining. We all —

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

**Mr Dunne:** Thank you, Mr Deputy Speaker.

Given the scale of our dependence on the public sector, I feel that we want to tackle —

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

**Mr Dunne:** — unemployment in Northern Ireland. I oppose the motion.

**Mr Campbell:** As the unionist Member of Parliament who lives closest to the border and represents a constituency closest to the border, I suppose that I have a vested interest in talking about some sort of all-Ireland economic proposal. I have sometimes heard nationalists and republicans put forward the view down through the years that unionists who live a considerable distance from the border have a particular view that they should widen and that, if they were in proximity to the Republic, they would take a different view. Well, I hope that they will learn and listen for the next minutes and find out about that from a person who lives quite close to the border.

I remember speaking at an event in the Irish Republic — in Dublin — about 10 years ago. At that time, I was told that hotels were springing up at the rate of a new one being opened every week over a period of months. That was, of course, symptomatic of the incredible boom that the Irish Republic was and had been going through. If anyone was applying even a modicum of intelligent thinking to this, they

might ask, "If Northern Ireland did not want to join up economically with the Republic in the good times" — we did not — "why on earth would we want to go down the plughole with them together in the bad times? Why would we want to do that?". However, they do not seem to get it. They also talk — we heard it today — of duplication. That is repeated as a mantra. Of course, duplication works both ways. If economies of scale are such that we would have a much better outlook if we had one jobs body, one tourism body or one whatever it may be, are exactly the same criteria not applicable in these islands? Would it not make much more economic sense to have one jobs body for the whole of Great Britain and Ireland, or do economies of scale work only when there is a political motivation? Far be it from me to suggest such a thing. Perish the thought that anybody would think that this is about politics. However, if it is about duplication, then the approach fits, on an island-plus-wide basis, to the islands of both Britain and Ireland. Of course, we know that it is not just about duplication.

We also heard today and on numerous other occasions about regional disparity, and that is a good, relevant point. However, again, they lose the bigger picture. I have heard people in the Republic say that, because of the problems that flowed from the issues of the border and the 1920s, areas away from the Dublin corridor or the Belfast hub in Northern Ireland suffer. Yet, we can look at the example, which I have quoted on occasion, of England. I constantly speak to English MPs from the north-east or the north-west, and they make exactly the same complaint that people in Northern Ireland do: people who live in and represent areas some distance away from the economic powerhouse, which is normally around the urban centre — be that Belfast, London, Cardiff, Glasgow or Edinburgh — do not get sufficient government attention. It goes with the territory. In the Highlands, people complain that they do not get what those in Glasgow and Edinburgh do. In Dublin, people said, in the good times, that things were good, but in Donegal people were complaining. This has nothing to do with a border or partition; it is the reality of life. However, some people are determined to bring their own grade 1 economic illiteracy into the political ambit here in Northern Ireland today, and they will simply have to get on with it.

Northern Ireland is here. We are not going to go away; we are going to make Northern Ireland a

success. I just wish that others in the Chamber would join us and do likewise.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I welcome the opportunity to respond to the motion on the Order Paper. As Members know, job creation and the rebuilding and rebalancing of the economy are central to what my Department and the wider Executive are seeking to achieve; it is certainly not a matter of increasing the remit of the North/South Ministerial Council.

I noted how seriously Members across the way were taking the issue with the opening remarks of the proposer. He also told my colleague Lord Morrow that he was being insular. There is nothing more insular than looking at economic regeneration for Northern Ireland in the context of just this island. As we heard from Mr Nesbitt, we are part of 62 million people in the United Kingdom. If we look at matters from the perspective of this island, we are being entirely insular. That is not the way in which I intend to bring our economy forward.

I am acutely aware of the challenges facing the economy. Last Wednesday, I announced the latest unemployment figures, which highlighted an unemployment rate of 7·6%. Mr Flanagan referred to the fact that it was all the border counties that had higher unemployment. Of course, he is wrong. I have the unemployment rates of all the district councils in front of me. Fermanagh has a rate of 4·8%, whereas Belfast has a rate of 7·2%. That is the first area in which he is wrong.

We should also remember — it has been mentioned by many Members — that our unemployment level remains well below that in the Republic of Ireland, where the corresponding figure is 14·5%. This is also an issue for Governments across the world. Unemployment has increased in the USA, where it is 9·1%. In the European Union it is 9·5%, and the UK has reached a 17-year high of 8·1%. Northern Ireland's unemployment rate is below all of them.

It is in the context of the local labour market, which has been hit hard by the downturn, that I am working to launch an economic strategy for the short, medium and long term. The key focus of that strategy is on job creation and on the wider issues of growing the private sector in Northern Ireland. I think that it was Dr McDonnell who said that we did not have a job creation strategy for Northern Ireland.

Of course, we have the jobs fund and the Boosting Business initiative from Invest Northern Ireland. Tomorrow, I am chairing the Executive subcommittee on the economy. There, we will consider a detailed draft of the economic strategy, and it is my intention that that will be out for public consultation before Christmas. The strategy has been developed with inputs from across the Executive. I have also taken the advice and views of my economic advisory group. The strategy will confirm that the economy remains the number one priority for me and the Executive, and I hope that it will be published around the same time as the Programme for Government, which was referred to by the Chairperson of the Committee for Enterprise, Trade and Investment. The Programme for Government has not yet been published. Some people have a draft of the document, but it is just that — a draft.

Through the work of Invest Northern Ireland, we have been able to promote almost 15,000 jobs in the past three years. I have also been able to make some recent very good announcements, as indicated by Mr Moutray, including PwC, Capita and Kainos. I have mentioned the Boosting Business initiative, and there we are working to introduce changes to encourage as many small businesses as possible to take advantage of the support to stimulate job and wealth creation. Ms McCann's reference to working with small companies is right and well made. I see that she is not in her place, but that is what the initiative is about. We are bringing the Invest NI suite to those businesses and to the social economy. It has been said that the short-term employment scheme is going to be known as the jobs fund because that is exactly what it is — a ring-fenced budget of £19 million to support business owners in creating 5,000 jobs up to 2015, with 4,000 jobs created by March 2014.

Today's motion is about an all-Ireland strategy and, although the economies of Northern Ireland and the Republic of Ireland may face similar challenges, in the world context they are very different. The Republic of Ireland, as we have heard, is part of the euro zone; we are not, thank goodness. The Republic of Ireland is having to deal with a rescue package from the European Union and IMF; we are not. And, although I am in no way complacent about the high level of unemployment here, as many people have recognised, I remind Members again that the unemployment rate in the

Republic of Ireland is 14·5%, compared with 7·6% here, so it is almost double. Therefore, a single strategy would simply not work.

I want to look at three of the examples that have been quoted as part of the "It would be great if we had an all-Ireland jobs strategy" argument. The first example is agrifood, and Mr McKay made reference to InterTradelreland's all-Ireland agrifood report. I will not be signing off that agrifood report. The all-Ireland agrifood report is very much out of date. It does not deal with the protectionist practices of the Republic of Ireland Government, Bord Bia and other non-governmental bodies that are excluding Northern Ireland companies, especially in areas such as the milk sector. Indeed, I have just learned that the Republic of Ireland is setting up what I can only describe as a clandestine dinner on Thursday evening, inviting the great and good from Northern Ireland's industry but without a mention of the Northern Ireland Government or the Northern Ireland Assembly. In fact, it has been done without any acknowledgement of our position here in this jurisdiction, and I will complain about that matter to the Republic of Ireland's Government.

The second example is tourism. Tourism Ireland, as you know, promotes the whole of the island of Ireland overseas, but I am dissatisfied with what is happening in relation to Northern Ireland, so much so that I have asked the board of Tourism Ireland for a specific Northern Ireland strategy. Next year, 2012, is the year of opportunity for Northern Ireland, and I want to ensure that we get as many visitors into this country as we can. Therefore, I have asked Tourism Ireland to bring forward its proposals for Northern Ireland.

The single energy market is not delivering on competition as promised, because it is too small. That is why I am pushing for integration with the BETTA system, which is the GB system, so that the two islands are working together, to give us more competition. By the way, the substations that Harland and Wolff is constructing are for a wind farm off the coast of Wales. I was down with fishermen in Kilkeel just last Thursday, and I was alarmed to be told by the fishermen who were working on offshore duties protecting the new east-west interconnector, which goes from Wales into the Republic of Ireland, that, when that interconnector leaves United Kingdom waterways and goes into Republic of Ireland



territorial waterways, Northern Ireland fishermen are not allowed by the Republic of Ireland's Government to work on protecting the line. So much for working together. So much for having the best for the whole island.

The Republic of Ireland's Government — let us be honest, Members — are looking after themselves. It is high time that this Assembly looked after the Northern Ireland people, whom we are here to represent, instead of chasing after rainbows — political rainbows, at that. The reality is that we are competitors on an international scale. Ask any of my colleagues in Invest Northern Ireland in the USA about how the IDA promotes the Republic of Ireland and they will tell you what is going on there. There is not much co-operation there. When it is possible, when it is for the benefit of Northern Ireland, we will co-operate.

**Mr A Maskey:** Will the Member give way?

**Mrs Foster:** No, I will not give way.

When it makes sense, we will co-operate, but I do not believe that we need any more all-island initiatives.

The Chair of the Committee for Enterprise, Trade and Investment mentioned InterTradeIreland's trade and innovation programmes. They are not primarily designed to create jobs, but one of the outcomes of that body's programmes is that there are more competitive and successful companies. Successful companies grow, and that growth can deliver new jobs. The total number of jobs attributed by those same companies as outcomes of their participation is 1,100, so some good work has been carried out in relation to the innovation and the FP7, which we heard about from Mr McDonnell.

**1.45 pm**

Mr Flanagan made a sporting analogy, which we heard at the beginning. He laboured it for some time. It was about how it was always better to work together on an all-Ireland basis. Let me tell him this: in the medals table for the 2008 Olympics — a worldwide event, and I want Northern Ireland to play on a worldwide stage — GB and Northern Ireland were fourth. Where was the Republic of Ireland? Sixty-first. I would rather be fourth than sixty-first.

The construction industry was mentioned by Mr McGlone and Mr Dunne. There is a trade mission going to Kurdistan on Friday — Mr

McGlone is not in his place — which I am leading. The whole point of that is to look for opportunities in different markets for the construction industry. Indeed, I met the Construction Employers Federation very recently, and my colleague, Minister McCausland, the Minister for Social Development, is meeting it this week. So, it is wrong to say that we are operating in silos in relation to the construction sector.

Mr Newton is absolutely right to say that we need to look internationally. Confining ourselves to this island is parochial and insular. My vision is to look up and look out, not look south.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion. It has been a very animated debate, but it is unfortunate that it was not more of an argument about economics, as opposed to the other politics that influenced many of the DUP speeches.

Obviously, it has been an economically challenging period. We should consider all proposals that can alleviate things, regardless of where they come from or what jurisdictions they concern, as long as they create jobs and prosperity for the people we represent. On this island, we have a lot in common. We have intertwined labour, transport, businesses and communities. In that context, all-Ireland economic proposals make economic sense and, in most instances, result in savings. Of course, corporation tax is an obvious example, and there are benefits in job creation that have been seen in the rest of the country as a result of corporation tax levels. That is something that the Executive —

**Mr Newton:** Will the Member give way?

**Mr McKay:** I will.

**Mr Newton:** Does the Member accept that it is for the economy of Northern Ireland and, indeed, the economy of the Republic of Ireland to develop to meet global competitive changes? It is necessary for them to think internationally, to benchmark against best practice internationally and to adopt all the research and development opportunities that are brought about through international linkages, rather than to think only about co-operation 50 miles or 100 miles down the road.

**Mr McKay:** I actually agree with most of what the Member says. We need to

look internationally, and, where there are opportunities that make sense in terms of an economic argument, we need to seize them. However, the opportunities on an all-island basis are on our doorstep. The Member referred to research and development: the relationships between universities and businesses, which Dr McDonnell referred to, are already in place. We need to build on that. That makes sense economically, and that is the argument that we are putting forward.

With regard to tourism, I note that the Dublin Government are putting forward a campaign called "The Gathering" to bring many expats, as well as the Irish diaspora, back to Ireland in two years' time and will try to reap economic benefits from that. That is something that we should tie into as well. We should also learn from the Scottish example: they are trying to put that sort of thing in place as well.

We need all-Ireland harmonisation of taxation and regulation policy in the longer term. We need to maximise the potential of InterTradeIreland, and we need to establish an all-Ireland job creation plan. Promoting an all-island network of universities and centres of research and development expertise in specific sectors, adopting tax incentives for R&D and increasing GDP investment in R&D would help place us at the cutting edge economically.

I was looking through the research pack. In it was an Ernst and Young Economic Eye piece from summer this year. It says that the North has a smaller export base than the rest of the island. Even with the dire economic circumstances that the Dublin Government are currently in, in the medium to long term the North will return to a growth rate below that of the rest of the island. That shows you where the South is placed with regard to exports and economic opportunities. Quite simply, we need to tap into that. That is not a big ask.

Phil Flanagan opened the debate with a number of sporting analogies. He also referred to the excessively high levels of unemployment in border areas and the effect of emigration. In all our communities, a lot of young people are going to places such as Australia in the light of the massive hits that sectors such as construction have taken in recent times. Mr Flanagan also said that DETI did not have a strategy and that it was hard to take in that £17

million had been handed back to the Finance Minister in recent days.

Even on 'The Nolan Show' on BBC Radio Ulster this week, you had businesses phoning in to say that hundreds of jobs were being squandered and going to places such as Asia because Invest NI took the wrong approach. The Minister and her Department would do well to learn from that.

**Mrs Foster:** Will the Member give way?

**Mr McKay:** Yes.

**Mrs Foster:** The Member has raised an issue that I had hoped somebody would raise today. That particular company did not bring that situation to Invest Northern Ireland so that Invest Northern Ireland could answer the allegations made against it. I am surprised that the Member is taking his economic analysis from 'The Nolan Show', but, if he chooses to do so, that is a matter for him. I would be happy to give full details to 'The Nolan Show' of that particular case.

**Mr McKay:** I do not take my economics from 'The Nolan Show'; I take my economics from the people. The people who were ringing in — *[Interruption]* — and those who were representative of the business community —

**Mr Deputy Speaker:** Order, please. This is not a promotion for 'The Nolan Show'; it is a serious debate. At this point, I ask Members to remain silent when another Member is speaking. If someone goes to the trouble of preparing a speech, they should be listened to. Continue.

**Mr McKay:** In general, the people who were phoning in to that show were dissatisfied with the Invest NI approach and with how they were treated and believed that Invest NI needed to up its game with regard to small and medium-sized enterprises. The Minister should take that into consideration.

**Mr A Maskey:** I thank the Member for giving way. I will return the question to the Minister. When she says that she had hoped that somebody would raise the issue that was raised on the 'The Nolan Show' last week, I understand, but why does the Minister not give the details to the House? She should not need to be invited to do so. In fact, this was a matter of public concern, and it would have been helpful for the Minister to give the details to Members of the Assembly, rather than talking about 'The Nolan Show'. She should have given

the information to Members here when she was on her feet.

**Mrs Foster:** The matter was not mentioned in the Assembly. I am very aware of the Deputy Speaker's ruling on the matter, so I will not even mention the particular show. The matter was mentioned on that show, and, therefore, it is right that we should go back and correct the mistakes that were made on it. If the matter is raised in the House, I will answer the Member who raises it.

**Mr McKay:** I thank the Minister for her intervention. Moving swiftly on, I will mention David McIlveen's contribution. He referred to the 14.5% unemployment rate in the South, and other DUP Members also referred to it. The fact that the South has that rate of unemployment does not mean that there are no opportunities there for working on an all-island basis. That maybe demonstrates the level of economics that they have.

**Mr Newton:** The Member raised the issue of Invest Northern Ireland. Invest Northern Ireland — DETI, actually — attended a meeting of the ETI Committee. The Member had an opportunity to question the witnesses who gave evidence to the Committee. I do not remember him expressing huge concern about this matter. In fact, I think that those on the other side of the table from him would have described his remarks as being quite calm and collected, rather than expressing any real anger or concern about the matter.

**Mr McKay:** With all due respect, what meeting was the Member for East Belfast at? I quite strenuously questioned Invest NI. I have also been in contact with Invest NI through questions to the Minister about its performance. Maybe the Member was dozing at that point in the meeting. The fact is that Invest NI has questions to answer about its performance.

The Member for Strangford Mike Nesbitt referred to the bigger numbers in Britain and Europe as some sort of excuse for not working more closely with the South. I am all in favour of working with the British economy and in a European context, but an insular attitude is coming across from the unionist Benches. Many business people across the community are happy to work in an all-Ireland context and develop all-Ireland economics. I do not think that unionist politicians are up to speed with their community in that regard.

The Member for North Belfast Alban Maginness said that east-west co-operation should not be excluded. I fully agree. We should look to places like Scotland to see how it is developing renewables. Mr Maginness took an intervention from Patsy McGlone about construction. That is a good example of how labour in the North has benefited and availed itself of employment in Dublin, Galway and other parts of the island. Chris Lyttle referred to opportunities in renewables, tourism and infrastructure.

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

**Mr McKay:** Tá brón orm a LeasCheann Comhairle. The Minister said that she will not be signing off on an agrifood sectoral report on the benefits of an all-Ireland approach.

**Mr Deputy Speaker:** Your time is up.

**Mr McKay:** Recently, the DUP has refused to recognise the benefits —

**Mr Deputy Speaker:** The Member has no extra time. Time is up.

*Question put.*

*The Assembly divided: Ayes 41; Noes 48.*

## AYES

*Mr Agnew, Ms M Anderson, Mr Attwood, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mrs Cochrane, Mr Doherty, Mr Durkan, Mr Eastwood, Dr Farry, Mr Flanagan, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McGlone, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ritchie, Mr Sheehan.*

*Tellers for the Ayes: Mr Flanagan and Mr Lynch.*

## NOES

*Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lewis, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen,*

Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Givan and Mr Moutray.

Question accordingly negatived.

## Private Members' Business

### Rural Schools

**Mr Deputy Speaker:** Two amendments have been selected, so up to one hour and 45 minutes will be allowed for the debate. The proposer of the motion will have 10 minutes in which to propose and 10 minutes in which to make a winding-up speech. The proposer of each amendment will have 10 minutes in which to propose and five minutes in which to make a winding-up speech. All other Members who wish to speak will have five minutes. I ask those Members who are leaving the Chamber to do so quietly, please.

**Mr McDevitt:** I beg to move

*That this Assembly expresses concern at the potential impact of the statement by the Minister of Education on 26 September 2011, particularly on the future of smaller rural schools; notes that schools are at the heart of rural communities; further notes the particular access requirements of rural communities to education; and calls on the Minister of Education to ensure that decisions on the future of rural schools are fully measured against rural standards and proofing.*

We are happy to accept the amendment tabled by Mr Lunn and others and that tabled by Mr Storey and others. We feel that both amendments add to the motion and give it the depth and attention that the issue deserves in the House.

Here in the North, half of our primary schools — some 304 out of 735 — have fewer pupils than the required viability quota for rural schools. That is the quota that has been set out by the Department of Education in the sustainable schools policy. Many smaller schools, controlled, maintained and other management types, are, at present, faced with huge challenges and major changes.

Federation, which involves two or more primary schools working together under a single board of governors and principal, is one way of helping to ensure the future viability of those schools, and, in my party's opinion, makes good sense. The most attractive form of federation can help to keep the pupils enrolled and taught at their home school. That is preferable to running a split-site model with Key Stage 1 pupils on one site and Key Stage 2 pupils on another. I appeal to the Minister of Education to explore fully that



option. If we are honest about it, that option is not adequately catered for in the current policy framework.

I agree with my colleague Dominic Bradley, who, regrettably, Mr Deputy Speaker, is not in a position to contribute to today's debate. Recently, he said:

*"Rather than have smaller schools competing with each other for survival, federation offers two or more smaller schools within a parish the opportunity to avoid closure through co-existence and co-operation and the chance to realise the prospect of accessing future capital funding through combined enrolments."*

I ask the Minister to ensure that any legal impediments to sharing through joint management across the sectors are examined with a view to their removal. There are possibilities here for ensuring the best use of our schools estate, retaining smaller schools and advancing what we all believe to be a common objective of a shared society. I welcome the fact that the Council for Catholic Maintained Schools (CCMS) has tried this confederation model in some areas, where it has worked well, and that it is contemplating it in other areas. It is a relatively new concept in this region, but it has been seen to work successfully in parts of Britain for some years. I realise that, if federation is to work, it first has to address the education issues, so that at least three teachers in each school are able to deliver all three stages of primary education and, secondly, it must be economically efficient.

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

Through federation, senior management costs and head count can be reduced. For example, one principal or a vice-principal, or even some senior teachers managing the individual sites, can be shared between two or three schools. As a consequence, additional resource savings can be generated. The extra resource that is needed can be generated by each school retaining its small schools allowance.

I want to put this matter on the agenda for debate today because I believe that the current conversation about the existing sustainable schools policy is not adequately expansive to allow that important balance to be struck in the years ahead between the guarantee of a quality education for all our children and the Assembly

continuing to contribute to the sustainability of communities, particularly rural communities.

## 2.15 pm

I appeal to the Minister to consider piloting some such federation models. Such pilots could be explored without having to call on extra resources. Rather than rushing to amalgamation or closure as a means of managing the schools estate, we should fully explore other options, such as federation, and ensure that every opportunity be given to every small school to survive. It is only through being imaginative at a regional level, by coming up with local solutions to the challenges that face our rural communities and our families who wish to continue to live, grow old and, hopefully, see their children establish families, live and grow old in rural communities, that we will be able to ensure that education really serves the purpose for which it is intended.

We have concerns that the current approach to school rationalisation is overly reliant on a blunt numbers game. Let us take, for example, the arbitrary number of 105 pupils, which is the magic number that dictates whether a school is sustainable. A survey of the rural schools estate would show that many of the buildings were not built to hold 105 pupils.

**Mrs D Kelly:** Does the Member acknowledge that there are concerns that, if the policy is rolled out as the Minister says, the accommodation that is needed for amalgamation may not be put in place before it happens? It is a chicken-and-egg situation. Many people are very concerned, given the maintenance backlog alone that exists in the school estate, that there will be no school buildings for this magic amalgamation.

**Mr McDevitt:** Mrs Kelly's point is well made. In fact, it is a point that has been conceded in the House in a different context. When the Minister of Health, Social Services and Public Safety was considering the closure of A&E services at Belfast City Hospital, one of the major concerns that he identified was the need for extra physical space and extra capital investment to build new temporary buildings at the Royal Jubilee Maternity Services to accommodate the change. The same situation will end up happening in schools. We will end up having to spend more money on building new, bigger sites to accommodate the fact that we are closing smaller ones. The issue is not the site — this

is our argument around federation — but the management, cost and quality of education that children receive. If that requires teachers to be a little more mobile, so be it. Surely, however, communities, and rural communities in particular, have the basic right to sustainability in the truest possible sense of the word.

There is a further concern with the existing sustainable schools policy. A number of the criteria are dependent on other things in education working well. Let us take leadership as an example. Miss McIlveen and I have had occasion to be in touch with a school that is under threat in the Strangford constituency. A series of inspection reports questioned the leadership in the school — the quality of the principal, how the school has been working, the board of governors, and so on. However, if we track that back, we quickly find that one of the reasons that there has been a bit of a crisis in the leadership of the school is that the local education board has basically had the sword of Damocles hanging over the school's head for almost a decade. Guess what? When the sword of Damocles hangs over the head of a school because the local education board cannot get its act together, the leadership begins to suffer.

I concede that the Minister is at least willing to begin to deal with the problem. The previous Minister chose not to. He is willing to do that, and I acknowledge and applaud him for doing the right thing in that regard. However, there is a good chance that he will become a victim of his system. Some schools are under threat because we never dealt with the Education and Skills Authority (ESA).

It is a consequence of the fact that the boards have been run into the ground and that we are not taking decisions in the proper way in many other parts of the education governance structure. If we are to be able to complete the debate in an orderly manner, it needs to get back to two basic principles: the centrality of rural communities, and the importance —

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

**Mr McDevitt:** — of finding a mechanism, such as the federation model, that can deliver both sustainable communities and quality education for all children.

**Mr Lunn:** I beg to move amendment No 1: After second “education;” insert

*“believes that shared and integrated education could provide alternatives to school closures;”*

I support the motion and propose the amendment in our name, which seeks to maintain the principle that shared education and the sharing of educational facilities is an important component of the structure of our educational framework as we move forward. I would like to hear what the DUP has to say about its amendment before we decide whether or not to support it. For a start, there are more than two sectors, and we hope that this is not an attempt to balance school closures, one against another.

**Mr Storey:** Will the Member give way?

**Mr Lunn:** I am sure that we will hear from you shortly anyway, so I will keep going. *[Laughter.]* I have no extra time for my speech.

The integrated movement must be allowed to continue to develop. I will not rehearse the many arguments in favour of the integrated approach; frankly, I do not need to because, these days, so many others are doing that for me, and it is a surprise that some of those are doing so. I mention that only to make the point that, if we are to protect our rural school infrastructure, serious decisions will have to be made around the sharing of facilities and the amalgamation of schools across sectors. If the transformation of existing schools to integrated status is the express wish of parents and is the best way to maintain a school's viability, that process should be encouraged and facilitated by the boards and the Minister. A few months ago, the Assembly approved that wording in a private Member's motion.

The motion expresses concern about the potential impact of the Minister's statement of 26 September, and rightly so. One third of primary schools are numerically unviable, and a large proportion of them are in rural areas. If I were a principal of a rural primary school with fewer than 100 pupils or a parent who sent their child there, I would be extremely worried. If it were only a numbers game, the decision would be almost automatic, but, in my opinion, there was more than numbers to Mr O'Dowd's statement of 26 September. He said:

*“However, the sustainable schools policy is not simply a numbers game, and schools will be measured against the six principles of that policy.”*  
— *[Official Report, Bound Volume 66, p260, col 2].*

Those principles include stable enrolment trends, a sound financial position and strong links to the community. The most significant principle to me, and, I think, to the Minister, is quality educational experience. That is the one that, in the long term, must be at the heart of the decision on whether to maintain a rural school or look for an alternative option in the best interests of the pupils.

I am pleased that the Minister has ordered a viability audit of schools, which is to be completed before Christmas. It is to identify those that are showing signs of stress in remaining educationally viable. The key word is "educationally". We need an update. Surveys and reports galore have been done, but a short, sharp audit of all schools will be a useful starting point.

It is perfectly possible for a school to provide a quality educational experience without meeting the enrolment threshold if it is well led, rooted in the community and financially sound. I hope that the Minister will acknowledge the need, as stated in the motion, for measurement against rural standards and rural proofing. However, there will be situations where the best interests of children's educational experience are not served by maintaining a small school. We will have to look at the solutions that are in their best interests. A couple of years ago, in my constituency, the maintained sector kept open a primary school when it was down to three pupils. That made no sense at all; there were more staff than pupils. Some people managed to blame the integrated sector for stealing all the pupils, and that was not the case. There comes a point when it is just not educationally sound to try to maintain a small school with multiple classes amalgamated, and so on.

The other criteria are important. In particular, the effect of a school closure on a rural community must be explored fully. The connections between a rural school and its community are critical to the sustainability of both. When a school closes, particularly in a rural area, there will inevitably be a knock-on effect on shops, employment and services.

Decisions about the future of any school must not be made by a governing body in isolation; they must involve key rural stakeholders, including rural citizens, and, of course, public representatives. I hope that those public representatives will be able to look at the

overall picture for what is best for the children educationally as well as the normal parochial considerations that are usually foremost in all of our thinking.

I look forward to the Minister's response. In particular, I would like him to expand on what he said on 26 September. I would like him to confirm that he will include the points made in the motion in his approach and that he will accept the terms of the amendment and agree that shared and integrated solutions are a valid alternative to school closures.

I look forward with interest to hear what Mr Storey has to say in clarifying his amendment. I could have given him time for an intervention, but I did not realise that I was going to speak for such a short period. I commend the motion and our amendment to the House. I will see about the DUP amendment.

**Mr Principal Deputy Speaker:** As Question Time commences at 2.30 pm, I suggest that the House takes its ease until that time. The debate will resume at 3.30 pm when the first Member to speak will be Michelle McIlveen.

*The debate stood suspended.*

2.30 pm

## Oral Answers to Questions

### Regional Development

**Mr Principal Deputy Speaker:** Questions 1 and 9 have been withdrawn and require written answers.

#### Roads: Twaddell Avenue, Belfast

2. **Mr Humphrey** asked the Minister for Regional Development if he has any plans to widen the carriageway at Twaddell Avenue, Belfast.

(AQO 547/11-15)

**Mr Kennedy (The Minister for Regional Development):** My Department's Roads Service has advised that Twaddell Avenue is designated as part of the A55, a busy and important traffic route to the north side of the city that runs through a private residential area. In 2001, Roads Service implemented a traffic calming scheme on Twaddell Avenue, providing a central hatched area incorporating right-turn pockets and pedestrian refuge islands and footway build-outs placed strategically along the length of the road to assist pedestrian movements and to help to reduce the speed of vehicles.

Roads Service is aware that there have been incidents where vehicles travelling along Twaddell Avenue have caused minor damage to door mirrors of parked vehicles. However, to widen Twaddell Avenue would involve the relocation of kerb lines and a reduction in the size of existing footways. It would also entail the removal of a number of mature street trees and the relocation of underground services, drainage pipes and gullies.

As I am sure the Member will appreciate, Roads Service receives many more requests for such work than it has the budget to deliver. Therefore, each request is assessed and prioritised. Given the likely financial and environmental cost of works to widen Twaddell Avenue, Roads Service has advised that it currently has no plans to widen the carriageway but will keep the situation under review. Although it is acknowledged that the existing road layout has some shortcomings, it is felt that that is the best that can be achieved within the existing constraints.

**Mr Humphrey:** I thank the Minister for his reply, which is what I feared. I appreciate the cost of widening the entire road. However, Twaddell Avenue is part of the outer ring and is a very busy road, particularly at the height of traffic in the evening and morning, and I ask the Minister to look at the areas where there are footways and where the footpath has been broadened because it really is causing a bottleneck. Three cars have already been damaged in the last number of months, and it is causing a serious problem for those who live there.

**Mr Kennedy:** I thank the Member for his supplementary question. I know that the Member has been in contact with Roads Service officials and local residents with regard to the issue, and I am not in any way underestimating the strength of opinion. I will look, and will ask officials to look, at the issue that he has now raised again.

**Mr A Maginness:** I endorse what Mr Humphrey said. It would be very helpful if there was an in-depth review, because there are problems there and they really ought to be addressed. I invite the Minister to look at this in a genuine review.

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Yes, mindful of the widespread political support that there appears to be on this issue, I will refer the matter again to officials.

#### Severe Winter Weather

3. **Mr B McCrea** asked the Minister for Regional Development what provision has been made in the 2011-12 budget for his Department to deal, in conjunction with the local councils, with the impact of the anticipated severe winter weather.

(AQO 548/11-15)

#### Footpaths

7. **Mr Lunn** asked the Minister for Regional Development for his assessment of the key principles that have been agreed by his Department on the removal of snow and ice from town centre footpaths. (AQO 552/11-15)

**Mr Kennedy:** With your permission, Mr Principal Deputy Speaker, I will reply to questions 3 and 7 together as they concern similar and related issues. As the Members are aware, there is no legal responsibility for councils or Roads Service to treat footpaths with salt or grit during



adverse weather. However, my Department's Roads Service held a series of meetings with representatives of the Northern Ireland Local Government Association (NILGA) and the Society of Local Authority Chief Executives (SOLACE) throughout the summer months. I personally attended the first of those meetings, after which Roads Service's chief executive continued the negotiations and discussions on my behalf.

The aim of the meetings was to establish a consensus on a number of points of principle that could be used as a basis for negotiations between Roads Service and councils relating to the removal of snow and ice from busy town-centre footways during prolonged periods of wintry weather.

I am pleased that agreement has been reached, demonstrating a willingness to provide that valuable service to local ratepayers. Roads Service has now incorporated those agreed points of principle into a draft agreement, which can be amended to take account of local council preferences. Roads Service officials are now approaching all councils with a view to having those agreements in place for the coming winter season. However, it should be stressed that, under the agreements, efforts will be focused on the busiest town centre footways as it would not be feasible to treat footways on a widespread basis. In addition to the provision made in the 2011-12 budget to deal with the impact of the anticipated severe winter weather, Roads Service earmarks significant funds to provide a salting service with the aim of helping main road traffic to move safely and freely in winter conditions.

NI Water is implementing the recommendations of the review of last winter's water supply emergency through a range of measures, and I believe that it will be better prepared to handle the effects of severe weather conditions.

**Mr B McCrea:** Given the forecast of severe weather this winter, have the Executive had any discussions with the Minister regarding additional budget and, if money is available, whether that will not only allow salt to be provided to councils but, potentially, provide for council staff to do the work?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. Almost everywhere I go now, I am met with dire predictions of likely weather conditions this coming winter. Whether or not that is from 'Old Moore's Almanack' or

just made up to make me feel uncomfortable, I am not quite sure. However, I know that the Member would not be in that category anyway.

On a year-by-year basis, my departmental budget has to take account of winter conditions, and we have done so in preparation for the current season, whatever the weather. If there is a prolonged spell of adverse wintry weather, it may well be that that budget allocation will be challenged, and I may need to go to Executive colleagues to have it supplemented. However, I assure the Member that we are attempting to make good preparation for the winter season ahead.

At this stage, I cannot predict how bad the weather will be. I am not a prophet or the son of a prophet, but I do know that there will be winter weather such as ice, frost, snow, rain and hail — all of which may happen on the same day. *[Laughter.]* However, for all of that, I will be expected to manage the situation along with Roads Service. I encourage Members of this House, members of local councils and, indeed, the community to help to play their part as we prepare for the winter. Last year, we had the worst winter since 1881. I hope very much that things will improve.

**Mr Principal Deputy Speaker:** Time.

**Mr Kennedy:** I am confident that we have the resources available at this point.

**Mr Lunn:** My question is more to do with town centre footpaths. Pedestrian traffic rather than vehicular traffic was, perhaps, the bigger problem last year. Can the Minister confirm that, within the protocols that he has established between Roads Service and councils, there is no dispute about liability and that the councils will be adequately funded for the work that they will be asked to do?

**Mr Kennedy:** I am grateful to the Member for raising that important point. It is crucial that Roads Service and my Department work with local government to improve on the situation of last year. I am pleased to say that heads of agreement were reached with the Northern Ireland Local Government Association (NILGA). That is now being reflected down to local council areas and local section engineers to put in place measures through which we can improve things.

It is absolutely correct to say that not every street, town centre and section of pathway

can or will be gritted. Roads Service and the councils acknowledge that. However, greater co-operation and collaboration between those bodies will help to improve the situation. I am pleased to say that every household in Northern Ireland will receive a leaflet of advice that will include advice from the Attorney General on the legal position of clearing snow, which has been an issue of liability. I hope that Members of the House and all householders will take note of that advice, and that we can work together in a positive and constructive way.

**Mr Storey:** I thank the Minister for his information so far. However, I hope that the Attorney General's advice is more specific than what was agreed with regard to the points of principle that is currently out from NILGA and which is going to local councils. I am neither a prophet nor the son of a prophet, nor do I read 'Old Moore's Almanack', but I have no doubt that we will have another crisis this winter. In 2002, there were discussions about an annual service fee to participating councils. There is no mention of that in the points of principle.

**Mr Principal Deputy Speaker:** Can I have a question?

**Mr Storey:** Will the Minister assure us that there will be a working relationship between the Department for Regional Development and local councils with respect to whoever is responsible to deal with the problem, and that there will not be, as the Member for Lagan Valley suggested, buck passing to the Executive?

**Mr Kennedy:** I am grateful to the Member for his question. When one talks about principles, I am reminded of what Groucho Marx said:

*"These are my principles. And if you don't like them, I have others."*

Nevertheless, the important principles that were agreed are being reflected between section engineers and local councils. Under the agreed principles, Roads Service will make salt available to councils free of charge. Where resources permit, it will also provide manpower to councils and pass on the legal indemnity currently available to my Department to councils or groups working on their behalf, such as chambers of commerce or local community groups. In the spirit of co-operation, I very much hope that officials from Roads Service, working with their counterparts in local government, will achieve better results. I have no doubt that

we will face bad weather. However, the issue is whether it will be similar to the prolonged spell that we had last year.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his responses. Where does the indemnity lie for clearing footpaths, particularly with regard to third parties outside Roads Service and councils?

**Mr Kennedy:** The Member raises a very important question. The detail of the sensible, proper and practical measures that householders or businesses operators and owners can do to clear snow, ice or frost from the front of their properties will be confirmed in writing to every household in Northern Ireland. It will take away any suggestion or any risk of them being liable legally in some way. Clearly, common sense plays a major part in that, and I know that people will respond accordingly. The advice is there and will be provided. However, it is important that common sense is maintained as a way of dealing with those issues.

**Mr Byrne:** I thank the Minister for his answers so far. Will he confirm which councils have signed up for the agreement and on what basis the cost-sharing will be arranged between the Department, Roads Service and individual councils?

**Mr Kennedy:** We are still in the early stages of collating council responses. I am encouraged by those responses and by the willingness of councils to work with Roads Service. I have no doubt that that will continue as it is in everybody's interests — taxpayers and ratepayers. I hope that Members of the House and members in local government will help to encourage greater co-operation with the measures that we are trying to put in place.

## Severe Winter Weather: Water Supplies

4. **Mr McMullan** asked the Minister for Regional Development what provision has been made for distribution centres and the delivery of bottled water in the event of severe winter weather conditions, including how much extra water will be made available this year. (AQO 549/11-15)

**Mr Kennedy:** The Utility Regulator's report into Northern Ireland Water's handling of the 2010-11 freeze/thaw concluded that over three-quarters of the additional water demand caused

by the severe weather conditions leaked from private domestic and business water pipes.

Northern Ireland Water has addressed the lessons learned and undertaken a substantial amount of work focusing on communication, contingency planning, supply failures and governance. It has commenced a winter awareness campaign to raise awareness of the need to protect water supplies. The key message is that, to avoid the worst effects of a freeze/thaw, customers can take certain steps to reduce the risks of pipes freezing and subsequently bursting. Steps include lagging pipes, knowing where the stopcock is and having the contact details of a plumber ready in the event of a burst pipe. An extensive public awareness advertising campaign with a key message, "Don't Wait, Insulate", will run from 24 October 2011. They might use me on that basis. In any event, a wide range of media outlets will be used, and the campaign will include a leaflet drop to all customers throughout Northern Ireland.

## 2.45 pm

Northern Ireland Water has also enhanced its plans for the provision of alternative water supplies in the event of severe weather conditions. Alternative water supply locations have been identified throughout Northern Ireland for the distribution of drinking water to customers using static water tanks, wheel-mounted towable bowzers, tankers, standpipes or bottled water. The amount of bottled water retained in stock for distribution in the event of an emergency has been increased to approximately 250,000 litres, compared with the 100,000 litres that were retained prior to the incident last year. Northern Ireland Water has a contract with a local supplier to provide up to 144,000 additional litres of bottled water a day, if required, during an emergency.

**Mr McMullan:** I thank the Minister for his answer. Will the Minister provide the criteria for the distribution of bottled water? Will he also outline what assistance can be given to community and voluntary groups, which will be organising and involved in the community distribution of water? Finally, will the Minister instruct Northern Ireland Water to identify contact names in geographical areas, as was the case last year?

**Mr Principal Deputy Speaker:** There should be only one question.

**Mr Kennedy:** I take it that I can choose which question I wish to answer. A range of sites have been identified, and through emergency planning between NI Water and other agencies, we continue to work to identify those sites. I very much hope that those sites will have been agreed, for instance, with the district councils. Further discussions will take place to formalise the exact location of all those centres.

The Member mentioned community engagement. I acknowledge the fact that community associations and activists, as well as public representatives, played an important role last winter in making sure that water distribution took place quickly and efficiently in difficult circumstances, and I have no doubt that, with that co-operation and goodwill, that can happen again.

**Mr S Anderson:** Will the Minister assure the House that Northern Ireland Water is fully resourced and organised this winter in matters other than bottled water? Will he guarantee that there will be no repeat of last year's fiasco?

**Mr Kennedy:** The Member asks a very straight question. At this stage, we are not able to predict safely the type of weather conditions that we are going to face, but it is clear that from the lessons learned from last year, NI Water, along with other agencies, is putting in place plans to deal with winter emergencies. That includes additional bottled water, as I informed the House. It also includes better methods of communication. I was not the Minister for Regional Development last year, but it seems to me that one of the problems faced last year related to communication. People who were experiencing water difficulties were not able to get their calls through to NI Water, and that led to huge frustration. Additional lines have, therefore, been installed in preparation for that. I can inform the House and the Member that additional hotlines will be available to allow elected representatives to play their part.

Northern Ireland Water continues its emergency planning and will hold a mock emergency event within the next couple of weeks. I hope to review that to see what arrangements are in place to enable NI Water to provide a proper response.

**Mr Beggs:** The question was about having a good emergency bottled water supply. However, does the Minister agree that it is equally important to ensure that we do not arrive at that situation again? Does he further agree that

the community should identify where the leaks are and assist in conserving our limited water supplies by cutting down on usage and closing off leaking valves?

**Mr Kennedy:** I am grateful to the Member for raising that point. It strikes at the very heart of the advisory campaign that NI Water will promote, which I hope will also be supported and promoted by Members and others. That advice is that we should not wait but that we should insulate, identify where the stopcocks are, install proper lagging to protect our property and supplies and look out for neighbours who need help and assistance. That spirit of community and self-help can be employed to produce a response, and the wider community recognise that that will happen this year, as it did last year. We must all be mindful of leaks to ensure that no loss of water to our domestic or business supplies will impact on us or others. There is much work to be done by NI Water and the wider community.

### **Railways: Belfast to Londonderry**

5. **Mr D McIlveen** asked the Minister for Regional Development, given that the Belfast to Londonderry railway line links the major universities and colleges, how he plans to satisfy passenger demand on the line.

(AQO 550/11-15)

**Mr Kennedy:** Translink has informed me that the Coleraine campus of the Ulster University is served by 23 daily rail connections and over 60 bus services and the Magee campus by 10 rail services and nearly 60 bus services. Higher education colleges also have bus and rail connections.

Translink has advised me that, during next year's planned nine-month closure of the rail line for the planned relay work on the Coleraine to Londonderry section of the network, it will work to maintain connections to the rest of the bus and rail network. Capacity and travel patterns will be regularly reviewed, and services will be adapted accordingly, within the limits of available resources.

A particular focus will be required on services to the Magee campus and to the North West Regional College. A bus substitution service will be in place during any disruption to rail services on the Londonderry line. Those schedules have

not yet been finalised, but connections will be maintained.

The University of Ulster at Coleraine is directly served by the university halt on the Coleraine to Portrush section of the Londonderry line. That will be unaffected by the temporary closure of the line.

**Mr D McIlveen:** I thank the Minister for his response. Perhaps I can put my question another way. Last week, I spoke to a constituent, who is one of many to have described scenarios of up to 30 people standing on a train at peak times. One person was bruised when someone carrying a large bag fell into them, causing quite a considerable injury. Does the Minister agree that the time to consider the use of more carriages has long since passed?

**Mr Kennedy:** I am grateful to the Member for his supplementary question, and, of course, I extend my sympathy and best wishes to individuals who have been injured, in any way, as a result of their travel. In one sense, I am pleased to hear that increasing numbers are using rail services; that is a fact. That very good and welcome increase justifies my decision last week to phase the relay work on the Coleraine to Londonderry line. I will raise the provision of additional carriages on that particular section of line with Translink and reply to the Member in writing.

**Mr Doherty:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answers. Given that £27 million has been allocated to upgrading the line between Derry and Coleraine, will the Minister assure the Assembly that the work on the railway will be completed within the timescale projected by Translink?

**Mr Kennedy:** I am grateful to the Member for his supplementary question, which seems to depart somewhat from the subject of universities. Nevertheless, it is important and I am happy to address it.

The phasing of the work is such that it creates a rather narrow window of opportunity to get work done in time for much of 2013 UK City of Culture in Londonderry. All of those things are subject to the usual procurement arrangements. On behalf of my Department and Translink, we will do our level best to achieve the targets we have set out. We want to see those in place and meet their timescales because, I believe



genuinely, that the announcement we were able to make has been very warmly welcomed, not least in Londonderry. Last week, I had the opportunity to hear that first hand. It also sends a signal to those who are opposed, plant bombs in Londonderry and want to disrupt the lives of the people of Londonderry, that we will not be taken away from providing effective services and opportunities as we approach the UK City of Culture year, 2013.

**Mr Swann:** The March Budget ring-fenced a very significant part of the transport capital expenditure and only allocated moneys to the Londonderry rail line after 2013. Is the Minister surprised that Sinn Féin, which approved the Budget that delayed the rail investment to the university centres of Londonderry and Coleraine, initially had the gall to attempt to blame him for the delay in the upgrading of the track?

**Mr Kennedy:** Yes. *[Laughter]*

### Schools: Walking and Cycling

6. **Mr Douglas** asked the Minister for Regional Development whether he supports Sustrans' call for the forthcoming Programme for Government to include specific targets on increasing the proportion of children who walk and cycle to school. (AQO 551/11-15)

**Mr Kennedy:** I am a strong supporter of promoting active options such as walking and cycling, as serious alternatives for our young people as they make their way to and from school each day. My Department currently promotes walking and cycling to school through its Travelwise initiative and Safer Routes to Schools programme, which offers appropriate education and awareness resources, such as 'Best Foot Forward for Schools', for use in the classroom. To build on that important work, my Department has been working on an Active Travel strategy, which is being drafted under the guidance of the Active Travel Forum on which Sustrans is represented. I hope to issue the draft strategy for public consultation in the near future, and I confirm that promoting and increasing active and sustainable travel to schools will be a core part of the Active Travel strategy.

The Programme for Government is a strategic-level document, setting out the Executive's collective priorities and key targets. It will be for the Executive, collectively, to agree the level and nature of any targets. However, I expect

the Programme for Government to reflect our commitment and direction for transport.

**Mr Douglas:** I thank the Minister for his response. Minister, you were seen out in the summer on your bicycle. I am sure that you encountered some difficulties with the crossings. Are you willing to look at the criteria for those? A number of areas have had applications for crossings turned down.

**Mr Kennedy:** The Member is right. I was on my bike earlier this summer. Many people would like me to be permanently on my bike — and that is only within my own party, I suspect. *[Laughter]*

I will reflect on what the Member has said and write to him accordingly.

3.00 pm

## Social Development

**Mr Principal Deputy Speaker:** Questions 1, 6 and 10 have been withdrawn and require a written answer.

### Housing Executive: Unfit Properties

2. **Mr Frew** asked the Minister for Social Development for his assessment of the 4% of Housing Executive properties in the mid-Antrim area that are unfit for habitation compared to the average of 2.4%. (AQO 560/11-15)

**Mr McCausland (The Minister for Social Development):** Figures from the 'House Condition Survey 2009' in relation to unfitness indicated that in the mid-Antrim and Causeway Coast areas the level of unfitness across all housing stock was estimated to be 4% and 1% respectively. That compares with 2.4% across Northern Ireland, a figure which relates to all tenures and includes vacant dwellings.

The latest figures available on Housing Executive stock indicate that there are 29 voids in the Antrim district office, a void rate of 1.2%. That compares with housing association figures of one void property — void for over six weeks — in the Antrim council area. The opportunities that are presented by empty homes such as those are clearly not being taken. Turning empty homes into living assets is not only vital for those in housing need but would help to regenerate many run-down areas and provide a much-needed boost for the construction industry.

**Mr Frew:** I thank the Minister for his answer. Given the need that there is in north Antrim, mid-Antrim and the Causeway Coast, what action has he taken or is he about to take to bring empty homes back into use?

**Mr McCausland:** Despite the development and implementation of an earlier Housing Executive empty homes strategy, the actions taken proved ineffective, with no discernible progress made in bringing empty homes back into use. Since coming into the Department, I have made the issue a priority, and I am determined that the opportunity presented by empty homes across the private and the social sectors is maximised to meet social housing need, as well as assisting to reduce blight and helping to tackle antisocial behaviour issues.

A working group has been established. The first meeting is scheduled for 21 October 2011. That group includes representatives from the Housing Executive, the Finance Department's Land and Property Services and officials from my Department's housing and urban regeneration directorates. Under the group's stewardship, the Housing Executive's new draft empty homes action plan will be further developed to ensure that the activities in it are properly focused and reflect best practice elsewhere. Clear, outcome-based targets and timescales will be set for each stage of the action plan.

**Mr Kinahan:** The Minister touched on the problems in Antrim, although I wonder which parts of his answer relate to south Antrim. What factors are there behind the unfitness of housing in that area?

**Mr McCausland:** There are a number of factors, but I suggest that the main issue is that, over a number of years, the maintenance of properties has not been given the required priority. It was, in effect, de-prioritised. I get calls from across constituencies in various parts of Northern Ireland from elected representatives and from community workers who say that the situation in their area is unsatisfactory. That has been my experience in my own constituency. We need to put a focus back onto maintaining the social housing stock, particularly Housing Executive properties. Most of the housing association properties are newer.

With older properties in particular, it is that issue of maintenance. When a property is let sit and work is not done, it becomes unfit through issues such as dampness. In other

cases, difficulties may arise because of current standards, for example, on kitchen size. Houses built a long time ago might not meet those standards. There is a lot of work to be done, and we are making empty homes and maintenance priorities in my Department.

**Mr Eastwood:** What action does the Minister's Department intend to take to improve conditions in multi-occupancy homes in Foyle, given that over half of them failed to meet house in multiple occupation (HMO) standards in 2010-11?

**Mr McCausland:** HMOs in the private rented sector clearly need to be regulated. Sufficient attention has not been given to that matter, but we are working on it. The Member will be aware that we are bringing in a register of private landlords. There will be a process linked to that of trying to improve standards in the private rented sector. However, we particularly need to get on top of finding out who the landlords are.

The issue of HMOs affects not just Foyle but other areas, and it creates imbalances in the housing market. If, for example, we were to improve the standards of HMOs — I am sure that there would be a resultant increase in the rents charged for some of those houses — we might address some of the difficulties experienced in areas, particularly in parts of Belfast, where there is antisocial behaviour and where there are problems associated with HMOs.

### Housing Executive: Frozen Pipes

3. **Mr Irwin** asked the Minister for Social Development if the Housing Executive has plans in place to ensure that the mains water pipes within its properties are suitably lagged and that tenants know where stop valves are located to prevent damage if sustained sub-zero temperatures are experienced this winter.

(AQO 561/11-15)

**Mr McCausland:** As a result of the unprecedented weather last winter, a considerable amount of work has been undertaken to ensure that Housing Executive staff and their contractors will be in a position to respond effectively and speedily if there are severe weather conditions this winter.

Housing Executive heating contractors are currently checking that all water pipes are properly insulated when they visit properties to carry out planned servicing to the heating systems. Any missing or damaged pipe insulation

will be replaced at that time. That will see improvements to 3,800 properties.

The Housing Executive's annual magazine for tenants, 'Housing News', will be issued towards the end of this month and will include a full page of guidance on how to avoid burst pipes, deal with frozen pipes, deal with burst pipes, find the stopcock in a property and what to do if there is no water. A further advice leaflet from NI Water will also be included with the magazine. I have already held a dedicated meeting with the Housing Executive to review preparations and response plans.

**Mr Irwin:** I thank the Minister for his reply. The Housing Executive was criticised over its telephone communications last year. Has anything been done to improve that?

**Mr McCausland:** I assure the Member that a number of actions have indeed been taken to address that, including enhancing the pool of staff resources willing and able to respond to an emergency across the Province. A review has been undertaken of the triggers that provide a warning of a potential emergency, such as the volume of calls coming into their customer service unit and the number of calls not being answered. To facilitate use by emergency services, public representatives and community representatives, a priority call-handling system of silver numbers is now in place. The Housing Executive holds contact numbers for all contractors who cover normal working hours and after-hours. Those numbers provide round-the-clock contact details.

**Mr Byrne:** Can the Minister say whether there will be closer co-operation between Northern Ireland Housing Executive officials and NI Water (NIW) officials at a local level? A lot of problems arose last year because operational staff at NIW did not know where the stopcocks in properties where.

**Mr McCausland:** As I said at the end of my answer to the previous supplementary question, I recently met the chief executive of the Housing Executive, and we spent a considerable time covering a wide range of issues. Indeed, I think that we covered nearly all of the issues that could arise. That issue was one that we talked about. We need a good level of co-operation between the Housing Executive and NI Water, and I was assured that that exists.

**Ms Lo:** During the last freeze, many of my constituents in South Belfast, particularly in the Markets area, said that they could not find a stop valve and that, if they did locate one, they found that the handle of the valve had been taken away or had never been fitted because of lack of space in the cupboard. Can the Minister assure us that Housing Executive engineers will replace those handles before the next freeze?

**Mr McCausland:** As I indicated, the Housing Executive is sending out information in its next edition of 'Housing News'. That will go out towards the end of this month, which is in a couple of weeks' time.

The issue of stopcocks is identified in that. If a tenant, having received a leaflet and read it, has gone and looked for the stopcock to ensure that he or she knows where it is, and cannot find one, I assume and hope that he or she would then contact the Housing Executive to ensure that one is installed. Certainly, if I were in one of those properties and I searched for and could not find a stopcock, that is the first thing that I would do. I am sure that the Member would encourage tenants to do the same.

**Mr Beggs:** I am aware of constituents' concern about the levels of insulation in some Northern Ireland Housing Executive homes. When levels are poor, heat escapes. Pipes and, indeed, tenants become more vulnerable. When will all Northern Ireland Housing Executive homes' insulation be upgraded to modern standards?

**Mr McCausland:** The Member will be aware of recent comments that I have made on the installation of double glazing in all Housing Executive properties. The current situation is that 60% of Housing Executive properties do not have double glazing. Only 40% do. In some constituencies, including my own, the figure is higher. In North Belfast, it is 70%. In some areas, it is a little lower.

Part of the double glazing programme that will be rolled out will involve improvement and enhancement of insulation levels. The two need to be done together. The fact is that under the Executive's current proposals, it will be another decade before that is fully completed. That is because over quite a number of years, double glazing, maintenance and insulation of existing properties was deprioritised. We are reprioritising that. At present, I am looking to work with the Housing Executive and speak to those who have their hands on the purse strings

to see what we can do to ensure that additional money is made available to complete that programme within a shorter period. I will not be specific about that today. It is our priority. I am sure that it is one that the Member shares. I am sure that he would agree that it is disappointing that that work has not been done in the past.

## Sunday Trading

4. **Mr Sheehan** asked the Minister for Social Development to outline why he has decided not to make any changes to Sunday trading laws.  
(AQO 562/11-15)

**Mr McCausland:** The Member will be aware that earlier in 2011, my predecessor, Alex Attwood, published a discussion paper on Sunday trading. The tone of the paper was very much on extending Sunday shopping hours to boost the local economy and promote tourism. However, there is no firm evidence that deregulation would bring economic benefits. There was considerable interest in the consultation. More than 500 responses were received, including the views of 61 organisations. Analysis indicates that opinion on the contentious issue of Sunday opening remains divided. When introduced, the current law was regarded by those who introduced it as a reasonable compromise between strongly held and competing views.

**Mr Sheehan:** Go raibh maith agat. Is the Minister satisfied that all relevant stakeholders have been consulted, particularly the workforce? Will he confirm that there is no significant demand for Sunday opening outside designated hours?

**Mr McCausland:** The Department's consultation list is extensive and runs to many pages. Of course, the Union of Shop, Distributive and Allied Workers would be contacted with information and encouraged to respond. It is fairly clear that it is in workers' interests to have some protection. I was, therefore, pleased to read in the 'North Belfast News' on 4 December 2010 that that particular newspaper made the point that the latest campaign by the then Minister for Social Development to extend Sunday opening hours for retailers was one that he had got wrong. I do not always agree with the 'North Belfast News'. However, I did on that occasion. It said that the Tescofication of communities is not to be welcomed and that what is important is to protect the difference that Sunday brings in the weekly calendar:

it should be a day for family, relaxation and recreation. In the paper's view, the present system gets that mix right. It believes that the idea that longer opening hours will boost the economy is a myth; it would simply displace on-the-road shopping to the big supermarkets. It said that the Minister should think again. Well, there is a different Minister now. I have looked carefully at the responses. We will consider what to do in the future.

## 3.15 pm

**Mr Campbell:** Has the Minister had an opportunity to examine the consultation process and the response to it? Has he drawn any conclusions from that and learned any lessons for the future?

**Mr McCausland:** The tone of the discussion paper that was sent out was very much on liberalising opening hours. Indeed, many people complained that the consultation did not allow them to express a contrary view. The purpose of the discussion paper was to stimulate debate on Sunday trading; it was not a referendum on change. However, having looked at the figures and the responses that have come back, it is clear that there is no great demand for an extension of Sunday trading and the strongest view is against any extension. Therefore, the issue that the previous Member raised about the interests of workers and the concern to preserve the opportunity for a family day obviously weigh heavily in people's minds, and I am encouraged by that.

**Mr Nesbitt:** If the Minister agrees that the social economy is a key lever to rebalancing our economy, does he have any leeway to offer any opportunities to the not-for-profit sector in that area?

**Mr McCausland:** I am trying to work out the connection between the question that the Member asks and the subject that we are dealing with. We are dealing with the issue of the Sunday opening laws as regards the trading hours of shops. That is a matter that I dealt with, and I wish that the Member could bring some clarity to his question, because, quite frankly, it baffles me. I do not know what he is talking about, but maybe he does not know either.



## Child Poverty

5. **Mr Lunn** asked the Minister for Social Development to outline his Department's contribution to combating the high level of children living below the poverty line.

(AQO 563/11-15)

**Mr McCausland:** Although the Office of the First Minister and deputy First Minister (OFMDFM) has lead policy responsibility for tackling child poverty, I believe that my Department has a major operational role to play. Indeed, my Department has responsibility for a number of key initiatives aimed at tackling poverty in our most disadvantaged communities and supporting those most in need. Those initiatives include: raising the standards of housing available for young people and families in the private-rented and social housing sectors; tackling fuel poverty in the most vulnerable households through our fuel poverty strategy; and taking forward the neighbourhood renewal strategy. However, for the vast majority of people who can work, being in employment is the best possible option for escaping poverty and being able to play a full role in society.

At the centre of my Department's approach to tackling poverty is implementing universal credit as part of the welfare reform agenda, with its focus on helping people to escape the benefit trap, supporting those who can work into work and making work pay through a reformed system of income disregards.

Although we are facing difficult economic times, we must give everyone the opportunity and support necessary to participate in our economy. Indeed, if we are to be successful in tackling poverty, we must maximise the potential for disadvantaged families to benefit from economic growth in the future. In addition to the areas mentioned, my Department will continue to engage in discussions with Executive colleagues on areas of mutual interest in relation to poverty. I will work closely with Executive colleagues to deliver funding through the social investment fund and the social protection fund, which are targeted at breaking the cycle of intergenerational poverty.

**Mr Lunn:** I thank the Minister for a very full answer. He has just about covered everything that I wanted to ask him. However, will he confirm that he is satisfied that his Department is making every possible effort to ensure that the parents of children in that situation have

access to their benefits and know exactly what their potential benefits are?

**Mr McCausland:** I assure the Member that there is an extensive system of advice-giving across Northern Ireland. Some of the areas of advice are funded through Minister Foster's Department, and some are funded through my Department, but whether it be general advice-giving, financial advice-giving, advice about mortgage difficulties or housing advice, all those things impact many of those families, and we are certainly doing all that we can.

I think that there is a very good advice service delivered in Northern Ireland. Whether the Social Security Agency, through its advertising, makes people aware of changes to benefits or situations that might arise, or whether it is the general advice service, we are certainly keen to ensure that people take up the benefits to which they are entitled.

**Mr A Maskey:** Go raibh maith agat, a LeasCheann Comhairle. The Minister referred to the proposed welfare reform programme. Does he share the concerns expressed by all members of the Committee for Social Development that many elements, not only of the Bill that is due but of the British Government's current welfare reform programme, may well cause more difficulties, particularly for young children who are vulnerable and living below the poverty line?

**Mr McCausland:** I thank the Member for drawing the distinction between different elements of what is called welfare reform. The universal credit element, which seeks to remove the benefit traps and encourage and facilitate people going back to work, because they would otherwise lose out, is to be welcomed. In fact, that will cost Westminster. It is the elements that were put in to save money that give cause for concern. There are certain elements of the overall package that give us cause for concern, but other elements of it are positive, and it is important to draw the distinction between the two.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answers. How does the Minister intend to prioritise the provision of childcare to support parents getting back to work and, therefore, bringing their children out of poverty?

**Mr McCausland:** That issue is not specific to my Department; it is a cross-departmental issue,

because it has an impact on the Department for Employment and Learning, through getting people on to work programmes, and so on, and OFMDFM is also involved with it. The Department for Social Development also has a role, I suppose.

I assure the Member that there is no doubt that we have to focus on the growth of the childcare sector over the next while. When I spoke to Lord Freud, he was surprised that childcare in Northern Ireland was at such a lower level than it is in Great Britain. I understand that £3 million is available for childcare this year, and £12 million in total is being directed towards that by the Executive. However, we need to make sure that, as we go down this road of welfare reform and encouraging people back into work, the necessary support for childcare is available.

**Ms Lewis:** What is the Minister's view on the criteria for defining poverty?

**Mr McCausland:** The fact is that there is no single definition of poverty that has universal acceptance. There are inherent problems and dilemmas in trying to define poverty and how it relates to similar concepts, such as social exclusion or multiple deprivation. Definitions generally make a distinction between absolute poverty and relative poverty. The former is generally a measure that remains fixed, while the latter changes over time as societies develop and grow more prosperous. The terms "poverty", "social exclusion" and "multiple deprivation" are sometimes used interchangeably, but they are not necessarily synonymous. It is useful to think of poverty as a measure of low income, and social exclusion and multiple deprivation as having a broader definition that encapsulates some of the wider causes and consequences of poverty, such as unemployment, low educational qualifications, poor health, high crime rates, and so on. I do consider, however, that we should be focusing our help and resources on those who are most in need, so I am considering how we might better target our efforts to tackle fuel poverty to support those most at risk.

**Mr Agnew:** The Minister mentioned how tackling child poverty is a cross-departmental issue. He also mentioned the constrained financial times. In the light of that, does the Minister agree that we need to get Departments working together on the issue and that a statutory duty on them

to do so would be helpful to ensure the most efficient use of resources?

**Mr McCausland:** Co-operation across Departments is essential on a wide range of issues; child poverty is obviously one. I do not disagree with that at all, and I do not think that any other Member would disagree. The more co-operation we can achieve across Departments, the more successful we will be in tackling this and a range of other problems. The Member makes a valid point that no one could disagree with.

### Social Housing: North Down

7. **Mr Dunne** asked the Minister for Social Development how many social housing sector homes in the north Down area are without double glazing and adequate thermal insulation.  
(AQO 565/11-15)

**Mr McCausland:** The information is not available in the format requested, as the Housing Executive has not collated those details by area. However, I can advise that approximately 60% of Housing Executive stock across Northern Ireland does not have double glazing. The Housing Executive has included a number of window-replacement schemes in its planned maintenance programme for this financial year, which will see work carried out to over 3,200 homes across Northern Ireland. In addition, the Housing Executive's objective is to double-glaze all its properties by 2021. I am bidding for additional funding in the October monitoring round to enable the Housing Executive to replace single-glazed windows with double glazing, as well as additional insulation measures to improve the thermal efficiency of individual homes.

Much housing association stock already has double glazing, and most associations have advised that they intend to replace any remaining single-glazed windows with double glazing in their planned programme of works. The Housing Executive estimates that the vast majority of its properties already have some cavity-wall and roof-space insulation. Insulation and double glazing are small but significant parts of addressing the problem of rising fuel costs. I want the housing budget to have a balanced approach between the provision of newbuild housing and the maintenance of existing stock.

**Mr Dunne:** Does the Minister agree that this is an energy efficiency issue that needs addressed to help to reduce fuel poverty?

**Mr McCausland:** I agree with the Member entirely. We are faced with problems of fuel poverty as the cost of fuel rises. Therefore, one way to minimise the impact on families is to have energy efficient homes in which the fuel purchased brings lasting benefit. As I said, the Housing Executive has 3,200 window-replacement schemes in its planned programme for this year. However, we are bidding for more money to do additional work.

In addition, the Housing Executive has developed a maintenance investment strategy for 2011-16, which includes having all its properties double glazed by 2021. The cost of the window-replacement scheme is in the region of £2,284 per dwelling. We need the money, and I am bidding for the money to do the work.

**Mr Cree:** The Minister referred to the difficulties in conducting an audit of energy efficiency in houses. When that is complete, is it the Department's intention to introduce efficiency rating numbers — they used to be called SAPs — so that everyone will know the energy efficiency of a particular home?

**Mr McCausland:** Much as it would be desirable to have those, I would prefer the staff to focus on getting the work done. In Northern Ireland, we have a tendency to measure things all the time to see whether they are up to a certain standard of a, b or c. However, the priority should be to get Housing Executive staff to target getting the work done, because people are crying out for it to happen. They have waited so long, and we do not want them to have to wait any longer. I agree that it is desirable to have some standard, but getting the work done must be the priority.

**Mr Dallat:** Does the Minister agree that one excellent way of reducing fuel poverty would be to replace the tens of thousands of clapped-out boilers in the homes of people on low incomes? Will he consider widening the criteria, which are extremely restricted at the moment?

**3.30 pm**

**Mr McCausland:** I must say that I am disappointed that the Member is so critical of the performance of the two previous Social Development Ministers. I will be looking for him

to get his knuckles rapped. I am glad to see that the current leader of his party is all for rapping knuckles, and we will be right behind her in that.

The fact is that the boiler replacement scheme is a pilot scheme that we have introduced alongside the warm homes scheme. The results of that will be reviewed, and we will then decide on a permanent resolution. It is important to run pilot schemes to see how a thing works out, because we are moving into new territory there. It has been helpful to many people, and we want it to be helpful to many more. We have made a recent adjustment to the scheme, and I am sure that when we get the review completed we will be in a much better position.

**Mr Dallat:** That is a better answer.

**Mr McCausland:** But the first one, I am sure, was much more entertaining.

# Private Members' Business

## Rural Schools

*Debate resumed on amendment No 1 to motion:*

*That this Assembly expresses concern at the potential impact of the statement by the Minister of Education on 26 September 2011, particularly on the future of smaller rural schools; notes that schools are at the heart of rural communities; further notes the particular access requirements of rural communities to education; and calls on the Minister of Education to ensure that decisions on the future of rural schools are fully measured against rural standards and proofing. — [Mr McDevitt.]*

*Which amendment was:*

After second "education;" insert

*"believes that shared and integrated education could provide alternatives to school closures;" — [Mr Lunn.]*

**Miss M McIlveen:** I beg to move amendment No 2: At end insert

*"and that there is equity of treatment between the controlled and maintained sectors."*

I thank those who tabled the motion for bringing this important issue to the Chamber. Mr Lunn has requested clarification of our amendment. Although I had an opportunity to speak to him during Question Time, I will put it on the record for the House.

No one can dispute that there are two main sectors that educate our children — the controlled sector and the maintained sector. We do not want this to be a sectarian headcount, because that is not what our amendment is about. It is to address what are perceived to be historical inequalities in the treatment of the two main sectors. That said, in hindsight, perhaps a more appropriate wording — a wording that the Member for Lagan Valley might have preferred — would have been to call on the Minister to ensure that there is equity of treatment across all sectors.

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

The position of rural schools was a matter that I raised at the time of the Minister's statement. He, like many of us who represent a rural constituency, should be aware of the importance of rural schools and of how the use of enrolment figures does not tell the whole story

of their huge importance to a community. Like many issues in education, the treatment of rural schools is a hardy perennial, but it is once again given prominence due to the Minister's recent announcement. Although I appreciate that rationalisation of the schools estate is needed — that issue was raised by my party many times during the last mandate of the Assembly — there is concern about how the viability audit was announced.

The Minister spoke of 85,000 spare school places and of how one third of our primary schools had fewer than 100 children and one fifth of our 217 post-primary schools had fewer than 400 pupils, all of which is factual. He then went on to say that it was not simply a numbers game, insisting that schools would be measured against the six principles of the sustainable schools policy. The Minister did not elaborate on what those six principles were, either in that statement or in the press statement released on the matter. That is not so much of an issue for those of us involved in the Education Committee and others who are aware of the sustainable schools policy, but, for the wider public and, in particular, the media reporting on the proceedings in the Chamber and those who received the Minister's statement, the focus will inevitably be on the numbers game. That naturally led to one of the newspapers in my constituency printing a list of the schools in the area that fell below the numbers referred to by the Minister in his statement, with particular focus on Ballykeigle Primary School in Killinchy, Comber, which was referred to by Mr McDevitt as having the sword of Damocles hanging over it. You can imagine the concern for parents of pupils at the school, not to mention the teachers, that such a report can cause. It was entirely foreseeable that such a report would result from the statement. It causes immense instability in schools with concerns about their future. Is it possible that, when issuing the statement, the Minister could have foreseen headlines such as that in the 'Down Recorder' on Wednesday, which referred to 40 small schools on a hit list for closure? Those 40 small schools are under SEELB control. The Minister denied to the Committee that such a hit list existed, and I would be grateful if he would repeat that on the Floor of the Chamber today. Despite those protestations, my understanding is that letters are being sent out by the commissioners of the South Eastern Education and Library Board to a number of schools before



the viability audit even begins. That being the case, how can we be assured that the audits have not already been predetermined and will be carried out in a fair manner, taking into account all relevant factors, including rural proofing?

The problem with stoking up press speculation, which is a particular difficulty for rural schools and can become the focus of a local paper's reporting, is that such speculation can become a self-fulfilling prophecy. That is why the Minister needs to choose his words carefully. It is almost inevitable that some parents will remove their children from smaller schools that, they feel, are under threat of closure, thus making the school's future even less certain. I hope that this debate brings some clarity to the issue and that the Minister can stress that numbers are not the only factor and explain to parents and those who are following these proceedings what other factors will be taken into consideration with regard to rural schools when everything else comes into play. I also hope that, when he talks about the six principles of the sustainable schools policy, he does not simply recite them but explains what is meant by them to those who are potentially affected and those already affected by his previous statement. I refer to phrases such as the quality of the educational experience of children, enrolment trends, financial provision, school leadership, management accessibility and the strength of a school's link to the community. Those phrases can mean different things to whomever wishes to interpret them. After so much uncertainty, it would be helpful if some certainty could now be given.

Rural schools, despite having smaller numbers, are more often at the heart of a community and are key to its identity. Generations of the same family will have attended them, and, in some cases, they give a community its identity. In a previous debate on rural schools, I mentioned the controlled sector school in Pomeroy that is under the control of the Southern Education and Library Board. It is the only non-denominational school in the area and is where many of the Protestant families in the area send their children. It falls a long way below the Bain criteria, but it gives the minority Protestant community in that area the opportunity of sending their children to a school that meets their needs and requirements. The fear, as I outlined previously, would be that, if such a school closed, those families would move from the area to be nearer a controlled sector school.

It is conceivable that that would be equally true for minority Catholic communities. It is a complex and sensitive issue that needs a co-ordinated and mature approach.

It is important that, as the audits are undertaken, there is equity of treatment among those taking part. One of the criticisms levelled against CCMS, for example, is that, when it prepares reports, they are not all-encompassing but focus only on Catholic maintained schools and do not take cognisance of other provision. In recent times, the controlled sector has borne the brunt of closures, with 31 schools closing and six amalgamations in the past five years, while the maintained sector has closed only nine schools. It is important that the sectors work closely together for the good of education in Northern Ireland as a whole and do not pursue narrow sectoral protectionism.

It is important that the sectors work together to carry out the audit, but in doing so it is equally important that the CCMS, the education and library boards and the Department of Education consult and seek the views of principals, teachers, other staff, parents and the wider community. All factors and views must be taken into consideration when assessing the viability of a school, particularly in a rural context, and, in order for that to be done, those immediately affected must be part of that process. Only then can the full importance of a school be appreciated in the context of rural proofing. However, the carrying-out of the review should not stop with the CCMS and the education boards: all sectors should come into the reckoning. It is unfair and inequitable that other schools should enjoy protected status and drain resources from mainstream schools whose pupils suffer as a result.

The Alliance Party's amendment talks about shared and integrated education providing alternatives to school closures. The DUP wants to see a day when there is a single education sector in Northern Ireland, but it must take place as the result of a restructuring of education in Northern Ireland and not in the form that it takes in the current integrated education framework. It is necessary that the viability audits form part of a wholesale review of education provision in Northern Ireland, with a view to the ultimate unification of that provision and an end to the benign apartheid that was referred to last year by my party leader.

In conclusion, I repeat my call to the Minister to assure the House that the viability audits are not predetermined; that they will be fully rural-proofed; that a full explanation can be given to those who are following these proceedings about what is being taken into consideration in that regard; that close co-operation between sectors will take place during the audit; that key representatives from potentially affected schools will be consulted; and that any resulting decisions will be just, fair and equitable among the sectors, thereby ensuring that no sector is favoured over another.

**Mr McKay:** Go raibh maith agat, a LeasCheann Comhairle. I very much welcome the opportunity to speak to the debate. Rural schools play a very important role in rural communities such as the one that I come from. It is important to change the direction and narrative of the debate. Numbers have been bandied about and thrown into newspaper stories and so on. That is not entirely helpful. As constructive politicians, we need to ensure that the discussions in the Chamber are about the policy and how it will be implemented. If other politicians disagree, that is fair enough.

The Minister made a statement and outlined where we stood with the numbers in schools. As other Members have pointed out, the Minister said:

*"the sustainable schools policy is not simply a numbers game, and schools will be measured against the six principles of that policy."* — [Official Report, Bound Volume 66, p260, col 2].

As Miss McIlveen outlined, those principles are quality educational experience; sustainable enrolment trends; sound financial position; strong leadership and management by boards of governors and principals; accessibility, which is very important in the context of this debate; and community links. I was concerned by the contribution to that debate of the proposer of today's motion the Member for South Belfast who said:

*"A total of 380 schools face the axe."* — [Official Report, Bound Volume 66, p265, col 2].

Clearly, that is not true.

**Mr McDevitt:** I do not want the Member to mislead the House accidentally. I said that, if you do the numbers that are buried in the Minister's statement, the number of schools was 350, not 380. I am sure that the Minister

will not fall out with me over 30 schools. I did not make up that number; it was buried in the Minister's figures. That is the number of schools that fall below the sustainability threshold that is set out in the sustainable schools policy.

**Mr McKay:** I thank the Member for his intervention. That was a quotation that I took this morning from Hansard. It is opportunistic and irresponsible of the Member, and it is scaremongering. One of those schools is on Rathlin Island, which is in my constituency. Numbers and accessibility will be considered for Rathlin. We can have an understanding of how that will be considered under that policy. I do not appreciate the issue of the Rathlin school being raised in the Committee for Education. It obviously plays to people's emotions and gets them concerned about numbers of schools, when, as responsible politicians, we need to outline what the policies are. If Members disagree with them, that is fine, but they should not pretend that the policy is something that it is not.

The Bain report of 2006 showed that we have inherited a pattern of provision that is educationally and financially unsustainable. We have to deal with that to raise standards and improve the quality of education for our children. We have to put children first, not buildings, bricks or mortar. Trevor Lunn made a very measured contribution. Things are changing in the estate. St Aloysius's High School used to be in Cushendall in my North Antrim constituency. It closed, and many of its pupils went to a new school, St Killian's College, and some pupils came to it from Larne. That was a very successful amalgamation. I am sure that Michaela Boyle will refer to Strabane, where there have been controlled and maintained amalgamations. The sky did not fall in, so there are a lot of opportunities for successful amalgamations as a result of the policy. The work is not going to start in 2012; it has, quite clearly, started already. If Members study the policy, they will see that it contains a section on rural issues. It recognises that schools are at the heart of rural communities, as is stated in the motion. The policy refers to the Rural Development Council's report, 'Striking the Balance'. That is on page 28 of the policy, and Members may like to refer to it. The sustainable schools policy covers the concerns that are listed in the motion.

The debate is worthwhile. Rural schools are of concern to many Members of the House and members of our communities. We need to have that debate in a constructive way and based on the policies that are in front of us. We have to address the issue of 150 empty schools. We have to raise the standards of our schools and ensure that rural proofing is at the heart of that.

**3.45 pm**

**Mr McNarry:** I refer the House to last week's headline in a rural newspaper, the 'Down Recorder', which we have to pay attention to and deal with. The headline highlights that 40 small schools are on a hit list for closure, and the journalist's report relates to that headline by quoting a local principal saying that SEELB officers already have a hit list of schools that are earmarked for closure. The report states that he said that many teachers felt "demoralised" and uncertain of the future of their school. He said that jitters have spread across the rural school community and warned that the review could spark:

*"unprecedented industrial action involving principals and teachers."*

He concluded that principals are:

*"sensing that small schools are going to be targeted regardless of their reputation and standards".*

He asked:

*"how can you provide better education when you are going to kill off small schools?"*

I suspect that the "you" referred to by the principal is, ultimately, the Minister. Therefore, I suggest that the Minister responds to that report accordingly.

We all know that rural schools offer more than simply seats at desks. They deserve better than to be put in a position of threat, rather than protection. During the past number of weeks, I have been delighted to visit rural primary schools across Northern Ireland in places as far apart as Dungannon and Comber in my capacity as a judge in the primary schools gardening competition that has been personally sponsored by my esteemed colleague Sam Gardiner. I have been deeply impressed at first hand by the quality of the overall educational experience that is enjoyed by the children in those schools, the enthusiasm of the pupils, the way that the

pupils are engaged in what they are doing and the dedication and professionalism of their teachers and other staff.

There is one key aspect of the future of our primary schools that the central planners at the Department of Education, driven by their own budgetary deficits, fail to see all the time: the centrality of those primary schools to the life and survival of our rural communities. It is no exaggeration to say that, when you close a local primary school, you close down a community with it, draining it of all its life and vigour. In effect, you sentence that community to nil growth. At the very time when we hear and know that modern technology is making viable the survival of relatively small communities, the old-fashioned, ponderous thinking of the Department of Education, which I know this Minister will change, perseveres to rend those communities apart by closing their central asset — their local primary school.

There is a problem with premature school closures. Why should any of this happen before the boards and the Department itself are reorganised? Surely, they should rationalise themselves and their costly support services before they begin to butcher rural schools. No one, least of all me, denies the need for maximum efficiency in the deployment of resources. What is open to question is the process that we are engaged in to achieve that. Boards appear to be jumping the gun, with or without the tacit support of the Department, and school closures are being determined ahead of the audit that the Minister has announced. That is the perception among the public, and that is the perception of the principal in the report in the 'Down Recorder' that I mentioned.

One thing that I am sure of is that the premature race to close schools will tear the heart out of many rural communities and will do so at a time when we need to look upon schools as a resource that is welded into local communities and not simply as educational institutions that are run by a Department that is making what passes for an educational policy on the back of its budgetary deficit. This is not about money but about communities.

**Mr Storey (The Chairperson of the Committee for Education):** I will make a few initial comments as the Chairperson of the Committee for Education. Following the Minister's statement to the House on 27 September,

he came to the Committee. In a wide-ranging discussion, he set out the six criteria in the sustainable schools policy: quality of educational experience; sustainable enrolment trends; sound financial position; strong leadership and management; accessibility; and strong links with the community. I concur with my colleague Michelle McIlveen's comment that we have a task in hand to translate all six criteria to the community, because people do not fully comprehend their implications. Among other issues, Committee members expressed their concerns about the relative vulnerability of small rural schools; the Minister's openness to proposals for the amalgamation of schools from different sectors; and the need to ensure that all sectors participating in the viability audits and area planning will do so on a level playing field. Obviously, this is an issue that the Committee will return to over the coming weeks and months.

I will now make some comments as a Member. Franklin Roosevelt said:

*"The school is the last expenditure upon which America should be willing to economise."*

There is no doubt that the current debate has been fuelled by media hype and by fears that are genuine, not merely perceived. There is a genuine concern about the future of our rural schools.

I ask the Minister to clarify why we started with the post-primary sector. Any logical and coherent consideration of the situation would refer to the primary sector in Northern Ireland. I suspect that the reason for the omission is on the map that I have in my hand. Should Members take the time to consider the map, they will see that it clearly shows a myriad — there are dozens — of primary schools that fall below the criteria set out in the Bain report and the sustainable schools policy. That brings me to the point made by SDLP Members. They talked about federations, joint management and imaginative local solutions. Can Members from the SDLP or Sinn Féin give one example of an imaginative scheme that has lasted over the past 10 years and involved an amalgamation or federation with another sector that is outside the maintained sector? That is the difficulty. We can skirt round it and try to dress it up.

**Mr McDevitt:** I am glad that Mr Storey raised that issue. In my opening remarks, I made the point that there appears to be a legal

impediment to achieving that outcome. That is certainly the view of many who are in positions of governance. There is a great duty on the House and the Committee to explore those legal barriers, if they exist. That is my understanding of the situation, and that is why we are not able to progress as we should.

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

**Mr Storey:** If there is a legal impediment, why have schools in the controlled sector gone through the transformation process but those in the maintained sector have not? The huge reluctance on the part of CCMS to become involved in open dialogue on the future of education has been a poison at the centre of progress for educational provision in Northern Ireland.

The Minister must fulfil his commitment to the education sector. When he came to the Committee, he made his position clear:

*"I asked both bodies to go into the same room and work on this at the same time to ensure that we achieve exactly what you have requested".*

If I read his words correctly, the Minister made that clear. However, I ask him to clarify whether the terms of reference have been agreed and tell us whether the exact grounds on which the viability audit will be conducted are known. The reality for many schools is that the aggregate schools budget has been slashed. There have been decisions by boards of governors — I declare an interest as a member of the board of governors of the Model Integrated Primary School and Ballymoney High School— and those boards of governors and many more whose members are in this Chamber and beyond face difficult and dire situations. The issue will not be whether they survive under the viability audit but whether they survive under the financial audit. That is clearly a concern. Look at the debt we have in our primary schools and post-primary education system. Those issues are critical and severe.

I also come to an issue that I think —

**Mr Allister:** Will the Member give way?

**Mr Storey:** Yes, I will give way.

**Mr Allister:** On the concern that financial viability is one of the touchstones in the viability audit, does the Member share the concern



about how one completes that financial viability in advance of completion of the review —

**Mr Deputy Speaker:** I am sorry. The time is up.

**Mr Allister:** — of the funding of schools?

**Mr Deputy Speaker:** I am sorry, the time is up. Would the Member take his seat? I am sorry, the time is up. Members have to —

**Mr Storey:** I will write to the Member. *[Laughter.]*

**Mr Deputy Speaker:** Members need to take great care when it comes to near the end of their time.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I, too, welcome the opportunity to speak on the motion. I quote from the Minister's address to the House on 26 September. His opening remarks were:

*"We must prioritise the needs of children over institutions and make sure that it is the needs of all our young people that are to the fore." — [Official Report, Bound Volume 66, p260, col 1].*

In order to do that, we cannot ignore the fact that the enrolment figures tell us that there are 85,000 empty places in our schools. We need to deliver change, and, in doing so, we need to focus on strategic planning and reorganisation of the schools estate. We have schools that struggle to give children the education that they deserve and are entitled to receive. It is of equal importance that children in rural areas have access to a good standard of education. We need to recognise that there are schools failing in that, and that problem needs to be addressed and resolved.

The managing authorities are now tasked with conducting a viability audit to identify schools that are finding it difficult to remain viable. Like any audit, that audit needs to be monitored, and, in determining the outcomes such as clustering, amalgamation or even closure, all that needs to be done in an open, transparent and fair way. The educational, economic and wider community needs to be listened to. Collaboration and amalgamation may well be the only answer for some schools. In my constituency, we have great examples of schools amalgamating. Most recently, St Mary's Girls' Primary School and St Mary's Boys' Primary School in Strabane amalgamated, and I congratulate them on that. The Education Committee is paying a visit to Strabane at the

end of the month to see how that amalgamation is working.

Some schools face challenges in providing the full curriculum and what schools can offer to our children. Those challenges are more evident at a time of falling enrolments. For any school, rural or urban, that is experiencing difficulties there is the intervention process of the inspectorate, and mechanisms are in place to support those schools. However, a balance needs to be struck between long-term sustainability and schools that are no longer viable.

We need to pay particular tribute to parents, principals and boards of governors in rural communities for their contribution, hard work, dedication and commitment and for the leadership that they show in rural schools, churches and wider community by ensuring that the vibrant role of the school remains at the heart of their rural community.

Small rural schools provide much-needed employment within the community, and that has to be acknowledged. Co-operation and collaboration between small rural schools improves capacity to provide a range of comprehensive extended services. There is evidence to suggest that those formal collaborations can create a climate of innovation that improves schools' capacity to seek new solutions to established problems.

#### 4.00 pm

Education has been and always will be essential to the success of any society, and it is vital to the future well-being of our children. Therefore, it is vital that we have an input on how our education system is managed. Whether we are a politician, a parent — or both — a member of the education system or, just as importantly, a member of our local urban and rural community, we have a vested interest in the success of our society, and we cannot be complacent with our education system. We all have a responsibility to ensure that it becomes a world-class system, and we must ensure that we work together to achieve that. As politicians, we can have a positive effect on doing so.

I want to conclude by referring to comments from a Member who spoke previously and to Members' scaremongering about the closure of schools. In one statement, it was stated that the Minister's vision was to close 45 schools

in west Tyrone and that the Department and the Minister are working together to wreak havoc within our school estates. Those types of comments only serve as scaremongering —

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

**Ms Boyle:** — and do not reflect what is in the sustainable schools policy.

**Mr Buchanan:** I support the amendment proposed by my party. The potential school closures that will undoubtedly result from the review announced by the Minister on 26 September are concerning for many parents, teachers and pupils as well as communities in a rural environment because numbers will obviously play a central part of any decision as to whether to keep a school open or to close it. Therefore, it is essential that the Minister takes account of all the circumstances relating to rural schools.

No further away than last week, we had a debate in this House on transportation to schools, the distance to the nearest and most appropriate school and the impact of a rural school closure on our local communities, taking into account all issues to do with community cohesion and identity. During that debate, we heard that, when two schools did decide to come together, the transportation consequences were that 133 pupils were denied the transportation that they got prior to the coming together of the two schools. So, that has to play an important role in any review and, indeed, in any decision to close schools in rural areas.

The previous Education Minister informed the House in answer to a question that “urban” is defined as Belfast and Londonderry city council areas and that all other areas are considered to be rural. I have no doubt that there will be no ambiguity or argument from any Member in this House today that west Tyrone is really rural and must be taken into account as we look at the issues. That leaves a vast area of space and a significant number of the population of Northern Ireland sending their children to what is defined as a rural school.

Schools are a feature of society and a part of the very fabric of our rural communities in Northern Ireland. As a society, we remain keen to put our children through a school that is sympathetic to our faiths and beliefs. In the past three years, 14 schools in the controlled

sector have closed compared with eight schools in the maintained sector. That raises questions that I do not think the Minister has answered at any stage in this House.

The DUP amendment relates to ensuring equity in proposed closures in the controlled and maintained sectors. Many parts of Northern Ireland are isolated, leaving members of one community or the other unable to send their children to a school that falls in line with their faith. I refer to the obvious differences between the controlled and maintained sectors. Many parents have to send their children to the school of their choice some distance away, and others are able to send their children to the school around the corner. However, that depends on what type of school they choose to send their children to. That problem can make people of one faith background or another further isolated in a rural environment, and it is, therefore, imperative that we ensure equity in any closure of schools situated in a rural environment.

In similar debates during the previous mandate on the threat to rural schools, the then Minister of Education argued that numbers were only a small part of the criteria on sustainable schools policy. However, we can be concerned with that only at a time when the Department of Education is seeking to save money. Although I appreciate the fact that empty desks in schools must be dealt with, viable small rural schools that deliver education excellently must not be targeted and must not pay a price in the review. We must ensure that, in the implementation of the policy, the children and the needs of the rural community are put before money.

Like many Members, I want the best for our children because they are the future of Northern Ireland.

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

**Mr Buchanan:** Education is an important issue, especially during a downturn and a time of economic concern. Therefore, I support the motion and amendment No 2.

**Mrs Dobson:** I thank the Member for tabling the motion. I support the motion and the amendments and those who have spoken about the need to protect our rural communities.

Rural life has been scientifically proven to be less stressful than urban living. I have often

heard it said that if you do not know what you are doing in the countryside, do not worry, there is always someone around who does. A sense of community, identity and belonging is at the very heart of rural life. Rural communities, villages and towns across Northern Ireland are rightly proud of their history and culture, and they contribute so much to what it means to come from Northern Ireland. The concerns of parents of young children, especially those in rural communities, are entirely justifiable following the Minister's statement to the House four weeks ago on the future of our schools. As my colleague Mr McNarry reminded us last week, living in a rural community is the normal way of life for almost one third of our citizens.

As a resident of a rural village, I know only too well how important it was to be able to take my children to the local primary school in Waringstown. Rural communities across Northern Ireland are served by excellent teaching and non-teaching staff. Residents of Waringstown village in my constituency are awaiting the Minister's decision on a proposed nursery school to be sited at the primary school. We are all too aware that each year the needs of parents and young children across Northern Ireland are not being met by the school system with regard to statutory nursery places. Indeed, it was suggested to parents in Waringstown that they should send their children as far away as Newry, a journey of 20 miles, to get a place in a nursery school.

Many, if not most, Members would not like to think that the coming rationalisation of the school system would lead to similar stories of lengthy and impractical journeys so that our children could ensure a place in a primary or secondary school. However, it may be the case that, in rationalising the schools estate, considerable financial pressure will be brought to bear on the home-to-school transport budget as more and more children, especially those in rural communities, will require transport to schools located further and further away from their homes. That makes the review of the policy all the more necessary. However, there is a danger that speculation and rumour could lead to self-fulfilling prophesies. The Minister must be clear in the use of language because, in labelling a school, parents may choose to move their children to another school or not make an application to it at all. That could have devastating consequences for the long-term viability of successful rural schools across

Northern Ireland and for parents applying for school places for their children in coming years.

I understand that the Department of Education is looking at ways to improve the carbon footprint across the schools estate by reducing energy consumption. If the Minister decides to turn out the lights permanently in schools across Northern Ireland, it will indeed reduce our carbon footprint. However, a lot of worried parents and children will be left totally in the dark.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to participate in the debate. I support the principle of the motion, and I am glad to have the opportunity to deal with some of the points that have been raised.

Many Members have often used reform within the educational system as a tool through which to criticise the Minister. I am keen to find out where many of their points of criticism come from. Talk of hit lists and schools under threat and disclosing the number of schools that are due to close in any constituency is careless. It is regrettable and completely unfounded. As Jo-Anne said, we need to be careful about the type of language we are using, because such actions might damage confidence among parents on the future sustainability of a school and exacerbate the problem of falling school numbers, particularly in rural areas.

It is important that the Assembly and the Minister acknowledge the key role that many of our schools play in their communities and that, in many cases, the quality of educational outcomes are unquestionably above the high standards he sets. The schools that exceed those targets must be rewarded. However, some schools fail to meet those criteria, and we cannot allow that to continue. Such failure in educational outcomes needs to be addressed, and I commend the Minister for taking forward and implementing policies that are designed to improve our education system for our children and young people. He is basing his decisions not on numbers, but on outcomes. Rural schools play a vital role in the life of many isolated communities, but we must make sure that they deliver their primary function, which is to provide the highest level of education possible.

The Minister has clearly stated his commitment to the reform of the entire education system. That will ensure that each and every school is not only delivering a first-class education to

the children, but that it is at the heart of every community.

The review initiated by the Minister does not differ between rural and urban schools, and each school will be judged on its own merits.

**Mr Craig:** I thank the Member for raising the issue of how it should be judged against the Minister's announced criteria. I agree with some other Members: there are schools being closed, but, clearly, the Minister's criteria are not being used. Some of those schools have very high academic achievement, and the reports done on them less than a year ago prove that. Despite the good academic outturn of those schools, they are on the list for closure, and that is purely because of the numbers game. Does the Member disagree with that?

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

**Mr Flanagan:** I do not have any facts about what the Member is raising, but I know that he is bringing an Adjournment debate on a particular school to the House tomorrow. Perhaps that is what he is talking about. If it is, I am keen to hear the comments he raises. I will tune in to the debate, and I look forward to the Minister's response as well.

The Minister has also made it clear that the viability of a school will be judged against a wide range of criteria, not simply enrolment numbers. Therefore small schools, particularly in rural areas, are not unsustainable schools. That is a much more complex system than merely looking at enrolment numbers. The Minister has outlined a number of criteria, which he will take forward.

Members have raised the fact that there are 85,000 extra classroom places and that we can no longer afford such wastage in the education system. There is a greater need for collaboration between library boards, the Council for Catholic Maintained Schools (CCMS) and other education sectors, but we must also look towards greater collaboration with the Department of Education and Skills in the South to see whether cross-border working can assist schools in border areas.

If people are genuinely interested in the education of our children, they should support the motion. They should work constructively with the Minister and stop scaremongering about the number of rural schools that may close.

**Ms Ritchie:** Across Northern Ireland, schools are undoubtedly at the heart of the community, particularly in rural areas. Not only do they provide education for our children, but they are very much a community resource. Along with the church, local convenience store, filling station and pub they provide the hub for villages, towns, hamlets and townlands. Furthermore, one will find many housing settlements, old and new, situated around the school providing that critical mass of population.

My constituency of South Down is essentially rural, and I am deeply concerned about the implications of the Minister's statement and how the thoughts and content, if formalised, will impact not only on the future of rural schools but on the vibrancy and vitality of many rural communities.

If one were to take the Minister's viability quota for rural schools as a benchmark for the future, some schools would be under threat, and many families would perhaps have to travel longer distances to schools. That would, in turn, put pressure on financial resources for the home-to-school transport policy, an area which is already under extreme scrutiny.

#### 4.15 pm

I ask the following questions: did the Minister undertake any real rural and equality proofing on his thoughts in the document to ascertain their impact on rural schools before he came forward with his statement? Were in-depth discussions held with all of those who are involved in education, such as parents, teachers, boards of governors, trustees and management teams? If so, what were the outcomes, and was any recognition or acknowledgement given to those features in the ministerial document?

Instead of rushing towards possible amalgamations or closures, the Minister should explore other options that may be applicable to rural schools. An example of that would be the federation model detailed by my colleague Mr McDevitt, in which schools in a rural hinterland would collaborate to provide the best possible outcomes for children at primary and secondary levels. The Minister of Education and the Executive must avoid any circumstances in which our rural primary schools must compete for survival. Putting in place measures that allow rural schools to collaborate and to work together as learning communities, particularly primary schools, will allow smaller schools with



a clear identity to survive and to continue to provide education in rural communities.

Rural primary schools and the education that they provide ensure that children receive a well-grounded and fundamental basis in all aspects of education, inside and outside of the classroom. The Minister must also take into account the unique nature of rural schools with respect to their wide catchment areas, transport services and infrastructure. The review must not simply be a numbers game for the Department. Many rural schools have a sterling reputation for providing excellent education, pastoral support, extracurricular activities and of being the hub of the community. All of those facts and factors must be considered by the Department.

Enrolment figures, which will immediately put rural communities at a distinct disadvantage, must not be the sole criterion used by the Department in its review. Other factors must be taken into account to ensure that rural schools can have a continued existence.

The Department should also take on board the fact that many rural schools have been waiting a considerable time for newbuilds or for maintenance work to be carried out. I can think of schools in my own constituency, such as St Louis Grammar School in Kilkeel, Down High School in Downpatrick, which I spoke to the Minister about last week, and primary schools such as St Patrick's Primary School in Saul and St Colman's Primary School in Saval that are looking for new classrooms. Those schools are extremely viable, they play a vital part in their rural communities and they serve large rural catchment areas. Please do not let the baby go out with the bath-water, and do not let this review suspend the aspirations and requirements of schools that have inadequate accommodation requirements.

**Mr Deputy Speaker:** Will the member draw her remarks to a close?

**Ms Ritchie:** We must look after rural communities, and ensure that there is a joined-up approach to government and to government policy across the spectrum.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. I welcome today's debate, as it allows me to reiterate the key messages that lay at the heart of my statement to the Assembly on 26 September, and to alleviate concerns about the

future of rural schools. My focus is firmly on the quality of education that we provide for pupils in every school, and I believe that pupils living in rural areas deserve quality education in the same way as pupils in urban areas.

The motion expresses concern at the impact of my statement:

*"particularly on the future of smaller rural schools;"*.

The amendments advocate shared and integrated education as alternatives to school closures — the Member referred to federations — and seek equality of treatment of controlled and maintained schools.

None — I repeat none — of those options have been ruled out. Indeed, I listened to the proposer of the motion, Mr McDevitt, very carefully. Frankly, he sounded more like an estate agent than an agent of change or education because all we heard about was buildings. He talked about school buildings and institutions, and not until the very last line of his speech was the term "quality education" used. That is what the debate should surely be about. It is what my statement in September was about and what the viability audit that I have put in place is about.

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

**Mr O'Dowd:** I will not.

This is not about buildings in villages, rural communities or city-centre hubs. It is about the education of the young people who go to those schools. The listing of buildings, in my opinion, serves no purpose; certainly not the purposes of rural communities.

The motion notes:

*"schools are at the heart of rural communities".*

Again, I ask: where is it stated that quality education is at the heart of rural communities? We have many fine examples of schools in rural communities providing first-rate education for young people. The viability audit will assess those and all schools, whether in urban or rural catchment areas, and dictate the way forward.

Rural communities deserve first-rate education, too. I stated that the effective planning of education provision is at the core of the challenge to provide the best education for our young people. However, we have too many small schools to provide the education that our

young people deserve. We face a very difficult budgetary position. Mr McNarry referred to the budget deficit in the Department of Education. I assure him that neither the Department of Education nor the Executive asked for that deficit. It was imposed on us by the Tory Party. I am proud to say that I have never canvassed for the Tory Party. I wonder whether Members on the Benches opposite can say the same. There is no point complaining to me about the education budget after endorsing the policies of the party that imposed it.

We have far too many surplus places in our schools. At the last tally, there were approximately 85,000. We currently fund, in real terms, around 150 empty schools. Yet, some Members call on me, as Education Minister, to do nothing. I underline that only some do so. They ask me to remain static because of a bad newspaper headline. I cannot run departmental policy on the basis of the opinion of every newspaper editor. I am not responsible for poor journalism, nor am I responsible for good journalism. However, I must say that journalists, editors, politicians and local representatives have a duty to act responsibly, because we are talking about the future of education. We are also talking about the jobs of school principals, teachers, staff, caretakers, etc. We must all act responsibly.

We have in place a sustainable schools policy to deal with those matters. We now need to quicken the pace at which we implement it. That is why I announced in September that I was commissioning the education and library boards and CCMS to conduct a viability audit of schools. It is an educational viability audit based on enrolment trends, educational standards and financial viability. That work has begun already. Terms of reference were issued four days after my announcement, and two meetings of my Department, the five boards and CCMS have already taken place. I am determined to drive that forward and have set challenging but achievable deadlines.

Some in the media and in the House referred to a "hit list" for school closures that is based simply on the size of schools and said that some rural schools were feeling the pressure. At no time in my speech did I say that we would base this exercise on a numbers game. Indeed, during questions after my statement, I challenged a number of Members about the numbers game. I have never used the phrase

"hit list"; I find it offensive and unhelpful. Perhaps it is used to be deliberately unhelpful. I repeat that we are talking about the future education of young people and about the future of teachers, principals and staff in all schools. The term "hit list" is totally inappropriate.

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

**Mr O'Dowd:** I will not.

**Mr McDevitt:** *[Interruption.]*

**Mr O'Dowd:** It is.

If it were a simple numbers game, I would not need to bring the five education and library boards together or require the CCMS to go into the same room with them. I would not require them to consult with the other stakeholders in education. I would get out my calculator, make a list on paper and do the numbers game.

Ms Ritchie said that I had to ensure that the views of schools are taken on board, there had to be proper research and all these things had to be done. That is exactly what is being done at this moment. The key players in education, the boards and CCMS in conjunction with the other stakeholders, are now looking at the viability of schools. As Education Minister, I am not sitting with a calculator in Rathgael House or on the first floor of this building deciding the future of schools. I have asked the experts to sit down and look at the future of schools in a manner which has at its core the future educational well-being of our young people. That, I believe, is a responsible way forward.

I want to ensure that every school is looked at closely. We will look initially at enrolments, the quality of education provided and, yes, the projected financial viability over a number of years. In taking that work forward, the boards and CCMS must ensure that their assessment reflects and supports the implementation of the Department's policies, in particular those on sustainable schools; Every School a Good School; the revised curriculum and the entitlement framework; Count, Read: Succeed; the Irish-medium review; the special educational needs (SEN) review; and our obligations under the Good Friday Agreement in relation to integrated and Irish-medium provision. I will supply the terms of reference to the Education Committee as well. The terms of reference in relation to area planning has not yet been agreed. I want further consultation with the

boards, CCMS and other stakeholders to ensure that those terms of reference meet the needs of the project.

We need swift action to protect the education of pupils in schools that face challenges. We cannot play with children's and young people's life chances. Children must come before buildings. Where there are obvious solutions, they must be implemented without delay. Those may include amalgamation, federation or integration. However, if the only option is school closure, I will implement that option. The only option that I will not implement is stagnation. I will not stand around and allow our schools estate to further stagnate. It is not an option. Surely it is not one that the House would want me to take?

I also announced that the education and library boards, working in close conjunction with CCMS and other schools' managing authorities, will undertake collective strategic planning on an area basis. The sustainable schools policy, which provides the basis for that work, takes account of the particular needs of rural communities. Prior to the publication of the sustainable schools policy in January 2009, my Department consulted with officials from the Department of Agriculture and Rural Development. The policy was also assessed against the Rural Development Council's rural-proofing checklist, which is set out in its report 'Striking the Balance'. All those issues were debated and addressed before the policy was launched in January 2009.

Ms McIlveen pointed to the policy's six principles, the first of which is the educational experience of children, which I think is self-explanatory. We want to ensure and assess the educational experiences of young people in all our schools. Enrolments relate to enrolment trends over a number of years to see exactly how viable in terms of pupil numbers a school will be in future. Future planning for housing and birth rates in the school's area will also be looked at.

On the financial position, the Chair of the Education Committee, quite rightly, highlights the financial difficulties that our schools face. I referred to the most difficult Budget in our history of modern education. I do not use that phrase lightly. One of the reasons why I made the statement is that I want to ensure that we do not spread the icing on the cake

too thinly. Where there are unviable schools, we must deal with them and put the savings back into education. I am not talking about handing money back to the centre. I am not talking about handing money back to the British Exchequer. I am not talking about handing money to the International Monetary Fund or the EU. I am talking about bringing money back into education.

As regards leadership and management, when I was on the Education Committee, we looked at succeeding schools in areas of deprivation, and one of the key elements that came through in those schools was leadership and good management. Whether that leadership was in the principal's office, at board of governors meetings or in the classroom in the delivery of education, it was key to the success of such schools.

Again, key to rural communities is accessibility. Of course we have to look at school accessibility in our rural communities. Michaela Boyle said that there had been comments that I intend to close 45 schools in west Tyrone. There are currently 90 schools in west Tyrone. So, given those figure, it is clear that the elected representatives who say that there are to be 45 school closures in west Tyrone — it is not me who stands by that — are doing a great disservice to the community in that area. There is no way that we are going to close one in every two schools in west Tyrone. That does not stack up, even if you use the numbers game that parties are playing in the Chamber. Members need to be responsible when dealing with figures.

#### 4.30 pm

The last criteria are links with the community. Any school that is at the heart of a community is a successful one. Examples of that have been shown time and time again in rural communities where the school is the local community centre, sports centre, church centre or whatever it needs to be. You go to the local school to learn. That breeds a relationship with the school, which, in turn, means that parents send their children to that school and that that school succeeds. Where there are no links with the community, there are failing schools.

The six criteria that I have outlined provide a robust framework for developing strong, vibrant schools that, first and foremost, serve the interests of pupils. I appreciate the central place that many schools have in communities, both

rural and urban. However, I believe that where there is a school, it must be a good school, be educationally viable and be able to deliver for today's generation of young people.

The issue of shared and integrated education was raised. I will support any proposal that provides high-quality education, has the support and confidence of parents and is viable and sustainable in the long term.

There was a call for equality of treatment between the controlled and maintained sectors. I have no difficulty in supporting that. However, I will say this: I will deal with each school on the basis of need, not on the basis of creed. I will ensure that there is equality of treatment for all children and young people, regardless of which sector their parents choose.

As I said at the outset, my focus is on the quality of education that is provided for all pupils. Schools are there to meet the needs of pupils, whether in rural or urban settings. I am determined that the system will be reshaped to provide high-quality education for all pupils that can be sustained in the longer term. I understand that schools carry emotional attachment and history for people. However, let us not cloud our decision-making with emotion or history. It is our young people's futures that we are dealing with. We should not blight that because we hanker after our past. Go raibh míle maith agat.

**Mr Craig:** I speak as a member of the Education Committee and in support of not only the substantive motion but my party's amendment. The Minister alluded to the fact that Northern Ireland has too many schools — he clearly outlined that — and too many places. He also clearly outlined where the financial responsibility for that has come from. Like him, I have not helped any Tory. So, we have at least one thing in common.

My party's amendment calls for the:

*"equity of treatment between both the controlled and maintained sectors."*

Both sectors receive funding from central government but are governed separately. The controlled sector's experience is that harsh cuts are much more likely to be imposed on it than on the other element in our education system. That is where the inequity comes from. Whether

perceived or real, that is the perception in the community.

Unlike many Members in the House, I have already had to sit through a public consultation meeting about one of our local schools, and, from that experience, I can tell you that it was quite clear what people's perception is. They feel that there is an unequal balance in how those two sectors are treated.

I accept the Minister's assurance about the viability audit. However, I have a difficulty with it, because two schools in my locality face closure, and yet neither of them came under the viability audit. That makes me wonder how far the boards will take the viability audit. Will there be equity of treatment across the board?

There is genuine concern that that will not be the case.

**Mr Lunn:** I thank the Member for giving way. Can he clarify what he means by:

*"equity of treatment between the controlled and maintained sectors."?*

Does he mean that he wants exactly the same criteria to be applied to all sectors and that there would be no possibility of one sector or the other being able to subsidise its own schools when they should be closed?

**Mr Deputy Speaker:** The Member has an extra minute added to his time.

**Mr Craig:** Thank you, Mr Deputy Speaker. The Member, quite rightly, outlines the fear in the controlled sector that schools in other sectors will be subsidised that, quite frankly, will not meet the viability criteria that the Minister outlined. I ask the Minister to keep a very close eye on that. That is why my party tabled its amendment. It is not that we advocate a sectarian headcount. We agree with the Minister on viability. We are just looking for fairness.

I declare an interest in rural schools because both my children were educated in a rural school in Annahilt. Every Member who spoke in the debate outlined the importance of rural schools to their communities. That is my experience. The school is the heart of a community; the community builds itself around the school. When schools are taken out of a community, it tends, in many ways, to dissipate; it does not have a base around which to centralise itself. In that regard, I understand from where the motion



comes. How do we take that into account when we look at small communities? We need to look at that.

The other great difficulty that I have noticed is that when schools are closed, especially in rural areas and even in urban areas, a huge transport problem is created, which, unfortunately, like many things in Northern Ireland, will not go away. It will increase with each and every school closure in the Province. All those issues need to be looked at while the viability audit goes ahead. It is important, at the end of the day, to look at the impact that any closure has on its local community.

I agree with the Minister with regard to educational attainment in schools: it needs to be high, good and delivering for the community. However, when all those criteria are met, I, like many others around the Chamber, share the concern that it will come down to a headcount — nothing more, nothing less. I have witnessed that in my own constituency. I appeal to the Minister to keep an eye on what criteria are used.

**Ms Lo:** Obviously, I support my party's amendment. The Alliance Party wants to see some 20% of children in integrated or shared education by 2020. Our amendment aims to save schools through the use of integrated and shared education.

My party had reservations about the DUP amendment; we were certainly concerned about its wording. Although it advocates equity between the maintained and controlled sectors, it does not mention others, such as integrated and Irish-medium. However, Mr Craig and Miss McIlveen explained that their party's amendment does not advocate a sectarian headcount. My party, therefore, supports the amendment. We were concerned that we were talking about just two sectors, as that could lead to a maintained school being closed in return for the closure of a controlled one. We were concerned that that could lead to us perpetuating segregation along the lines of being equal but separate. However, we have listened to Members' comments and are content to support the motion and the DUP amendment.

I will comment briefly on points that are relevant to our amendment. Conall McDevitt mentioned a federation of two or three schools as a new concept. That is very much aligned to integrated and shared education, and we really need to invest in thinking about and taking action on it.

Miss McIlveen said that the issue is not just about a sectarian headcount. However, she is obviously concerned that the two sectors are being treated differently and that controlled schools are bearing the brunt of closures. She also said that the DUP wants a single education system that does not favour one sector over another.

Daithí McKay mentioned the school on Rathlin Island and the good example of controlled and maintained schools amalgamating and the sky not falling down. We need to think further and wider rather than simply continuing to talk about segregated schooling.

Mr McNarry mentioned the hit list of schools for closure and the fact that small rural schools are being targeted. I can understand the concern of those schools.

Mervyn Storey also mentioned federation, and he questioned its legal status and whether it is workable. He also referred to issues about the workings and processes of the CCMS.

Ms Boyle said that she supported the amalgamation of schools and that better co-operation and collaboration will improve school standards. I very much agree with that.

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

**Ms Lo:** The Minister said that quality of education should be at the heart of the matter.

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

**Ms Lo:** I support that, and I agree that he should consider the issue on the basis of need rather than creed.

**Mr Byrne:** A debate on rural schools is important and timely. Most of the debate has been about primary schools. In rural areas, the local primary school still goes to the heart of the local community, as other Members stated. The rural school represents the present and future well-being of any community. Schools and their future are crucial for many constituencies and communities, not least in West Tyrone.

I make no apologies for the fact that I have the list of the 42 schools that currently have fewer than 100 pupils. It strikes fear into the minds of principals, parents and pupils, but we have to be mature enough to have a rational debate about the issue. The current proposed criteria from

the Department could mean the closure of up to 42 of those schools. Let us hope it does not.

I welcome the Minister's clarification that the numbers game is not the only issue in town. A concerted threat to the future of rural communities because of the threat of the closure of rural schools could be very damaging. This is a new Assembly with a new mandate. It would be terrible if, during this mandate, we decimated the schools estate.

#### 4.45 pm

I am delighted that the motion is being debated because, as I said, this is potentially the most significant issue to be dealt with by the Assembly and the Executive. People should be aware that the future of our rural communities could be determined by how this issue is handled over the coming months and years. How we handle the matter is the real issue to be dealt with. People should be aware that the Department of Education needs to be sensitive and mature in handling the issue, which is now more vital than ever in determining the future of our primary education.

Throughout the debate, emphases have been placed on a number of themes. One such theme was that the primary school is at the heart of the local community, particularly in rural villages. The primary school represents the heartbeat of our communities. I think it was Mr Storey who mentioned Pomeroy. There are two primary schools there: a controlled school and a Catholic school. The future of those two schools is obviously in question if the numbers criterion is the primary one to be used.

The proposer of our motion, Conall McDevitt, clearly outlined the need for real discussions at a local level. That may require an outcome of some sort of federation, collaboration and co-operation among existing primary schools.

**Mr Storey:** I thank the Member for giving way. Will he admit that the difficulty that we have had historically is that, whenever there has been an attempt at cross-community work, amalgamations or discussions, the CCMS was the problem? The Member has only to go back to the issues of how the CCMS and the bishops interacted with the integrated sector: they would not allow Roman Catholic priests to go into integrated schools because they did not recognise them at that stage. Those are the

sort of problems that we will come up against. We must be honest about this debate.

**Mr Byrne:** I welcome the Member's comments, but I think that the key issue is that the Northern Ireland education system is very fragmented. We have the CCMS, the controlled sector, the education and library boards, the Department, the Irish-medium sector and the integrated sector. There is a need for real co-operation, and somebody has to take the lead. I hope that the Department of Education and the Minister will lead on this issue. Until recently, the Department has been slow in providing the required leadership. We have only to look at the debacle over the Education and Skills Authority to see that there is a great deal of indifference and a reluctance to come to a conclusion that would benefit the overall administration of education. Now we are getting to the heart of the matter: the delivery of education in schools. That current fragmentation is the issue that has to be dealt with, and it will require co-operation among all the stakeholders. I concede that some sectors in some areas seem to be in the lead position. We cannot afford the luxury of having any individual sector in any particular locality being in the lead position in future.

**Mr Flanagan:** I thank the Member for giving way. Does he agree that one small step that his party could take to improve falling numbers in rural schools would be to amend PPS 21 to allow non-farming families to build houses in rural areas, thus giving people a chance to remain in their local area and allowing their children to go to school? Will he also encourage the Minister to do more on the issue? Go raibh maith agat.

**Mr Byrne:** I am totally in favour of rural development and the building of new homes in rural areas. However, if we do away with the schools, there will not be the same demand for rural housing. That is the kernel of the issue. The entire future of rural communities has been pre-determined and, indeed, will be determined by the continued existence of those rural schools. If they go, the communities will feel that there is no future in those areas.

Talk to any young couple or parents: they want to know that a local school is available to them. A primary school is about providing a local service. People do not want to be bussed eight or 10 miles to a primary school. They want to be able to leave their child at a primary school

close to where they live. That is why this issue is so crucial.

**Mr McKay:** Will the Member give way?

**Mr Byrne:** I have given way twice already. I am concerned that Sinn Féin people are so concerned about the hit lists of schools and what 'The Down Recorder' and other papers have written about.

**Mr McKay:** I thank the Member for giving way. I notice that he thanked the Minister for clarifying a few issues in respect of the criteria. Did the Member not take the time to read the policy? That information is included at the back. If he had actually read the policy, those would have been clarified for him.

**Mr Byrne:** I accept Mr McKay's comment. However, I have been involved in primary education, secondary education, further education and higher education, so I have a little knowledge of the subject.

The debate has been very constructive. I welcome the fact that two amendments have been tabled that add to the breadth and relevance of the education debate. Genuine concerns have been expressed by different parties and different Members. People want equity in the system. They want a degree of fairness. They want to ensure that there is no predetermined hit list of schools. A number of Members referred to the fact that some schools are already up for discussions about closure. Where is the audit of the determination of those schools? It appears that some schools are already being put into the mix for discussions about closure.

We must have an area-based-analysis approach to educational provision and primary schools in the future. Given that enrolment numbers are dropping, a local area-based approach is crucial. No individual sector must be able to determine the future of its school and area without the cognisance of the rest of the community and the other educational sectors in that area.

It will be very delicate. I fully understand what some Members have said about faith-based schools. People want an assurance that faith-based approaches in education will be protected in some way in any future schools policy. That goes to the kernel and the heart of what the DUP has said, for example. I am concerned that Sinn Féin people are so annoyed that

there has been so much discussion about this topic already. I do not think that we should be concerned about it. We should be content that a real debate is going on.

The debate has started, and it is very important that we conclude it in a way that demonstrates to the wider public that we will take a comprehensive approach to the issue this time and that no individual sector will get a priority over another sector. I am pleased with the debate; some very good points were made. I am pleased that the two amendments largely add to our motion.

**Mr Deputy Speaker:** Before putting the question on amendment No 1, I remind Members that, if amendment No 1 is made, the Question on amendment No 2 may still be put.

*Question, That amendment No 1 be made, put and negatived.*

*Question, That amendment No 2 be made, put and agreed to.*

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

**Resolved:**

*That this Assembly expresses concern at the potential impact of the statement by the Minister of Education on 26 September 2011, particularly on the future of smaller rural schools; notes that schools are at the heart of rural communities; further notes the particular access requirements of rural communities to education; and calls on the Minister of Education to ensure that decisions on the future of rural schools are fully measured against rural standards and proofing and that there is equity of treatment between the controlled and maintained sectors.*

*Adjourned at 4.55 pm.*

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# Northern Ireland Assembly

Tuesday 18 October 2011

*The Assembly met at 10.30 am (Mr Deputy Speaker [Mr Dallat] in the Chair).*

*Members observed two minutes' silence.*

## Private Members' Business

### Antisocial Behaviour

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

**Mr D McIlveen:** I beg to move

*That this Assembly recognises the severe anxiety that antisocial behaviour is causing people living in our cities, towns and villages; and calls on the Minister of Justice to increase police powers to deal with the problem.*

I am grateful for the opportunity to bring the motion to the House. Before I get into the proposal proper, it is probably fair to accept that quite a bit of talk today will be about young people. The vast majority of young people in our society are to be highly commended. Today we have seen an example of a very fine young man, and I want to take this opportunity to welcome the safe return of Sergeant Gilad Shalit to his home. I met his family a number of months ago, and they have fought a very dignified campaign for his release. So, I want to put that on record and welcome his safe return to his family.

Before I begin to properly address antisocial behaviour, I will make one thing clear: this is in no way a case of raining down on the young people of our society. It is not an attempt to once again blame the so-called scourge of our youth for the problems of society. I am on record in the Assembly, as are many Members, as promoting young people and skills. One of

my real passions is ensuring that young people are well provided for and have the best possible opportunities in the future. Young people are the future of Northern Ireland, and I will continue to advocate for their rights on all fronts.

That said, most of the antisocial behaviour in our cities, towns and villages centres on young people under the age of 21. I also acknowledge that it is a tiny minority of young people who are involved in such behaviour. The vast majority are an absolute credit to our country. In my constituency alone, young people secure places in Cambridge University and Oxford University, and just last week I discovered that a Ballymoney school has qualified for the international mock trial championships in New York. However, a tiny minority is engaging in antisocial behaviour and is holding some of our cities, towns and villages to ransom.

The issue is best illustrated using an example from my constituency. There is an 83-year-old lady in my constituency who lives alone and has spent her life working hard, adding to her local community and providing for her family. In her old age, she just wants to live a quiet life in her home village. Night after night, however, that lady is subjected to intimidation. She watches as a small group of loitering teenagers becomes a large group of youths congregated outside her home. Although the group starts off small, she becomes increasingly intimidated as she sees the numbers swell. Whenever that lady phones the police, they tell her that, as no crime has been committed, there is nothing that they can do. The lady watches and waits, and soon the group starts to throw stones at her door and the crowd begins to get louder and more agitated. To the group, that may seem like harmless fun, but for this lady, whose name is Mary, it is absolute terror. Alone and afraid in the house, she phones the police again, because the group has started to throw stones at her door. The police come out to her house, but, by the



time that they arrive, the group, bored of its prey, has moved on. In its wake, it has left a harassed and terrified 83-year-old woman alone with nothing but the chips in her front door and a large hole in her hedge. That is completely unacceptable. The time that is allowed to elapse between a group of kids gathering outside a vulnerable old lady's door and the actual execution of an offence must be addressed.

The time has come to stop making excuses for young people who engage in that type of behaviour. I am, quite frankly, fed up with the hug-a-hoody approach, whereby we have to find 20 different excuses not to crack down on such behaviour rather than just accept that there is something that we can do. There are hundreds, even thousands, of people like Mary across the Province. Families, single people, couples and many other members of our communities are affected by antisocial behaviour. It is not simply an issue in our big cities. It is a problem in our towns, villages and hamlets, and, that being the case, the response must be equally far-reaching. At some point, we need to stop saying that police resources are stretched, that parents must take action, that we need to educate young people about this better or that we need to provide more sports pitches and community centres for the younger generation. I acknowledge that, in the long term, we need to improve in all those areas, but right now there are people in my constituency and others who are affected by this menacing minority. Increasing police powers of dispersal and getting the message to the police on the ground that they can use those powers is something that we can change immediately. Too often, I hear talk about holistic approaches and about providing for disaffected youth. Not often enough do we simply take action and do something to help those who are affected by antisocial behaviour.

Many of the young people involved need to learn to respect the police again. One of the ways to ensure that that happens is to provide the police with the relevant powers and to make sure that they then use them. I do not know about other Members, but it is not bored teenagers who come into my constituency office every day: it is families, couples, disabled people and pensioners, and I find that, far too often, they are coming in to complain about antisocial behaviour and, in many cases, are genuinely living in fear.

In England and Wales, the Anti-social Behaviour Act 2003 provides for the dispersal of groups and even grants the police the power to bring under-16s back to their home. That power is granted if:

*"any members of the public have been intimidated, harassed, alarmed or distressed as a result of the presence or behaviour of groups of two or more persons in public places".*

I call on the Minister of Justice to increase police powers so that they are in line with those in England and Wales or, if similar powers exist, to ensure that the police know that, so that such young people never get the opportunity to intimidate anyone. The intention behind the provision is not to use it in isolation but to provide a short-term solution to be used in conjunction with other measures. Despite my earlier protestations that we make too many excuses for these people, I recognise that that will have to be done. However, we can talk about the long-term approach to tackling crime at another time. The work of community groups, sports clubs and other organisations has been a lifeline to many young people who otherwise would have led a very different life. However, the issue that I am discussing here and now is antisocial behaviour. Although those groups could help to combat such behaviour, I am conscious that an overwhelming majority of young people do not feel the need to harass pensioners.

**Mr A Maginness:** Does the Member not agree that the motion that has been presented to the House by his good self is narrowly focused on increasing policing powers? He adverted to the wider context in which antisocial behaviour takes place, but his approach is from a law and order point of view initially, and he then hopes to deal with the wider social issues. Is that not the wrong approach? Should it not be at least a joined-up effort using policing powers and other resources in the community to deal with what is essentially a social problem?

**Mr D McIlveen:** I thank the Member for his intervention. As I may have already said — perhaps I will say it again — I have no issue with what he is bringing forward. I respect his view entirely, but the problem with a lot of these suggestions is that they take time. This is an urgent issue. I do not think that I speak in isolation as one representative with one constituent being terrified in their home. This is a wide-reaching problem. I accept that there

has to be a more far-reaching approach, but we have a problem now that needs to be dealt with urgently. If we do not give the lead to the police and the forces of law and order, time will pass, and more people — more pensioners in particular — will, unfortunately, find themselves in a distressing position such as the one in which the lady whom I mentioned finds herself.

There needs to be a measured approach. I accept that some people may consider antisocial behaviour to be a relatively benign offence. I in no way advocate large police Land Rovers pulling up, lifting 14- and 15-year-old youths, throwing them into a Land Rover and locking them away. That is not what we suggest for one minute, but —

**Mr Dickson:** Will the Member give way?

**Mr D McIlveen:** Yes.

**Mr Dickson:** Is that not exactly what you are asking for in the motion? More police powers would mean exactly what you have described: Land Rovers scooping up young people. There is adequate legislation on the books, and the police are doing a good job. A progressive approach will always be needed for any issue of antisocial behaviour.

**Mr Deputy Speaker:** The Member will have to bring his remarks to a close. In fact, time is up.

**Mr D McIlveen:** OK. I thank the Member for his intervention. If the police powers are already in place — I have already addressed this — let us get the message to the police that they have the powers. His Minister is equally culpable for that.

**Mr Deputy Speaker:** Your time is up.

**Mr Beggs:** I beg to move the following amendment: Leave out all after “villages;” and insert

*“and calls on the Minister of Justice to delegate greater resources and responsibility to the community safety partnerships and the district policing partnerships to tackle the issue by working with local government and the community and voluntary sector to bring about local solutions; and further calls for a review of police powers to deal with this problem.”*

I declare an interest: I am a former councillor and member of a district policing partnership and community safety partnership, both for many years. It is with that knowledge and background that I come to the debate. I am also

involved in the voluntary and community sector: I am the voluntary director of the Carrickfergus community drugs and alcohol advisory group and a member of Horizon Sure Start.

The motion calls for increased powers to deal with antisocial behaviour. It implies that more powers for the police are the only thing that is needed. What exactly is antisocial behaviour? According to the Directgov website, it can be a wide range of things, including rowdy behaviour; noisy behaviour; night-time noise that affects people's ability to sleep; threatening behaviour; drunken, yobbish behaviour; vandalism; litter; drinking; fireworks late at night; and abandoning cars in the street. A wide range of issues comes under that heading, and they can have a huge personal impact. Mention was made earlier of one vulnerable elderly resident. I am sure that others suffer from such activities as well. They can also have a huge community impact. The Research and Information Service briefed us that Belfast City Council has had to employ park rangers because it reckons that its parks suffer between £500,000 and £1 million of damage each year. I am not taking the subject lightly, but I want to ensure that we adopt policies that deliver —

**Mr Humphrey:** Will the Member give way?

**10.45 am**

**Mr Beggs:** I have only started, and I want the opportunity to deal with the issue.

It is recognised widely from surveys that the community is concerned about the issue. I am thinking of a recent survey by the Northern Ireland Policing Board. Thankfully, we appear to be going in the right direction, and, according to information on its website, the number of reports of antisocial behaviour has reduced by 17% this year compared with the previous period. In my constituency, there has been a reduction of 26% in Carrickfergus and Newtownabbey and of some 17% in Larne. Therefore, something is going in the right direction for once.

The view that more police powers are required is simplistic. A wide range of actions is required if we are to get the long-term behavioural improvements that ultimately will benefit the entire community. Therefore, it is important that we look at the range of changes that are necessary. More police powers are only one aspect that should be looked at carefully, which

is why our amendment refers to a review of police powers. Such a review would consider exactly what powers are needed and maximise what we have at present. If increasing police powers is necessary and if there is clear evidence of resulting benefits, it should be considered seriously.

We should look at prevention and intervention. Why was a detached youth worker not dispatched to the area where antisocial behaviour occurs regularly? The police would not need to be involved, and that would be a much more cost-effective —

**Mr Humphrey:** I thank the Member for giving way. He mentioned Belfast City Council's park rangers. Is he aware that it took the council a huge amount of time to recruit the rangers and the antisocial behaviour wardens? The council was unable to fill a number of places because the rangers are exposed to antisocial behaviour and violence. The same applies to detached and deployed youth workers, who are not trained to go into situations where there is extreme antisocial behaviour or almost a riotous situation.

**Mr Beggs:** Extreme antisocial behaviour and riotous situations are policing matters, and, therefore, those should be dealt with by the police under existing legislation. I am simply saying that we need to look at a range of activities.

I am concerned that the offending rates for 2008 show that youths who have been discharged from custody have a 68% likelihood of reoffending within the next year. Therefore, we need to be careful that whatever we do brings about results. We want to minimise the likelihood of reoffending, and we need to bear in mind the cost of incarcerating young people, perhaps as a result of some of this legislation, such as £100,000 a year per person —  
[Interruption.]

**Mr Deputy Speaker:** Order, please. The Member will resume his seat. I am so sorry that, so early in the day, I have to remind Members that you do not make remarks from a sedentary position. There is an opportunity for interventions, if the Member who has the Floor agrees. Continue, Mr Beggs.

**Mr Beggs:** There is the cost of incarceration, and incarceration is the appropriate penalty for some people. However, we need to be careful about what we do.

**Mr D McIlveen:** Will the Member give way?

**Mr Beggs:** I gave way a short time ago. Please allow me to develop my argument.

We ought to concentrate on prevention, the intervention stages and, when necessary, on enforcement. On the enforcement side, one of the biggest success stories in Northern Ireland is the acceptable behaviour contract (ABC). The result of that is huge changes in behaviour, which avoids expensive court time and prison. I also recognise that, if results do not occur, it may be appropriate for some to receive ASBOs or to be incarcerated. Those options are further down the list, and we need to take great care about being heavy-handed with such powerful actions.

I want to give examples of how partnership working, local solutions, local knowledge and dedicated working with families can bring about significant results. It has been drawn to my attention that Action for Children, through its early intervention project, is working in my constituency and in the Northern Trust area. Children and families are brought to its attention by the police, schools, education and welfare workers and social services. There are 70 live cases active at any one time. I am led to believe that, over the past three years, of those who have completed the additional family support programme, only three young people have subsequently been drawn to the police's attention. So, early intervention, working with families and giving support is a very effective way of dealing with the issue. That was not mentioned in the motion, which is one of the reasons why I tabled the amendment.

There has been another very successful programme delivered by Action for Children in the community and voluntary sector that involves working with a wide range of partners and gaining information. That project works with children and young people aged 13 to 17 who have an identified risk factor. Sometimes, there can be mental health issues or behavioural problems at school. Sometimes, the parents have issues of that nature. The project has identified young people who are at risk of offending. Again, that programme has had dramatic results in improving behaviour, and it has objective criteria that can be quantified. That programme is bringing about vast improvements in behaviour and is improving the

lives of hundreds of people today and will do so in the future.

**Mr Wells:** Will the Member give way?

**Mr Beggs:** Please allow me to finish.

The other aspect that is important is detached youth work. That is working very well in my constituency. Hotspots have been identified, and, perhaps, a vulnerable person who has been abused has been identified. Youth services can get detached youth workers. The YMCA in my constituency sometimes manages detached youth workers who are prepared to go into those situations, talk to young people, befriend them and attempt to give them wider experiences and a greater understanding of how the lives of others are being affected.

There was a recent situation in Eden, which was an area with no youth provision. A local church agreed to establish a youth club, and, instead of young people loitering in the corners and causing problems, they are now involved in constructive activity. That is a much better solution. I recognise that, where necessary, enforcement is proper. However, let us emphasise intervention and prevention so that very few people even get to that stage. That is the reason for the wording of my amendment.

We also have to recognise that there have been changes in recent legislation, such as the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011. Significant new powers have been given to local government to deal with some of these issues. Also, the Northern Ireland Housing Executive is working closely with the police and environmental services in councils, and they are dealing with problem tenants much more proactively.

We have to look at how effective we are in what we do. There are acceptable behaviour contracts, and 65% of young people change their behaviour after the first contract. Where it has been necessary to issue a third contract, the figure for those who change their behaviour is 93%. Only at that stage do ASBOs kick in in Northern Ireland. In England, there has been a lot of bad press over ASBOs, because they have been overused. However, ASBOs have been very useful in my constituency. I think of the McDonagh family, who were causing mayhem for local businesses. I am also aware that over 90 cars were abandoned in the Taylors Avenue area, which caused problems for the community.

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

**Mr Beggs:** Let us concentrate on prevention, then intervention and, if necessary, enforcement.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. In principle, we are not opposed to giving police more powers, but, as a number of Members have said, this debate is wider than a debate on giving more powers to the police. So, we are opposed to the motion on three planks. First, the police are not asking for more powers. Secondly, the powers that the police have are not always utilised properly. Thirdly, experience shows that the best results in policing come when the police, the community and statutory agencies work together.

I suppose that most Members have regular contact with the police. I am in contact with police on the ground, with area and district commanders and, as a member of the Policing Board, I am in constant contact with senior command staff. As yet, no one has said to me that the police need more powers to deal with antisocial behaviour. They certainly mention other areas of the criminal justice system, such as the revolving door, whereby persistent and prolific offenders are given bail, and plea bargaining, particularly on serious offences. Those issues also need to be looked at.

In the lead-up to the elections, antisocial behaviour and low-level crime were the biggest issues that I faced on the doorstep in the area where I canvassed. There was also criticism of the police response. For example, local police were approached about a person glue-sniffing openly in the street in front of young children. Community representatives were told that glue-sniffing was not a criminal offence. That is true, but a senior police officer told me that, although glue-sniffing is not a criminal offence on its own, other criminal offences for which a person can be arrested are linked to people who sniff glue in public. Another example is that of a vulnerable single mother with three children. Her misfortune is that her house backs on to waste ground used by young people to hang about and cause trouble. When they smashed her back windows, she phoned the police at 7.00 pm, but no one had arrived by 9.30 pm. I got in contact with the police myself, and, fair enough, they were out 20 minutes later, but their initial response was not good enough.



Organisations other than the police are open to criticism. Some very young people of 10, 12, and 14 years of age are involved in antisocial behaviour. Organisations such as the Youth Justice Agency and social services should also be involved. It is not just the police who have to deal with that. Our experience shows —

**Mr Beggs:** Will the Member give way?

**Mr Sheehan:** Go ahead.

**Mr Beggs:** Your reference to 10-year-olds being involved in antisocial behaviour highlights the big issue of improving parenting skills in some areas.

**Mr Sheehan:** Absolutely, that is true, and I thank the Member for his intervention.

Our experience, particularly in west Belfast, is that policing works best when carried out in co-operation with the community. A number of years ago, car crime was endemic in west Belfast. As a result of lobbying by the local community, particularly by relatives of people bereaved through car crime, the PSNI set up a dedicated auto crime team. Since then, car crime, joyriding and death driving have practically died out in west Belfast. We need a model in which the police, community and statutory agencies work together. I am dismayed that the Upper Springfield Community Safety Forum will have its funding withdrawn soon. In 2009, a Criminal Justice Inspection report on the West Belfast Community Safety Forum stated that it had:

*“developed levels of trust and confidence between the community and in particular, the criminal justice agencies.”*

The report added:

*“Given the small amount of money received, this represents real value.”*

That is the way forward for policing. I will support the amendment.

**11.00 am**

**Mr A Maginness:** I welcome the debate and the fact that we are discussing what is a very important issue for many, many people persecuted by antisocial behaviour in their neighbourhood. That needs to be addressed.

It needs to be addressed thoroughly, so I thank the Member for introducing the motion.

However, Mr McIlveen's motion is very narrowly based because he is looking at one aspect of a problem that is much wider than simply policing. It involves parents, parenting, schools, the community at large and many statutory agencies; it is a very complex problem that should not be seen simply as a problem of criminality.

**Mr Wells:** Will the Member give way?

**Mr A Maginness:** I will indeed.

**Mr Wells:** The Member's generosity is in stark contrast to that of Mr Beggs. It will be a recurring theme amongst the liberal element of the Assembly — of which I am certainly not a member — this morning that this is a long-term process that will take many years and a whole series of programmes. The problem is that those who complain to me about antisocial behaviour, such as Mr McIlveen — *[Interruption.]* Sorry. That is probably one of them e-mailing me as I speak. They are pensioners; they are folks of 70 and 80 years of age, and single widowed ladies who live on their own. They do not have time for these programmes; they are looking for action now because, sadly, most of them will either be in residential homes or will have passed away before we can solve the problem. That is why the police need immediate powers to deal with the issue now, after which we can look at long-term programmes to deal with it fundamentally.

**Mr A Maginness:** I hear what you are saying, and it is reassuring that you have not turned liberal in your old age. There are no instant solutions. We would all love an instant solution, and if it were a policing solution I am sure that most of us would agree with that. However, there is no instant policing solution, so we have to deal with it patiently. We have to exercise our minds and use every resource, not just through the police but in the community, to deal with the issue. In most communities, the real powerhouse for change is schools, particularly our primary schools. They have the resources and understand the community very well because they deal with pupils and with parents.

**Mr B McCrea:** Will the Member give way?

**Mr A Maginness:** Yes, indeed.

**Mr B McCrea:** I will not detain the House. Will the Member agree that the evidence suggests that nursery schools and not just primary schools get

our young people and their parents to socialise and that that is a valuable contribution?

**Mr A Maginness:** In fairness, even Mr McIlveen accepted that early interventions were important. Most colleagues in the Chamber, whether liberal or not, would accept that early interventions are very important. However, schools have a role to play, and the primary schools have a foundational role in shaping the young people in our communities. Therefore, I welcome the wider approach of Mr Beggs's amendment because it draws in all the disparate elements in society that need to contribute to dealing with the problem. If we see it as a problem of law and order, we are falling short; if we see it as a wider social problem that all the agencies are required to look at and address, we will be successful in dealing with it.

Belfast City Council has been innovative through its use of park rangers and antisocial behaviour wardens. It may not have been as successful as people thought at first, but progress has certainly been made in reducing antisocial behaviour, and I am sure that the Department of Justice will indicate that antisocial behaviour in the community at large has fallen.

Mr McIlveen said that there is an urgency in this problem. Of course there is an urgency in this problem. However, let us not be stampeded into something unnecessarily. The police have not asked for additional powers. At this time, the police do have sufficient powers to deal with antisocial behaviour.

**Mr Humphrey:** Will the Member give way?

**Mr A Maginness:** I am running out of time, otherwise I would.

However, some behaviour —

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

**Mr A Maginness:** Some behaviour cannot be characterised as being criminal behaviour —

**Mr Deputy Speaker:** Your time is up.

**Mr A Maginness:** — and that is the problem we must address.

**Mr Dickson:** I am glad to be able to speak about this important issue, as it affects people across Northern Ireland. According to the 2010 policing Omnibus survey, it affects only 13% of the population of Northern Ireland. That is not to

lessen the problem but an attempt to put it into context.

The most common antisocial behaviour incidents reported are rowdiness and excessive noise, which are a source of much distress to victims, as the proposer said, particularly to the elderly, who feel most vulnerable when they see groups of young people acting in that way. Therefore, it is commendable that the motion recognises the victims of antisocial behaviour and raises the issue of how we address it. However, how we address it is important. It should not simply be a matter of calling for additional powers for the police. As other colleagues in the Chamber have described, it is a matter of tackling the issue of antisocial behaviour on a broad range of fronts.

**Mr B McCrea:** Will the Member accept that this is not a debate between so-called liberals and so-called hawks but is about working out what is the most effective way of dealing with the matter appropriately?

**Mr Dickson:** Indeed I will. Reference was made to the lack of time and action. The reality is that you would need to be a mind reader, as would the police, if you were to take the time and the action that some Members propose should be taken. You need intelligence and, as Mr Beggs has indicated, you need to be able to identify the hot spots where the problems occur. You then need to determine the appropriate intervention — whether that is from youth workers or community organisations working in consort with the police — to deal with those problems.

There has been a reduction in antisocial behaviour across Northern Ireland by 20.7%. Indeed, there has been a high of 39% in the reduction of antisocial behaviour in north Down. That is down to good police work, with the police using innovative and imaginative ways and working with the community to tackle the problem. Like Mr Beggs, I am a former member of Carrickfergus District Policing Partnership. I stood with the police in the car park in Whitehead late at night and watched them take the most appropriate direct action, which was to take the blue bags of alcohol off young people who were drinking illegally and pour it out at their feet. That is the important way to deal with the matter. It is instant: those young people spent their £10 or £15, and do you know what? Their £15 was just poured out straight in front of them.

**Mr Humphrey:** I agree, and I absolutely commend the police for doing that. The difficulty is that, in inner-city parts of Belfast, the police may well have the powers, as Mr Maginness outlined earlier, but they simply do not have the resources to do that when hundreds of people congregate. It is fine in a car park at the seafront in Whitehead but not in inner-city Belfast when people are gathered in parks and other public places.

**Mr Dickson:** Clearly, there will be proportionality to all of this. I would be very concerned that the description of hundreds of young people gathering is something that is antisocial behaviour; it is, perhaps, veering on a situation where we would have a public-order incident. Believe me, groups of 30- and 40-plus can be seen, even in east Antrim. I have stood at Whitehead railway station, as has Mr Beggs, and seen 60 or 70 young people gathering in the evening and being well-policed and interventions happening on a wide range of issues.

**Ms Lo:** Does the Member agree that part of the problem is the availability of cheap drink, whereby people can become so drunk on a few bottles?

**Mr Dickson:** I agree that that is one in a range of problems. Other Members referred to glue-sniffing. Drugs are also available to young people. However, I came here today not to damn young people but to praise them. I came here to say that the vast majority of young people are involved in GAA, soccer and other sports clubs; in youth organisations; in one-on-one groups; and with youth workers, who do a tremendous job across Northern Ireland. Young people are involved with the police in a positive way. That is what the vast majority of young people do day and daily in Northern Ireland.

We should not be using scare tactics to deal with a minority of young people, for whom, I genuinely believe, a wide range of interventions are already available, many examples of which have been given in the Chamber. One of those examples is parenting orders. Many young people are taken home by the police, and the problem that the police officer discovers is that home is the very place to which the young person should not have been taken. That is a sad indictment of parents and, as other Members said, of schooling and preschooling. Those are the areas on which we need to be concentrating. We need to be making

good citizens, not bad citizens, out of good young people.

**Mr Wells:** During the most recent election, in May 2011, one of the things that encouraged me, as someone who has stood in elections for 30 years, was that it was the first time that I had gone to the polls where bread-and-butter issues dominated on the doorsteps. Up until that election, constitutional issues and security were the big-ticket items on which we were constantly being lobbied. When going around the doors in May, the two concerns that were most prevalent were the health service, which is understandable, and antisocial behaviour. That was the message, particularly in the larger towns and villages in the constituency. People's message was that their lives were being plagued by antisocial behaviour.

I will give you a few of the examples that I encountered. In the older, historic part of the village of Annalong, gangs of youths are torturing pensioners who have lived in that part of the village all their lives, to the extent that many of them have been driven out by the antisocial behaviour. They simply cannot live there any longer. Such behaviour happens around this time of year, Halloween, when, unfortunately, fireworks are still all too prevalent. It is low-level activity: shoving the odd banger through the letterbox; wheeling a wheelie bin down into the harbour; or throwing stones at front doors.

There is a more sophisticated form of antisocial behaviour in Kilkeel, where the area between the two roundabouts is used as a race course. Once the police go home, the cars come out and zoom up and down the town to perhaps 1.00 am or 2.00 am. That may not be a crime, but it causes huge concern to people with small children who live in the centre of Kilkeel. However, the police can do very little about it.

Equally, there is a problem in Rathfriland. Young men race cars down the steep hills of that town. The problem is that there is very little that the police can do.

**Mr B McCrea:** Will the Member give way?

**Mr Wells:** I will certainly give way to the liberal.

**Mr B McCrea:** Having outlined his litany of concerns, perhaps Mr Wells can tell us what increased police powers he wants to see that will enable the police to deal with the problems that he has outlined. Can he give us specifics of

the powers that the police do not have now that he would like them to have?

**Mr Wells:** We should consider a power through which the police can get involved in a situation immediately and prevent it from happening, if it seems that the situation is likely to lead to antisocial behaviour. At present, the police can do very little until a crime is committed. It might be very difficult to confirm that a crime was committed in the situations that I have outlined, but the people whose lives are being tortured by the activity night after night perceive it as a real problem, and we have to do something about it.

I will give an example of one of the nastiest incidents that happened at Halloween in south Down. Someone thought it funny to tie fireworks to a pensioner's cat and blow it to pieces. Several scores of young people laughed their heads off when that happened. I take the point made by Mr Maginness and the other liberals here this morning —

**Mr Beggs:** Will the Member give way?

**Mr Wells:** I will, and that is in stark contrast to your generosity, Mr Beggs. *[Laughter.]*

**Mr Beggs:** Tying fireworks to a cat and mutilating and killing it is clearly a crime. What additional power do you need in that instance?

**Mr Wells:** The problem is that the gang was chasing the cat for several minutes before the actual event occurred. In fact, it was chasing it for half an hour. The difficulty was that, until that incident occurred, there was no antisocial behaviour.

### 11.15 am

I will return now to the points made by Mr Maginness and the Front Bench of the Ulster Unionist Party. We accept that long-term programmes need to be initiated to deal with the issue; there is no doubt that that is true. However, greater powers for the police and long-term programmes to deal with antisocial behaviour are not mutually exclusive; they can be run in tandem. The point that I was making in my intervention to Mr Maginness was that, at this time of year, I deal with people who are tortured night after night by the abuse of fireworks and antisocial behaviour. I could tell those people that we will initiate a long-term programme and that, in about 12 or 15 years, responsible parents and programmes to engage our young

people will have solve the problem. However, the difficulty is that we do not have the time.

I accept that, in the leafy suburbs of east Antrim and north Down, there has been a reduction in antisocial behaviour. However, there are still pockets throughout Northern Ireland, particularly in the inner city of Belfast, Londonderry and other larger urban centres, where antisocial behaviour still plagues the community. We need to take action now to bring it under control and then wheel out the programmes suggested by Members. Those programmes will be long term and very expensive, but some will remain unaffected by them. Let us be honest: although the vast majority of young people in Northern Ireland are decent citizens, there are still those who, frankly, are quite evil in what they are doing to our communities. They are feral, they have lost control, their parents no longer have any authority over them, and they cause great difficulties to our communities. The strong arm of the law must bring them under control.

I cannot accept Mr Beggs's point that the poor souls could end up in prison for a few weeks. They might need that short, sharp shock to bring them to their senses and make them realise that they cannot continue to torture their communities. Those affected are elderly people, handicapped people and single parents, and they cannot fight back. Those young people know the pain that they inflict on their communities, and we need the power to bring them under control. We also need to sit down and look at the root causes of the problems and develop the programmes to deal with those problems on a systematic and long-term basis.

We should not throw the baby out with the bath water. Let us get more powers to bring antisocial behaviour under control immediately.

**Mr G Kelly:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Members who tabled the motion and the amendment.

It might not look like it, but I believe that there is a wee bit of consensus in the Assembly that antisocial behaviour is not just a policing matter. It can impact on everyone. It certainly impacts on vulnerable sections of society, especially older people.

An array of views was put forward. Some Members felt that we should start in nursery schools and go the whole way through, and there were arguments from the other side that we cannot wait. However,



there is no quick solution to the issue, and any rush to legislation is always a mistake. Adequate legislation is already in place. Jim Wells mentioned cats. If someone chases a cat for half an hour, that is animal cruelty, and there are laws that can deal with that.

The issue of crowds of people building up in certain areas shows that antisocial behaviour is not just a police responsibility, although they should be involved in the response. As Jim Wells said, crowds build up in urban areas, and there are certain hot spots. Community representatives, the police and statutory bodies should be in place from early in the night to talk to those gathering when they number only five or 10. We have argued that point with police in north Belfast, and if that is done, you will find that crowds do not build up. It does not always work, but my experience is that it is effective most of the time. There is a responsibility not only on the police, but on the community sector, people in the community, the statutory sector and politicians. Indeed, I think that it was Mr Dickson who said that he has been out and that we all must go out, show leadership and talk to young people.

At a district level, we also have multi-agency approaches. In north Belfast, particularly in Ardoyne and on parts of the Antrim Road, we come together every two weeks and sit down with all of the statutory agencies to deal with the issues. The issue of antisocial behaviour comes up on the doorsteps and at those meetings, but people go out and do something about it.

There is proof that that response is working. Perhaps I am reading different statistics from Roy Beggs, but I think that there has been an 8.6% drop in antisocial behaviour in the past 12 months. However, that is an overall figure, and I know that he was talking about particular areas.

**Mr Beggs:** The statistics I cited were for the year to the end of August, compared with the same figure for the previous year.

**Mr G Kelly:** We make the same point. Antisocial behaviour is diminishing, which means that there are practices to control it which are proven to work in inner-city areas.

I agree entirely with the amendment, which calls for greater resources to be given to the community safety partnerships and the district policing partnerships. Of course, the policing and community safety partnerships (PCSPs)

are coming in to replace those bodies. I know that the Minister will talk about that later, and I ask him to talk about the resources. We must ensure that we have sufficient resources to create safer communities, and so the PCSPs must be empowered by adequate resources. We must not diminish the resources that already exist for district policing partnerships (DPPs) and community safety partnerships (CSPs). Safer communities are about reducing crime, the fear of crime and antisocial behaviour.

Let me use the example of the New Lodge area. Years ago, there was a period when hundreds of young people would gather at the bottom of the New Lodge Road. Over a period of time, between two and three years, a multiagency approach was applied that involved going to the families and talking to the young people. It was like peeling an onion, if I can use that comparison. We worked our way through, until we found out who was causing the trouble. An awful lot of young people and others were hanging about.

There are ringleaders who cause trouble, and let us not be soft on them. They travel about urban areas and you will see them first in one area, then in another and another. That is where we need the pressure of the law through enforcement of legislation, and the legislation to do that already exists. We have had substantial discussions with the police and the courts about that, because recidivists are getting out of custody on bail again and again, causing the same trouble.

I am not here to criminalise young people: no one argues that that should be done. However, there is a difficulty; let us deal with it, pinpointing it first. Restorative justice practices have clearly shown their worth over the last number of years. PSNI officers argue that that is a very good way of moving forward, and they are involved in it. ASBOs have been heavily criticised. The use of acceptable behaviour contracts is also good practice, and they can work.

I support the UUP amendment, in the absence of a Sinn Féin amendment.

**Mr S Anderson:** I support the motion and commend my two colleagues who secured the debate. It has caused some fireworks thus far, especially — as my colleague Jim Wells has said — among the “liberal” Members.

I am also prepared to support the amendment, but I feel that it causes a degree of unnecessary

complication and that we do better to concentrate on the key priority, which is to ensure that the police have the necessary powers to tackle the scourge of antisocial behaviour.

Antisocial behaviour is a scourge, as has already been said. The debate focuses our minds on a subject that causes widespread concern throughout the whole community. As the motion states, antisocial behaviour affects "our cities, towns and villages". It is a sad state of affairs when a community is held to ransom by those who feel that they have a right to do so, when and as they want. The Minister will remind us that levels of antisocial behaviour have fallen by 20% since 2008. That is what was said last week in the House in reply to my colleague, Peter Weir. The latest police figure, to August, and published last month, has already been cited and it reveals a decline of 8.6%.

Those trends are welcome, but they do not tell the whole story; statistics rarely do. Just as falling road accident figures are of little comfort to those who have suffered from such accidents, those who have been victims of antisocial behaviour will not be overly impressed. There is a need for robust action to be taken to tackle antisocial behaviour. It is often associated with young people. Sometimes, we hear young people complain that that is unfair, and that they are being stereotyped. Perhaps they have a point. I know from my experience that there are many good young people who play a constructive part throughout our society, and it is important that we acknowledge that. In that connection, I want to pay tribute to the important role of churches that do so much good work with young people, through youth clubs and the uniformed organisations.

However, there is a gang culture in our Province that is, sadly, centred mainly on young people and is often drink and drug fuelled. We need to tackle that reality. Such gangs can intimidate and terrorise local communities on a regular basis. They can also spoil a range of social and sporting events, and the public have a right to demand protection and tougher action.

To some degree, we are all affected by antisocial behaviour, but I am particularly concerned about the effect on the elderly and other vulnerable members of our society. We must get tough in the sort of situation in which vulnerable people are bullied and threatened on the streets, in their neighbourhoods and, indeed, sometimes

on their own property. The great and the good who make up the human rights industry in Northern Ireland will have many suggestions, but I would be surprised if any of those suggestions are included in proper police powers and tougher penalties.

Many underlying reasons are given for people behaving antisocially. Such underlying causes need to be looked at and addressed. No matter the reason or cause, there is never any excuse for antisocial behaviour: it is totally unacceptable. I fully support a joined-up response which involves the statutory and voluntary sectors. I also feel that parents need to face up to their responsibilities. Ultimately, the buck stops here. The onus is on us, as Members of a legislative Assembly, to ensure that the police and the courts are provided with the necessary tools. The message must —

**Mr Beggs:** Will the Member give way?

**Mr S Anderson:** No, I will not be giving way.

The message must go out loudly and clearly from the Assembly to those who engage in antisocial behaviour that there must be zero toleration. [Interruption.] We have the liberal wing again when I mentioned those points. When offenders are caught they must be punished in such a way that they will be discouraged from reoffending.

**Mr Humphrey:** Will the Member give way?

**Mr B McCrea:** Will the Member give way?

**Mr S Anderson:** I will give way to my —

**Mr Humphrey:** I thank the Member for giving way, and I welcome the fact that I am not part of the liberal coalition. On the issue of zero tolerance, the former Mayor of New York Rudolph Giuliani was viciously attacked by those on the liberal wing of that city for introducing zero tolerance of crime and criminality. Look at how that city has been transformed. That policy clearly delivered a city which is very welcoming to visitors, one that is safe to live in and travel to.

**Mr S Anderson:** My colleague certainly raises a good point, and who am I to argue with the Mayor of New York in his assessment and what he has been able to do there. I think that we could move —

**Mr B McCrea:** Will the Member give way?

**Mr S Anderson:** No, I want to finish and I am pushed for time.

We need to look at what preventative measures we have in place and consider their effectiveness. We need to look at current enforcement powers and see how they can be improved. For example, can more be done to make CCTV more effective? How do we see the future role of ASBOs? I am also alarmed at the number of ASBOs that have been broken, and at what happens when that happens. My figures state that up to 30% of ASBOs are broken. Can the police be given stronger, more flexible and more effective tools?

Her Majesty's Government have been considering a range of options, including better and more flexible police powers. We can also learn from the swift and robust action taken against lawbreakers during the summer riots in England. We must not rest on our laurels. More can and must be done.

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

**Mr S Anderson:** I fully support the motion and I am prepared to support the amendment.

**Mr McCallister:** Although Mr Anderson seems to have moved somewhat, and that is welcome, the debate, in which we have had some fooling around and joking over liberals and hawks, should not be about that. It should be about what works and what will deliver the best outcomes for children and young people who get involved in antisocial behaviour. During the debate, no one has argued against robust policing. However, it is about looking at what works and how to deal with the scourge of antisocial behaviour.

Of Members' contributions to the debate, two of the most poignant have come from my colleague Mr Beggs, in proposing the amendment. He set out the facts and statistics as to what works: how we intervene with families early; how we put contracts in place; how we get things such as detached youth workers in problem areas; how we address or tackle parenting skills difficulties in the home; and how we work in nursery schools and primary schools. It is about all those issues.

Mr Sheehan opened by making three points. First, he said that the police were not asking for more powers. We have not had any suggestions

from those on the DUP Benches about what further powers they would like the police to have specifically.

**11.30 am**

**Mr Wells:** Will the Member give way?

**Mr McCallister:** I will just finish, Mr Wells.

**Mr Wells:** He is scared to give way.

**Mr McCallister:** Secondly, Mr Sheehan talked about the community and statutory sector working together. We are all agreed on the need for that; it is absolutely key. Thirdly, he, of course, questioned whether the police were using the powers that they currently have. If they are not using those powers, why would you give them more? I will give way to Mr Wells, who alleged that I am afraid of him.

**Mr Wells:** I suggested that the police should have the power to intervene in situations where antisocial behaviour is likely to occur. If, on a Saturday night, a group of young people who have clearly been drinking grows in number from 20 to 30 and then to 40, the police should have the power to intervene to break up that group. At the moment, they cannot do so unless a crime has actually taken place.

**Mr McCallister:** A Member behind me just said, "Loitering with intent".

We have already established that the police have the powers to deal with the crimes that Mr Wells outlined. To attack and mutilate a cat is a crime, and there are powers to deal with that. If people are speeding in Kilkeel, traffic patrols in the area should deal with them.

**Mr Durkan:** I thank Mr McCallister for letting me in. I think that the Members on the DUP Benches are making the point that the police should be given powers to deal with not just crime itself but the fear of crime.

**Mr McCallister:** Mr Durkan makes a very useful point.

The statistics for — I will provide these since Mr Wells and I are Members for South Down — the drop in antisocial behaviour in the three district council areas that stretch over the South Down constituency are 23.4% in the Down District Council area, 16.3% in the Banbridge District Council area and 20% in the Newry and Mourne District Council area.

All the issues outlined are difficult to deal with, and we need a commitment from a wide range of agencies, to which the police are, of course, central, that they will deal with them.

**Mr Humphrey:** Will the Member give way?

**Mr McCallister:** Just let me finish this point. However, if what is being done is actually working and we are making progress, why change course at this point? You should continue to do what is working. As I said at the start, it is about outcomes.

**Mr Humphrey:** I thank Mr McCallister for giving way. Members on these Benches have consistently said that the police have the powers but there has been a failure to use those powers at times. There is another issue that must be remembered. At night-time, for example, there are six policemen covering the greater Shankill area. That is a huge issue, particularly given the fact that the Royal Irish Regiment has been taken off the streets. Commanders on the ground say that resource is a huge issue.

**Mr McCallister:** With respect to Mr Humphrey, he is arguing against his party's motion, which calls for the Minister of Justice to increase police powers to deal with the problem. It seems that he has moved to the position that we have been arguing for and has actually been swayed by the debate.

We are saying that it is about police response time. When people phone the police, they want a response. As other Members said, people do not want the police arriving three hours later or a police car driving past an area three hours later. That is what we are arguing for in our amendment. The motion is too narrowly focused on increasing police powers, when we should be making the argument that the police have the powers but are not using some of those powers to maximum effect. That is the point. We should focus on the outcomes that are working. We are getting reductions across district councils.

**Mr Deputy Speaker:** Draw your remarks to a close.

**Mr McCallister:** We need to keep building on that success rather than criminalising all young people.

**Mr Deputy Speaker:** Time is up. I can call Mr Conall McDevitt to speak very briefly.

**Mr McDevitt:** Mr Deputy Speaker, I genuinely appreciate your giving me just a couple of minutes in which to speak. I support the amendment. I am not sure that the Tea Party is going to get off the ground in Northern Ireland, but maybe the DUP sees a future for it.

The Assembly needs to fess up to having made a big mistake when debating this issue in the House over the past six months. Some six months ago, when the Justice Bill was before the previous Assembly, every Member passed up the opportunity to put into law a statutory duty to co-operate. On mature reflection, we all need to accept that, by passing up that opportunity to put into law a statutory duty on all statutory agencies to co-operate, we gave many agencies that should be involved in tackling antisocial behaviour at grass-roots level an opportunity not to commit to doing so in the way in which they should. Therefore, I would very much like the Minister to give a firm commitment to bring back a short amendment that would allow the House to right that wrong and to give us the statutory footing on which to proceed.

**Mr Deputy Speaker:** I ask the Member to bring his remarks to a close.

**Mr Ford (The Minister of Justice):** I welcome the opportunity to debate antisocial behaviour. If nothing else, it has been demonstrated by what has been said in the House that it is an issue of significant importance to society. The timing of the debate is quite opportune because, in the coming months, as part of the programme to reshape the justice system, I will look at the strategic priorities for the new community safety strategy, 'Building Safer, Shared and Confident Communities'. The final strategy will be the result of a comprehensive programme of engagement with local communities throughout Northern Ireland. I attended a number of public meetings that were held during the consultation period earlier in 2011. I heard directly from local communities on issues that were important to them. At all those meetings, antisocial behaviour featured as a top priority for local communities. The final strategy will reflect that.

It might be useful to look at what is and is not antisocial behaviour. The statutory definition is to have acted:

*"in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as"*



the defendant. However, antisocial behaviour can mean different things to different people, with an understanding of what constitutes antisocial behaviour being influenced by a number of factors, including context, location and quality-of-life expectations. As a result, what might be considered to be antisocial by one person could be seen to be acceptable by another. The subjective nature of antisocial behaviour can make it difficult to identify a common understanding of the term.

The original premise of the term “antisocial behaviour” was to describe a range of behaviours that had a negative effect on quality-of-life issues: minor disorder and incivilities and behaviour that was below the threshold for criminal prosecution. However, the phrase has somehow gathered some kind of momentum. It now covers a host of issues, right up to and including rioting. Let us be absolutely clear that we distinguish between what is antisocial behaviour and what is criminal activity.

What “antisocial” means in a local context is best illustrated by looking at what causes harassment, alarm or distress. As many Members have highlighted, the most commonly reported incidents concern rowdy, nuisance or inconsiderate behaviour. That accounts for more than half the incidents of antisocial behaviour that have been reported in the past two years. What is really important — it has been highlighted by some Members — is the harm that that type of behaviour can have on its victims. Antisocial behaviour can have a very real impact on those who are directly affected. It can have a disproportionate impact, particularly on older and vulnerable people. It is, therefore, essential that all key stakeholders with responsibility work in partnership to communicate a clear message about their roles and responsibilities; the actions that they will take to deal with incidents of antisocial behaviour; the support that they will provide for victims; their plans to prevent antisocial behaviour; and measures to deal with perpetrators.

There have been successes to date, as Roy Beggs highlighted when he proposed the amendment. Other Members did the same in their contribution. Tackling antisocial behaviour is a key priority for my Department. We have a graduated response of prevention, intervention and enforcement, which has contributed to a 20% reduction in incidents of antisocial behaviour since 2007-08. I am determined to

build on that success and support communities to address local issues of concern. It is of interest that the target was 15%, yet we have achieved a reduction of more than 20%.

The leafy suburbs were mentioned. Although it is clear that there was a 37% reduction in antisocial behaviour in north Down, it is also the case that in Lagan Valley, which is perhaps not quite so leafy but certainly does not constitute the inner city, saw only a 3% reduction, while areas such as east and north Belfast saw reductions in the range of 16% and 17%. Therefore, the pattern is quite mixed across Northern Ireland, but, overall, the trend is down everywhere. That has been underpinned by the crime survey over the past three years, showing that downward trend. The three-year trend, which shows that the target has been exceeded, is significantly more important than what may happen in a one- or two-year circumstance. That success has been based on partnership working with key stakeholders at regional and local level adopting a graduated approach to antisocial behaviour and with the delivery of preventive measures to build community confidence. That encourages community involvement in crime prevention, the provision of physical measures to reduce crime and antisocial behaviour and proposals such as community safety wardens, neighbourhood watch schemes and CCTV. The whole package contributes, and one of the key issues highlighted in the Chamber is early intervention.

Community and voluntary groups have made a valuable contribution at local level to reducing antisocial behaviour, and I have had the pleasure of seeing at first hand the innovative approach that people have adopted in some areas around issues of local concern. For example, I recently helped to launch the ‘Hold it Down’ interactive computer game in Strabane. That was developed by Strabane Community Safety Partnership, with input from a number of young people in the area. It was designed to appeal to young people while delivering a warning about the risk of engaging in antisocial behaviour. That is positive constructive engagement at an early level.

The wider approach that we have developed has included intervention measures such as diversionary initiatives to reduce the potential for young people to be involved in antisocial behaviour and intergenerational initiatives to promote respect and understanding between older and younger people. We have also seen

positive use of semi-formal interventions, such as warning letters, which notify respondents of unacceptable behaviour and provide advice when their behaviour is being monitored. Mention was also made this morning of the use of acceptable behaviour contracts as an effective tool to prevent a recurrence of antisocial behaviour. When early interventions are not successful, it is clear that enforcement measures are needed, such as anti-social behaviour orders, which prohibit a named individual from continuing in specific antisocial acts, to protect communities from further incidents.

Through the consultation on the new community safety strategy, there has been broad support for that graduated response to antisocial behaviour and recognition of the benefits of early intervention to prevent individuals, particularly children and young people, engaging in antisocial behaviour. Antisocial behaviour is fundamentally a local problem; therefore, the long-term solutions will come in part from improved local partnership working and empowering individuals and communities to become engaged in finding solutions to local problems.

I welcome the support that Mr McDevitt has just given to the concept of the duty to co-operate. However, I am not sure that his two-minute speech this morning will have persuaded the majority of Ministers who are unwilling to accept it. Nevertheless, it is an issue that the House needs to keep under review.

Part of the amendment calls on me to delegate greater resources and responsibility to the community safety partnerships to tackle the issue by working with local government and the community and voluntary sector. As the Members who tabled the amendment will be aware, financial resources have been allocated for this year. Those resources are targeted towards priority areas, and it is clear that antisocial behaviour is a priority area for the great majority of local partnerships. That has been replicated in the policing plan. That ensures that resources are already prioritised towards antisocial behaviour, which is a point that Gerry Kelly raised. The Department and the Policing Board will soon be working on strategic priorities for the new PCSPs, and the significant resources that will be invested there will be prioritised towards meeting those objectives. The issue of resources will be kept under review if there is any opportunity to enhance the resources going forward. I believe that we

will see PCSPs playing a pivotal role in building confidence in the justice system and ensuring that the public help to develop solutions to tackle crime, the fear of crime and antisocial behaviour as we seek to build a safer society.

There was also recognition that enforcement measures may be required, although, perhaps, there was little agreement about what they might be. When the consultation process was set out, the document referred to the possibility of parenting orders, dispersal orders and support orders having been raised previously, but it said that they would be considered only if compelling arguments were presented during the consultation. There was a range of views, and the final report will reflect that, but, at the moment, I see little sign of any compelling case having been made for significant enhancement compared to the enhancement that is required at the preventive level.

We certainly have contrary views on the use of anti-social behaviour orders, for example. Some say that their current relatively limited and proportionate effect in Northern Ireland has been very effective as part of the range of powers. However, others, particularly those associated with children's rights groups and some children and young people, are concerned about the value of anti-social behaviour orders against the potential that they are in breach of the UN Convention on the Rights of the Child.

#### 11.45 am

There has been some support for dispersal orders, although the PSNI has acknowledged that, if they were introduced, the powers would have to be used very sparingly and only when any other means had failed after trial.

**Mr Wells:** I am glad that the Minister has raised the issue of dispersal orders. Why could they be used only sparingly? It strikes me that, in many of the examples of antisocial behaviour with which I deal, dispersal orders should be the first tactic used to deal with the situation immediately. Before an even larger crowd of antisocial youths gathers, they should be dispersed to various parts of the town or back to their homes to prevent a situation arising in the first place.

**Mr Ford:** I am quoting only the PSNI's advice. However, as a constituency MLA, I know examples of, in effect, the operation of an informal dispersal arrangement. One was a case of a

single relatively junior female police officer going into a crowd of people before it got to a difficult size and simply suggesting that they go home and stop creating a nuisance. The great majority of them left, leaving one or two troublemakers to be dealt with by the force of law. That seems to me to be a perfect example of the right approach, which did not require dispersal orders.

Similarly, issues have been raised about parenting orders. Some see the potential benefits of parenting orders. There is general agreement on the vital role of parents and guardians in responding to antisocial behaviour and the benefits of providing support to parents. However, many people see that as the appropriate level of early intervention: provision of support for families as a preventative measure rather than waiting until a child or young person is caught up in the criminal justice system. That seems to be the area in which there is general agreement around the House. Although some Members seek more active police intervention at this stage, there seems to be general agreement that there needs to be much greater use of early intervention and a much greater commitment of resources. Of course, that is not necessarily an issue for the Department of Justice but is more for other Departments, notably the Department of Education and the Department of Health, Social Services and Public Safety.

I want to express appreciation of the level of interest in today's debate. It has illustrated the views that we heard as the issue was consulted on during the community safety strategy process. As the strategic priorities are developed, I will take full consideration of all the views that were raised in the consultation and those raised by Members in the House today. However, any decision on antisocial behaviour powers has to be assessed on what measures are appropriate, proportionate and effective to support cohesive working across the justice system. Legislation on its own will not impact on the antisocial behaviour that affects people's quality of life. That will be achieved only through what so many Members have talked about: sustained partnership working between agencies, voluntary groups and local communities and the delivery of a consistent and effective response to concerns about antisocial behaviour.

At the same time as we deal with the perpetrators, it is essential that key stakeholders who have a responsibility in this field target their resources

to identify vulnerable victims of antisocial behaviour and to ensure that victims receive the support and protection that they deserve. I welcome the fact that the Chief Constable recently began the process of supporting victims by implementing a new operation system to deal with antisocial behaviour incidents and to identify those to whom antisocial behaviour causes the most harm. The new community safety strategy will underpin that approach to antisocial behaviour. Partnership working across government and the new PCSPs will ensure that issues of importance to local communities will be a priority.

As the motion states, I acknowledge that antisocial behaviour causes significant anxiety. We should also acknowledge that not only are the statistics of incidents of behaviour reducing but the level of anxiety is decreasing. It is not the function of the Assembly to add to that anxiety. We should recognise that the trend is moving in the right direction, although perhaps more slowly than we would hope. The key point is that antisocial behaviour is not an issue for the police or the justice system alone. It is an issue to which, as Mr Maginness said, a wider approach is required. Full partnership is required across a range of agencies and local communities. For that reason, I support the amendment.

**Mr B McCrea:** I am a little disappointed that Members to my left have attempted to characterise the debate as one of liberals versus hawks, as if somehow our views were not valid. The real issue about the motion is that the DUP has failed to make a case. It has failed to provide evidence to support its motion and has flown in the face of evidence that has been presented by other people. The motion is not only populist but ill conceived and flies in the face of the facts. It is vital for people to come forward and challenge these issues. I note people shaking their head, but they would not take interventions when we wished to debate the point, and I will make that point over and over again.

**Mr S Anderson:** Does the Member agree that the figures and statistics that we heard today do not represent the true picture? There are elderly people who are prisoners in their own home. They lock their doors at 4 o'clock or 5 o'clock in the evening, when these antisocial people are outside their front door causing mayhem, because they are scared to come out until the

next day. Why does the Member say that we on the DUP Benches are coming across with the wrong agenda?

**Mr B McCrea:** The Member has just done it to himself more eloquently than I could have done it. You do not accept the facts and figures produced by the PSNI, the Policing Board, the Minister of Justice or anybody else in this place.

Dealing with antisocial behaviour is a complex, long-term issue that thrives best with community involvement. At the risk of giving Pat Sheehan further applause, I will say that the police are not asking for more powers; they are not necessarily using the powers that they have all the time. The real issue is encouraging community involvement. Our amendment makes it clear that what we should be doing with the DPPs and the CSPs that have been set up —

**Mr Humphrey:** Will the Member give way?

**Mr B McCrea:** No, I will not give way now. I have done so once already.

We need to look now at how to get the proper resources into those areas. If you had read the research or bothered to do your homework, you would have seen what people are saying. Report after report says that people want more visible policing on the ground —

**Mr Deputy Speaker:** Order. Will the Member make his remarks through the Chair?

**Mr B McCrea:** As I was saying, Deputy Speaker, as I was admiring the fine artwork round here —  
[*Interruption.*]

**Mr Humphrey:** Will the Member give way?

**Mr B McCrea:** No, I will not, because you would not give way earlier when we were trying to have the debate. The issue is that you have been —  
[*Interruption.*]

**Mr Deputy Speaker:** Order. The Member will resume his seat. It would be very unfortunate if I were to find some Members guilty of antisocial behaviour during a debate on antisocial behaviour. [*Laughter.*] You should not make remarks from a sedentary position, and the Member will make his remarks through the Chair. Continue.

**Mr B McCrea:** Absolutely —

**Mr Campbell:** Calm down.

**Mr B McCrea:** Mr Deputy Speaker, I heard voices off to my left. I look to your direction on this.

**Mr Deputy Speaker:** The Member will resume his seat. I assure the Member that I am more than capable of looking after affairs.

**Mr B McCrea:** Mr Deputy Speaker, I look for your protection in all these matters and value your guidance.

I will deal with the issue because it is of supreme importance to many people. I do not deny that people are worried or that we need to address the issue. The question is how best to address it. The facts show that antisocial behaviour is responding to treatment and that many issues that were outlined here as failures to deal with the problem are, in themselves, criminal activities that should be dealt with in the appropriate manner. All of us have said —

**Mr Agnew:** Will the Member give way?

**Mr B McCrea:** I will see if it is OK with the Deputy Speaker.

**Mr Agnew:** I thank the Deputy Speaker, and I thank the Member for giving way, because I did not get a chance to speak in the debate. A point was made about evidence, and Mr Wells made the quite emotive comment that perhaps what some of them need is two weeks in prison. However, does the Member agree that the evidence does not support such an approach? Although it is an understandable emotional response, it is not one that is based on evidence.

**Mr B McCrea:** All the evidence suggests that, as the Committee for Justice was told:

*“indications from international research are that contact with the criminal justice system tends to accelerate criminality”.*

Children and young people will stop offending most quickly if they are dealt with in another manner.

In my final couple of minutes, I will conclude by putting out a challenge. In dealing with this issue, when we look at what people want, we see that they want information. DPP surveys, which will have been brought forward by the Policing Board, show that people want the police to be there early; they want the police to be visible; they want to know what telephone number they should call when there is an issue; and they want local people to get around the



table and find local solutions to local problems. That is the key issue in all of this. It behoves everybody — not just the DUP but elements of the media — to behave responsibly and not to speculate, come forward with ill-founded opinions or try to make an issue out of it. People should look at the facts —

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

**Mr B McCrea:** — look for what works and support the amendment. I would go so far as to reject the motion, because it is not going in the right direction.

**Mr Dunne:** How do I follow all that? All the issues have been well and truly covered.

Antisocial behaviour still affects people in every constituency in Northern Ireland, as was pointed out during the debate, and there was broad support for further action. The issue affects all our towns, cities and villages. It often adversely affects the elderly, which was illustrated many times today.

A recent survey carried out by the North Down DPP, in which 438 people took part, highlighted antisocial behaviour as the number one issue of concern. Therefore, it is an issue even in places such as north Down, which I represent. The Minister highlighted a decrease in incidents. However, as I said, in areas such as north Down, it is still the number one issue of concern.

**Mr Wells:** Figures have been quoted today, and significant decreases in incidents of antisocial behaviour are to be welcomed. However, even if we take the most optimistic figures quoted by Mr Ford and Mr Dickson of 20% or 21%, that still leaves around 80%. Therefore, it is a very important issue to the individuals who still suffer as a result of those incidents. It is no consolation to go to a little old lady in Annalong or Kilkeel and say, "The good news is that Warrenpoint and Castlewellan have had a 20% decrease". That is no consolation: those people are still being tortured.

**Mr Dunne:** Thank you, Mr Wells, for that information. A 'Belfast Telegraph' survey in August 2010 showed that 82% of people wanted robust action on antisocial behaviour. Such surveys go some way to representing the strength of feeling in the community on the issue.

My colleague Mr McIlveen, who proposed the motion, said that part of the problem is to do

with how the police can combat and control antisocial behaviour. He made the point about increasing police powers, and I will come to that later. His main issue was the power of dispersal. He wants the police to have some power in that regard. There is no doubt that police have great difficulty taking direct action against those irresponsible young people because they are so tied up with legislation and the rights of everyone. That is the problem: the police operate under such tight scrutiny that they find it difficult to take proper action in dealing with antisocial behaviour.

The police have a key role in the issue, and I feel that it is vital that they have greater discretion to tackle the problem of antisocial behaviour in the most effective ways possible.

## 12.00 noon

As the Minister has indicated, there is no doubt that we need a joined-up approach to tackle the issue, and much has been made of that today. There is a wide range of responsible players, including the PSNI, DPPs, CSPs, parents, teachers, youth workers, community workers and universities. They all have an important part to play in dealing with the issue. I know of two local councils in my constituency, North Down Borough Council and Ards Borough Council, which have set up dedicated antisocial behaviour teams to deal with the problem, and they have been relatively successful. The presence of the patrol vehicles around the area and their interaction with young people gives some reassurance to law-abiding citizens and also plays an important part in the deterrent factor.

Antisocial behaviour has many factors with a vital role to play, and it is important that there is a greater reduction in antisocial behaviour. Many young people are certainly not always to blame. Statistics show that they are often responsible for antisocial behaviour incidents, and we have to look at parental responsibility and the issue of truancy. We certainly welcome the reported statistical reductions in antisocial behaviour. The positive figures are welcome. However, statistics will not be any comfort to those victims of the problem who are prisoners in their own homes. They want to see robust action taken to tackle the problem head-on. More direct action is required by authorities to deal with the problem. We need effective action, not empty promises.

There has been a very comprehensive debate and quite a bit of agreement on quite a number of the issues. David McIlveen, who proposed the motion, offered an illustration of an 83-year-old lady. That is what it comes back to. I think that some Members lose sight of what their constituents are living with and dealing with. He mentioned an 83-year-old who lives under intimidation. Stones are fired at her door, and there are holes in her hedge. The police are called, but, by the time they get there, the youths have disappeared, and no action is taken.

**Mr B McCrea:** I would like to place on record that we agree that such activity is reprehensible and should be absolutely condemned and stopped. However, I wonder what powers he is looking for or how we would improve that situation. What would we do to deal with that?

**Mr Dunne:** He mentioned the Anti-social Behaviour Act. His point is that he feels that there needs to be power of dispersal, so that the police can disperse a crowd early on, before a real situation or a real risk develops.

**Mr Murphy:** Will the Member give way?

**Mr Dunne:** No, thanks. Roy Beggs took the liberal point of view, when he made the point that calling for more police powers was a simplistic view and that we must take care not to be heavy-handed. Obviously, he does not live in the real world and know what is going on.

**Mr Beggs:** Will the Member give way?

**Mr Dunne:** No, thanks. Pat Sheehan made the point that the police have not been asked, police powers were not properly used and policing was more to do with the work of statutory agencies. He also mentioned that, in west Belfast, a lot of good policing went on with the community. He made his point about the loss of funding in relation to Upper Springfield Road.

Alban Maginness made the point that it amounted to persecution of the elderly folk. That is true. It is a reality that people are being persecuted in their homes. I think that that has been highlighted a number of times today. Maybe some Members do not recognise that. Maybe they are not in their constituencies enough to know what really is going on. Mr Maginness also made a good point about local primary schools. He felt that they had an important part to play and that the early years were important.

**Mr Humphrey:** I am grateful to the Member for giving way. Does the Member agree with me that the motion proposed by Mr McIlveen and the amendment tabled by the Ulster Unionist Party — it seeks to have a review of powers to deal with the problem — are actually not a million miles away from each other?

**Mr Dunne:** Yes, indeed. Thank you for that. Stewart Dickson made the point that working with the community was very important. *[Interruption.]* He also talked about the positive aspects of young people, and those should be made clear today. He had a lot of praise for young people, and it is important that we do not stereotype them all. As Members on this side of the House made clear, it is a small minority that needs to be dealt with effectively.

Jim Wells, who is obviously a very active Member and is very proactive in his constituency, gave us a very clear example of what is happening in places such as Kilkeel, Rathfriland and Annalong, where young people are torturing elderly people with fireworks. Jim obviously has clear evidence of that, and he mentioned a cat. Jim is very involved in animal rights, and it is of great concern to him and, indeed, to everyone that a cat would be destroyed by fireworks. That type of behaviour is totally unacceptable. We have heard about that type of thing happening Province-wide, not just in South Down.

Gerry Kelly made the point that there is no quick answer, and he mentioned a multi-agency approach. Everyone can support that, because a multi-agency approach, with the police taking the lead, is needed. He mentioned restorative justice, thankfully very briefly, and —

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

**Mr Dunne:** Other Members, such as Sydney Anderson, made the point about zero tolerance. John McCallister was more worried —

**Mr Deputy Speaker:** I am sorry; the Member's time is up.

**Mr Dunne:** Thank you very much, Mr Deputy Speaker. I will reluctantly support the amendment. *[Interruption.]*

**Mr Deputy Speaker:** Order.

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

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

*Resolved:*

*That this Assembly recognises the severe anxiety that antisocial behaviour is causing people living in our cities, towns and villages; and calls on the Minister of Justice to delegate greater resources and responsibility to the community safety partnerships and the district policing partnerships to tackle the issue by working with local government and the community and voluntary sector to bring about local solutions; and further calls for a review of police powers to deal with this problem.*

## **Crown Estate**

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

**Mr McMullan:** I beg to move

*That this Assembly calls on the Executive to consider the role of the Crown Estate along our coastline with a view to maximising any possible financial return to the Executive.*

Go raibh maith agat, a LeasCheann Comhairle. I support the motion, which will ensure that all powers currently held by the Crown Estate that deal with the seabed in our territorial waters as far as the 12-mile nautical limit are returned to and administered by the Assembly in the North of Ireland, solely for the purpose of creating present and future financial benefit for the local economy.

In July this year, the British Government commenced —

**Mr Allister:** Will the Member give way?

**Mr McMullan:** I have not really got started yet. I will allow you later on.

As recently as July this year, the British Government commenced their plans for a new coastal communities fund. That fund is equivalent to 50% of the revenue that is produced from our territorial waters and taken by the Crown Estate. At present, that total yearly income is £1 million. However, by the time that administrative costs come out of that sum, only 50% of it will be left — approximately £500,000. In fact, we believe that it could be in the order of just over £400,000.

**Mr Wells:** Will the Member give way?

**Mr McMullan:** Yes.

**Mr Wells:** What the Member is saying is not in compliance with the motion, which:

*“calls on the Executive to consider the role of the Crown Estate along our coastline with a view to*

*maximising any possible financial return to the Executive."*

You suggest that we transfer the functions of the Crown Estate Commissioners to the Northern Ireland Assembly. That is very different from what is in the motion before the House.

**Mr McMullan:** If the Member just waits until I get through what I am saying, he will see that I am asking the Executive to do a lot of that work. Just bear with me.

The funds are available for businesses, social enterprises and charities. The applications will be based on a bidding system. Coastal communities will not benefit from a scheme in that format. The main question is why only 50% of the revenue comes back. Why not 100%?

Let us set aside the coastal communities fund and, as I said to the Member, look at the real benefits that we would gain from having control of our seabed. The sea has always been one of the most productive areas for the food industry and aquaculture. At present, 81 fish farms are licensed by the Department of Agriculture and Rural Development (DARD). Of those, 48 are marine farm licences for the cultivation of shellfish and 33 are licences for fin fish, including rainbow trout, brown trout and salmon farms. The most recent figures, which were gathered in 2008, showed that the industry was worth approximately £9.5 million. The sea is fast becoming a major asset for tourism: beaches, harbours, marinas and bases for recreational boating. The number of cruise ships docking here in the North has risen, with the number of passengers increasing from 57,000 in 2009 to 62,000 in 2010.

Why do I mention that? Councils, harbours, ports, fish farms and shellfish operations, all of which are in Strangford and Carlingford, have leases on the seabed, as have gas pipelines, electricity connectors, gas storage and fibre optics. That means that they have to pay rent, which, of course, is paid to the Crown Estate. Wind farms have the potential to be the most lucrative market of all. Indeed, the lucrative market of Europe has suggested that offshore wind farms are more beneficial. In addition to the offshore wind farms, there are onshore buildings and cables that take the generated electricity to the grid.

Not that long ago, the Minister of Finance and Personnel said in the Assembly that we had to

seek out new revenue streams because of the cut in the block grant.

**Mr Storey:** To say that we are confused about where the Member is going is probably an understatement. How would, for example, the island of Rathlin in my North Antrim constituency benefit as a result of wind farms being placed there? Will he tell the House how the Crown, in any way, would be disadvantaged by placing a wind farm on Rathlin Island? The local community would benefit in the same way as the community on Gigha, on the west coast of Scotland. There is no disadvantage to the Crown. Will he explain where all this is going?

**Mr McMullan:** I am sure that the Member knows that I am not talking about putting wind farms anywhere. In the marine Bill that will come before the Assembly, Rathlin will be a zoned area, so it will have environmental protection. You did not listen to what I was saying. I will not get into that argument with you because you are famous for it. *[Laughter.]*

As a legislative body, we face cuts in all departmental budgets. However, we have a growing industry on our doorstep. While we face cuts in the block grant, the same Government who force those cuts on us earn £1 million from that industry, and that figure is rising. Everybody knows that that is unjust.

Many international companies have indicated their interest in the industry in the North of Ireland and in the development of marine renewable projects. A growing industry is right under our noses and could generate a financial boost for the North. At present, however, all revenue goes back to the Crown Estate.

The Department of Enterprise, Trade and Investment (DETI) —

**12.15 pm**

**Mr Allister:** Will the Member give way?

**Mr McMullan:** I have given way twice already.

**Mr Allister:** Not to me.

**Mr McMullan:** I know that.

DETI has also seen the huge potential for possible investment in the range of between £330 million and £880 million by 2020. The Minister of Enterprise, Trade and Investment and those who are responsible for the Crown Estate have said in writing that they will propose



new leases for the seabed where that will be beneficial to those who want to invest. It follows that an investment today of £1 million could be a massive amount by 2020. It could be £10 million or £20 million. We do not know the value of those leases or anything else.

For the benefit of the Assembly, I will read out some figures. Cables in the seabed bring a rental income of £323,000 a year. Commercial development brings £228,000 a year, mooring brings £11,000 and marinas bring £160,000. I point out to Members whose constituency lies in coastal areas that ratepayers are paying for that.

**Mr Storey:** They are keeping up the charges in Moyle.

**Mr Deputy Speaker:** Order, please. I am disappointed that I have to remind Members yet again that you do not make remarks from a sedentary position. When a Member moves a motion, he or she is entitled to do so.

**Mr McMullan:** I remind the Member that Rathlin Island, which he champions, is also paying rent for the moorings there.

**Mr Storey:** Speak to them.

**Mr McMullan:** We have spoken to them.

The pipelines bring in £870,000, but on the issue of wind farms, we are dependent on Europe because we have to reach a target of having 40% of our electricity from renewable sources by 2020. If all of that is going to be put on top of it, we must try to get as much out of it as we can. Invest NI is working to quantify the economic benefits from the marine sector. The latest figures show that in the region of 4,000 new jobs would come in as a result of the investment.

Members, it is my belief that that control of the seabed would give us greater influence with international companies. It would have great potential to create thousands of new jobs. It would also be a contributing factor in helping to tackle fuel poverty. There is a large scheme at Larne harbour, where an international company has applied to store gas under the seabed. We must get a part of that as well. The Scottish Parliament has been pushing for all of the Crown Estate that is in Scottish waters and on Scottish land to be handed back to it.

The motion could open up new ideas and see a new era for economic growth and employment potential. Already, organisations

such as Harland and Wolff, B9 and Deepblue Renewables are investing heavily in the marine industry. In fact, the Marine Current Turbine (MCT) SeaGen tidal project in Strangford lough, which was installed in 2008, was the world's first commercial-scale project to generate to a national grid.

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

**Mr McMullan:** Although so many commendable proposals are included in the proposed marine Bill, which is due to be published shortly —

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

**Mr McMullan:** — it still falls short. I ask the Assembly to accept the motion.

**Mr D Bradley:** I beg to move the following amendment: Leave out all after "Assembly" and insert

*"notes schedule 3 paragraph 5 to the Northern Ireland Act 1998, which declares the foreshore, seabed and subsoil and their natural resources a reserved matter; and calls on the Executive to open negotiations with the Treasury in order to maximise any possible financial return from the Crown Estate to the Executive."*

Go raibh maith agat, a LeasCheann Comhairle. Tá an-áthas orm an leasú ar an rún a mholadh. Sin an fáth ar bheartaigh muid ar an leasú a thabhairt isteach nó go gceapaimid go gcuireann sé leis an rún, go dtreisíonn sé é agus leathnaíonn sé tionchair an rúin. I am pleased to propose the amendment to the motion. We have tabled the amendment because we believe that it adds to and strengthens the motion and expands its scope. The SDLP advocates a bold approach to deliver economic prosperity for the people of Northern Ireland.

We must recognise the current political position and how it affects the Executive's opportunity to develop the North's economy. The Executive's ability to gain potential financial returns from things such as renewable energy development off the shores of Northern Ireland is certainly complicated by the arcane nature of affairs, which still sees many relevant development areas coming under the ownership of the Crown Estate. Therefore, we must immediately open negotiations with the Treasury on the receipts from the Crown Estate and the related ownership issues. Indeed, we must go much further.

This is not the first time that we have highlighted the need to open negotiations with the Treasury on a range of issues. Our 2010 Westminster manifesto outlined the need to further devolve powers to Northern Ireland, and, with the prospect of the Executive going into negotiations with the Treasury on corporation tax, this debate should be widened and deepened for the benefit of our economy. Now is a good time to do that.

The other key proposals that the Executive must put forward in any negotiations with the Treasury, all of which are covered by the Northern Ireland Act 1998, include lowering corporation tax, which I mentioned earlier, and a wider maximisation of our fiscal discretion to provide further economic levers for this region. We should also open negotiations on the control of broadcasting, telecommunications and the internet, which all have a massive impact on our modern economy, on culture and on North/South relations. We should also negotiate the power to control our own aviation strategies to negate the current competition problems and boost industry and tourism. There is also an opportunity to control our own energy and mineral resources, which, aside from renewable energy development, could also provide the Executive —

**Mr Weir:** I thank the Member for giving way. To be fair, we accused the proposer of the motion of moving away from the motion's content. We now seemed to have moved from the seabed to aviation. I am wondering whether it is now SDLP policy for us to make a launch at the moon or Mars. Is an Ulsterman on the Moon the scope of SDLP ambitions?

**Mr D Bradley:** As regards an Ulsterman on the moon, there is a candidate who immediately comes to mind and shall, for the moment, remain nameless.

I thank the Member for his intervention, which is quite useful as it gives me the opportunity to direct him to the amendment that I am proposing. I am not proposing the motion; I am proposing the amendment. As I said in my opening remarks, the purpose of the amendment is to widen the scope of the motion, so I hope that the Member has been suitably enlightened on that point.

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

**Mr D Bradley:** I have given way already; do not be pushing it, please.

As I said, we have the opportunity to control our own energy and mineral resources, which, aside from renewable energy development, could also provide the Executive with more say in the development of contentious issues such as fracking.

There is also the chance to best protect the Northern Ireland public, particularly vulnerable people, through the ability to set our own minimum wage and national insurance levels and to oversee consumer protection. It would also benefit community organisations if we had control over lottery spending here.

That, of course, is not an exhaustive list, but in order to free up the Executive to take the necessary action to rebalance the economy and create jobs and economic growth, the SDLP has proposed a 25-year economic and financial framework compact with the Treasury.

**Mr Wells:** On a point of order, Mr Deputy Speaker. It is quite clear that the honourable Member for Newry and Armagh has drifted a long way from Crown Estate Commissioners and the utilisation of the seabed. We have gone into territory that none of us could have anticipated.

**Mr Deputy Speaker:** I encourage the Member to stick to the amendment.

**Mr D Bradley:** Thank you very much for that kind advice, Mr Deputy Speaker, and, as you know, I always take good advice.

The long-term project of rebalancing the economy would require this compact to be sustained even if Northern Ireland's constitutional position were to change democratically. This is the only way to take true control of our future. With regard to coastal revenues, arrangements are in place that particular councils here participate in. We would hope that those arrangements would continue if this matter were to be devolved to the Executive because certain councils derive considerable income from those arrangements. Tá an-áthas orm an leasú seo a mholadh, agus iarraim tacaíocht an Tionóil dó. I ask the House to support our amendment.

**Mr Hamilton:** After our brief diversion to the moon, I suspect that perhaps some people watching this think that some in this House are wired to the moon, to use the local parlance.

**Mr Humphrey:** I am grateful to the Member for giving way. Is the Member aware — the House should be aware — that the first man to set foot

on the moon was from Ulster extraction and was an Ulster Scot?

**Mr Hamilton:** Well, there we go. That is a useful piece of information that we have all gleaned this afternoon, and I thank the Member for that. *[Laughter.]*

**Mr Deputy Speaker:** Order, please. I encourage Members not to develop that theory and to stick to the subject.

**Mr Hamilton:** I am going to forgo, because I fear that others will elaborate more, the opportunity to concentrate my remarks on the obvious and blatant attack that this is on all things the Crown and British. It was implicit in the speech of the mover of the motion and a bit more explicit, I fear, in the speech of the mover of the amendment that this is about de-coupling Northern Ireland from the Crown and altering, by various means, the constitutional relationship —

**Mr Humphrey:** Will the Member give way?

**Mr Hamilton:** No, I will not give way — between Northern Ireland and the rest of the United Kingdom. I will forego the opportunity to talk about that, because I fear that others will elaborate on it much more than I am doing.

I did not know that the mover of the motion, Mr McMullan, was such an avid royal watcher. It must be a mere coincidence that he brings forward this motion to the House on the very day that Her Majesty's Government are publishing the biggest reform in 250 years of the way the royal family is funded. I did not know that he was such an avid royal watcher. Perhaps he is the Jenny Bond of Sinn Féin. However, he has picked today, which by a mere happy coincidence is the day of the publication of —

**Mr Molloy:** Will the Member give way?

**Mr Hamilton:** No, I will not give way — the Sovereign Grant Bill in Westminster. That Bill proposes to change how the royal family is funded away from the Civil List to a new system whereby the income that they receive as a family is pegged to the profits of the Crown Estate. So, here we are, we never talk about the Crown Estate and then, all of a sudden, we have a debate in here today, and on that very day a change is proposed to the way the royal family is funded to take account of profits from the Crown Estate.

**Mr McMullan:** Will the Member give way?

**Mr Hamilton:** No, I will not; I want to elaborate on that point. This is the first major reform in 250 years. I do not want to get into debate about whether the estimated £34 million that the royal family will receive is enough to do them. I have no experience of living how the royals do. I would happily live for —

**Mr Molloy:** On a point of order, Mr Deputy Speaker. Surely this is a distraction from the motion, and the Member knows fine well that it is the Business Committee that sets the date for when a motion will be debated here, not the Members themselves.

**Mr Deputy Speaker:** I encourage all sides of the House, please, to return to the motion.

**Mr Hamilton:** I accept that it is a fairly long-winded point, but I am getting to the point. The palace and the Treasury have negotiated a new way for funding the royal family based on the profits of the Crown Estate. The Chancellor of the Exchequer, George Osborne, is quoted as saying that he has dealt with this to ensure that:

*"my successors do not have to return to this issue as often as I have had to."*

That is a euphemism for long, painful, protracted negotiations having taken place between Treasury and the palace to agree this. There is no incentive for the palace to open up negotiations on its profits if what it takes in is dependent on the profits of the Crown Estate. There is no way that the Treasury will do it for £1 million from Northern Ireland. So, the whole basis of taking back money from the Crown Estate to Northern Ireland will not work in the context of the Bill that has been published today in Westminster.

## 12.30 pm

We are all very familiar with the weird and wacky revenue-stream ideas that Sinn Féin keeps producing. Nobody, least of all me, will underestimate the value of even the £400,000 that Mr McMullan spoke about, but are we seriously going to now talk to the Treasury and others about that £400,000? Are we going to focus on the supposed £400,000 that the Member is talking about, or do we want to talk to the Treasury about corporation tax? Let us get clear about this. What is the big picture here? Is that less important than what the Member is talking about?

There is also a point to be made about the circular movement of public money. Much of the

money that the Crown Estate gets from Northern Ireland comes from the ratepayers of Northern Ireland. For example, I know that Ards Borough Council pays about £30,000 over a period of years to lease various beaches. If this hare-brained idea actually comes to fruition and we were able to get that money back, why would we take it into the centre here in the Assembly and not give it back to local councils, which are feeling pressure to spend on their ratepayers?

When we are talking about the bigger picture of whether we want to discuss with the Treasury the £400,000 from the Crown Estate revenue or the benefits of corporation tax, let us not lose sight of the bigger picture of offshore renewables. If the Crown Estate is making a profit from the leasing of seabeds and, to use the Member's own word, it is so "lucrative" and profitable, why would the Crown Estate want to give up that revenue and hand it back to Northern Ireland? There is no incentive for that, and if we mess around in the way that the Member is proposing, there is every chance that the opportunity that we have to capitalise on offshore renewables and the huge potential that exists around his constituency and other Members' constituencies will be lost.

It is time to stop chasing moonbeams. This is a moonbeam — we are back to the moon again. We are chasing after nonsense and losing sight of the bigger picture. Get real; this sort of stuff has no place in this Assembly. We should not be discussing taking money off the Crown in a way that will antagonise elements of our community. We need to stop messing about and focus on the bigger picture, which is the potential of offshore renewables.

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

**Mr Hamilton:** Thank you very much.

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

*The sitting was suspended at 12.32 pm.*

*On resuming (Mr Speaker in the Chair) —*

**2.00 pm**

## Oral Answers to Questions

### Agriculture and Rural Development

#### Flood Prevention

1. **Mrs Cochrane** asked the Minister of Agriculture and Rural Development for an update on her Department's flood prevention plans. (AQO 574/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** My Department focuses on three key areas: prevention, protection and preparedness. First, we aim to prevent flooding damage by providing advice to the public and the Department of the Environment's Planning Service. That enables informed decisions to be taken and avoids building in areas at risk from flooding. Secondly, we provide protection to existing property at flood risk through the ongoing maintenance of the existing drainage and flood defences and, where viable, the construction of new defences. Thirdly, we prepare for flooding by working with key organisations to develop the flood risk management plans and a co-ordinated response to flood emergencies. Those three key areas of work have been translated into specific key targets in the annual business plans of the Rivers Agency, which are subject to scrutiny by me, the Department and the Agriculture and Rural Development Committee.

**Mrs Cochrane:** I thank the Minister for her answer. Although I appreciate that there is interagency work at a strategic level, it is often the case that, when a constituent reports a flooding problem to the Rivers Agency, the Roads Service or NI Water, none of those bodies will take responsibility. Does the Minister agree that any investigation into a flooding incident should involve all three agencies jointly, given that their networks are interconnected?

**Mrs O'Neill:** Go raibh maith agat. I thank the Member for her supplementary question. Absolutely; that is spot on if we are serious about tackling, in the long term, the problems that



people consistently face. Yesterday was another example of how flash flooding can affect areas that have been identified with the problem. The Fermanagh task force was a key example of how agencies come together to improve the situation. Therefore, interagency work should be key to how we tackle all those problems.

**Mr Campbell:** Is the Minister aware that there is a very effective flood prevention system in place at Ballykelly camp, which should assist in her deliberations about where she should locate the new DARD headquarters?

**Mrs O'Neill:** I do not know whether to thank the Member for his question or not. However, thank you for the information about the flood alleviation scheme. As I have said consistently, DARD headquarters will be considered in the round. It is not relevant to the question.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for teeing up a question for me.

Given yesterday's serious flooding right across Fermanagh as a result of the unprecedented heavy rain that was, somehow, forecast, will the Minister give an update on the recommendations that were contained in the Fermanagh flooding task force report?

**Mrs O'Neill:** I thank the Member for his question. Obviously, yesterday was a particularly difficult day. The Rivers Agency received 150 calls, and around 60 properties were affected by the floods. We had 180 staff deployed with sandbags. I am glad to report that river levels have fallen today, and we continue to investigate all the incidents that occurred.

Fermanagh was a major issue, and we have seen the establishment of the flooding task force. My Department is responsible for implementing two of the task force's key recommendations. First, with regard to the management of the Erne system, the Rivers Agency is working with the Electricity Supply Board to examine options for improvement to the operational regime that will, hopefully, reduce the flood risk in future. That detailed work is due to be completed in the next financial year, and, if changes to the operational regime are recommended, they will need to be consulted on and taken forward. I want to ensure that stakeholders have every opportunity to influence any changes.

The second key recommendation relates to the consideration of options for a flood alleviation scheme at the Derrychara link. Having considered the situation, the Roads Service and my Rivers Agency have co-operated closely to provide a pump system at Derrychara link in the event of high lough levels. The Rivers Agency has also completed the work on the Killynure Lough drain to further help contain flows. We are progressing a lot of the work that was set out in the task force's recommendations, and we hope to have them implemented as quickly as possible.

**Mr Speaker:** Question 9 has been withdrawn and requires a written answer.

**Mr Byrne:** Will the Minister outline what preparation has been put in place by the Rivers Agency to ensure that enough sandbags are stored at depots? Secondly, will there be any compensation for the unfortunate victims whose houses have been flooded?

**Mrs O'Neill:** Thank you for the supplementary question. The Rivers Agency deployed 5,500 sandbags yesterday, so, obviously, we were equipped to deal with what happened. I do not think that there is an identified problem there.

Compensation is not something that I considered yesterday. We are still cleaning up from what happened yesterday and having full investigations of the problems. Subsequently, where possible, we will, hopefully, be able to identify programmes of improvement that we can take forward. Compensation is not within the remit of the Rivers Agency.

**Mr Copeland:** I thank the Minister for her flowing answers. I thank her also for the substantial amount of money that her Department has apportioned to flood alleviation works in east Belfast. That work was to take place in conjunction with another project that has not progressed at the speed that had been anticipated. Can she assure us of the current status of her commitment to that work and to that budget?

**Mrs O'Neill:** Belfast City Council is the employing authority, and it is in negotiations with the contractor. Those negotiations are ongoing, and we have to await their outcome before we can decide the next step. If no agreement is reached, there will still be a commitment from DARD and the Rivers Agency to continue with that flood alleviation scheme. It is a recognised

priority. If the negotiations do not have a successful outcome, we will have to consider what alternative methods of delivery are available to take forward the scheme.

Some £500,000 has been set aside for 2011-12. Three hundred and eighty five thousand pounds of that has been spent, and the remainder has been set aside for continuing works that will, hopefully, take place. We have also set aside an additional £500,000 within annually managed expenditure, so there is still an absolute commitment to take forward a scheme that is very much needed.

### **Dogs: Microchipping**

2. **Mr McCallister** asked the Minister of Agriculture and Rural Development to outline the legislation currently in place in relation to the microchipping of dogs for export. (AQO 575/11-15)

**Mrs O'Neill:** The legislation governing the export of commercial dogs to another member state is the Animals and Animal Products (Import and Export) Regulations 2006, as amended. The legislation requires that the commercial movement of dogs is in line with the requirements of Council directive 92/65 and, specifically in relation to identification, in line with EC regulation 998/2003. Article 4 of that regulation requires dogs to be identified by means of a microchip or a clearly readable tattoo applied before 3 July 2011. From 3 July, therefore, any newborn dogs that are to be exported to another member state will have to be microchipped.

In cases in which dogs are being exported to third countries, the conditions of the export health certificate that have been negotiated with that country will have to be complied with. Those conditions may include the identification by microchip, tattoo or some other distinguishing mark.

**Mr McCallister:** I am grateful to the Minister for her reply. Is the Minister aware of many local dog breeders' concerns that future changes to microchipping requirements in other countries may jeopardise future export markets?

**Mrs O'Neill:** In my capacity as an MLA, I have met dog breeders who have expressed those concerns. I intend to bring forward dog breeding legislation in the near future, but I will have to go out to consultation again to seek the views

of dog breeders. If it is a competitive market, we do not want to disadvantage local dog breeders in any way. There will be full consultation on the way forward. One of the proposals in that consultation will be that all pups should also be microchipped.

**Mr Brady:** I think the Minister has answered the question that I was going to ask, which was whether she intended to amend the dog breeding legislation to make it a requirement for all pups to be microchipped.

**Mrs O'Neill:** Yes. We intend to consult on that, and I think that it is imperative that all pups are microchipped.

### **Mountain Biking**

3. **Mr I McCrea** asked the Minister of Agriculture and Rural Development what progress has been made on the promotion of mountain biking in forests. (AQO 576/11-15)

**Mrs O'Neill:** The Forest Service's recreation and social use strategy acknowledges the benefits that can be achieved from working with partners to ensure that mountain biking and other recreational opportunities are fully developed. For that reason, the Forest Service is working in partnership with Down District Council, Newry and Mourne District Council and other partners, including the Tourist Board, to develop a 40 km mountain bike trail network at Castlewellan Forest Park and Rostrevor park. That will represent a significant new cycling resource in the North. Subject to an economic appraisal and other necessary approvals, it is hoped that the construction of the trails will commence later in the year. Concept proposals are also being worked up with Cookstown District Council for a trails project at Davagh forest, which will include provision for mountain biking.

As an example of the strategy in action, in June this year, the Forest Service, working with the National Trust, launched a 34 km multipurpose trail network at Castleward forest that includes cycling, pony trekking and walking routes. My Department already provides for cycling at a number of forests, including a mountain bike venue at Gortin Glen Forest Park, with mountain bike events also facilitated at a number of other forests on demand. There are family cycling trails at Castlewellan Forest Park, Gosford Forest Park and Castle Archdale Country Park; Reas wood forms part of the Loughshore cycle

trail; Belvoir Park forest has a cycle trail for a local club; and 32 km of Sustrans trails are located throughout many forests as part of the wider cycle network.

**Mr I McCrea:** The Minister referred to the trails project in Davagh forest. I want to put on record my welcome for the Department's work with Cookstown District Council in delivering that project, which is close to completion.

Will the Minister detail whether there have been any instances in forests, specifically Drumcairne wood, in which those who had installed their own equipment for mountain biking had it removed by the Department? Will she assure the House that she will work with local communities to encourage such activities and make them legal?

**Mrs O'Neill:** We must always be mindful of the legal challenges when working in partnership. However, the partnership approach to cycling, walking and other trails will be key to our delivery of the recreational and social use strategy. We particularly like to work with councils, simply because they have an interest in promoting tourism and attracting people to their area.

I am unsure whether anyone has been prevented from providing private services in Drumcairne wood. I will need to check on that, and I am happy to update the Member.

**Mr Ó hOisín:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a freagra. Will the Minister tell the House whether National Trails Day was a success?

**Mrs O'Neill:** Go raibh maith agat. Shane McEntee TD and I jointly launched National Trails Day on Sunday 2 October. For anyone who does not know, it is an event to celebrate and raise awareness of the wonderful variety of trails that we have, and it provides a chance for everyone to enjoy some of the most beautiful countryside, forests, mountains and lakes. This was the fourth year running that the Forest Service participated in National Trails Day in co-operation with Coillte, with 17 special events hosted and facilitated in our forests throughout the day. There were a number of activities such as woodland walks, red squirrel walks and horse-riding trails. All events were free, and they were a great way of attracting people into our forests.

Last year, more than 20,000 people enjoyed the trails in a variety of ways at over 185 events held across the country. The Forest Service hosted 15 such events in our parks and woodlands. I am proud of the success that we achieved through National Trails Day, and I hope that it will continue year on year. The fact that we were able to open up these areas free of charge presents a great opportunity to get people to value our natural resources.

**Mr Kinahan:** I note that, in previous ideas for by-laws, the promotion of mountain biking meant closing forests between dusk and dawn and, in the case of Randalstown forest, charging bikers £300, which meant that they went somewhere else. What other promotional ideas does the Minister have for those who want to use forests, such as those with shooting rights and others who want to participate in horse riding, quad biking, jogging and many other activities?

**Mrs O'Neill:** Go raibh maith agat. The Member referred to the recent consultation on the forestry by-laws, which demonstrated that there were many concerns about what was proposed. People felt that the proposed restrictions were perhaps unfair to those who wanted to access forests at night. I am considering all the views forwarded to the Department. I want to get a balanced way forward, and I do not want to restrict anyone's use of our forests. It is about being pragmatic and taking a sensible approach to the way forward.

The other issues that you raised are all part of the wider social and recreational use of our forests. As we develop our strategy, we are always looking for partnership ideas and new ideas to develop ways of accessing forests and using them to their fullest potential.

## 2.15 pm

**Mr McDevitt:** Does the Minister have any specific plans to reverse by-laws that prohibit the use of forest parks by mountain bikers between dusk and dawn? In her answer, could she please tell us when she was last on a mountain bike?

**Mrs O'Neill:** That was a dirty one. *[Laughter.]*

As I said, I am considering all the views of stakeholders who have expressed concerns about the forestry by-laws. I will take a pragmatic approach to the way forward. I am not interested in closing forests to anyone. I hope

to find a positive way forward with which no one will disagree.

I cannot remember the last time that I was on a mountain bike; I am sure that it was when I was a child. However, perhaps you are going to take me out some day and show me how it is done.

### **Small and Medium-sized Enterprises: Rural Areas**

**Mr Speaker:** Next on the list for a question is Dr McDonnell.

**Dr McDonnell:** Thank you very much, Mr Speaker. On a more serious topic, could I ask question 4, please?

4. **Dr McDonnell** asked the Minister of Agriculture and Rural Development what actions she has taken to enable the creation of small and medium-sized enterprises in rural areas. (AQO 577/11-15)

**Mrs O'Neill:** There we go.

Through the rural development programme, a number of grants are available to help existing and new rural businesses. For example, under axis 1 of the processing and marketing programme, with a profiled budget of £21.5 million to spend by the end of 2015, a grant of £8.4m has been committed to 27 companies. Officials are currently processing the 73 applications received under the most recent call, and some of those applications are from relatively small and medium-sized companies new to the sector. I hope that some of those letters of offer will issue shortly.

Under axis 3 of the rural development programme and under measure 3.1, "Diversification into non-agricultural activities" and measure 3.2, "Business creation and development", a total of £40 million is available to assist in the creation of new rural businesses and the development of existing rural businesses. A further £12 million is available under measure 3.3, "Encouragement of tourism activities", and, although that measure provides support for larger infrastructure projects, support is also available for small individual businesses providing tourist accommodation and tourism activity-based enterprises and craft facilities, to name a few examples.

The Member will recall that, only a couple of weeks ago, I strongly supported a motion on

rural businesses tabled by a Member from the north-west, and I re-emphasise what I said then: DARD cannot and should not be the sole provider of support to rural communities. My predecessor and I have worked hard through initiatives such as rural proofing and the rural White Paper to get others to accept rural issues as a main part of their business. So, aside from the direct advisory and financial support for rural businesses provided by my Department, there are many other parts of the Administration whose policies directly or indirectly affect our rural businesses, and planning permission is obviously a prime example of that. Skills, business support and the road and transport infrastructure are all key.

**Dr McDonnell:** I thank the Minister for her lengthy and detailed answer. Does the Minister agree that much more needs to be done to remove barriers to the development of small and medium-sized enterprises in rural areas? In these difficult economic times, many people are turning from farming and trying to create small business in parallel. Some of them tell me that, under the rural development programme, they find that they have to form a separate company, which incurs much more severe taxation. Can anything be done about those taxation rules? Furthermore, can something be done about the lack of broadband provision to some of those people?

**Mrs O'Neill:** The Department has shown its willingness to help people to diversify and to support rural businesses. There are a number of other key players, as I said. It is not just up to DARD to look after and protect rural communities. One of the biggest barriers to business expansion and the flourishing of rural enterprise is getting planning permission. That is the biggest challenge that people consistently raise with me. It was raised throughout the debate referred to earlier. Perhaps the Member will pick that up with his colleague the Minister of the Environment. I raised the issue with the Minister, but we need the Planning Service to take a pragmatic and realistic approach to planning for the future for rural businesses.

Taxation rules are not something that I have considered in DARD, but I am happy to look at the issue further. In relation to broadband —  
[Interruption.]

**Mr Speaker:** Order. Allow the Minister to continue.

**Mrs O'Neill:** In relation to rural broadband, I expect a question further down the line from my



colleague Barry McElduff. Rural broadband is a challenge that I am particularly interested in addressing. Under the anti-poverty and social exclusion strategy that I will bring forward, addressing the rural broadband problem will be a key target area. I spoke to the Enterprise, Trade and Investment Minister about that because we need to bridge the gap in rural areas, where it is clear that, even when people have access to broadband, the level and speed of broadband is sometimes not worth having. Those are particular challenges that we must address.

**Mr Speaker:** I encourage Members to be more focused when they ask supplementary questions. It is not a time for speeches.

**Mr T Clarke:** The Minister's previous answer on planning problems was interesting, bearing in mind the Member who asked the question. Will the Minister express an opinion on the fact that the same Minister is still considering PPS 24, which some of us see as having economic benefits, particularly in rural areas?

**Mrs O'Neill:** I am happy to explore that matter further with the Environment Minister. Anything that affects the rural way of life and the countryside concerns me. When it comes to all Departments' development strategies or policies — PPS 24 is one of those — everybody needs to be trained in rural proofing, so that they have a rural perspective on any strategies that are brought forward. Therefore, I am happy to take that up again with the Environment Minister.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire. Tá ceist agam di. How many applications did the Minister's Department receive from small-scale food processors seeking grants of less than £50,000? Will those applications be processed?

**Mrs O'Neill:** The Department was pleased with the response from the agrifood sector to the reopening of the processing and marketing grant (PMG) scheme, for which 73 applications were received, seeking total grant aid of approximately £8.6 million. In respect of the small-scale processors, which are important because we are trying to encourage more small businesses to come forward, the Department received 44 applications for PMGs totalling about £1.4 million. It is hoped to assess and bring forward to final selection 22 of those applications during October and November this year.

**Mr McCarthy:** The Minister had the pleasure of visiting the best constituency in Northern Ireland when she opened the Northern Ireland ploughing championships in Portaferry at the weekend. She will have seen for herself how isolated Portaferry is. In her earlier answers, did I detect reluctance — perhaps even friction between her Department and Planning Service — when it comes to applications for rural businesses?

**Mrs O'Neill:** There are 18 constituencies in the North, and I am sure that every Member would have something to say about theirs being the nicest. Portaferry was lovely on Saturday, and it was great to be there as part of the ploughing championships. I met a lot of competitors who had taken part in Athy recently as well, so it was good for me to have that continuity.

I do not know whether "friction" is the word, but I am certainly concerned that, when it comes to the rural development programme, planning is a particular problem. It is one of many problems, particularly around funding from banks and so on. However, the DOE is a particular issue when it comes to planning, and we need to continue to press the Environment Minister to have his Planning Service look again at such applications and deal with them speedily.

## Agrifood

5. **Mr Molloy** asked the Minister of Agriculture and Rural Development when the new structures for advancing the agrifood sector are likely to be in place and for her assessment of the potential of this sector. AQO 578/11-15

**Mrs O'Neill:** I am grateful for this opportunity to outline plans for new food structures and to provide an assessment of the sector's potential. I recently met the Minister of Enterprise, Trade and Investment to discuss our approach to advancing the agrifood sector. I can report that work is under way to establish a food strategy board with an independent chair, and that will lead to the development of a longer-term approach to food, similar to Harvest 2020 in the South. That will build on the co-ordinated approach currently implemented under the Department's Focus on Food strategy, and the new structures are scheduled to be in place by the beginning of the new year.

I turn to an assessment of the sector's potential. Between 2007 and 2010, employment in the

food and drink processing sectors increased by 6%, while gross turnover increased by almost 30%. In agriculture, gross output increased by 20% over the same period. There is a strong self-belief and growing confidence in the agrifood sector about the future. The global human population is growing rapidly and is expected to increase by 1 billion by 2030 and 2 billion by 2050. In addition, water shortages and climate change are expected to impinge on the agricultural production capacity of other regions of the world. For those reasons, there is justifiable belief that the agrifood sector can continue to grow. The key is, of course, to grasp the opportunities that lie ahead, which is why the work of the food strategy board will be key in taking that forward.

We need to reach a shared plan for the export-led growth of that important sector, and that will require a team approach. So, I need to work with DETI, Invest NI, DEL and the industry in order to do all that we can to underpin the long-term future of the agrifood sector.

**Mr Molloy:** I thank the Minister for her answer. In view of the information that she provided, would it not be better to establish a dedicated food body similar to Bord Bia in the South?

**Mrs O'Neill:** Go raibh maith agat. I thank the Member for his question. Bord Bia is an excellent organisation that does very positive work for the agrifood industry. We have an established relationship with Bord Bia, and we work with it on a number of levels. Bord Bia also works with several similar groups here. For example, I recently met Food NI, the Livestock and Meat Commission and other groups that share a goal with Bord Bia and do similar work in the promotion of the agrifood industry. I believe that the new food strategy board will focus the efforts of those groups and will provide a more efficient and effective means of promoting our agrifood industry and achieving our goal of providing a sustainable future for agrifood in the longer term.

**Mrs D Kelly:** I am pleased to hear that the Minister met the Minister of Enterprise, Trade and Investment to discuss a range of issues. Will she indicate whether the cost of energy was on either of their agendas and whether they came to a resolution about assisting the agrifood industry to meet its high energy costs or, indeed, to find an alternative, such as renewable energy?

**Mrs O'Neill:** Go raibh maith agat. All those issues — climate change and the cost of energy — will be key to plotting a sustainable future for the agrifood industry. It is intended that the new food strategy board will have particular groups looking at different areas. That is one of the biggest challenges. It is about identifying barriers to growth and potential areas of growth and what we can then do, collectively, to address those areas. That is one of the key areas that will have to be looked at.

**Mrs Overend:** If the food strategy board is to be industry-led, will the Minister explain why half of it will be made up of government officials? Will she detail what budget and authority the board will have?

**Mrs O'Neill:** Go raibh maith agat. Thanks for the question. Prior to the food strategy board being set up, there were two groups: an industry advisory panel and an interdepartmental group. An independent review of those groups highlighted many positives. However, the fact that they were working as two separate organisations was a hindrance to the further development of the agrifood sector. That is why I decided to bring them together under one food board. I want the new group to be industry-led. That means that the industry will have more representation on the board than the civil servants. Unless the industry has ownership of the project, it will not believe in it or buy into it. So, it is key that the group is very much industry-led from the outset and that that remains the case right through to the delivery of the project.

The board will be advisory in nature. It will look at the potential for and the barriers to growth and will set targets for the way forward, be that in export, whatever we are aiming towards or whichever markets we can get into. In the current financial climate, it is not realistic for me to set aside a budget for the board. Given that the board is advisory in nature, it will assist us and whichever other Departments are buying into it, be it DETI, DARD, DEL or any of the other Departments, in directing our resources at the most targeted approach for the way forward.

## Potatoes

6. **Mr Swann** asked the Minister of Agriculture and Rural Development what assistance has been offered to the local producers of the cargo of seed potatoes that was sent to Morocco in 2010 and rejected. (AQO 579/11-15)

**Mrs O'Neill:** Since the rejection of seed potatoes in 2010, my predecessor Michelle Gildernew and officials have made vigorous attempts to assist the local growers affected through seeking a resolution. Immediately following the rejection of the south Down seed potatoes by Moroccan plant health officials, DARD engaged with other devolved Administrations and EU member states whose seed potato consignments had been rejected by Morocco. Additionally, officials engaged with and enlisted the support of representatives in Brussels and officials in the EU Directorate-General for Trade and the Directorate-General for Health and Consumers to try to resolve the situation and assist with ongoing trade by obtaining an official reinspection.

Officials visited Morocco, accompanied by a representative of the local growers, to ascertain the basis for the decision to reject the cargo and seek a reinspection of the cargo by the Moroccan authorities. Officials assessed the rejected cargo, accompanied by Moroccan officials and import trade representatives. The view of the officials was — this was supported by the Moroccan trade officials attending — that the cargo largely remained within notified tolerances for all disorders, including silver scurf.

In a further meeting with senior Moroccan officials, DARD formally registered its request for a review inspection, which was subsequently refused. Officials at that time assessed seven samples from the cargo and found that only one sample contained silver scurf at 6%, which exceeded the permitted tolerance by 1%. That result is not unusual, as the reassessment took place up to one month after the farm inspection in south Down. As the Member will know, silver scurf is a progressive potato skin disease. The quality of the cargo was largely within tolerance even after the period between it being assessed here and getting to Morocco.

## 2.30 pm

I fully appreciate the impact that the rejection has had on the individual farm businesses and families that were involved in exporting the consignment. That is why my Department has made strenuous efforts to try to bring the matter to a satisfactory resolution. However, interpretation and implementation of national regulations by a non-EU country such as Morocco is a sovereign matter for that country.

## Culture, Arts and Leisure

**Mr Speaker:** Questions 6, 10 and 11 have been withdrawn.

### DCAL: East Antrim

1. **Mr Beggs** asked the Minister of Culture, Arts and Leisure what funding her Department has allocated within the East Antrim constituency since 2007. (AQO 589/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for his question. I note that he asked the same question around this time last year. As he will know, the Department does not hold specific information on funding that is provided by its arm's-length bodies at the level of detail that his question specifies. To get that information, he may wish to contact some of the arm's-length bodies himself. I am sure that he is familiar with them. They include the Arts Council; Museums and Galleries; Libraries NI; the Sports Council; the Ulster-Scots Agency; Foras na Gaeilge; and NI Screen, to name but a few. I am happy to take a question on any specific issue that the Member has in mind.

**Mr Beggs:** East Antrim is one of 18 constituencies, yet it has been receiving between 0.4% and 2% of the budget that is being allocated. Will the Minister require equality of action from agencies? Will she be proactive with them in outreach to ensure that there are better-quality applications and, therefore, a higher success rate in East Antrim?

**Ms Ní Chuilín:** I appreciate the Member's concern. As an East Antrim representative, he is fighting his constituency's corner. Arm's-length bodies and Departments must ensure that there is rural proofing, as my colleague mentioned. If the Member has a specific concern other than just how much funding his constituency gets, I will certainly remind arm's-length bodies that they must ensure that there is equality of opportunity across the board.

**Mr Hilditch:** Will the Minister give a commitment to ensure that the rich hub of Ulster-Scots culture in East Antrim is fully recognised and developed?

**Ms Ní Chuilín:** Absolutely. I was not aware that it is not already fully recognised and developed. It certainly is my department. I am on record as being clear and consistent in my support of

the Ulster-Scots constituency, community and activities.

**Mr Ó hÓisín:** Gabhaim buíochas leis an Aire. Can the Minister assure the House that, even though most are allocated through arm's-length bodies, Department of Culture, Arts and Leisure (DCAL) funds will not be centred in Belfast?

**Ms Ní Chuilín:** Absolutely. I recognise that there is often tension among towns, villages and, indeed, cities. I want to make it clear and make a commitment that the budget, albeit that most of it is administered through arm's-length bodies, needs to be applied across the board. Each town and village needs to receive the same attention and, hopefully, the appropriate investment that it believes that it deserves.

**Mr Dickson:** The museums policy document that was released by the Minister's predecessor in 2010 highlighted years of underinvestment. Will she pledge to support and develop cultural and heritage sites throughout East Antrim, bearing in mind the content of that document?

**Ms Ní Chuilín:** I thank the Member for his question, and I appreciate his raising it in such a timely way. We will consult with all the arm's-length bodies. It is ongoing. I will raise the issue on the Member's behalf and write to him regarding the outcome of that.

**Mr McDevitt:** Does the Minister accept that the buck stops with her, and, therefore, being unable to provide the House with the level of detail at constituency level may, ultimately, make it difficult for her to be able to assess properly the impact in equality terms of public funds being spent in sports and leisure across the North, but, specifically, in East Antrim?

**Ms Ní Chuilín:** It is not often that a Member for South Belfast shows concern for East Antrim, but I suppose that we can all be heartened by that. I wonder whether something else is focusing the Member's attention. All joking aside, I think that the point he makes is fair enough. If Members raise questions and concerns about investment in their constituencies, they are entitled to answers. However, sometimes, particularly in supplementary questions, people are very specific about programmes and issues and queries, and I do not have the detail of those at hand. That does not mean to say that I will not get it to the Members or that I will not get my point across, which I think was the underlying point that the Member was trying to make.

**Mr Speaker:** Question 4 has been withdrawn.

## Marching Bands

2. **Mr D McIlveen** asked the Minister of Culture, Arts and Leisure for her assessment of how adequately her Department supports marching bands in their search for funding, given that both the Arts Council and the Ulster-Scots Agency funding is limited and the criteria often do not apply to these groups. (AQO 590/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. My Department offers substantial funding to marching bands from all communities. In the past five years, the Arts Council has provided over £800,000 to bands across the North through the musical instruments for bands scheme, over £90,000 through awards for all and the small grants programme, and over £800,000 for musical instruments tuition through the Ulster-Scots Agency's financial assistance scheme.

In addition, my Department has produced a toolkit for marching bands, which can be found on our website. It provides information on funding available, as well as guidance on building on existing strengths and encouraging new approaches to maximise opportunities for development.

**Mr D McIlveen:** I thank the Minister for her answer. Some £18.3 million of DCAL's annual budget has gone into Foras na Gaeilge. Forgive my pronunciation, but I have never had a great grasp of foreign languages. Clearly, that has had an impact on her ability to fund other projects. I wonder what advice she could give to my constituents who are in marching bands and are unable to obtain funding because the criteria of the Ulster-Scots Agency and the Arts Council has been constrained so much by budgetary reductions?

**Ms Ní Chuilín:** First of all, I take exception to the Member describing the Irish language as a foreign language, and I want to put that on the record. However, I appreciate his attempt to pronounce Foras na Gaeilge. At least he tried.

I met the Confederation of Ulster Bands less than a fortnight ago, and I thought that we had a very robust discussion. At no stage in that conversation did the bands raise the issue of parity of funding. What they wanted was continued support. They wanted to make sure that the processes that help them to



pass on their skills and talents to children in communities and villages are supported, and I gave the commitment that my Department would work with them to bring forward sustainability and better monitoring processes.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Does DCAL provide funding to bands that participate in parades that do not comply with good and better relations practice?

**Ms Ní Chuilín:** No. DCAL makes sure that there is a commitment to promoting equality of opportunity, which includes good and better relations. Any organisations receiving funding through the Department and its arm's-length bodies must comply with the equality and good relations policies of the relevant funding organisations. Anyone who does not comply will not be eligible for funding. The Arts Council and the Ulster-Scots Agency have advised me that they do not fund or support any bands that do not fully comply with those requirements. Indeed, at the time of application, the Arts Council and the Ulster-Scots Agency also check individual band's websites to ensure that there is no evidence of content that would breach those requirements.

**Mr Swann:** I welcome the fact that the Minister has met the Confederation of Ulster Bands, and I look forward to reading that press release. Has the Minister recently read the review of marching bands research that her Department commissioned? Does she see any actions coming out of that review that will promote marching bands as an expression of Northern Ireland culture?

**Ms Ní Chuilín:** I do not know whose press release the Member is looking forward to, but I met them two weeks ago. They did not see fit to make a press issue out of the meeting, and nor did I. It was just part of ongoing work that I, as Minister, need to do to build relationships.

I think that the point that the Member is making is: do I believe that the bands have a role in our society and communities? Yes, I do; absolutely. It is important that we use and build on the research that has been done, which we discussed at the meeting, and ensure skills development and a provision to pass those skills on. It is about building on existing practice to make it better, which is something we can all agree on.

## 2012 Olympics: Chinese Gymnastics Team

3. **Mr McGlone** asked the Minister of Culture, Arts and Leisure for her assessment of the anticipated monetary value of the Chinese Olympic gymnastics team choosing to train in Northern Ireland. AQO 591/11-15

**Ms Ní Chuilín:** I thank the Member for his question. Key benefits will arise from the fact that the Chinese Olympic gymnastics team will train here. Those include the promotion of sport and of here as a world-class venue that the Chinese have chosen. The matter has been raised before. The Chinese team will come here with a film crew and presenters. Each day, coverage of their training camp will go out all over China. That will not only promote our facilities but create potential tourism benefits. It is particularly important given that China is one of the BRIC countries — Brazil, Russia, India and China — whose economies are developing rapidly. All the attention will provide a significant boost. We, along with Sport NI and other Departments, are keen to exploit the opportunity for local investment.

**Mr McGlone:** Go raibh maith agat, a Aire, as ucht an fhreagra sin. Thanks very much to the Minister for her reply. Will she provide us with details of any other nations that may yet have to confirm whether they have chosen locations in the North for 2012?

**Ms Ní Chuilín:** We made an announcement about the Chinese team a day or so after my last appearance at Question Time. Discussions are ongoing. I know that Members have an interest in trying to get more countries confirmed — three countries are confirmed so far — but it is important that Sport NI is given the flexibility to pursue the matter. There is a lot of commercial sensitivity around securing additional pre-games and qualifying events here. However, given my regular meetings with Sport NI, I am confident that it is doing everything that it can to enhance our potential.

**Mr Speaker:** I remind Members once again that they need to rise in their places continually.

**Mr Humphrey:** The Chinese team is coming to this part of the United Kingdom to train in Northern Ireland prior to the Olympics being held in London, our nation's capital. Will the Minister confirm the economic benefits of that visit to Northern Ireland?

**Ms Ní Chuilín:** When people come here for pre-games training and qualifying events, they will use local facilities, stay at local hotels, use restaurants, go shopping and take tours. The figures are speculative at this stage, and I think that they are very conservative. It will be only when we know the full complement of countries whose teams will come here for pre-games training and qualifying events that we can actually give a figure. I am reluctant to give a figure at this stage in case it is not realised. It is OK to give a conservative figure, and then it is a bonus if the figure goes above that. However, at this stage, I am reluctant to give a figure just for the sake of throwing one out.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. Given the talk about nations' capitals, does the Minister have any update on proposals for the Olympic torch to visit Dublin? *[Interruption.]*

**Mr Speaker:** Order. Allow the Minister to answer.

**2.45 pm**

**Ms Ní Chuilín:** I recently met Lord Sebastian Coe and Pat Hickey of the London Organising Committee for the Olympic Games (LOCOG) and the Olympic Council of Ireland (OCI) respectively about bringing the Olympic torch to Dublin. I am aware that there has been speculation in the media, and I want to assure Members, particularly the Member who asked the supplementary question, that there is willingness to do this. However, the details that have appeared in the papers have not been agreed. We are actively promoting the travelling of the torch across the length and breadth of Ireland.

**Ms Lo:** The Chinese community is very pleased that the world-famous Chinese gymnasts will be coming to Northern Ireland. Does the Minister have plans to liaise with the community's support organisations to see what they can do to help make our visitors feel more welcome and at home?

**Ms Ní Chuilín:** Sport NI and the Department are working with the Chinese Welfare Association. The training camps are fairly isolated initiatives in which people will focus and concentrate. It is important to help the athletes coming here and broaden the appeal for tourism and local investment. That makes sense all round. Due to the nature, experience and reputation of the

Chinese Welfare Association, we are keen that it is involved throughout.

**Mr Speaker:** Question 4 has been withdrawn.

## Northern Ireland's 100th Anniversary

5. **Mr T Clarke** asked the Minister of Culture, Arts and Leisure what preparations her Department is making to mark Northern Ireland's 100th anniversary in 2021. (AQO 593/11-15)

## Ulster's Solemn League and Covenant

13. **Mrs Overend** asked the Minister of Culture, Arts and Leisure to outline any plans to commemorate the centenary of the Ulster solemn league and covenant. (AQO 601/11-15)

**Ms Ní Chuilín:** With your permission, a Cheann Comhairle, I will answer questions 5 and 13 together.

I am keen to build on the work already undertaken by my Department in relation to commemorations and to develop a suite of events and activities, which will include the themes established by my predecessor around the Titanic, the plantation and 2012-22. However, I also want to explore how DCAL can expand on those themes and deliver a truly inclusive programme of events. Therefore, I have asked my officials to work with the Community Relations Council to assist in the development of an overarching framework for commemorations, and to ensure that we develop a process that acknowledges the legacy and supports engagement.

I propose to develop a suite of events and outputs across DCAL's arm's-length bodies also, which is consistent with the overarching framework that offers value for money and an inclusive approach to remembering the past.

**Mr T Clarke:** I thank the Minister for the answer, although I am disappointed that she is referring all that work to her Department. Celebrating our 100th anniversary is a very significant event for Northern Ireland. At the time, King George visited the Province. Therefore, I suggest to the Minister, as I know that she wants to work with all her partners in the Republic and Great Britain, to encourage as many as possible to come to that celebration. Will she extend an invitation to her counterparts in the Republic of Ireland and across the UK, as well as to the reigning Monarch?

**Ms Ní Chuilín:** The short answer is no. I will not.  
[Interruption.]

**Mr Speaker:** Order.

**Mrs Overend:** There is a wealth of artwork in this Building that could be used in the commemorations. Does the Minister plan to make use of it?

**Ms Ní Chuilín:** It is not just the arm's-length bodies that are looking at the commemorations I have listed. As I outlined in my answer, additional commemorations and events must be added to those commemorations to make them inclusive. I am aware of work here, through the Arts Council and even through other bodies and institutions. I have asked my Department to ensure that the commemorations are as inclusive as possible, and representatives will talk with the Speaker, the Assembly Commission and other bodies so that we can use these Buildings to promote an inclusive suite of events as well as remembering our past.

**Mr Allister:** If, God forbid, the Minister is still in office in 2021, although she will not invite Her Majesty, if Her Majesty pays us the honour of a visit to mark this momentous occasion, will the Minister meet with her in that official capacity?

**Ms Ní Chuilín:** I am pleased that the Member actually asked me a direct question. It is impossible to answer questions about hypothetical situations. My term lasts only for four years. I do not know of any Minister who will be in office from 2011 to 2021.

**Ms Ruane:** Go raibh maith agat, a Cheann Comhairle. Tá ceist agam don Aire. Does the Department directly fund historical commemorations and events? What commemorative events have been planned?

**Ms Ní Chuilín:** In short, the Department does not directly fund commemorations of historical events. As I said in answer to previous questions, the funding is administered through arm's-length bodies and applications will be judged on merit. I believe that the commemorations that are being worked on, which cover the period 1912 to 1922 and include the Titanic and the plantation, need to be expanded in order to make it a fully inclusive suite of events.

**Mr Speaker:** Question 6 has been withdrawn.

## Libraries Strategy

7. **Mr McCallister** asked the Minister of Culture, Arts and Leisure whether she intends to update the strategy 'Meeting the Demands for a Modern Public Library Service within Northern Ireland'. (AQO 595/11-15)

**Ms Ní Chuilín:** Meeting the demands for a modern public library service in the North is an operational process that is the responsibility of Libraries NI. It involves that organisation undertaking a three-stage review of how it delivers public library services. In the current challenging financial climate, organisations such as Libraries NI have operational responsibility to deliver the best possible service with reduced budget allocations.

**Mr McCallister:** I am grateful to the Minister for her reply. Does she intend changing the current public library standard?

**Ms Ní Chuilín:** When the Member refers to "changing the current public library standard", I am not sure whether he is asking if I am going to reverse decisions that are made by bodies that have operational responsibility, and I am not sure whether that is what he wants me to do. The Member is aware that decisions regarding stage 2 of the review into libraries are imminent. I want to make sure that every town, village and city has a library that is fit for purpose and can be accessed by everyone and that the stock is the same across the board, rather than it being pot luck depending on which library you walk into. I want to make sure that Libraries NI provides the best possible service within its budget for every constituent.

**Mr I McCrea:** The Minister may not be aware of the model that was used for delivering a new library in Cookstown in conjunction with the further education (FE) college. If she is not aware of it, it would be good for her to look at that model. Does she accept that that is a good example of joined-up government? Will she outline any concerns that she may have? Does she agree with some of the concerns that the reduction in opening hours of libraries will have a detrimental effect on local communities?

**Ms Ní Chuilín:** I thank the Member for his question. I will take his last point first. I have noted his concern, but I do not want to comment on it because the consultation is ongoing and it would be inappropriate for me to do so. For everybody's information: the consultation ends

on 2 December. I am sure that all Members will feed into that consultation, because it is really important that they do so.

The Cookstown model is held up as an exemplar, and there are others. It is important that library services, or any services in the community, do not sit in isolation. Where joined-up work can occur and works as best practice, we are keen to promote it, not just in my Department but across the Executive. I have heard about the library in Cookstown and the relationship that it has with the FE college and, for that matter, with the community in general.

**Mr Dallat:** I am sure that the Minister would agree that the library service has historically been the greatest weapon in the armoury of local people to combat illiteracy and innumeracy. *[Interruption.]*

**Mr Speaker:** Order.

**Mr Dallat:** Will the Minister assure us that the consultation process on opening hours is in fact inclusive and is not simply an online questionnaire?

**Ms Ní Chuilín:** I appreciate the Member's interest and concerns around the way in which consultations have happened before. If the Member has evidence that the consultation that is under way into the reduction of opening hours by Libraries NI is an online questionnaire, I encourage him to bring it to me. That is not consultation but one form of consultation.

Consultation for people who are online is one way, but it is not representative of people across the North. If the Member has specific information that he feels is not enhancing an opportunity for people to take part in the latest consultation on the reduction of opening hours, I would welcome his views.

**Ms Gildernew:** Go raibh míle maith agat, a Cheann Comhairle. I thank the Minister for her answer. In relation to consultation, the meeting in the Moy last year, which was attended by Irene Knox, is an example of how a good consultation can be done with the community. We hope that the Moy Library can be saved as a result of that lobbying exercise. Is the Minister aware of the Health in Mind project that was launched last week, about the Library Service being used to help people who have poor mental health or to give advice, information and signposting etc, given the issues around World

Mental Health Day last week and the great work that the Library Service is doing on that?

**Ms Ní Chuilín:** I thank the Member for her supplementary question. I am aware of the work that takes place in libraries; it is not just about giving advice on books. The amount of work undertaken in libraries — not all libraries, but particular libraries in rural communities — is vast. Their support for better health promotion and for families and children and young people is a good example of libraries not being used for just one purpose. It took only 25 minutes for a Member to talk about the library in their constituency, although I appreciate the Member's point. Given the fact that the last supplementary question was about consultation, that is how consultation should happen. We do not want people finding out and being consulted as an afterthought; they should be involved in consultation throughout.

## Irish Language Strategy

8. **Mr D Bradley** asked the Minister of Culture, Arts and Leisure, given the problems encountered during the consultation on core-funded Irish language organisations, whether she will review the consultation proposals in light of her Department's emerging Irish language strategy. (AQO 596/11-15)

**Ms Ní Chuilín:** Thanks very much. Go raibh maith agat for the question. As the Member will know, since taking up office I have met the majority of core-funded Irish-language organisations. I intend to engage with those key stakeholders across the North in relation to the strategy and the Act development process, which is subject to public consultation.

**Mr D Bradley:** Go raibh míle maith agat arís, a Cheann Comhairle. Seo í mo cheist ar an Aire: an mbeidh an tAire sásta athruithe ar na moltaí atá sa tsamhail nua maoinithe a mholadh, i bhfianaise na bhfreagraí a thabharfar ar an cheistneoir comhairliúcháin? Is the Minister willing to propose changes to the new funding model in light of the answers that she receives through the consultation process?

**Ms Ní Chuilín:** The direct answer to the Member's question is that I was not happy with the consultation. To that end, at the North/South sectoral meeting, Jimmy Deenihan and I announced that there will be a new consultation in November that needs to be fully inclusive.



The core-funded Irish language bodies, like any other group in the community, are arguing for services and facilities for the constituents and people that they represent. The way in which the details of those schemes were brought forward almost made it impossible for people to consult. To that end, we have agreed a 12-week consultation starting in November.

**Mr Storey:** Has the Minister any plans to have lessons given to the deputy First Minister before he returns to his duties, given that the presidential programme on TG4 had to be in English, since Michael D Higgins was the only one who could speak the language competently?

**Mr Speaker:** Order. Members know that a supplementary question must relate to the original question. I continually say that there are supplementary questions that grow legs, and his one has grown a lot of legs.

**Mr P Maskey:** Go raibh maith agat, a Cheann Comhairle. Has the Minister brought her assessment of the consultation process on the core-funded bodies to the North/South Ministerial Council (NSMC) sectoral meeting?

**Ms Ní Chuilín:** Yes, I will do that, and I invite you to join me for 2015, along with Martin McGuinness. You are more than welcome.

In relation to the consultation —

**Mr T Clarke:** Will you be in office then?

**Mr Speaker:** Order.

**3.00 pm**

**Ms Ní Chuilín:** In relation to the consultation, I have already expanded on my answer to Dominic Bradley's question. The assessment is that a consultation must be full and rigorous, and people have to become involved. I appeal to the relevant bodies to take this new opportunity to bring forward their concerns. We need to make sure that the investment is protected and that the services are fit for purpose and are for not just the core-funded groups but the people and parents who rely on them.

## Question for Urgent Oral Answer

### Environment

#### Agriculture: Organic Manure

**Mr Speaker:** I have received notice from Mr Buchanan that he wishes to submit a question for urgent oral answer to the Minister of the Environment.

**Mr Buchanan** asked the Minister of the Environment to provide, as a matter of urgency, further clarification and certainty for farmers who were unable to spread organic manure before 15 October 2011 due to the wet weather over recent weeks.

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

I thank the Member for his question. I met him and some of his colleagues yesterday to discuss this matter. In addition to my answer to this urgent oral question, a written statement will be provided for Members' attention.

I have been very preoccupied with this issue over the past two weeks, and I appreciate the gravity of the situation that a lot of farmers are facing. My travels around Northern Ireland, especially two Fridays ago, when I travelled from Coleraine to Omagh, have enabled me to testify to the difficulties that farmers were experiencing in that area and across a number of others. I have examined exhaustively, repeatedly and very determinedly the situation that has emerged to try to work to the best outcome in the interests of farmers and the Northern Ireland Government generally. Consequently, last Tuesday I tried to provide clarification and certainty, as the Member indicated in his question.

The consequence of that, given the legal advice that I received from a number of sources, was that I did not have legal cover. I do not have legal cover to grant a general extension beyond the close season. I had been advised that there was a risk that European auditors would impose fines if I did not have legal cover for any flexibility that I granted to farmers. Given that the Scottish Government had asked for flexibility from Europe and had been refused only in September, and given that I had interrogated the scale of rainfall across the North and by meteorological station, I believe that the

balanced and proportionate response was the one that I announced last Tuesday.

What was that balanced and proportionate response? Unlike the Republic of Ireland, there is provision in our nitrates regulations that says that no penalty may be imposed on farmers in a situation where, on a case-by-case, farmer-by-farmer basis, there is reasonable excuse for an inability to comply with the nitrates directive on slurry spreading in the close season and where farmers can produce evidence that that has been the case. As of last Tuesday my advice, which, I think, was broadly welcomed by the farming leadership and, from what I hear, by a lot of farmers, was that farmers should keep a record of evidence — an audit trail — of the fact that, in the run-up to midnight on Saturday, they were not in a position to spread slurry, given the state of their lands. My advice was also that, as a consequence of that, in the event that it was brought to my officials' attention, the fact that they kept an evidence trail would inform the Department about any decisions that it might take on farm payments.

As a consequence of that, in my view, on a case-by-case basis — I accept that that may amount to significant volumes of farmers — there was sufficient legal cover and legal protection for the farmer to not comply with the end of the season at midnight on Saturday. In addition, they would have the protection thereafter that, at some time in the future — given the weather conditions it is uncertain when slurry may or may not be spread — they would have protection for non-compliance with the end of the season because they were able to prove a reasoned excuse.

The balanced and proportionate response that I have outlined today was the right way to protect individual farmers, the farming industry and the Northern Ireland Government from intervention by EU auditors.

I have made it absolutely clear to my officials, and through them to the people on the front line of the agency which manages this situation, that farmers in those circumstances will be supported by the Department to the limits of my office, that the agency should look positively at the cases presented by farmers in which there is reasonable excuse, and that decisions will be informed by not only what the farmer says but by the hard evidence from the Met Office of the

scale of rainfall in those areas that are most adversely affected over the next period of time.

I have not outlined any deadline for the spreading of slurry. Some areas in the west were affected even more adversely by the rain yesterday. In all of those circumstances, it may be some time, but, hopefully, not long, before farmers who have not been able to comply with the close of season but have reasonable excuse will be in a position to spread the slurry.

**Mr Buchanan:** I thank the Minister for coming to the House to answer this very important question. It is of extreme concern to many in the farming community throughout Northern Ireland. I welcome the statement, and I think that we can all endorse the final paragraph. The Minister said that the decision will result in relief to, and protection of, farmers who are in genuine difficulty in a way that protects the interests of the farmer, the Government, the economy and the environment. We are all looking for that.

Minister, one critical factor in all of this is that the Northern Ireland Environment Agency (NIEA) takes full account of, and looks positively on, all evidence provided by farmers who have to spread slurry in the closed period and that they are not left out on a limb. One criterion being used is the pre-quoted rainfall in each area of Northern Ireland. You said that you were in west Tyrone last week. The rainfall that we have witnessed over the past month or more has been excessive. Will any areas in Northern Ireland fall outside the criteria? In other words, will there be areas in which the level of rainfall is insufficient to meet the criteria to allow farmers to spread slurry in the closed period?

**Mr Attwood:** I thank the Member for his question and for what he said about endorsing the last paragraph of the statement. The responsibility of the Minister in a case such as this is to provide short-term relief to those in need while providing long-term protection to the industry going forward. That is the balance that I had to strike. The Department has extensively recorded all the meetings that I have held up to last Tuesday and since. If the European authorities come asking, those records will justify our thinking and the reasons for what I said last Tuesday and today about protecting the individual farmer and the Northern Ireland economy.

I repeat that I said to my senior officials and one or two people at the operational end of the agency that, in their engagement with individual

farmers, they will need to follow through what I have said in writing and in public; namely that it is up to the farmer to produce that evidence base, because the farmer knows his soil and field conditions better than anybody. He knows whether tractors can get out, when he brought in the harvest and what the risk might be from neighbouring water courses and all the rest of it. We must give sovereignty to the farmer in this regard. The individual farmer knows his farm, conditions and capacity to spread slurry.

Therefore, it is for the farmer to provide the evidence, the audit and the conclusive proof, to the satisfaction of the Department, that the defence of reasonable excuse can be relied upon. I must stress that the individual farmer has the prime responsibility and that, if there are individual farmers who do not have the reasonable evidence and are simply taking advantage of the reasonable excuse provision that is in the law, I cannot offer those farmers any comfort. Any and all other farmers who have the evidence base and are on the right side of reasonable excuse will not be out on a limb on their own.

We have to interrogate each case, otherwise, quite properly, the European authorities will say that we are in breach of our nitrates obligations. We know the history of the nitrates obligations and their importance for our water quality and sustainable farming. I do not want to go there, never mind go there with the risk of financial penalty, which I have been advised could be up to £30 million.

There will be cases of individual farmers in the North who may fall outside the reasonable excuse provision. You will not get any statement from me to the contrary, because, otherwise, I would be making a statement in breach of my legal obligations, legal advice and the accommodation that has been put into law by our own Government with the agreement of the European authorities. You will not tempt me, and no one should tempt me, to try to go beyond the balanced —

**Mr Weir:** Go on.

**Mr Attwood:** Maybe another time.

You will not tempt me to navigate a path other than the one that we have navigated. I reassure Members that I thought long and hard about whether a general relief should be given across the North or across regions of the North where

the rainfall figures indicated a more severe situation. I spoke to Minister Hogan, my colleague in the South, about the relief that he gave to parts of the west of Ireland on the basis of the severe circumstances that they face. Unlike the North, Minister Hogan did not have the legal cover of the defence of reasonable excuse. Although he will no doubt produce a narrative that justifies what he has done, it is my understanding that what he has done is, *prima facie*, beyond his legal competence. I say that with all due regard to the authority of the Minister for the Environment, Community and Local Government and subject to his correction.

There will be people in the most affected areas who fall outside the reasonable excuse provision. Farmers in areas that have been less affected by rain in the past six or seven weeks who do not produce a reasonable excuse cannot anticipate that they will be able to rely on reasonable excuse. I have instructed officials of the fact, and said in the statement, that the overall rainfall in each of the Met Office substations will be a background factor and a feature in making decisions on individual cases.

**Ms Lo (The Chairperson of the Committee for the Environment):** Last Tuesday, the Environment Committee was informed of the Minister's intention to relax the rules on the closed period for slurry spreading. On behalf of the Committee, I welcome his clarification of his proposals. The Committee recognises the pressure that farmers are under to empty slurry tanks. However, it is important that we also protect our rivers and lakes from pollution. There is an importance balance to be struck, not only from the perspective of the local environment but because we know that the European Commission is keeping a close eye on water quality here and that any increase in pollution is likely to result in farmers facing much tighter restrictions on slurry spreading in the longer term.

The issue of resources is always to the fore when the Committee questions enforcement by the Department. How will the Minister ensure that the relaxation of the closed period will not lead to increased pollution? How much is he allocating for any additional enforcement that is required?

**Mr Attwood:** I thank the Member for her question and agree with the broad sentiment of its earlier part. Part of the character of the

North and part of the quality of our lives comes from the fact that we are, and should be more, clean and green, to borrow a phrase.

**3.15 pm**

**Mr A Maginness:** Green.

**Mr Attwood:** Thank you, Alban. Red and green.

The green and clean credentials of this part of this island are vital for our farming industry, for economic growth, for attracting tourism and for increasing tourist spend. We need to view this issue and nitrates obligations in that context.

I concur with another issue raised by the Chairperson of the Committee: we are being watched very closely by Europe. We are being watched so closely by Europe that some people tell me, and I take this at face value, that there are people in the European Union who believe that our closed season is too short and should be increased so that the opportunity to spread organic manure is more concentrated over the summer season. So, I needed to be very mindful that, when it came to the politics and policy context of this, I was absolutely going down the middle path that was consistent with the law but also consistent with some level of flexibility, mindful that the background to this is that some people think that we should have much more rigorous standards when it comes to nitrates and the length of the closed season.

Last night, on my way to Derry, I got a text from somebody warning me to be careful of driving, given the flooded roads. If you were travelling from Dungiven to Derry last night, especially in the low-lying areas, there was water four-, five- and six-foot deep. That was just a consequence of the rainfall in that part of the North.

So, I continued to monitor the Met Office figures, right up to those it produced last night, in order to make an assessment about the proportionate and balanced approach to adopt in this matter and to decide whether there were any grounds — and there are not at this stage — to go further than that. I hope that I have answered the questions. If I missed the last one, I will come back to the Member.

**Mrs D Kelly (The Deputy Chairperson of the Committee for Agriculture and Rural Development):** Following the Minister of the Environment's statement on 11 October, Paul Frew, the Chairperson of the Committee for Agriculture and Rural Development, wrote to the

Minister of the Environment on behalf of the Agriculture Committee, calling on him to provide clarity on his statement, including detailed definitions of what constitutes reasonable excuse and reasonable steps.

I have seen the Minister's written statement, which was released earlier today, and listened carefully to what he said this afternoon. He was at pains to point out the grounds for reasonable excuse and emphasise that the onus is on the farmer. Therefore, in relation to the Ulster Farmers' Union (UFU) guidelines and communication with his Department, will the Ulster Farmers' Union assist farmers in making the judgement on whether reasonable excuse applies?

Given that this is not the first time that we have had adverse weather conditions, have any precedents been established by the Minister's predecessors about this problem that he can rely on to establish a good solution that does not put the economy at risk from infraction fines by Europe?

**Mr Attwood:** I thank the Member for that question. People know that, consistent with the appropriate authority and competence of the Minister's office, I am an interventionist Minister. When this issue arose, mindful of the experience of a number of Ministers last winter, I tried to get a grip on it by trying to actively manage the situation. The UFU, in particular, acknowledged that my involvement — the statements I was making and the indications that I was offering about what might constitute reasonable excuse — was helpful. It said to me that it welcomed the fact that I was a Minister who tried to actively manage the situation instead of leaving it to elsewhere in the Department.

During a transitional period to 2009, storage facilities for organic slurry were built as a consequence of an Executive decision to spend £120 million on that undertaking, and £80 million came from farmers and the farming community. Since the end of that period, however, no precedent has been set for the seeking and granting of flexibility. The proof of that is the situation in Scotland. There, because of adverse weather in areas to which the nitrates directive applies, contact was made with the European Union to seek, if you like, a derogation of flexibility, but it was not granted, so there is no precedent.

The UFU and other farming organisations have given very useful advice to farmers, individually



and generally, about how this matter should be managed. They have explained the responsibilities of the individual farmer when it comes to the nitrates directive and what might or might not satisfy the Department. I endorse their approach. Their advice is welcome and outlines good practice, and I refer farmers to that.

The demands of the nitrates directive are rigorous, and some in the farming community were reticent when it came to compliance. However, I must say that the great majority of farmers, because they own, value and cherish the land, fully realise and appreciate the effect of the nitrates directive on the quality of their farms and the quality of our water. As a result, the vast majority embraced and managed the new regime. There will be exceptions, whether in respect of the nitrates directive, planning enforcement or non-compliance with environmental licence requirements. Where such exceptions occur, I have told my officials in the agencies and in the environmental crime unit to come down hard on the worst offenders. I have seen good evidence of that approach since I became Minister and am determined to see it pursued robustly. However, when it comes to individual farmers, I would like to think that that will be the exception.

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

## Private Members' Business

### Crown Estate

*Debate resumed on amendment to motion:*

*That this Assembly calls on the Executive to consider the role of the Crown Estate along our coastline with a view to maximising any possible financial return to the Executive. — [Mr McMullan.]*

*Which amendment was:*

Leave out all after "Assembly" and insert

*"notes Schedule 3 Paragraph 5 to the Northern Ireland Act 1998 which declares the foreshore, sea bed and subsoil and their natural resources a reserved matter; and calls on the Executive to open negotiations with the Treasury in order to maximise any possible financial return from the Crown Estate to the Executive."— [Mr D Bradley.]*

**Mr Cree:** We certainly covered some ground this morning. We went from the bottom of the sea to the moon and back.

This afternoon, I want to return to earth. I found it interesting to research just what the Crown Estate means. It has been in existence for a very long time, and, indeed, stretches back to the Middle Ages. The Crown Estate is the property of the reigning monarch, and the term used is "in right of The Crown". It is owned by monarchs for the duration of their reign but is not their private property. The Crown Estate cannot be sold by the monarch, nor does he or she receive the revenue raised from it

The Government do not own the Crown Estate either, but the surplus revenue that it generates goes to the Treasury for the benefit of all United Kingdom taxpayers. Last year, the revenue from the Crown Estate in Northern Ireland amounted to some £1.2 million, with a total property value of £10.9 million.

A board known as the Crown Estate Commissioners manages the property and was established by statute. The Crown Estate is formally accountable to Parliament for its operation and is a reserved matter. Any change in those circumstances would have to be negotiated at a very high level and would require new legislation.

The SDLP amendment, therefore, more accurately addresses the situation and should be supported. The Crown Estate manages its portfolio well and appears to maximise value for the benefit of taxpayers. Recent plans to improve the local economy include oil exploration, mineral licences and renewable energy plans for offshore wind and tidal schemes. As other Members have said, that action is likely to assist the Executive in achieving their target of 40% green electricity generation by 2020. The estate also encourages enterprise development, education, and health and environmental projects in Northern Ireland.

I understand the financial attraction of identifying new revenues for Northern Ireland. Indeed, we need to do more of that. However, our recent experience has shown that some opportunities necessitate a clawback from the block grant. The recent example was the air passenger duty, and, while we solved the problem, it came at a cost to the Assembly. It is interesting to note that the Scottish Government have their eye on the same issue, and they wish to have full devolution of the Crown Estate in Scotland. In current discussions, 50% has been suggested, but the riches of the offshore oil and gas industry remain immense in that part of the United Kingdom. However, it is crucial for all the devolved Administrations that new revenue sources can be enjoyed and expanded, but that must be done without resources from the centre being reduced accordingly. The Ulster Unionist Party will support the motion as amended.

**Mr Lunn:** Before Mr Weir has another seizure, I can confirm that we will not be supporting either the motion or the amendment.

I take the motion as being a financial one. I have heard the accusation that it is more to do with dislodging the British Crown in some way, but the Members have confirmed otherwise, so that is fair enough with me, and I will take it as a financial rather than a political motion. I have no doubt that it will not do them any harm when their constituents hear that the motion has been tabled, but that is by the way. It is a financial motion.

Like others, I have found the extent of the Crown Estate's activities quite surprising, and I certainly did not know all the things that it does in areas such as shell fishing, underground cables, salmon farms and mineral exploration licences. I have always assumed that somebody

had to do it, but I did not know that it was the Crown Estate. It also has joint stewardship of the Foyle fisheries, which appears to have taken decades to formalise. However, it now at least works well with the control of activities within the 12-mile limit and the continental shelf.

The net result of all that is £0.9 million. That is what the motion is about at the moment. The question is: what happens to that revenue? We are assured that it is returned to the UK Treasury and used for the benefit of all taxpayers, which, presumably, includes Northern Ireland taxpayers. However, due to our block grant situation and the way we are funded, I do not know how that could be verified. So, how much benefit we receive is open to question, but it is supposed to be in the same proportion that the amount raised locally bears to the overall UK total.

What is quantifiable at the moment is the coastal communities fund, which will make available 50% of that income for projects involving coastal areas. Mr McMullan was a bit sniffy about that fund, but if you asked about that fund around the County Down or County Antrim coast, you would get a very positive response.

**Mr Weir:** Does the Member agree that, through that community fund, some allocations have already gone to very worthwhile projects? For example, £15,000 has gone to the RSPB for marine diversity, and money has been allocated for a biodiversity officer at Castle Espie. Projects are ongoing that are beneficiaries of what is a very sensible fund.

**Mr Lunn:** I have no option but to agree with the Member. *[Laughter.]* I am sure that he speaks the truth.

I acknowledge that there is some potential for increased revenues if wind farms and so on come on stream and are established in our inshore waters. However, to me, the motion is asking effectively for redistribution of £450,000, which is the other half that is left, some or all of which may already be benefiting us, as taxpayers of the United Kingdom, as part of the overall share-out. Realistically, there is no chance that the UK Government will alter arrangements that have, in some cases, evolved over centuries and appear to work very well.

This system appears to be efficient. Frankly, I doubt our capacity to administer the arrangements any more efficiently than they are currently being dealt with by the Crown Estate.

**3.30 pm**

As was pointed out earlier, the exact wording of the motion and the amendment is a bit unclear. If Sinn Féin and the SDLP, by its amendment, are looking for a straight handover of the surplus money, surely that has block grant implications. If we were to receive that money — if, by some miracle, we can persuade the UK Treasury to hand it over — it will come straight out of the block grant, and, therefore, we would be no better off. Therefore, for those reasons, we intend to oppose the motion and the amendment.

**Mr D McIlveen:** Mr Deputy Speaker, I will keep this relatively brief. We will oppose the motion and the amendment, and the reason is very simple — personally speaking anyway. The motion asks us:

*“to consider the role of the Crown Estate”.*

In real terms, there is not much to consider. A lot of it has been summed up in what the Member who spoke previously said. However, there is one fundamental flaw in this. While I was listening to some of the media speculation about the motion this morning, one of the Members across the way referred to the Crown Estate as a company. Therein lies the problem. Although Members across the way may want a republic, I can assure you that the Crown is not a company, nor is it ever going to be. That is the problem. There is a bit of a misunderstanding about what the Crown Estate is and what its role primarily is.

Rather than debating the role of the Crown Estate, we would be much better off finding out how to maximise the potential of the local companies that benefit from the Crown Estate. For example, when we are looking forward to opening up the seabed and putting it out to tender, this question must be asked: what we are doing to support our local companies so that they can meet their full potential and take every advantage of the opportunities that come along on the back of that?

Although I am happy that we have come back from the moon since lunchtime, I am still not comfortable supporting the motion. Over the past 10 years, £2 billion has gone back into the Treasury from the Crown Estate. That is money that, to all intents and purposes, has gone to worthwhile causes. If it is going to end up costing us more money out of the block grant, I

certainly struggle to see how we could give the matter any further support.

**Mr Wells:** Is the Member not surprised by the comments made by Mr Cree? Indeed, I wonder whether we misheard him, as he seems to be backing the motion. Also, I was very surprised by Mr Lunn's comments. He naively believes that it is an economic issue rather than some political coat-trailing by Sinn Féin. Anyone who believes that the Member for East Antrim is peddling the motion out of some genuine interest in the economy of Northern Ireland literally did come up the Lagan in a bubble. It is clear that this is a politically motivated motion to try to drive the Crown away from Northern Ireland's shores. At least we in this party have spotted it and will vote against it.

**Mr D McIlveen:** I thank the Member for his intervention. To sum up, I will take the unionist perspective on this, and we will not support the motion.

**Mr W Clarke:** Go raibh maith agat, a LeasCheann Comhairle. I refute the point made by the Member who spoke previously that this is an attack on the Crown; it is certainly not. When the motion was proposed by my party colleague, there was no mention of that. Indeed, no mention of that was made by the Member who moved the amendment. Some sort of insecurity across the way must have lead to that view.

**Mr Storey:** I thank the Member for giving way. If he wants anecdotal evidence that the Member who proposed the motion is against the Crown, he only has to come with me to Rasharkin, where I saw the Member, with a whistle, opposing the Crown Defenders. Clearly, the Member has a problem with the Crown.

**Mr W Clarke:** I take that intervention. I am not saying that Sinn Féin is not opposed to the Crown; I am saying that in this particular motion it is not. I will get back to the motion.

The motion clearly calls for the Executive to maximise the financial return of coastal communities from the Crown Estate's revenue. It calls for the Executive to have a mature and pragmatic discussion on whether there is an opportunity to get more resources into the Executive. It is not only us who are looking at things in that regard; the Scottish Parliament has done the same.

**Mr Wells:** Will the Member give way?

**Mr W Clarke:** I will in a minute, Jim. The Welsh Assembly is doing likewise. It is looking at the opportunity, if one exists. It is foolish of us to say that we do not have an opportunity to look at the issue. I am not saying that we will be devolving powers; I am saying that Sinn Féin is calling for the Executive to have a look at the matter to see what is possible and to have a talk with the Treasury.

**Mr Wells:** Will the Member give way?

**Mr W Clarke:** I will in a minute, Jim. Others talked about the £450,000 and said that it was not a considerable amount of money. If it is not a considerable amount of money, Treasury will have no bother handing it over. Obviously, it would be better for us to spend the £450,000 than for the British Treasury to spend it on a lock of missiles in a war. The Crown Estate was set up to allow the monarch of the time to gather revenue to raise armies and go to war. That is what it was designed to do when it was first introduced.

I will get back to the modern day. DETI has undertaken strategic environmental assessments to consider the impact of wind and marine renewables. In 2010, there was a call for developers to invest in and install marine renewable energy projects. I met companies about a wind turbine renewable energy project that was being looked at off the east coast of south Down, part of which is in my constituency. I know that Jim Wells met them as well. The project was proposed for the area from Strangford down to Carlingford.

Obviously, the £450,000 will increase. It will run into tens of millions of pounds in the next decade, and that is not to mention the opportunities that exist for us to develop our aquaculture industry. I am taking a purely pragmatic approach to this. I will let Jim in now.

**Mr Wells:** I wish that some Members would cease referring to me by my Christian name.

If the Member checks the opening paragraph of Mr McMullan's contribution to this debate in the Hansard report, he will see that Mr McMullan clearly stated that he wanted the powers presently utilised by the Crown Estate Commissioners to be transferred to the Northern Ireland Executive. There are no negotiations or discussions; he wants the end of the Crown Estate Commissioners'

involvement in this part of the United Kingdom. That is unacceptable to members of this party.

**Mr Deputy Speaker:** I remind Members that they should refer to other Members by either their surname or constituency.

**Mr W Clarke:** I thank Mr Wells for his intervention. I want to get back to the accountability of the Crown Estate. There is no accountability mechanism in this Parliament, House or Assembly — whatever you want to call it — with regard to what the Crown Estate carries out. The Crown Estate employs 400 people, and I have yet to meet one of them.

**Mr Weir:** I am sure they are very disappointed.

**Mr W Clarke:** Excuse me.

It has two main offices in London. How many does it have in the North? How many offices are based in the North? How many local people are employed by the Crown Estate? I have been an elected representative for over 10 years, and I have never had a presentation by the Crown Estate or had a person from the Crown Estate come to meet either my local authority or a number of Committees in the Assembly.

It is important that elected representatives represent the people of this part of the island. They are representing their resources and their assets and are not letting some quango decide where on the seabed wind turbines can be built and where they cannot. I do not think that it is acceptable for people to laugh and joke about our assets being sold off around us.

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

**Mr W Clarke:** Simon Hamilton spoke earlier about our "weird and wacky...ideas", but sometimes you have to think outside the box —

**Mr Humphrey:** Will the Member give way?

**Mr W Clarke:** I do not have time to give way.

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

**Mr W Clarke:** Are the Scottish Government wacky as well?

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

**Mr W Clarke:** They are looking at devolving powers to their Members —



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

**Dr McDonnell:** I support the amendment. The role of the Crown Estate in Northern Ireland is something of an anachronism. It is long outdated. The Assembly needs to take a leaf out of Scotland's book, as the Scottish Parliament is seeking to devolve all profits from the Crown Estate to the Scottish Executive. That is a good idea. I hope that no one misinterprets what I am saying as having some sort of high political or constitutional undertone or overtone. That is not my intention or implication.

The Crown Estate contains, among other components, the land between the low-tide and high-tide levels and the seabed for 12 miles out to sea. We are told that that land is worth some £11 million and that it collects rents of £1 million. In making my overall points in support of the suggestion that the Executive take ownership of that land, I am aware of the interests of many of our councils, which lease or rent part or all of the Crown Estate lands on their margins. That varies from Newry and Mourne District Council, which leases its lands as a block, to Ards Borough Council, which I understand leases only the parts that it finds useful. Others have interests, and the ports around our coast have arrangements with the Crown Estate for their marinas and fish farms.

A serious effort needs to be made to modernise, update and clarify all the issues that pertain to Lough Foyle and Carlingford lough, which were left with some lack of clarity about their ownership in the 1920s. The formation of the Foyle, Carlingford and Irish Lights Commission and the associated Loughs Agency a few years ago has helped, but we still have a way to go in clarifying ownership. I am looking at ownership purely in the context of extracting value.

Although the obvious and immediate reaction might be to focus on the potential for our local fishing industry and, in particular, shellfishing — a fairly important industry that brings in a fair bit of money to those who are involved in it and provides a useful livelihood — the big issue is the development of renewable energy from marine sources. That will become an even bigger issue in the future. We do not want the Crown Estate to be in a position to block any of the potential for the development of wave or tidal power that we may want to exploit. There are many potential marine energy projects that

are winning projects in their own right. We need to expedite them and move on in our battle for low-cost, clean energy. We need direct and local control of the shore and the seabed so that we can facilitate development and economic growth. If we do not feel that the power should be vested in the Executive, it might be an option to vest the power in local authorities.

There is an asset around our coast that is owned by the Crown Estate. Although it has the title of the Crown and the monarch is owner in residence for a period, the Crown Estate is little more than an extension of the Treasury, which extracts a certain amount of money. I would rather see that money being used, directed and handled locally and for us to put it to better effect through the creation of renewable energy.

### 3.45 pm

I was involved in the Laganside development for a number of years, and every development that took place had to be negotiated and agreed in detail with the Crown Estate.

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

**Dr McDonnell:** I urge people to take a pragmatic and sensible view and to support the motion as amended.

**Mr Weir:** When I first read the motion in the Business Committee, I was somewhat perplexed about the intention behind it, and I suspect that most members were in the same boat. My immediate thoughts — you can determine how charitable or otherwise they were — were that this was a cunning plot by Sinn Féin, which, having lost the battle to banish the Crown from the land of Northern Ireland, had opened an amphibious second front. Having failed on land, did it intend to pursue the same purpose by sea? Perhaps that was not so far off the mark.

My confusion was added to, not clarified, by the proposer of the motion. A number of points were raised. We were told that this was some sort of buffer against the financial cuts. However, by the proposer's own admission, it would supposedly raise £400,000, as opposed to the £4 billion that is disappearing from the block grant. Let us assume for a moment that the Treasury is mad enough to allow us to have a semi-detached position, one that is different from that of the rest of the United Kingdom: do the Members who propose this seriously believe that, if we were

allowed to retain that sum, the Treasury would not simply remove the same amount from the block grant? We would not be a penny better off.

Reference was made to 4,000 jobs. There is confusion over what the Members mean by that. I assume that they do not mean that a saving of £400,000 will create 4,000 jobs. I can only assume that they are confusing the issue of the Crown Estate with offshore renewables. Clearly, work on that is ongoing by DETI in particular. There must be acceptance that offshore renewables need to be part of the renewable energy mix for Northern Ireland. DETI has done work on that with the aim of providing Northern Ireland with a necessary framework within the Crown Estate to ensure that there can be leasing so that renewable energy can be generated. Indeed, the Minister will make an announcement on that in the near future. So the motion, if you will forgive the pun, is a red herring when it comes to job creation. That can go on completely separately from the Crown Estate.

Across the United Kingdom, the Crown Estate has raised about £2 billion over the last 10 years. The idea that the Treasury will simply give that up or will devolve it to particular parts of the United Kingdom is insane. As I indicated, if the Treasury was so minded, it would undoubtedly take the money off the block grant. Scotland has been mentioned. Scotland has made an attempt to detach itself from the Crown Estate. It has perhaps a lot more to gain financially from that than we have. Yet there has been a clear-cut refusal from the Treasury. Therefore, this cannot be about generating additional income or jobs.

Mr Bradley did not touch too much on the wording of the amendment, but he made abundantly clear the SDLP's position. He mentioned lotteries and aviation. This is clearly part of an SDLP agenda to detach Northern Ireland more and more from the rest of the United Kingdom. It is intended to repatriate powers to the island — or, in this case, just off its shores. That is a perfectly legitimate position for the SDLP to promote, in view of where it comes from, but the amendment is clearly driven by an agenda of returning everything to Ireland.

I am, therefore, deeply surprised at the attitude of the Ulster Unionist Party. I urge the Ulster Unionists to think again about why they see merit in the SDLP's amendment. It detaches us more from the Crown and from a national

position. In discussions with the Treasury, it will distract from the much bigger issue to be tackled, namely corporation tax. As Simon Hamilton asked, are we to concentrate on the big ticket issues that will make a difference to our economy or on a potential gain of £400,000, which would be taken off us?

**Mr Humphrey:** Does the Member agree that the reason those on the Benches on the other side of the House cite Scotland as an example is that Scotland has a minority nationalist, separatist Administration in Edinburgh?

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

**Mr Weir:** Any analysis shows that this is not common sense. It is not practical. It is not likely to be granted by Treasury. In and of itself, it does not create jobs. Indeed, it acts as a distraction. Therefore, the only rationale for this is to pursue a particularly green, nationalist agenda. Having a go at the Crown is not something that this party would be in favour of. It is perfectly understandable that the SDLP and Sinn Féin are pursuing the issue and an all-Ireland agenda. I seriously urge the Ulster Unionist Party to think again, before it stumbles —

**Mr P Maskey:** I thank the Member for giving way. He stated that there was the possibility of a £400,000 return, which I take to be per year. How many nurses jobs would that be, from which the Health Department would benefit?

**Mr Weir:** When we talk about a £4 billion deficit — cut — in the block grant, there is no economic rationale for that argument. The Member has clearly not been listening. First, Treasury is not likely to give up the Crown Estate or dissect it into different parts of the United Kingdom. Were it to do so, it would simply remove the same amount from the block grant.

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

**Mr Weir:** We would not be a penny better off. There is no financial incentive to vote for the amendment or the motion; there is a nationalist incentive to do so, and I urge Members to consider that when they go through the Lobbies.

**Mr Allister:** There have been some very foolish and ill-informed things said in the debate. That may be because the motion is incredibly foolish and ill informed. It states:

*"this Assembly calls on the Executive to consider the role of the Crown Estate along our coastline with a view to maximising any possible financial return to the Executive."*

The Executive could consider the role of the Crown Estate for as many years as they like, but they will never be able to touch it, because it is a reserved matter. Therefore, it is utter foolishness and a waste of time to table a motion that talks about considering:

*"the role of the Crown Estate ... with a view to maximising any possible financial return to the Executive."*

That is possible only if the Crown Estate is moved from being a reserved matter to being a transferred matter. Therefore, to attain the objective of the motion and the amendment, the inevitable requirement is that you move it from being a reserved matter to a transferred matter. That inevitable trajectory and dynamic is behind both the motion and the amendment.

Dr McDonnell said that the Crown Estate was an anachronism. It is not an anachronism; it is a critical part of the constitutional fabric of the United Kingdom. It plays into all the issues about national waters. Indeed, it is a critical part of the fabric of our EU membership, because it is on the premise of national state control of national waters that we have bound ourselves into the wretched common fisheries policy. Just imagine, for a moment, what would happen if you disengaged the seabed and waters of Northern Ireland and then tried to pretend that you were in the same constitutional position in the EU. You could not be. It is absolute folly. Therefore, the Crown Estate must be transferred if there are ever to be any financial negotiations, which, of course, there ought not to be. It is just like corporation tax, which has to be transferred if a distinction is ever to be made in its rate. It is just like airport passenger duty, which has to be transferred if there is ever to be any change.

I say to the Ulster Unionist Party in particular that its Members really need to read, consider and evaluate the amendment more carefully than I suspect they have. When they do, they will surely discover that it is indeed a dismantling exercise. Given what the Crown Estate Act 1961 states about where the money goes and how it is distributed, the amendment can attain its objective of maximising possible financial return only by making the Crown Estate a transferred matter. That is so in conflict with the unitary

requirement of the United Kingdom, in which, I believe, they believe and in which I certainly believe, that it is something that no unionist could or should contemplate. So, I respectfully say to them that they have to readdress their attitude in that regard.

Some people have said, "But there is £400,000". That is a drop in the ocean, so to speak, in respect of our needs. If those people are so exercised about maximising the income from the Crown Estate, why are they not encouraging the Southern Government to settle the dispute about the national waters that afflicts Lough Foyle? If they were successful in doing so, we could introduce a licensing scheme for shell-fishing and all the rest, which would in itself produce some harvest of finance. If the Members who are keen to peddle the motion really want to help in the modest way that their crazy idea — it is way beyond the jurisdiction of the House, and long may it remain way beyond the jurisdiction of the House — would help the financial resources of Northern Ireland, they could take up and run with that practical proposition.

**Mr A Maginness:** I listened carefully to the debate. To some extent, we have become transfixed with a title, namely "the Crown Estate". In the past, the estate may have had greater linkage with the Crown itself. However, "the Crown Estate" is now simply a title, and it is little more than that. Members on the unionist side, particularly on the DUP side, are hung up, to some extent, on the idea of the Crown. The essential argument that they seem to be putting forward is that, if you break that linkage in some way, you will damage the Crown, the monarchy or the link between Northern Ireland and Britain. I suspect that there might be an equal reaction from some Members on the Benches on this side. However, being hung up on a title does little justice to the debate, because what we are talking about is, in fact, a valuable resource as far as Northern Ireland is concerned. At the moment, that resource does not yield very much, but it could do so in the future.

A lot of emphasis has, of course, been placed on the UK Government's plans for a new community fund to dispose of some of the funds raised by the Crown Estate. The pressure from the Scottish Parliament was the reason why that decision was made. It is plain that the Scottish Parliament put tremendous pressure on the Westminster Government and that they reacted to that pressure.

Mr Lochhead, who is, in fact, a Scottish Minister, said:

*"Contrary to the spirit of self-government, the Crown Estate Commissioners grant offshore leases and can even sell off the seabed, all without any requirements to consult the Scottish Parliament. Our progressive plans for the Crown Estate have cross-party support, the support of Scotland's Parliament, and are designed to benefit local communities while helping Scotland meet our challenging green energy goals. Scotland cannot be side-tracked in these aims by this timid measure from Westminster."*

So, it is regarded as a timid measure, but it is definitely a response to the pressure applied by the Scottish Parliament, and more power to its elbow for doing that. We should be doing the same here to protect the great potential that the renewable energy industry offers through offshore wind farms etc, as Dr McDonnell rightly emphasised to the House.

Indeed, he has championed that in many respects as he has championed economic development here for many years.

I am confident that with the motion, and the amendment which simply perfects it — and I do not mean any disrespect to the author of the motion — the Assembly is saying to Westminster and the Treasury that that matter should be devolved. It does not alter the politics that relate to constitutional arrangements between here and Britain. It does not do anything like that.

**4.00 pm**

**Mr Humphrey:** Will the Member give way?

**Mr A Maginness:** I will get an extra minute.

**Mr Humphrey:** I thank the Member for giving way. I am always glad to be of assistance.

Obviously, we, on this side of the House, will disagree with what he is saying. The Scottish Government are a nationalist Government. Leaving the politics aside, does the Member seriously believe that there will be any financial benefit to Northern Ireland from the national Exchequer if the House accepts the amendment of which he speaks in support?

**Mr Deputy Speaker:** The Member has an extra minute added to his time.

**Mr A Maginness:** I thank the Member for the point that he raises. It may well be that the Treasury will say that we can take our £450,000 and use it but that they will take it out of the block grant. The intention behind any negotiation is for additional funding, not for the same funding or for a neutral effect.

Mr Bradley spoke on the matter. He mentioned my party's other concerns. We are quite transparent on the issue. We have never hidden our desire that there should be more power here, particularly on fiscal and financial matters. As this institution evolves, just as the Scottish Parliament evolved, unionist Members, even those in the DUP, will say that it should have more power here and be able to use our resources more effectively for economic development. Therefore, the DUP is being very short-sighted on the matter.

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

**Mr A Maginness:** That party should rethink its position. Indeed, the position outlined by Mr Cree is sensible and should be followed by all unionists in the House.

**Mr Molloy:** Go raibh maith agat, a LeasCheann Comhairle. First, let me state that the motion that my party has proposed is not about separation. It has nothing whatsoever to do with separation. Perhaps, I should say "never, never, never" on that one. The issue, as others have said, is about the potential of the estate that is known as the Crown Estate. As research states, the Crown Estate is not owned by the Government. Although it is owned by the monarchy, it is not used by the monarch. Its resources are managed by an independent organisation.

Earlier, Members talked about the estate as being a business or company. That is exactly what it is. It is a management company. In fact, it was set up to be an independent organisation — a quango. In the past, the DUP has supported getting rid of quangos and getting local control and management. All that the motion proposes is that the Assembly and the Executive should research, review and look at opportunities that could come out of the establishment of communications on the Crown Estate.

I repeat that the motion is not about separation from the Queen and the state. Obviously, Sinn Féin, as an independent party, does not believe that the Crown should own any property in



Ireland. However, that is a completely separate issue. It is not the subject of the motion.

**Mr Humphrey:** I am grateful to the Member for giving way. I am pleased that he recognised that the monarch is the head of state here. Will he confirm, as Mr Maginness did on his party's behalf, whether, if the Crown Estate on the shores of Northern Ireland goes and Her Majesty's waters do not exist here, there would be extra money for Northern Ireland from the national Exchequer or whether that money would be taken away, as has been stated in the House by Mr Weir?

**Mr Molloy:** It depends on who negotiates that and how good their negotiation is. There is no reason why there would not be extra money.

I want to make two points. I did not accept that the Queen is the monarch of this island. I said that she owned property. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Molloy:** How she got that property in the first place is a different matter. However, the issue is about local control and the block grant. If that money is taken out of the block grant, that is one thing. We are told that the revenue stream is £400,000, but there is no reason why that cannot increase.

In Scotland, they are talking about a revenue stream of £4 million, but the potential that they see by 2020 is for £40 million. Therefore, whatever we may lose, and whatever negotiations there will be with the current estate or with the company that is running it, there is no reason why the revenue stream cannot be increased to make sure that we maximise it. That is what the motion is about. It is inviting us to look at the potential with a view to maximising support.

**Mr Storey:** Setting aside our doubt about the motives behind the motion; if the Member is saying that this is about saving money and that that is the thrust of his party's view at the minute, will he identify for us the other bodies he would like to look at, particularly regarding North/South arrangements, which cost a considerable amount of money over which the Assembly has control?

**Mr Molloy:** We are always reviewing all the bodies. Mr Allister raised the point that the Irish Government have not settled the dispute. However, he is behind the times, because we have settled it. We now have the Loughs

Agency, which is governed by the North/South Ministerial Council, and it deals with that.

With regard to reserved matters, we have already dealt with policing and justice, which was a reserved matter. We negotiated and got it transferred. Corporation tax is also a reserved matter. It is being negotiated at the moment and could be transferred. Therefore, there are many reserved matters, which, hopefully, the Assembly will negotiate on in the future and try to maximise the amount of devolution that we have here.

I say to the DUP: have confidence. It is about getting it into your own hands. Think bigger than what you have been given to the potential of what you can achieve. That is what we need to be looking at.

I accept the SDLP amendment. It does not add much to the motion; it simply adds two lines to it. However, the Assembly needs to look at how the money that is being collected — *[Interruption.]* I will not give way. I have only 10 minutes. We need to decide about the money that is being collected and the proposals that were made under pressure from the Scottish Government.

We have heard many times about the Ulster-Scots connection and about our great affinity and connection to Scotland. Why then are we taking an entirely different direction to what Scotland is proposing? It is proposing that it should have control of, and maximise, its own resources. Therefore, why do we not go along with Scotland and have a joint approach — *[Interruption.]*

**Mr Deputy Speaker:** Members should not persist.

**Mr Molloy:** — to ensure that we maximise our resources and the potential for resources? Therefore, who gives out the money?

**Some Members:** Will the Member give way?

**Mr Molloy:** I have only four minutes left.

**Mr Deputy Speaker:** Will the Member sit down? It is clear that the Member does not wish to give way. Therefore, Members should not persist.

**Mr Molloy:** I have given way several times. The issue is about how to maximise potential. All we are saying is that we should consider that. Maybe it has already been considered and negotiated in the Executive, but, at least, there should be potential to consider it when we deal with it in the future.

I repeat again that Scotland is saying that its revenue stream is £4 million, with a potential revenue stream of more than £20 million. We are talking about the possibility of around £400,000. That is a drop in the ocean compared to the £4 billion, but there is no reason why the Executive should agree that the Treasury should also take the £400,000, or that it should set itself in a way that restricts the potential for increasing the amount of money that it can take. We are talking about a small number of offshore wind farms now, but there will be thousands in the future. Renting that and other processes along the shoreline provides an opportunity to have a bigger revenue scheme than we have at present.

It comes down to whether the Assembly wants power to manage its own affairs or whether it wants to be continually dependent on mother England. We, in the Assembly, should be saying that we can manage this ourselves and gather the revenue so that it can come back into the Assembly to be distributed by the Assembly and not by a quango.

Does anyone here even know who the commissioners are who decide what money should go to coastal communities? You might say that it does not matter, but it matters to coastal communities if they are being deprived of that money and it goes to other communities. Let us look at what we can bring into our own communities and not deprive ourselves by cutting off our nose to spite our face.

There is an opportunity here, and that is what the motion outlines. We should take the opportunity to devolve as much power to the Assembly as possible to ensure that we maximise the potential of the revenue scheme for the future. In that way, we will bring in funds that can help the Assembly to build for the future. That is the issue.

Let us get out of our heads completely the idea that it is a separation motion or has something to do with the Queen or the Crown; it is about a company called the Crown Estate, which is completely separate. The Queen will be well funded by the new process that has been proposed. The process has been going on for years. Do not worry about that, anyone.

There seemed to be a certain panic in Simon Hamilton's voice today when it came into his head all of a sudden that we would be cut off and deprived. The motion is not about that. It is about creating the potential for the Assembly

in the North of Ireland to maximise its own revenue and to ensure that it is not completely dependent on what is handed down in the block grant. Let us negotiate on that.

Many agree that the block grant is not the be-all and end-all and that it cannot deliver for the future expectations of this community; therefore, we need to look at how we can maximise revenue ourselves. One way of doing that is to maximise the future potential of the coastline. I hope that Members will set aside their fears to see the future potential of the Assembly.

**Mr Storey:** On a point of order, Mr Deputy Speaker. Will you, through the Office of the Speaker, ask the Member who proposed the motion, Mr McMullan, what the actions were that he made to me across the House? He made a sign to me on three occasions. I would like him to clarify to the Speaker what he meant by that.

**Mr Deputy Speaker:** Thank you for that, but it is not a point of order.

**Mr Storey:** Further to that point of order, Mr Deputy Speaker —

**Mr Deputy Speaker:** I will be generous.

**Mr Storey:** Will you ask the Speaker to ask the Member what exactly he was engaged in?

**Mr Deputy Speaker:** It is part of the cut and thrust of debate. The Speaker will examine anything that Members request him to.

*Question put, That the amendment be made.*

*The Assembly divided: Ayes 32; Noes 51.*

## AYES

Mr Agnew, Ms M Anderson, Mr Attwood, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Doherty, Mr Durkan, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr P Maskey, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mrs O'Neill, Ms Ruane, Mr Sheehan.

*Tellers for the Ayes: Mr D Bradley and Mr A Maginness.*

## NOES

Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr T Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson,

Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Kinahan, Ms Lewis, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr D McIlveen and Mr Spratt.

Question accordingly negatived.

Main Question put.

The Assembly divided: Ayes 32; Noes 51.

## **AYES**

Mr Agnew, Ms M Anderson, Mr Attwood, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Doherty, Mr Durkan, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr P Maskey, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr W Clarke and Mr McMullan.

## **NOES**

Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr T Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Kinahan, Ms Lewis, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.

Tellers for the Noes: Mr D McIlveen and Mr Spratt.

Main Question accordingly negatived.

Motion made:

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

## **Adjournment**

### **Sixmilewater River: Pollution**

**Mr Deputy Speaker:** I remind Members that the proposer of the Adjournment topic will have up to 15 minutes in which to speak. The Minister will have 10 minutes to respond, and all other Members who are called to speak will have approximately six minutes.

**Mr Kinahan:** I have never seen a room clear so quickly.

At the beginning of the debate, I declare two interests. First, I own land next door to the Sixmilewater and, indeed, have enjoyed walking along its edges for most of my life, hence my passion for what I am speaking about. Secondly, I am Danny Kennedy's Assembly Private Secretary (APS), and certain matters on which I will speak briefly will touch on his role as Minister for Regional Development.

I will point out the main polluters of the Sixmilewater and, I hope, edge us towards zero tolerance of all pollution on rivers. I want today's debate to be used as an example for all rivers, whether that be the Sixmilewater, the Blackwater, the Bush, the Faughan or any other river. We have to ensure that we look after all our rivers, which are the lifeblood of our beautiful country. Therefore, I will call for certain actions as I go through my speech and for education all the way through everything that we do so that the public and everyone who is involved learn how to look after their rivers better.

The Sixmilewater's Irish name is Abhainn na bhFíodh, and although I am not very good at Irish, I think that I have pronounced it correctly. It is a rather lovely name and is also the name of one of the holes on the golf course at the Hilton Templepatrick Hotel. It was originally called the Ollar and changed its name to the Sixmilewater in line with soldiers from Carrickfergus moving six miles to a fort that was on the river. The river is 20 miles long and runs through Ballynure, Ballyclare, Doagh, Parkgate, Templepatrick, Dunadry and Antrim. Of course, do not forget all the farms and the other land

that it runs through. It is the key waterway in the South Antrim constituency.

It would not be in the good order that it should be in if it were not for the fishermen, the Antrim and District Angling Association and many others who have been managing it since the 1950s. I will go into that in more detail later. They have been managing it phenomenally well, considering that polluters and others have been doing their best to destroy it.

Pollution is something that we all forget about. The general public need to be wary of what they are throwing away and how they throw it away, whether that be litter being washed into the rivers or the unmentionables that people put into their septic tanks and elsewhere. That all builds up and causes the breaks that often lead to pollution. With that go the septic tanks themselves. Last night, I heard that there are 70,000 septic tanks in County Down alone. If that figure is taken throughout Northern Ireland, there is a phenomenal mass of septic tanks, all of which put water into our rivers. One would hope that that water is always treated, but it is not. We need to educate the public and look at our planning processes and at how we enforce the use of septic tanks and try to get away from their overuse.

I will move on to the issue of farming, and I stress that I am not picking on farmers. Sadly, I was not in the Chamber when the Minister of the Environment answered the question for urgent oral answer on slurry spreading. I am pleased to see him here for the debate, but we should probably have four different Ministers here as four different Departments are involved with rivers. Slurry being spread on the ground and going into the rivers is not the only problem. There is also the clearing of habitat by farmers and the damage done by cattle. We need to educate the farming world and, of course, learn from it, as it has many good ways to do things.

There is also the problem of illegal activities at the sides of rivers. For example, last year, some cat litter was thrown into the Sixmilewater, and it took five days to remove it. It had been used for cleaning fuel, and because it was toxic and the council did not know where the farm was even though there was a large building 200 yards away that looked like a farm building, it took five days to clear. There is a mass of illegal ways to pollute our rivers.

Planning and development can pollute rivers in many different ways. A simple planning site for two buildings needs to be enforced properly to make sure that the buildings are not moved and allowed to be built by the river. In many cases, that has not happened or we have put too much scale into the building with too much run-off so that the waters pour quickly into rivers and create flooding at a much earlier stage. Again, that does much damage to the rivers and brings with it all the pollution. There is also an issue while the buildings are being put up; for example, heavy rain may wash silt and all the other things that come from building sites into rivers. We have to ensure that we have good enforcement at all times, not just examples of it here and there. Enforcement needs to be checked at every possible opportunity.

#### 4.45 pm

From the sports side, the spraying of weeds has an impact. In one case, such spraying all the way alongside the river has killed all the weeds. Spraying weeds stops the plants binding, and, in time, the sides of the banks will collapse. So, you have to be very careful there. Again, combating that comes down to education.

Moving again to south Antrim, we should look at the car washes there. Euro car wash, for example, is one of many car wash providers. It is legal, because it has a permit, but we need to check why we are giving permits and whether the water from those car washes is going into the rivers. There are many more car washes, but we must look at enforcing the regulations that deal with them. I ask people to follow my example and just keep a good dirty car: it is much better that way, and it saves a lot of pollution going into the rivers.

The building and gritting of roads contribute to pollution. We should look at the bad weather that we had last year and think of the amount of grit that was placed on all the roads. That grit then washed into our ditches and went from the ditches into our rivers. I do not think that we think along those lines at all.

Then there are the various wastewater treatment plants in Northern Ireland. There is one in particular near Ballyclare. Whenever that plant overflows in times of flooding, the sewage goes into the river and pollutes. It is a fact that that happens, and the Department for Regional Development (DRD) will have to take that on board. In Scotland last week, we met



representatives of Scottish Water, which has exactly the same problem. Such wastewater treatment plants are part of the system for treating our water, but we must find a way as quickly as we can to stop the treatment works that overflow and flood into rivers when, typically, we have more rain than we expect.

The worst polluter of all on the Sixmilewater was industry. We do not know who was responsible for the pollutions, but we still want to know who was involved, and we would still like to see prosecutions. Some 10,000 fish were killed. If you think that through, you will realise that the grubs and the invertebrates in the river were killed and cleared away and the fish and the birds had gone. For example, the kingfisher, which would normally be up and down the river and which the Hilton Hotel has as its logo, has not been back since, even though there are kingfishers elsewhere. If we think about the food chain, there are humans at the end of it, so we have to be very careful.

Those are your polluters, and that was a fairly good gallop through all the different types of pollution. However, rather than be negative all the time, I would like to thank many people. I already touched on the anglers. Last night, I had the pleasure of listening to the Ballinderry trust showing how rivers can be managed better. I hope that the Minister will go away and find out how Ballinderry trust and the excellent Six Mile Water Trust are planning to do things, as there is a mass of good volunteers with expertise who, with a little bit more training, can help us to enforce and monitor our rivers.

There are also excellent staff in all the different agencies. There are probably too many agencies involved at the same time. I would hate to go through a list of thanks without mentioning Alan Kirkpatrick, who we lost a few years ago. He who was one of those passionate people who would ring you up at midnight if he found something on a river. There was no getting out of joining him to see the pollution.

So, we are asking for joined-up government. We want to see the four Departments working closely together. I asked each of the Departments whether they were planning to pull all the agencies together under one agency or whether they would share responsibility, and all of them indicated that they would not be doing so in the near future.

We need independent sampling. Last night, we heard of an excellent initiative called the Anglers

Monitoring Initiative, which has 22 people monitoring 28 sites on the Ballinderry river. We want to see the same happening all the way along the Sixmilewater and, of course, on other rivers.

We also should know all the people who discharge into rivers — I think that some 38 discharge into the Sixmilewater — and all the owners and others who may be discharging into a river. If we know who they are, using the same example of the cat litter, we can immediately go to them and get permission to take whatever action is needed. We need strong and quick enforcement. We need good communication. We have an excellent hotline but it could work that much better. What I am asking for today is joined-up Government, independent sampling and training, and even maybe more bailiffs. Let us really pull together and move forward.

On being made Chairman of the Audit Committee, the most exciting Committee here, I was slightly surprised to find something pertinent to the Sixmilewater. When visiting the Audit Office in Belfast, however, they said that they monitor the Chamber, the questions and concerns of Members and then choose various items to look into and report on. They mentioned the 'Control of River Pollution in Northern Ireland', a report of 30 April 1998 with 21 recommendations. I would lay a bet that those are the same recommendations some 13 years later.

I call on the Assembly and all of us here to push to make sure that documents that do exist have all the right recommendations, come off the shelves and are used because there we have exactly what we should be doing and exactly what I am asking for today. I am very pleased to see so many of you here supporting this matter, and I look forward to seeing things get much better on pollution.

**Mr T Clarke:** My colleague from South Antrim referred to Alan Kirkpatrick. In my time on Antrim Borough Council — I should declare an interest as a member of Antrim Borough Council — I had the good fortune to meet Alan when he attended the council's countryside recreation committee. What Danny said about Alan is spot on. Alan had a passion.

I suppose I am in the unfortunate position in that I do not know many other fishermen, and maybe that is my own fault; maybe I have not familiarised myself with them. Sorry, I should not say fishermen. I think there are maybe women as well because I note that we have men

and women in the Public Gallery. So, I suppose it is not a sport that is primarily for just men; it is open to women also, so I would like to put that on the record, just for political correctness.

What Danny outlined is not a new problem or unique to the Sixmilewater. Unfortunately, it is familiar on many rivers across Northern Ireland. However, I am not trying to take anything away from the emphasis on the Sixmilewater. I am glad that the Minister of the Environment has come today to speak about that. I suppose we could also have had the Ministers with responsibility for roads and agriculture. We are not going to pick on the Minister today, and I hope that he does not feel that we are going to pick on him.

One issue concerns me greatly, and Danny did not focus on it with regard to pollution on the Sixmilewater. Yesterday's heavy rain was an example, and hopefully that was the most severe such event we will have this year and there will not be a repeat of 2008. However, there have been a number of planning applications close to the river. I am thinking primarily more at the Antrim end, where there is a concentration of houses. Danny spoke about run-off from roads and septic tanks. However, there is more than that. We have had a concentration of new developments that have placed extreme pressures on rivers and their flows, and I know from conversations that I had with the late Alan Kirkpatrick that he was very much against that. I am sure that if I spoke to most fishermen and women today, they would have the same concerns.

There have been incidents, going back to 2008, with oil tanks floating about and running back to the rivers. We also have raw sewage. Although we can criticise the Minister about development and how to bring forward development proposals, I would criticise proposals that have allowed houses to be built on flood plains and close to river banks.

I am thinking of the Seven Mile Straight in the Antrim area and houses closer to the Dublin Road in Antrim, which all suffered in 2008. I know that this debate is not about flooding, but a consequence of the flooding was a negative impact on the river. I ask the Minister to take cognisance of that and feed down to his Department that we need to take more care and caution with planning applications and rivers.

Danny touched on many other aspects, including roads, and referred to today's question about the slurry ban. A farmer said to me last week — I stand to be corrected — that 24 tons of urea are used at the International Airport every day that there is frost. That all goes to our watercourse. Danny touched on salting, and it is OK to touch on all the things that are happening and their effect. I am not trying to put down the debate but, unfortunately, these debates have no teeth. What other method have we come up with for gritting roads? Rivers are important to the people who use them for all sorts of activity, not just fishermen but people who engage in other leisure pursuits. They do not want them to be polluted, and neither do I. However, it is OK to say that we can be careful about how we grit the roads, but how else do we do that? We need to come up with more imaginative ideas on what products we use so that we do not cause river pollution. I do not think that that debate has ever taken place.

Danny touched on flooding, and there is also the issue of oil tanks. If we drive around the Province, and, again, it is not unique to Sixmilewater, we see spills of oil and petrol from vehicles. All of that goes into the rivers. Today, it is OK to have tongue-in-cheek conversations and give out tea and sympathy because that might sound right to people sitting in the Public Gallery. However, they might be more interested in hearing what we will do to tackle pollution rather than about the issues and problems. They might prefer to hear what we, as a Government, can do in Northern Ireland to address pollution as a whole.

I support Danny's topic for debate, but I am a wee bit disappointed because I sometimes feel that we talk for the sake of talking. If I had an opportunity to speak to people upstairs, I am sure that they would say that they want to know what we will do about pollution and how we will prevent it in the future. However, I support the emphasis of the debate, and I look forward to hearing what the Minister has to say and whether he is prepared to think outside the box about what we can do differently to prevent some instances of pollution, not only in Sixmilewater but in all rivers across the Province.

**Mr McLaughlin:** Go raibh maith agat, a LeasCheann Comhairle. I apologise in advance: other Assembly business ran on a bit, and I have a 5.00 pm meeting with the Minister of Education. I want to put on record my appreciation

of my colleague's efforts in securing the debate, notwithstanding Trevor's valid point about the impact of these discussions.

Now that we have set out the number of occasions on which this particular watercourse has been poisoned, we must reflect that the same thing happens right across the region. At times, Departments have been found to be culpable as well as private individuals. I do not wish to repeat what has been said — it has been presented perfectly well. I apologise to the Minister that I will not be here to hear his response, but I hope that he might give some consideration to publishing a list of those who, after investigation, are found to be responsible. That list need not go into the detail of sanctions that could be applied from time to time. However, if people are aware of who is responsible, they can make judgements, particularly if that responsibility extends across the spectrum from Departments and their agencies to private enterprise, private individuals or farmers.

Water is a precious resource, and waterways are immensely important to our economy, tourist industry and leisure industry. Often, the voluntary efforts made in conjunction with statutory support are completely undermined. We hear and read about fish kills in the tens of thousands, which must be heartbreaking for those who had made the effort to restock and nurture their fish. So I strongly endorse the comments made by Trevor and Danny.

Raising public consciousness would be best served if people could read for themselves who was responsible for the pollution. It is more than a trend: it is almost a tradition that rivers are treated in a cavalier fashion. We must challenge that. Let us start with a consciousness exercise, draw attention to the repeat offenders and ensure that the sanctions fit the crime, because very often they do not.

#### 5.00 pm

**Mr Ford:** I am afraid that I will have to emulate Mitchel McLaughlin by giving my apologies, as I shall also be leaving before the debate is over. However, I appreciate the opportunity to take part. I thank Danny for having secured the debate. It may be an issue of particular concern to those of us who represent South Antrim, but it is also one that highlights more general issues about the way in which we manage watercourses in general.

A generation ago, the Sixmilewater was, effectively, a river flowing through an almost totally rural area. Even the Ballymartin tributary was something much the same. There was a limited amount of housing and industry around Ballyclare and, until you got to below Templepatrick, it was almost all pristine and rural. Now, the increasing growth of housing and industry in Ballyclare and the significant growth of industry around Mallusk have meant that we have seen a significant increase in pollution incidents almost annually. Serious fish kills are occurring due to carelessness or criminal activity by people who are not concerned about what they are doing and allow waste to be dumped into the rivers or who are doing it quite deliberately. Although there are ongoing problems around rural issues involving the potential for herbicides, pesticides or fertiliser run-off that have some effect on the river, there is absolutely no doubt that the most serious effects have been those associated with industrial development and the pollution of various poisons that have ended up in the waterways.

In June 2009, an answer to a question for written answer to the Department of the Environment stated that there had been a 20% reduction in the number of confirmed water-pollution incidents between 2000 and 2008. That was fine as regards a general trend. However, we continue to see major episodes, including one in January this year, which add to the background history. Whatever may be happening to make some general improvements, far too many serious incidents are still happening. Those serious incidents undermine the good work being done by a number of agencies, in particular, local angling clubs and the work being done together by the Six Mile Water Trust and the two councils in Antrim and Newtownabbey and in a variety of other local instances.

I remember attending a public meeting in the Antrim Forum about three years ago when there had been a further pollution incident, and I have no doubt that some Members in the Chamber were also present. A variety of proposals were put forward by anglers, and people made various suggestions. However, it seemed that we did not have a joined-up way of approaching the needs of the Sixmilewater. The fact that the trust is now in operation, and Danny gave a report on what happened last night, at least shows that we are starting to make things move particularly well.

However, because of the different agencies responsible, I am not sure that we have really got to grips with what is happening around Mallusk. I am aware of the good work that is being sought. A suggestion put to me by a local angler was that we should look at some sort of settlement pond so that run-off from Mallusk would not go straight into the Ballymartin but would be caught, potentially diluted, and potentially even extracted before it could get into the waterway. It seems that the river is extremely vulnerable when the water level is low; in particular, the Ballymartin water and then from Templepatrick on down the Sixmilewater. However, it is not just that. There is also the issue of what we are seeing around Ballyclare with the growth in its development, and there are problems around the main part of the Sixmilewater because of that.

I noted the reference made to the Ballinderry trust, and that is a useful example that can be quoted. However, we also have to recognise that, in some senses — I am not suggesting that life is completely easy for Ballinderry — there is a relatively easy position there, a rural area with relatively little urbanisation and industry. Nevertheless, as I said, the generation change for the Sixmilewater has meant that all those problems have occurred.

I certainly welcome the fact that the Environment Agency has been involved in a lot of pollution prevention inspections around Mallusk. There has clearly been an effort to engage, but I am not sure whether we have really cracked it. There is more work to be done.

There are also issues such as the waste water treatment works in Ballyclare. There is a new sewerage works in the area, but there are already concerns about its capacity. There are also issues about the continuing development around Ballyclare, the new housing and industry and the fact that, during the bad weather last December, a significant number of tanker-loads of waste water sludge had to be carted out of a site. All those things mean that there are issues that could add to the pollution.

We have seen the benefits of a partnership approach. I pay tribute to all the volunteers who played a part in it, and I add my references to the work and commitment that was initially shown by Alan Kirkpatrick. However, much more needs to be done to build up partnership and for agencies to work together.

The Minister's work on re-engaging on the issue of an independent environmental protection agency also needs to be dealt with. Realistically, we could have expected to see the Ministers for Agriculture and Rural Development, Regional Development and, given the issues around Mallusk, possibly Enterprise, Trade and Investment sitting here alongside the Minister of the Environment. That is a measure of the lack of a joined-up position among our public agencies, and an independent environmental protection agency would be one way to start to address the problem in a more joined-up fashion than we have so far seen.

**Mr Girvan:** I congratulate Danny for securing the debate this evening. I declare an interest as having a family involvement in the ownership of land along the banks of the Sixmilewater and also on the lower Ballyboley tributary.

It is important to take Members' comments on board, such as the pollution to which David Ford referred. In 2008, there was a major incident. Some form of chemical made its way into the Ballymartin river and wiped out all habitat, invertebrate and fish life from there to the entry into Lough Neagh. It was important to get a sample at an early opportunity to identify where the incident had originated. Unfortunately, for one reason or another — I will reserve judgement on that matter — the sample never seemed to make its way through to enable the authorities to find out who the culprit was on that occasion. I believe that there was a smoking gun, but insufficient evidence was gathered early enough.

That has exercised a number of people who have an interest in the issue. We attended many meetings with the Six Mile Water Trust and discussed how to conduct sampling that will be acceptable to the Department. We also discussed how to gather statistical data that can be used evidentially to identify a timeline as to when pollution has occurred in an area of water. A move needs to be made to allow some type of local bailiff, because the custodian of the Sixmilewater is not the Environment Agency. None of the people who identified the incidents have been government officials but people who have a vested interest in what is going on in the river. They have, primarily, been anglers.

I go back to an incident that took place on the Sixmilewater in January 2010. There was a problem, and all the indications were that



it came from the sewage treatment works on the Templepatrick Road in Ballyclare, because everything from that point to the Doagh bridge was wiped out.

The only godsend was that there was a fairly high water level in the river and the pollution was well diluted. However, it created a problem, and there was a large fish kill along that stretch of river. If local people had been given the opportunity to identify the pollution and to take water samples, the problem could have been identified before the Department came on site.

Mention was made of discharges and consents to discharge, and Danny mentioned the 70,000 non-designated discharges into water courses in County Down. If you multiplied that to include County Antrim, the Sixmilewater and its catchment area, which is some 20 miles long, that number would be much higher. If a property is built beside a river, the overflow of its septic tank will flow directly into it without passing through filter beds or reed beds. Owners feel that it is safe to allow their septic tanks to overflow as it does not create a problem for them; their waste goes into the river, which takes it away.

**Mr T Clarke:** Although I referred in my contribution to things that cannot be done, something that can be done, and I hope that the Minister takes this on board, is that proper measures should be put in place to prevent overflows from septic tanks when consents are applied for.

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

**Mr Girvan:** Thank you. There is a major problem in that area, and overflows from septic tanks are not being checked properly. People do not use their septic tanks correctly: we know about bleaches and how they destroy the balance in septic tank, and, if they are used, bleaches will also make their way into rivers. The policing of septic tanks needs to be looked at.

I am not going to let the Northern Ireland Environment Agency (NIEA) off the hook, because it has a key role in ensuring that issues are properly policed. However, it is not the only agency involved, and other government agencies seem to have turned a blind eye despite having control. For example, the Fisheries Conservancy Board plays a role in Lough Neagh into which the Sixmilewater runs, yet it has turned a blind eye to certain activities. However, those days are

gone, and we must ensure that the board is called to account for its actions.

It is important that we support those with an interest in ensuring that we retain something that is not just an asset but which could also be a great tourist attraction. Angling is one of the most common sports; there are probably more people involved in it than in football or other sports. It is vital that, instead of allowing our rivers to turn into open sewers, we make use of them and clean them up. We must also ensure that, from an agricultural point of view, farmers, who are also custodians of the rivers, do not farm right up to riverbanks. They must leave a space so that they do not pollute the water with slurry spread and everything else and allow such pollution to filter through the ground. Those points all need to be brought forward.

It is good that we are having the debate this evening, but it is only one way of introducing the issue. Other major players such as the Department of Agriculture and Rural Development, the Department of the Environment (DOE) and DRD must also be brought on board.

#### 5.15 pm

**Ms Lewis:** I thank my colleague Danny Kinahan for raising the issue in the House this evening. I welcome the opportunity to speak on an issue of great concern to many in the South Antrim constituency: the pollution of the Sixmilewater. I declare an interest as a member of Antrim Borough Council.

We were all disappointed to hear about the latest pollution incident in the river, which was not an isolated episode. Indeed, such incidents are, sadly, regular occurrences. Pollution has done huge damage to the river and has been responsible for thousands of dead fish over the past few years. That is a terrible loss for the natural life of the river. It is also a blow to those who have worked so hard to replenish fish stocks in the river and who have effectively sought grants and lottery funds to help them with their work. In particular, I think of the work of the Antrim and District Angling Association, and it is right that the Assembly recognises the work that its members have done in trying to keep the river free from pollution.

However, it is important to note that this is not just an environmental problem or one that just affects those directly involved in fishing; it is

also an economic problem. Through fishing and angling, the river provides economic benefit for the area. As one who wants to see the tourism potential of the constituency enhanced, I am greatly disappointed when I hear that the river cannot be used by anglers due to such pollution incidents. Often, it has only just recovered from one incident of pollution when another occurs, and that does serious and prolonged damage to the river's reputation. People are put off from coming to fish due to those incidents, and it affects not only the angling industry but the wider local economy. The extra benefits that visitors bring could be permanently lost to the area, and that should not be allowed to continue.

As the Sixmilewater flows directly into Lough Neagh, there is also the worry of wider implications and the possibility of an industrial discharge having a major impact on Lough Neagh itself. Lough Neagh touches five of the six counties of Northern Ireland; it is the largest freshwater lake in the British Isles, and the area around it is one of the most important bird habitats in western Europe. The lough provides a unique and valuable natural resource, offering a very productive ecosystem that supports thousands of wildfowl and a large scale eel-fishing industry. If pollution on that scale should occur, the damage would be catastrophic.

Obviously, we all want to see zero pollution in the Sixmilewater and, though there has been a reduction in the numbers of high, medium and low severity incidents over the past five years, the number remains at an unacceptable level. There were 63 incidents in 2006 and 48 in 2010. The trend is encouraging, but that is not good enough. I note that NI Water has been responsible for two incidents that led to prosecution and conviction since 2007; one at Massereene, the other at Clotworthy. That should be of great concern to us, and I look forward to receiving assurances from the Minister for Regional Development that NI Water has taken steps to ensure that there will be no repetition.

The Assembly, the DOE and the NIEA need to do two things to ensure that we can continue to reduce the number of pollution incidents in the Sixmilewater. The first involves education; the second, serious punishment for those convicted. We need to let people know the dangers that pollution causes and the consequences of their actions. They need to know how they can prevent it from happening and the steps that they can take. However,

education alone is not enough. In spite of all the advice and information that we can give to people, there will be those who choose to ignore it. People who offend persistently need to be prosecuted and fined heavily on conviction. More often than not, business or industry is at fault, and I am concerned that the fines are at a level insufficient to deter. The rest of us are left to count the cost, both in economic and environmental terms.

If we are serious about taking those actions, it will go a long way towards freeing the river from pollution, sending a message to the polluters and ensuring that the Sixmilewater can be enjoyed by us and by generations to come.

**Mr Agnew:** I thank Danny for bringing forward the motion. I chose to speak in the debate although the Sixmilewater river is not in my constituency. In 2008, when there was the major fish kill — 35,000 fish were killed by pollution — Brian Wilson hosted the anglers who came to the Long Gallery in Stormont and called for an independent environmental protection agency.

As has been pointed out, this is not something that affects only the Sixmilewater, though that seems to be where a significant number of such incidents take place. When I was working for Brian, I remember that a major fish kill occurred in the River Quoile. I am sure that Members check the BBC news website regularly, and it seems that every few months there is another fish kill, some more significant than others. Unfortunately, we do not hear about prosecutions subsequent to those news stories. I would like to make the following point today: clearly, what we are doing is not sufficient. Prosecutions are not sufficient in number or in severity.

At the time of the March 2008 fish kill, my colleague Brian Wilson called for an independent review of the Northern Ireland Environment Agency's investigative capabilities. Ultimately, I do not think that that body, as it is currently constituted, can be the solution to this problem. To highlight the crux of the problem: in 2011 to date, there have been 89 industrial discharges and 12 Northern Ireland Water asset discharges — legal pollution of the Sixmilewater river. The NIEA grants those consents and is then required to go and investigate pollution when there is a kill.

**Mr Frew:** Some of those issues would have been part of what was a planning application in relation to industrial procedures that were going

on. The NIEA is a consultee in relation to those applications, and it did not even highlight any concerns when it was consulted on that. The particular one that I am talking about concerns a car wash.

**Mr Agnew:** I thank the Member for making that point because I was not aware of it. However, it highlights the issue: we have a body that on the one hand grants permission to pollute while on the other investigates pollution. That does not sit comfortably with me.

I back up David Ford's call. We need an independent environmental protection agency that will have environmental protection at its core, based on the "polluter pays" principle. We need restoration orders, so that people found guilty of illegal pollution are required to restore rivers as much as possible — it cannot always be done entirely with our natural environment — to how they were before a pollution incident. We need profit orders and administrative penalties. As I said, the level of fine does not reflect the level of damage caused. To give an example: there were 292 incidents of pollution in the Sixmilewater between 2003 and 2008, for which fines worth £4,350 were issued. Across so many incidents, £4,350 in fines is clearly not acting as a deterrent.

Other Members have pointed out the benefits of our natural environment to our economy. Angling contributes an estimated £10 million annually to the Northern Ireland economy. Tourism is currently 1.9% of our GDP but, as a member of the Enterprise, Trade and Investment Committee, I know that the Northern Ireland Tourist Board has significant plans to increase our tourism revenue, and our natural environment is a vital part of that strategy. Also, as was mentioned, there is the matter of our water security. With winter coming, we are aware of issues around our water infrastructure. The more that we pollute our water, the more pressure we put on that infrastructure.

I thank the Minister and welcome him because he has opened up a conversation on the issue of an independent environmental protection agency. It is time that we agreed in principle to have one and started a debate on what that protection agency should look like. I note that three DUP Members are here to highlight those issues. I hope that they will see, through the debate, the importance of environmental protection and take that back to their party,

which was the main objector when we originally called for an independent protection agency.

**Mr T Clarke:** Does the Member accept that, whether the agency is independent or government-run, if it is run correctly it could do the same job or deliver the same outcomes? We need a Northern Ireland Environment Agency that does its job better as opposed to introducing an independent agency. There is no reason why our own in-house agency, if it does its job correctly, cannot deliver the same outcomes.

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

**Mr Agnew:** Thank you, Mr Deputy Speaker.

I thank the Member for his intervention. However, when the then Minister, Arlene Foster, announced the new Northern Ireland Environment Agency, we were told that it would do the job better than the previous Environment and Heritage Service. The continuing problems with the Sixmilewater are an example of what I believe is the failure in how that body is constituted. It cannot, on the one hand, give out licences to discharge and, on the other hand, seek to investigate instances of pollution. If it finds that its discharge consents are responsible for fish kills —

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

**Mr Agnew:** — it might not seek to prosecute or even admit to those results.

I thank Mr Kinahan for bringing the issue to the House, and I look forward to the Minister's response.

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

I thank all Members who contributed to the debate. I know that other Members wished to contribute but could not do so because of other business. We must all acknowledge Danny Kinahan's speech and his securing of an Adjournment debate on the topic. His personal interest in that part of the North of Ireland, which he clearly values and cherishes, was very much reflected in the eloquence, structure and content of his speech.

As other Members indicated, what everybody has said over the past hour forms the basis of proposals for best practice that could apply to any stretch of river. That is the power and importance of debates such as this. If you

extract and then interrogate the content of the debate, you should be able to develop a charter of best practice that applies to the Sixmilewater and any other river with similar problems. That is what I intend to do. I will not offer, in the words of Mr Clarke, “tea and sympathy”, but I will try to think outside the box. A spotlight must be shone on DOE so that no stone is left unturned in finding out what work might be forthcoming from across its functions, and I will apply the same rigour to addressing this issue.

Members know that, to try to interrogate issues in the Department that I thought needed to be addressed, and which people told me needed to be addressed, I ran a series of gatherings over the summer months on issues such as beach and water quality, planning, urban planning, road traffic, crime and built heritage. I was trying to identify what could reasonably be done in the short term and more strategically through policy and legislation. I will apply the same discipline to this issue, and Danny Kinahan’s concluding remarks are the reason why I will do so. He outlined a number of principles that should govern the policy and approach of government to the problems faced by Sixmilewater and similar river systems. What were some of those principles that quite a number of other Members touched on during the debate?

First, given that I represent the Government here but should be speaking on behalf of four Departments, Mr Kinahan asked whether it was time to consider how we could bring together, in a much more joined-up or perhaps more integrated way, all the functions of government that impact on rivers, including Sixmilewater. We have to get our heads round that, because I intend to introduce a marine Bill in the near future. I will be asking people to endorse the concept of a marine management organisation that gathers in one place all the functions of government in an effort to maximise marine management. Is the same principle not applicable to the management of our river systems, including Sixmilewater?

Secondly, he asked whether it was time to start thinking about an independent environment agency. In a matter of days, we might have no alternative but to more actively consider that. A decision from the European Court is forthcoming on environmental assessments in the North and whether our processes are seen to be and, in fact, are independent and rigorous enough to satisfy European standards on environmental

testing. That might be the impetus for us to consider more generally what I tried to accelerate over the summer, namely a testing of the concept that an independent environment agency is the best model and mechanism to deal with issues of water management, including those around Sixmilewater.

I agree with the argument that has been made that, independent of what structures there are, rigour of approach when it comes to penalties and criminal actions in respect of rivers is the front line in ensuring that river management and water quality is maintained. I will not go into details now. However, across the scope of enforcement in the Department, be it on the planning side, environment side or the crime unit, I have instructed officials to be robust in pursuing polluters, especially the most severe polluters, in all of that.

### 5.30 pm

I want to acknowledge, as I have done before, that, in his opening speech at the beginning of term on 5 September and in private correspondence with me, Sir Declan Morgan, the Lord Chief Justice, has made the issue of environmental crime a priority going forward. Furthermore, the Judicial Studies Board is looking at the issue and working with the judiciary in an effort to ensure that the court system’s penalties and practices on environmental crime are — as I see it, although it is for Sir Declan Morgan to say — more demanding and rigorous in order to ensure that the polluters of the Sixmilewater, tyre depots or any other aspect of the life and quality of the North are dealt with robustly.

One thing that I will make a commitment about is that the planning system produced a schedule of all cases that went before the courts in recent years. That has been forwarded to the Judicial Studies Board. Last week, at the reconvened built heritage crime summit at Conway Mill on the Falls Road, I asked officials to do the same in respect of built heritage crime. We need to do the same in respect of issues that have been identified here so that we pass over to the judiciary the profile and outcome of all cases in a way that might assist it to determine whether all is being done on the criminal justice or court side that should be done. I want to acknowledge all of that.

Obviously, in the little time that I have left, I want to comment on the particular circumstances



of the Sixmilewater in respect of criminal prosecutions. People are absolutely right that there were two severe penalties in 2008. In my briefing, Mr Agnew, I was not given the figure of 38,000 fish killed.

**Mr Agnew:** It was 35,000.

**Mr Attwood:** The figure is 35,000. The system tells me every time that there is a fish kill in any river in the North of Ireland, but I was not given that figure. The scale of that worries me. That is why, in respect of both cases — one, which was dismissed in court, arising from prosecution and the other, which was touched upon by Mr Girvan, in which the evidence was not beyond a reasonable doubt — that is the advice that I have been given. However, given what Mr Agnew has said and other information that has been made available to me in the past hour and a half, I will go off and interrogate that further to examine the quality of that judgement; whether it was the judgement of the NIEA or the Public Prosecution Service with regard to the threshold.

I confirm that, in respect of the January 2011 incident, which is more current, I have been advised that the Department is following “a definite line of inquiry”. Given that it is important that I do not be seen to comment on due process and ongoing investigations, I will leave it at that. However, in that narrative on severe and high pollution incidents, there is a story to be told, and it is one that I need to look at further.

Clearly, the situation with regard to the Sixmilewater is a difficult one to manage because of the profile and character of the area; the length of the river; the tributaries that flow into the river; and the industrial and populated nature of the area. That is why I can confirm that, during 2012, there will be a local management area plan for the Sixmilewater river. It will be drawn up in order to better manage the river. Better management is only as good as better enforcement and the work of the agency, other Departments and stakeholders.

I acknowledge the work of the Ballinderry group and the Six Mile Water Trust. I keep saying that we are gifted in Northern Ireland through having a scale of natural built heritage that is unequalled in any other part of these islands. However, given the constraints of government power and money, the more that local communities take responsibility for our local

waterways, local buildings and other examples of local built natural heritage, the better.

I also acknowledge that, because of the critical incidents a short while ago, the NIEA and the Department are working more closely with local stakeholders to maximise the opportunities to protect that natural asset. That has been the tone of much of the conversation and advice that I have picked up. However, Members will not get any argument from me today or over the next while that we are doing all that we can. There is clearly more that we should do, and that is the undertaking that I make to the House.

*Adjourned at 5.35 pm.*

# Written Ministerial Statement

The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.



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# Written Ministerial Statement

**The content of this written ministerial statement is as received at the time from the Minister. It has not been subject to the official reporting (Hansard) process.**

## Environment

### **Spreading of Slurry under the Nitrates Action Programme**

*Published on Tuesday 18 October 2011*

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

#### **Background**

As Members are aware the Nitrate Action Programme (NAP) Regulations (which implements the EU Nitrates Directive) were introduced to improve the use of nutrients on farmland and as a result improve water quality throughout the North of Ireland.

Given the emphasis which is being placed on the North's "clean and green" image, not only in relation to attracting tourists, but in marketing produce and products from our agri-food sector, the importance of good water quality is self-evident.

The NAP Regulations specify a closed period for the spreading of livestock manures, except dirty water, from midnight on 15 October to 31 January. This measure promotes best practice to obtain maximum benefit from nutrients in those manures for crop fertilisation whilst protecting the environment.

#### **The Issue**

I very much appreciate the difficulties that have been and are being faced by farmers in a number of places in the North. The numbers are significant. In particular farmers have faced difficult circumstances over the past few weeks preventing them from spreading slurry. These circumstances include cases of flooding and inability to harvest crops.

I have received a number of representations from elected representatives and farming organisations asking that I consider whether

the circumstances were so extreme that a delay to the start of the Nitrates Action Programme "closed period", when the spreading of slurry is prohibited, should be considered. I am also aware that the DARD Minister has commented on this issue.

In seeking to determine the best course of action for the affected farmers and the environment I have examined the Met. Office weather records over the last weeks and months and I continue to do so. I have received strong and clear legal advice from a number of authorities and there have been conversations with relevant EU officials and colleagues in the Republic of Ireland. I have reviewed the recent experience in Scotland, met with farming representatives and considered the matter from all viewpoints.

#### **My Decision**

The decision I have made aims to provide relief to farmers who have reasonable excuse for non compliance with the Nitrates Action Programme when the season for spreading organic manures ended at midnight on 15 October. At the same time, the decision I have made aims to act within the limits of the law and, crucially, protect farmers and the Government from EU penalties which potentially could be severe in relation to the management of the Nitrates Action Programme.

Therefore, having taken into account the relevant legal advice from a number of sources, the views of farmers' leadership, advice from DOE and NIEA officials, and having reviewed Met. Office statistics I announced last Tuesday (11/10/11) and now confirm that under regulation 25(2) of the Nitrates Action Programme Regulations (Northern Ireland) 2010, farmers on a case by case basis may be able to rely on the defence of "reasonable excuse" in relation to spreading of organic manures and non compliance with the closed period.



I again confirm, that where farmers have reasonable excuse and have grounds for their actions, this would inform how my Department subsequently assesses compliance with the Nitrates Action Programme.

Let me also say again – I will be supportive of farmers in these circumstances to the limits of my office. I made it clear to NIEA that where individual farmers have taken all reasonable steps to manage the situation and had no alternative other than to spread organic manures during the closed period, the Agency should look positively at those cases.

As Members will be aware breaches of the Nitrates Action Programme Regulations are reported to DARD under cross compliance procedures and may lead to reductions in direct aid payments for non-compliant farm businesses. Every case will be assessed on an individual basis and only after a assessment has been made of individual circumstances can a decision be made on a referral for penalties under the Cross-compliance elements of the Single Farm Payment. However, to assist in this process, I have made it clear that the relevant NIEA staff should look positively at cases, where evidence is produced in each particular case and taking into account information from other sources such as rainfall pre-coded in each area in NI.

### **Reasonable Excuse**

‘Reasonable excuse’ has an accepted legal meaning of something beyond the control of, and not foreseeable by an individual. In the context of slurry spreading, wet weather, is something a farmer would normally be expected to anticipate and farmers are required to have sufficient storage both for the closed period and for periods of adverse weather conditions when, due to extended wet weather, spreading of organic manure is not permitted.

However given the defence of reasonable excuse which exists in law and upon which farmers can seek to rely upon, it is fair for farmers to ask what this might mean.

In assessing whether a farmer had taken “all reasonable steps” to manage the situation the Northern Ireland Environment Agency would consider a number of factors including:

- if the farmer had sufficient slurry storage in accordance with the regulations
- if slurry had been properly managed outside the closed period and had been spread as appropriate when conditions permitted;
- if clean storm water, e.g. roof water had been diverted away from slurry storage tanks;
- if farmers had exhausted reasonable alternatives such as renting extra storage space or using straw bedding, and where forced to breach the closed period,
- if farmers had taken additional steps to protect against water pollution such as increasing safety margins, spreading to flat land etc;
- if only the minimum necessary was spread to provide sufficient capacity to the end of the closed period.

### **Practicalities**

To be able to rely on the defence of reasonable excuse a farmer should provide a record of evidence showing that they had taken all reasonable steps to manage the situation and had no alternative other than to spread organic manures during the closed period. Subsequently this record would be important in informing the assessment of the NIEA in relation to compliance issues. I have advised the NIEA that on a case by case basis where a farmer provides a record of evidence, the NIEA must take full account of this evidence.

Where it comes to the attention of NIEA that a farmer has spread slurry over the closed period, NIEA officers will do the following:-

- Visit the farm in question
- Check for evidence of water pollution arising from the spreading
- Ascertain the circumstances that led to the farmer spreading slurry or manure during the closed period
- Confirm the evidence that the farmer had taken all reasonable steps, as outlined earlier, to manage the situation.
- Consider rainfall, pattern in the area in the period before the end of the season, which may be a factor in the actions of a farmer.

I am aware that the UFU has produced guidelines for its members on what this might mean in practice. I very much appreciate the Union’s approach on these guidelines, which are a very helpful contribution to addressing this

problem responsibly. NIEA has provided input to this document, which it endorses. The approach outlined in the document is something NIEA would reasonably expect to see.

### **Conclusion**

I believe what I have confirmed in this statement will result in relief to, and protection of, farmers in genuine difficulty, in a way that protects the interests of the farmer, the government, economy and environment. I believe that this is a proper intervention and a proportionate response to a difficult situation.



# Written Answers

This section contains the written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.





# Northern Ireland Assembly

Friday 7 October 2011

## Written Answers to Questions

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

#### Electricity Providers

**Mr McGlone** asked the First Minister and deputy First Minister what negotiations have taken place with electricity providers in relation to pricing.

**(AQW 1625/11-15)**

**Mr P Robinson and Mr O'Dowd (The First Minister and Acting deputy First Minister):** The Utility Regulator has the lead role in regulating the electricity and natural gas markets here and this includes regulation of retail tariffs for consumers.

A tariff review process of the incumbent supplier has been established by the Regulator, who has carried out a rigorous analysis of the new Power NI electricity tariffs. As part of the recent tariff review process, DETI officials attended a number of meetings involving Power NI, the Utility Regulator, and the Consumer Council. We have also sought an urgent meeting with the Utility Regulator in view of the recent price rises.

#### Recruiting People with Conflict-related Convictions: Supplementary Brief

**Mr Allister** asked the First Minister and deputy First Minister (i) when the supplementary brief on Recruiting People with Conflict-Related Convictions was issued by their Community Relations Unit; (ii) whether it obtained Ministerial approval; (iii) why it refers to 'politically motivated' ex-prisoners; and (iv) whether they endorse such language.

**(AQW 1712/11-15)**

**Mr P Robinson and Mr O'Dowd:** The supplementary brief on Recruiting People with Conflict-Related Convictions was issued in the autumn of 2008 in response to feedback from the business community. The aim of that document was to summarise the key principles of the substantive Employers' Guidance on Recruiting People with Conflict-Related Convictions, which had been issued by OFMDFM in May 2007 prior to devolution and approved by the then Minister of State David Hanson MP. The supplementary brief did not require and did not seek Ministerial approval. It was developed in partnership with the business community and is intended to increase understanding of the principles of the Employers' Guidance, and clarify any areas of uncertainty regarding its implications for employers.

The supplementary brief uses the terms 'political ex-prisoners' and 'people with conflict-related convictions'. It is recognised that there are a number of interchangeable terms to describe individuals who acquired convictions.

#### Section 75: Implementation

**Mr McKay** asked the First Minister and deputy First Minister for an update on the implementation of Section 75.

**(AQW 2151/11-15)**

**Mr P Robinson and Mr O'Dowd:** The implementation of Section 75 of the Northern Ireland Act 1998 is for the Equality Commission for Northern Ireland (ECNI) to monitor. We have therefore asked the Chief Executive of ECNI to respond to you directly on this matter.

## Section 75

**Mr Nesbitt** asked the First Minister and deputy First Minister for their assessment of the cost benefit analysis of Section 75 of the Northern Ireland Act 1998.

**(AQW 2337/11-15)**

**Mr P Robinson and Mr O'Dowd:** We are unaware of any such cost benefit analysis of Section 75 of the Northern Ireland Act 1998 having been carried out. However, the Equality Commission for Northern Ireland carried out a review of the effectiveness of Section 75 which was published in May 2007.

This review has been reflected in the guidance under which current Equality Schemes, including the draft OFMDFM scheme, have been drawn up. The new guidance is a significant improvement on past practice.

## Children and Young People: East Londonderry

**Mr McClarty** asked the First Minister and deputy First Minister what plans they have to address the needs of children and young people in the East Londonderry constituency.

**(AQO 367/11-15)**

**Mr P Robinson and Mr O'Dowd:** There are five key policies or strategies specific to children and young people being taken forward by this Department.

These include: the ten year strategy 'Our Children and Young People – Our Pledge'; the Play Policy Statement; driving forward the concluding observations of the United Nations Convention on the Rights of the Child; the Child Poverty Strategy 'Improving Children's Life chances'; and the Childcare Strategy.

All of these are Executive strategies and policies which are intended to deliver improved outcomes and benefit all our children and young people including those in the Member's constituency.

OFMDFM's role is to ensure a co-ordinated approach and better integrate the work of all departments to maximise impact and best meet the needs of our young people in all areas of need.

We appreciate that this has not been an easy task but remain committed to making progress. Indeed, by way of example, we are pleased that Limavady council has worked with us over the last year to establish a play and leisure strategic partnership.

The focus of this is to ensure a joined-up approach to the future planning and delivery of play and leisure services in that council area and to ensure the services delivered meet the needs of the young people.

We hope other councils in the Member's constituency will avail of future opportunities in this field and indeed other key policy areas relating to children and young people.

## Peace IV Programme

**Mr McQuillan** asked the First Minister and deputy First Minister what steps they have taken to secure the establishment of a Peace IV Programme.

**(AQO 375/11-15)**

**Mr P Robinson and Mr O'Dowd:** We believe that there is need for a further round of assistance to consolidate the peace-building achievements of the previous 3 programmes. This is particularly so in a context where prolonged economic downturn could jeopardise what has been achieved thus far, and there remain those who continue to cultivate division and undermine the political institutions here.

For that reason, when we met with the President of the European Commission, José Manuel Barroso, in Brussels in December 2010, we stressed the need for a fourth Peace Programme post-2013 and while

we acknowledge that the final decision will be taken by the 27 Member States, we were pleased with the President's positive response nonetheless.

Junior Ministers have therefore pressed the need for a further Peace Programme at the Joint Ministerial Committee on Europe, chaired by the British Foreign Secretary.

The First Minister and deputy First Minister McGuinness also raised the issue with the British Prime Minister and the Taoiseach.

The British Government has now stated its agreement in principle to a further Peace Programme and we have written to the responsible Minister, Mark Prisk, urging him, in light of this, to ensure that the forthcoming Structural Funds Regulations include the necessary legislative provisions for further peace funding.

The First Minister and deputy First Minister McGuinness also pressed the case for a further round of peace funding with Commissioner Hahn when he opened the Peace Bridge in Derry in June, and they were greatly encouraged by his positive response.

While we cannot be confident of the outcome until negotiations are complete, we would hope and fully expect that, given the efforts made by Executive Ministers to secure a further Peace Programme, we will see financial provision for continued work in peace building post-2013.

### **Older People's Strategy**

**Mr Durkan** asked the First Minister and deputy First Minister what progress has been made on the development of a new Older People's Strategy.

**(AQO 373/11-15)**

**Mr P Robinson and Mr O'Dowd:** The current Older People's Strategy 'Ageing in an Inclusive Society' was launched in March 2005.

Given the time elapsed since 'Ageing in an Inclusive Society' was developed, we have agreed to the development of a replacement Older People's Strategy.

OFMDFM officials have been working on the development of a framework for a new strategy in conjunction with the Older People's Advocate and the Older People's Advisory Panel.

Work on the document is well advanced and it is anticipated that the revised strategy will issue for public consultation in the next few months.

### **Victims and Survivors Service**

**Mr Nesbitt** asked the First Minister and deputy First Minister for an update on the establishment of a new Victims and Survivors Service.

**(AQO 374/11-15)**

**Mr P Robinson and Mr O'Dowd:** We are progressing with the establishment of the new Service for Victims and Survivors.

The Commission for Victims and Survivors and officials are working closely together to ensure that the Service is fit for purpose and appropriately resourced.

We are determined to meet key targets such as the phased introduction to individual assessments starting in April 2012.

This remains a key issue for this Department and all available resource is being used to ensure that when the Service is established it reflects the needs and demands of the Sector.

We are committed to establishing the new Service by April 2012 and to that end, the Junior Ministers are working closely with the Commission and officials to ensure that this deadline is met.



## Childcare Strategy

**Mr Buchanan** asked the First Minister and deputy First Minister what progress has been made on the development of a Childcare Strategy.

**(AQO 377/11-15)**

**Mr P Robinson and Mr O'Dowd:** Our Department is leading work across Government and with stakeholders to co-ordinate the development of a Childcare Strategy, including a range of essential supporting measures and actions, for consideration by the Executive.

In support of this approach, we have secured an additional £12m over the Budget period. Departments have already embarked on a range of measures to increase childcare provision here.

As the co-ordinating department, we anticipate issuing proposals on a draft Childcare Strategy for a period of public consultation early next year.

## Victims and Survivors Service

**Mr McCartney** asked the First Minister and deputy First Minister whether the new Victims and Survivors Service will be established by April 2012.

**(AQO 378/11-15)**

**Mr P Robinson and Mr O'Dowd:** Work is progressing towards the establishment of the new Service with key targets to be achieved in line with an April 2012 launch.

## Public Appointments

**Mr McGimpsey** asked the First Minister and deputy First Minister whether they have refused to endorse any public appointments during this Assembly term.

**(AQO 379/11-15)**

**Mr P Robinson and Mr O'Dowd:** We have not refused to endorse any OFMDFM public appointments during this Assembly term.

# Department of Agriculture and Rural Development

## DARD: Capital Assets

**Mr Easton** asked the Minister of Agriculture and Rural Development to detail all the capital assets owned by her Department.

**(AQW 2098/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** The capital assets owned by the Department are detailed in the following table:

Category	Net Current Replacement Cost as at 31/03/11 £'000
Land and Buildings	268,243
Plant and Machinery	6,334
Transport Equipment	4,335
Information Technology	1,536
Rivers Agency Infrastructure Assets	505,456

<b>Category</b>	<b>Net Current Replacement Cost as at 31/03/11 £'000</b>
Growing Timber	124,185
Heritage Assets	1,167
Assets Under Construction	8,720
Forest Land Rights	450
Software	4,144
Software Licences	734
Assets Classified as Held for Sale	1,097
Financial Assets	23
<b>Total</b>	<b>926,424</b>

These figures have been extracted from the Department's audited Resource Account for the 2010-11 financial year.

### **Sea Bass: Stock Levels**

**Mr Kinahan** asked the Minister of Agriculture and Rural Development for her assessment of the stock levels of Sea Bass in the waters around Northern Ireland; and for an update on the regulations monitoring the fishing of Sea Bass.

**(AQW 2126/11-15)**

**Mrs O'Neill:** There is no stock assessment for Sea Bass in our territorial waters as it is not a significant commercial species. The Department however does keep records of Sea Bass landed at our ports. During the period 2008 – 2010 the total weight of Sea Bass landed was 281kgs.

The relatively low incidence of Sea Bass in our waters is not unexpected since the species tends to be more abundant in warmer waters. The proposed legislation is intended to prevent directed commercial fishing and restrict recreational fishing of the species, to ensure that any spread of Sea Bass into our waters, potentially as a result of climate change, is protected thereby allowing the stock in our waters to grow to its full potential. The proposed legislation permits by-catches from commercial trawl fisheries to be landed. This is essential to continue to obtain data about trends in the stock and is also consistent with our commitment not to introduce local legislation that contributes to fish discards. It is hoped this legislation will be in place by early 2012.

### **Rural Crime**

**Mr Swann** asked the Minister of Agriculture and Rural Development what discussions she has had with the Minister of Justice in relation to the level of rural crime.

**(AQW 2149/11-15)**

**Mrs O'Neill:** My predecessor met with the Minister of Justice late last year to discuss issues relating to rural crime including, in particular, agriculture related crime. My officials have also been working with officials in the Department of Justice in identifying measures for inclusion in the Rural White Paper Action Plan which will help ensure that the needs of rural communities are taken account of in the development of community safety initiatives.

## **Circuses: Welfare Problems and Animal Abuse**

**Mr Frew** asked the Minister of Agriculture and Rural Development to outline her Department's powers in regard to dealing with welfare problems and the abuse of animals in circuses.

**(AQW 2180/11-15)**

**Mrs O'Neill:** The Welfare of Animals Act 2011 protects all animals here from unnecessary suffering. It is an offence under that Act to cause an animal to suffer, either through a deliberate action or by failure to act. However, my Department's role with regard to the inspection of animals in circuses is very limited as the welfare of non-farmed animals, including animals in circuses, is currently monitored and enforced by the PSNI. When the Welfare of Animals Act 2011 is fully commenced, in April 2012, this responsibility will transfer to Councils.

My Department has powers under the Welfare of Animals Act 2011 to introduce subordinate legislation to regulate any activity involving vertebrate animals, including the use of animals in circuses, should that be necessary to secure their welfare. The Act therefore provides the power to regulate the use of circus animals, or to introduce licensing or registration requirements for circuses. The Act also contains powers for inspectors to enforce any regulations made under it. Under the Act where there is reason to believe an animal is suffering or likely to suffer an inspector can, without a police presence, take immediate action to alleviate the suffering of an animal.

While I can assure you that I intend to consider how best to deal with the regulation of circuses, my priorities on animal welfare will continue to be the roll-out of the new provisions in the Welfare of Animals Act 2011, including new subordinate legislation on the welfare of farmed animals, dog breeding establishments and the exemption for the docking of working dogs' tails. Engaging with Councils as they prepare for their new enforcement role in relation to non-farmed animals is also a key priority.

My Department also has powers under Commission Regulation (EC) No 1739/2005, which lays down animal health requirements for the movement of circus animals between Member States, and which requires circuses to be registered in the Member State where they are resident before moving to another Member State. While we have no circuses based in the north of Ireland, there are a number of circuses registered in the south some of which regularly travel here. My Department has an agreed protocol with the Department of Agriculture, Fisheries and Food which provides for inspection of animals at these registered circuses to ensure that they are clinically healthy.

## **Circuses: Welfare Problems and Animal Abuse**

**Mr Frew** asked the Minister of Agriculture and Rural Development for her assessment of the level of welfare problems and animal abuse in circuses.

**(AQW 2181/11-15)**

**Mrs O'Neill:** My Department's role with regard to animals in circuses is limited as it does not have powers of entry in respect of animal welfare in circuses. Under the Welfare of Animals Act 2011, the PSNI currently has responsibility for the welfare of non-farmed animals, including circus animals and they are responsible for investigating any welfare problems or suspected cases of abuse. I would therefore encourage you to contact the PSNI for an assessment of the present level of welfare problems and animal abuse in circuses.

The Welfare of Animals Act 2011 provides a range of new powers to regulate any activity involving animals should that be necessary to secure their welfare. This allows my Department to bring forward subordinate legislation if that was considered necessary to regulate the use of animals in circuses.

While we have no circuses based in the north of Ireland, there are a number of circuses registered in the south some of which regularly travel here. I am aware of recent concerns regarding the use and welfare of wild animals in circuses in Europe and Britain. Before making any decision to bring forward a proposal for subordinate legislation in respect of circuses, I plan to take the time to assess the available evidence in relation to developments in Britain, the south of Ireland and Europe and also to engage with stakeholders, including circus operators and their representatives, to ensure that their views are properly considered.

## EU Laying Hens Directive

**Mr Frew** asked the Minister of Agriculture and Rural Development (i) for her assessment of the Laying Hens Directive which comes into effect on 1 January 2012; (ii) what percentage of producers are in a position to comply with the legislation; and (iii) how this compares to other EU countries.

**(AQW 2266/11-15)**

**Mrs O'Neill:**

- (i) I take the welfare of animals very seriously and fully support the ban on the use of conventional cages for laying hens that will be introduced by Council Directive 1999/74/EC from 1 January 2012. I share the concerns of the industry that progress in converting out of conventional cages may not be as well advanced in a number of other Member States as it is here. It is important that local egg producers who have invested in enriched cage or alternative systems are not disadvantaged by imports of illegally produced eggs from non-compliant Member States. I believe that there needs to be a consistent application of the ban across all Member States from 1 January 2012 and measures put in place to protect producers who are compliant by the deadline.
- (ii) Approximately 80% of producers here are already in a position to comply with the ban. I understand that the majority of the remaining producers have indicated that they will replace their conventional cages with compliant systems by 1 January 2012, while the others will cease production.
- (iii) Earlier this year all Member States were asked to provide an update to the European Commission on their progress towards compliance as of 1 April 2011 and a forecast of the position as at 31 December 2011. From the data collated it is expected that there will be large-scale non-compliance in Spain, Poland, Italy, Belgium, Portugal, France, Romania and Bulgaria. Sweden, Austria, Germany and Luxembourg, have already banned conventional cages and are therefore compliant. Denmark, the Czech Republic, Britain and the south of Ireland have indicated that they will be in a position to comply with the legislation by January 2012.

## Agriculture: Illegal Substances

**Mr Frew** asked the Minister of Agriculture and Rural Development what measures are in place to prevent the use of illegal substances like clenbuterol.

**(AQW 2267/11-15)**

**Mrs O'Neill:** There are strict protocols in place to ensure that any findings of illegal substances, such as clenbuterol are dealt with effectively. While food safety is the responsibility of the Food Standards Agency (FSA), under EU law, DARD implements the National Residues Control Plan – a surveillance scheme designed to detect the presence of residues of veterinary medicines and illegal substances in food products of animal origin. This testing regime is vital in underpinning European and wider international trade, with exports being so important for our agri-food industry.

In addition to this mandatory EU requirement, DARD also operates three other testing schemes: the Meat Inspection Scheme; Bovine Quality Assurance Scheme and the Pig Testing Scheme, as an added safeguard to public health.

All residues surveillance programmes in the north are overseen by the Residues Action Group (RAG) which consists of representatives from DARD, the Agri-Food and Biosciences Institute and the Food Standards Agency. When residues of illegal substances are detected, RAG initiates appropriate action to ensure the public are protected against contaminated food entering the food chain. Follow-up investigations are carried out to identify the source of the problem and prevent recurrence.

## Greenhouse Gas Emissions

**Mr D McIlveen** asked the Minister of Agriculture and Rural Development if she will make it her Department's policy to provide accurate measurements of the level of greenhouse gas emissions from the agriculture industry and ensure that the industry is not disadvantaged by climate change legislation.

**(AQW 2271/11-15)**



**Mrs O'Neill:** My Department is co-ordinating an extensive research programme to assist the agriculture sector in reducing GHG emissions. In conjunction with DEFRA, the Scottish and Welsh Governments, DARD is currently contributing to a £12.6m, 5 year project to improve the accuracy of the agriculture inventory. Accurate assessment of emissions from a wide range of production systems is an essential prerequisite for development of future specific mitigation measures.

Climate change presents a challenge to agriculture worldwide – how to produce more food and non-food products while having a reduced impact on the local and global environment.

We must also jointly accept our responsibility to future generations and reduce the net greenhouse gas (GHG) emissions from agriculture production alongside other sectors of the economy while managing the increasing demand for food, water and energy in the face of a changing climate.

Influencing the sector is a complex undertaking: it includes many small businesses, widely spread geographically, each responsible for different types of GHG emissions (nitrous oxide and methane). Furthermore, the ability of different soils and plants to sequester carbon varies by farm; the impacts of climate change and the adaptations required also vary.

My aim is to continue to work closely with the agriculture and forestry sector to smarten the measurement of emissions to include local circumstances, research scientifically the potential for locking in more carbon in soil, grass and peatland and help implement a series of measures that we know can achieve emissions reductions and keep working on others we would want to implement in the future.

I will not support any climate change legislation that targets the agriculture industry unfairly, limits its potential for growth or exports production and jobs to other less efficient countries.

## Fuel Poverty

**Mr D McIlveen** asked the Minister of Agriculture and Rural Development what plans her Department has to protect people involved in agriculture and living in rural areas from the effects of fuel poverty over the coming winter months.

**(AQW 2272/11-15)**

**Mrs O'Neill:** Responsibility for leading on tackling fuel poverty lies with the Department for Social Development (DSD) and in March 2011 DSD published a new Fuel Poverty Strategy: Warmer Healthier Homes.

I have concerns about the impact that rising fuel costs are having, particularly on the vulnerable in rural areas who are limited in the choice of fuel that they can avail of and do not have access to cheaper alternatives such as mains gas.

My Department's 2008/11 Rural Anti-Poverty and Social Inclusion programme, which is specifically targeted at rural dwellers including those involved in agriculture, has made a positive impact on the lives of the most vulnerable in our society. In the 3 year period of the Programme, over 15,000 rural people have benefitted from various initiatives.

For example, my Department collaborated with DSD and NIE to target rural fuel poverty issues with 1000 homes in rural areas having received home energy efficiency measures such as insulation and central heating systems. My Department has also undertaken a joint initiative with the Public Health Agency to maximise access to services, grants and benefits, initially in the most deprived rural areas. Significant outcomes have already been achieved including a further 560 rural households benefitting from energy efficiency measures and over 50 individuals obtaining new or increased state benefits. It is my intention that this highly successful and significant project will be rolled out across the North.

A further £16 million has been allocated to addressing poverty and social isolation in rural areas in this current budget period. My officials are developing a number of measures to tackle rural poverty and are engaging with stakeholders and other Departments to bring forward initiatives that will help those experiencing poverty and social isolation. I am committed to taking action to address the challenges

facing people living in rural areas and to improving their quality of life and will continue to work with key stakeholders to ensure that action is taken to target fuel poverty in rural areas.

## Woodland Coverage

**Mr Weir** asked the Minister of Agriculture and Rural Development what steps her Department is taking to increase the volume of woodland coverage.

**(AQW 2294/11-15)**

**Mrs O'Neill:** My Department's Forest Service provides grant aid and advice to encourage more farmers and landowners to create woodland, through the Woodland Grant Scheme and Farm Woodland Premium Scheme. Grant rates were increased by up to 30 per cent in November 2009. In addition, woodland creation has been encouraged through:

- Implementing beneficial changes to the Single Farm Payment (SFP) Scheme allowing farmers to continue to receive SFP, as well as forestry grant payments, on land converted to woodland;
- Engaging with a wide range of landowning bodies, such as local councils, and other central Government Departments, encouraging them to consider woodland as a viable economic alternative to their current land use;
- Engaging with afforestation stakeholders to identify barriers to woodland creation and assist in the development of proposals for future mechanisms to support woodland creation;
- Extending the funding of the Short Rotation Coppice Scheme until the end of the current Rural Development Programme in 2013;
- Publicising the Woodland Grant Scheme and Farm Woodland Premium Scheme through Balmoral Show and other shows, talks with interested groups and press articles.

In addition to the Woodland Grant Scheme and Farm Woodland Premium Scheme, participants in agri-environment schemes may avail of funding for planting small areas of native trees on farmland and managing existing woodland. These schemes include the Countryside Management Scheme and Environmentally Sensitive Areas Scheme.

## The Northern Ireland Ploughing Match and the Irish National Ploughing Championships

Mr Kinahan asked Minister of Agriculture and Rural Development to detail the financial support her Department has provided to (i) the Northern Ireland Ploughing Match; and (ii) the Irish National Ploughing Championships in each of the last five years.

**(AQW 2400/11-15)**

**Mrs O'Neill:** My Department has provided financial support to the north of Ireland Ploughing Match by purchasing advertising in the Show programme, hiring trade space and sponsorship. This is as follows for each of the last 5 years;

2007	£645
2008	£870
2009	£550
2010	£650
2011	£575

My Department has provided financial support to the Irish National Ploughing Championships by means of hiring trade space and electrical services, and the purchase of exhibitor tickets. This is as follows for each of the last 5 years;

2007	£5179
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2008	£3935
2009	£4960
2010	£4098
2011	£3733

### DARD: Ministerial Driver

**Mr Hussey** asked the Minister of Agriculture and Rural Development (i) when her Ministerial Driver first took up employment as a driver for Executive Ministers; (ii) the total amount of expenses and other related payments claimed by her driver since May 2011; and (iii) whether her driver was a civil service appointment or a political party appointment.

**(AQW 2405/11-15)**

**Mrs O'Neill:**

- (i) My Department has no involvement with the employment arrangements for the Driver;
- (ii) The Driver has not submitted any claims for expenses or other related payments to the Department; and
- (iii) The Driver is not a civil service employee.

### DARD: Grants Available to Farmers

**Mr Easton** asked the Minister of Agriculture and Rural Development to list the departmental grants which are available to farmers.

**(AQW 2429/11-15)**

**Mrs O'Neill:** The following table lists the grants available to assist the farming community (subsidy schemes such as Single Farm Payment and Less Favoured Area Compensatory Allowances have been excluded from this information):-

Title of Grant Available to Farmers	Brief Description of Purpose/Objective of Grant
Farm Modernisation Programme	To provide financial support of up to £4k maximum towards investment in eligible plant, machinery or equipment to improve the competitiveness of the farm business.
Augmentation grant as part of Focus Farm funding	Focus Farmer is paid grant at 50% rate on a range of items up to a max of £7,250 to enhance their farms for visitors. A further assistance of up to £1,500 at 100% funding is available to provide analytical data that can enhance the visitor experience.
Assistance with Succession advice as part of the Farm Family Options programme	Assistance of up to £250 is available to a farm business to avail themselves of legal and/or financial advice as part of the Mentoring element of the Farm Family Options programme.
Supply Chain Development Programme Co-operation support Study Tours	<ul style="list-style-type: none"> <li>■ 50% funding to a maximum of £2,500 for professional advice to groups to establish the group as a legal entity.</li> <li>■ 75% of the cost per participant to a group maximum of £3,000 to avail themselves of study tours linked to the groups needs.</li> </ul>

Title of Grant Available to Farmers	Brief Description of Purpose/Objective of Grant
Manure Efficiency Technology Scheme (METS) Tranche 2	The Manure Efficiency Technology Scheme (METS) provides grant aid to encourage farmers to invest in advanced slurry spreading systems. Investment in this technology will contribute to the overall objective of developing a more sustainable environment.
Agriculture and Forestry Processing & Marketing Grant Scheme (PMG)	The PMG Scheme provides grant aid to improve the economic performance and international competitiveness of the agri-food processing, horticulture and forestry sectors through the use of technology together with sound manufacturing and environment management practices.
NI Rural Development Programme measures 3.1, 3.2 and 3.3	<p>Farmers may avail themselves of funding under these measures, which aim to:-</p> <ul style="list-style-type: none"> <li>■ Assist farm households to diversify into non-agricultural activities and, as a consequence, maintain or increase the income of farm households and create employment opportunities (all on-farm applications must be under this measure).</li> <li>■ Create employment opportunities through promoting entrepreneurship and developing the economic infrastructure in rural areas by providing support to existing micro-enterprises or to persons wishing to set up a new micro-enterprise in a non-agricultural sector.</li> <li>■ Use the natural resources in the north of Ireland's rural areas to attract visitors and create new employment opportunities through the sustainable development of the rural economy by providing support to existing rural tourism enterprises or to persons wishing to set up a new sustainable tourism enterprise.</li> </ul>
NI Rural Development Programme measures 3.4, 3.4 and 3.6	<p>Farmers and rural dwellers may avail themselves of funding under these measures, which aim to:-</p> <ul style="list-style-type: none"> <li>■ Support the improvement of basic services in rural areas, including cultural and leisure facilities and related small-scale infrastructure.</li> <li>■ Support animation and capacity-building within and between villages and surrounding rural areas in the formulation of integrated action plans to define the role of the village and fully develop the potential of villages and surrounding areas.</li> <li>■ Use the natural resources in the north of Ireland's rural areas to create new employment opportunities and develop the rural economy through supporting local village initiatives to preserve and upgrade their rural heritage.</li> </ul>
*NI Countryside Management Scheme	This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change.
*Countryside Management Scheme	This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change.



Title of Grant Available to Farmers	Brief Description of Purpose/Objective of Grant
*Environmentally Sensitive Areas Scheme	This scheme aims to enhance biodiversity, improve water quality, enhance the landscape and mitigate climate change.
*Organic Farming Scheme	The Scheme provides payments to help farmers with the additional costs and loss of income that occurs during the conversion period to organic production. It aims to help protect and enhance the rural environment, and help producers meet consumer demand for organic produce.
*Habitat Improvement Scheme	Participants receive funding to manage areas on their farm to create, protect or enhance wildlife habitats.
*Countryside Access Scheme	Participants receive funding to maintain walkways on their land.
European Fisheries Fund (Aquaculture Measure)	To support the construction, extension, equipping and modernisation of aquaculture production installations, in particular with a view to improving working conditions, hygiene, human or animal health and product quality, while reducing negative impacts or enhancing positive effects on the environment.
Biomass Processing Challenge Fund	To support the purchase of a range of technologies and approaches that improve business efficiency and sustainability at farm level, utilising cost effective and sustainable methods of processing agricultural wastes and other appropriate biomass material to generate renewable energy primarily to aid agricultural production.
Woodland Grant Scheme; Farm Woodland Premium Scheme ; and Short Rotation Coppice Scheme.	Grant aid to farmers and other landowners for creation of new woodland.
Woodland Environments Grant	Grant assistance to support woodlands owners to encourage the management of woodlands to contribute to biodiversity objectives.
Sustainable Forest Operations Grant	To encourage good management of existing woodlands.
Replanting Grant	Grant assistance to support replanting of existing woodland after clearfelling.

\* These agri-environment schemes are funded under Measure 2.2 of the NIRDP 2007 – 2013 and are not open to applications, however existing participants in these schemes claim funding annually.

## Tackling Violence at Home Action Plan

**Mr McKay** asked the Minister of Agriculture and Rural Development whether her Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if her Department will meet the target implementation date of December 2011.

**(AQW 2434/11-15)**

**Mrs O'Neill:** An NICS wide Workplace Policy for Domestic Violence and Abuse is in place and covers employees in all Government Departments. The “Tackling Violence at Home Strategy” launched

jointly by DHSSPS and NIO in 2005 is a cross-departmental strategy that targets all victims of Domestic Violence. The strategy and associated action plans were developed through inter departmental collaboration along with working in close partnership with other statutory agencies and non-governmental organisations. As the operational arm of the strategy, Local Domestic Violence Partnerships (LDVPs) have been at the forefront in delivering on actions with regards to workplace policy initiatives and have lead responsibility on exploring the implementation of domestic violence workplace policies with private and public sector employers.

The strategy which was due to end in September 2010 has been extended to June 2013.

### **Agriculture Greenhouse Gas Reduction Framework and Action Plan**

**Mr Frew** asked the Minister of Agriculture and Rural Development for an update on the Agriculture Greenhouse Gas Reduction Framework and Action Plan.

**(AQW 2512/11-15)**

**Mrs O'Neill:** My Department has been developing an Agriculture and Forestry Greenhouse Gas (GHG) Reduction Framework in partnership with the GHG Stakeholder Group. The Framework will include farmer based case studies to show how existing farm practices that improve efficiency can also help reduce GHGs. The work is at an advanced stage and the Stakeholder Group will be considering a revised draft of the Framework document at its next meeting. A communication plan on how to effectively launch the framework has also been developed.

This Greenhouse Gas Reduction Framework, implemented with the voluntary co-operation of industry, will play an important part in ensuring we have a sustainable agri-food sector and when the framework is agreed with stakeholders I will ensure it is made available to the ARD Committee.

## **Department of Culture, Arts and Leisure**

### **Libraries: Opening Hours**

**Mr Dickson** asked the Minister of Culture, Arts and Leisure, given that children are one of the largest groups of library users and that the consultation process is not open to people under 16 years old, for her assessment of whether the current public consultation process on the reduction of library opening hours is in breach of Article 12 of the United Nations Convention on the Rights of the Child, and the Northern Ireland Act 1998 on the basis of age discrimination.

**(AQW 2277/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The draft Equality Impact Assessment carried out as part of the Libraries NI consultation on opening hours identifies that children and young people under 16 make extensive use of libraries and that they are likely to be affected if their local library reduces opening hours.

Accordingly Libraries NI have developed a strategy to ensure participation by children in the consultation, in line with consultation best practice. This will include a separate (child-friendly) questionnaire. Libraries NI also intend to hold a number of engagement groups to which children will be invited.

Libraries NI have undertaken to amend their online consultation site to make it clearer how children can contribute in the consultation process.

### **DCAL: Capital Funding**

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail the projects that have received capital funding from her Department in each of the last five years including the funding for each project broken down by (i) art works; (ii) arts centre, including performing art centres; and (iii) art production, including performing art productions .

**(AQW 2291/11-15)**

**Ms Ní Chuilín:** Projects that have received capital funding from my Department, through the Arts Council, in each of the last five years are detailed in the attached annexes. The information is broken down as follows:

- (i) Annex A – artworks (including public art); and
- (ii) Annex B – art centres, including performing art centres.

Performing art productions do not receive capital funding.

#### Annex A

##### ART WORKS (INCLUDING PUBLIC ART)

Finance Year	Type	Organization Name	Grant Amount (£)
2010-2011	Public Art	Western Health & Social Care Trust	11,500
2010-2011	Public Art	Craigavon Borough Council	37,500
2010-2011	Public Art	Craigavon Borough Council	37,500
2010-2011	Public Art	Mourne Heritage Trust	25,000
2010-2011	Public Art	Down District Council	41,892
2010-2011	Public Art	Coleraine Borough Council	49,824
<b>Total</b>			<b>203,216</b>
2009-2010	Public Art	Sticky Fingers Early Years Arts	50,000
2009-2010	Public Art	Moyle District Council	25,000
2009-2010	Public Art	Mute Meadow	750,000
<b>Total</b>			<b>825,000</b>

#### Annex B

##### ARTS CENTRES, INCLUDING PERFORMING ART CENTRES

Finance Year	Type	Organization Name	Grant Amount (£)
2010-2011	Building	Cultúrlann McAdam Ó Fiaich	503,000
<b>Total</b>			<b>503,000</b>
2009-2010	Building	Maydown Ebrington (Waterside Theatre)	353,000
2009-2010	Building	The Lyric Theatre	150,000
2009-2010	Building	Belvoir Players Amateur Dramatic Society	82,230
2009-2010	Building	Castle Hill Development, Dungannon	500,000
2009-2010	Building	Antrim - Redevelopment of Old Courthouse	480,407
2009-2010	Building	Conway Mill Preservation Trust Ltd	79,843
2009-2010	Building	Mossley Mill Civic Arts Centre	371,309
2009-2010	Building	Down Arts Centre	600,510
2009-2010	Building	Newcastle Glees Musical Society	80,424

<b>Finance Year</b>	<b>Type</b>	<b>Organization Name</b>	<b>Grant Amount (£)</b>
2009-2010	Building	Antrim – Castle Gardens Integrated Arts Provision	236,862
2009-2010	Building	Oh Yeah Music Centre	90,000
2009-2010	Building	Ormeau Avenue Gallery	17,524
2009-2010	Building	U3A Foyle	181,435
2009-2010	Building	Cultúrlann McAdam Ó Fiaich	308,508
2009-2010	Building	Playhouse (North West Play Resource Centre)	140,000
<b>Total 3,672,052</b>			
2008-2009	Building	Playhouse (North West Play Resource Centre)	216,000
<b>Total 216,000</b>			
2007-2008	Building	The Lyric	9,380,000
2007-2008	Building	Crescent Arts Centre	4,500,000
2007-2008	Building	Playhouse (North West Play Resource Centre)	416,000
2007-2008	Building	An Gaelaras	483,000
2007-2008	Building	Waterside	837,000
2007-2008	Building	Verbal Arts Centre	45,000
2007-2008	Building	The Nerve Centre	1,000,000
<b>Total 16,661,000</b>			
2006-2007	Building	Gasyard Development Trust	328,000
<b>Total 328,000</b>			
2005-2006	Building	The Metropolitan Arts Centre	10,760,000
<b>Total 10,760,000</b>			

## **Culture and Sport: Child Participation**

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure, in light of cuts to funding, what action her Department intends to take to encourage and ensure child participation in culture and sport.  
**(AQW 2362/11-15)**

**Ms Ní Chuilín:** My Department and its associated Arms Length Bodies (ALBs) continues to support a number of programmes and initiatives that promote and encourage the participation of children in culture and sport.

For example:-

- The 'Sport Matters' NI Strategy for Sport and Physical Recreation 2009-2019 has specific targets to encourage the participation of children and young people in sports and leisure activities e.g. to provide every child in over the age of 8 years with the opportunity to participate in at least two hours per week of extra-curricular sport and physical recreation; and by 2019 every pre-school child will experience quality play opportunities either at home and/or through formal play groups, leading to early development of physical literacy skills;



- DCAL 2012 Games Legacy Unit provides financial support to the Young Ambassadors project – this recruits young people to be ambassadors, working in their schools and communities to champion sport and the values of the Olympic and Paralympic Games;
- Arts Council NI supports a number of Youth Arts organisations and programmes (e.g. Youth Action NI, Replay Theatre Company and Drake Music Project) ensuring its funding contributes to increasing the participation of young people in the arts as audiences, performers and creators and promotes the development of skills training and development initiatives;
- Libraries NI provides access to culture through their core activities of lending books and other items to children. In addition a number of programmes, such as Bookstart, are aimed at encouraging children to develop their literacy skills; and
- National Museums NI (NMNI) provide a wide range of programmes across its sites to appeal to a broad audience of children and families to encourage children to explore, engage and enjoy the national collections.

Furthermore, PRONI; Foras na Gaelige; Ulster-Scots Agency; W5; Armagh Planetarium and Observatory also provide a number of programmes and schemes to encourage and ensure child participation in culture.

### **DCAL: Ministerial Driver**

**Mr Hussey** asked the Minister of Culture, Arts and Leisure to detail (i) when her Ministerial Driver first took up employment as a driver for Executive Ministers; (ii) the total amount of expenses and other related payments claimed by her driver since May 2011; and (iii) whether her driver was a civil service appointment or a political party appointment.

**(AQW 2403/11-15)**

**Ms Ní Chuilín:** My Department has no involvement in the recruitment or other employment arrangements for my driver as he is not a civil service employee.

### **Tackling Violence at Home Action Plan**

**Mr McKay** asked the Minister of Culture, Arts and Leisure whether her Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if her Department will meet the target implementation date of December 2011.

**(AQW 2435/11-15)**

**Ms Ní Chuilín:** Although my Department was not a signatory to the Tackling Violence at Home Strategy and Action Plans, we fully support the Strategy's aims of adopting a consistent and long-term approach to the prevention of domestic violence and an effective response where it occurs.

My Department implements the NICS Workplace Policy for Domestic Violence and Abuse which provides advice to Departments, line managers and individuals on how to deal with domestic violence situations when they arise.

### **Arts Educational Capital Projects**

**Mr Weir** asked the Minister of Culture, Arts and Leisure what consideration has been giving to jointly funding arts educational capital projects with the Department for Employment and Learning.

**(AQW 2448/11-15)**

**Ms Ní Chuilín:** There are no proposals with either department at present so no projects are currently being considered. All funding is fully committed for the current budget period so it is unlikely that any such proposals would be funded if they did come forward at this time.

The only previous consideration for joint funding involving my Department and the Department for Employment and Learning for arts educational projects was a Cathedral Quarter arts centre proposal. The preliminary investigations into the proposal were not taken forward.

### **Ulster-Scots Cultural Events**

**Mr Campbell** asked the Minister of Culture, Arts and Leisure how she plans to promote Ulster-Scots cultural events during her time in office.

**(AQW 2474/11-15)**

**Ms Ní Chuilín:** The two main organisations funded by my Department that are involved in the promotion of Ulster-Scots heritage and culture are the Ulster-Scots Agency and the Ministerial Advisory Group which is currently developing the Ulster-Scots Academy approach.

The Ulster-Scots Agency's statutory remit is specified in the legislation (The North/South Co-operation (Implementation Bodies) (NI) Order 1999) and has responsibility for the promotion of Ulster-Scots language and culture. Using its approved budget of £3.3m the Agency funds projects and programmes which promote Ulster-Scots culture and heritage activities. I have arranged to meet with the Chief Executive of the Agency to discuss its remit and responsibilities.

The work of the Ministerial Advisory Group which is currently developing the Ulster- Scots Academy approach includes three work strands- one of which is Heritage and Culture. Under this strand there are a number of projects currently under way and further projects are being identified which will contribute to the promotion of Ulster- Scots heritage.

Funding is also available from departmental mainstream programmes for projects which may have an Ulster-Scots language, heritage or culture dimension, which cannot be separated from the primary funding objectives.

I have stated my intention to bring forward a strategy for Ulster-Scots language, heritage and culture.

### **Grants for Re-imaging in Working Class Areas**

**Mr Easton** asked the Minister of Culture, Arts and Leisure what grants are available from her Department for re-imaging in working class areas.

**(AQW 2481/11-15)**

**Ms Ní Chuilín:** There are currently no grants available for re-imaging. However, Arts Council has applied for Peace III funding to enable the Re-imaging Communities Programme to continue.

### **Ulster-Scots Agency: Northern Ireland/Scottish Cultural Events**

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether Northern Ireland/Scottish cultural events with no Republic of Ireland involvement are not eligible to receive funding from the Ulster-Scots Agency; and if so, to outline the reasons for this.

**(AQW 2504/11-15)**

**Ms Ní Chuilín:** The Agency has an agreed protocol in place which allows it to fund activity and travel outside the island of Ireland.

The Agency has funded Ulster-Scots cultural events which have not had any element of involvement in the South of Ireland.

The Ulster-Scots Agency's budget is made up of 75% of funding from the Department of Culture Arts and Leisure and 25% from the Department of Arts, Heritage and the Gaeltacht. The Agency's Board comprises eight members – four from the North and four from the South of Ireland. The Board assesses and determines funding applications made to the Agency.

## Libraries: Opening Hours

**Mr Weir** asked the Minister of Culture, Arts and Leisure what is the consultation period on the proposed reduction in the opening hours of libraries.

**(AQW 2546/11-15)**

**Ms Ní Chuilín:** The consultation period on the proposed reduction in the opening hours of libraries started on 12 September 2011 and runs until 2 December 2011.

## Odyssey Trust Company Limited

**Mr Allister** asked the Minister of Culture, Arts and Leisure to detail the control mechanisms for the Odyssey Trust Company which were set out in the 1998 funding agreement with her Department.

**(AQW 2551/11-15)**

**Ms Ní Chuilín:** The control mechanisms for the OTC set out in the 1998 funding agreement with the Department are summarised at Annex A.

### Annex A

Summary of Provisions from the Funding Agreement of 21 December 1998 between the Department of Education and OTC.

- i Prohibits borrowing in connection with the Project or the Project Assets without the Department's consent other than a specified overdraft facility;
- ii. Prohibits creating any Encumbrances on any of its interest in any of its assets or revenues other than certain specified securities;
- iii. Prohibits any sale, transfer, lease, or other disposal of any or all of its interest in any of the Project Assets without the consent of the Department;
- iv. Provides that the Company shall set admission charges for the Science Centre and Arena and ancillary public amenity areas to meet reasonable costs of operating, maintaining and repairing such areas;
- v Provides that the Company shall procure that all trustees, directors, members and employees of the Company are persons with suitable experience and qualifications and who demonstrate no conflicts between their own interests and those of the Company;
- vi. Requires the Company to procure that none of its Trustees, directors, employees or service providers are paid salaries, fees or emoluments which exceed reasonable and proper open market and arm's length commercial rates;
- vii. Requires the Company to apply rental payment towards operation, maintenance and enhancement of the public good areas of the Project;
- viii. Requires the Company to promptly notify the Department if an Event of Default or a Potential Event of Default occurs;
- ix. Requires that if at the expiry of any period of three consecutive months the sums standing to the credit of the Reserve Fund exceed £10m, and have exceeded £10m for such three months period the Company shall if the Department decides to pay such proportion of the excess as determined by the Department;
- x Requires that the Company opens and maintains a bank account which may not be changed unless the Department agrees;
- xi. Requires the Company to send the Department quarterly bank statements in respect of the account and any other information related to the account as the Department may require;
- xii. Requires the Company to establish and maintain Internal Audit arrangements and provide assurance to the Department;
- xiii. Provides a right for the Department to nominate a person to attend Board meetings of the Company as an observer;

- xiv. Prohibits the Company from altering its Memorandum and Articles of Association without the prior written consent of the Department;
- xv. Provides that DCAL approval is required for the Company to incur expenditure on property and assets exceeding £200,000 in the aggregate and to acquire assets or property not immediately required for the purposes of the project or its expansion;
- xvi. Requires the Company to provide DCAL with audited financial statements prepared on a true and fair basis and sent to DCAL within six months of the year end;
- xvii. Provides for the Company, if required, to deliver to the Department a copy of the OTC auditor's advice concerning the adequacy of internal controls and systems;
- xviii. Provides for OTC to furnish, if required, the Department with copies of cashflow and forecasts and documentation of the financial viability of OTC;
- xix. Provides that access is granted to the books and documents of OTC by the Northern Ireland Audit Office.

### Odyssey Trust Company Limited

**Mr Allister** asked the Minister of Culture, Arts and Leisure how much public money the Odyssey Trust Company Limited has received to date for the provision of the science centre, W5 Ltd; and how much it is scheduled to receive during this budgetary period.

**(AQW 2553/11-15)**

**Ms Ní Chuilín:** The Odyssey Trust Company (OTC) Limited is a charity and an independent company limited by guarantee.

The following table shows the money received to date by the OTC for the provision of the Science Centre, W5 Ltd. The Budget figure for 2011/12 of £604,000 can be considered as fixed with further adjustments only possible through the normal procedure of in-year monitoring rounds.

<b>W5 Year Ended</b>	<b>DCAL Total</b>
Year 1: 31 March 02	300,000
Year 2: 31 March 03	313,497
Year 3: 31 March 04	483,079
Year 4: 31 March 05	675,000
Year 5: 31 March 06	450,000
Year 6: 31 March 07	450,000
Year 7: 31 March 08	150,000
Year 8: 31 March 09	800,000
Year 9: 31 March 10	900,000
Year 10: 31 March 11	1,000,000
<b>Total</b>	<b>5,521,576</b>

The figures for the subsequent three years are not confirmed as they are indicative at this stage.

### Ulster Orchestra

**Mr Dallat** asked the Minister of Culture, Arts and Leisure how much grant aid her Department has provided to the Ulster Orchestra in each of the last three years; and to detail the number of public performances given by the Orchestra during that period when the public were charged an admission fee.

**(AQW 2581/11-15)**



**Ms Ní Chuilín:** The Ulster Orchestra has received the following funding from my Department through the Arts Council in the financial years between 2008 and 2011:

Finance Year	Grant Amount
2010-2011	£2,246,670.00
2009-2010	£2,150,113.00
2008-2009	£2,136,973.00

You should note that these figures include Lottery funding of £34,950, £100,000 and £86,860 respectively.

The Ulster Orchestra performed 159 concerts in the 3 financial years from 2008/09 to 2010/11 where the public were charged an admission. This excludes all BBC concerts, education concerts and community concerts where no admission was charged.

### **Odyssey Trust Company Limited**

**Mr Allister** asked the Minister of Culture, Arts and Leisure for her assessment of the adequacy of the detail contained in the Odyssey Trust Company Limited Annual Accounts for the 2010/11 financial year, including how the establishment costs of £3 million per annum and miscellaneous and sundry expenses of £100,000 per month arose.

**(AQW 2595/11-15)**

**Ms Ní Chuilín:** I refer to your question asked to the Minister for Social Development which has been passed to me for reply.

I would refer you to my response to AQW 1859/11-15 at Annex A.

### **Annex A**

The Odyssey Trust Company (OTC) Limited is a charity and an independent company limited by guarantee. The OTC therefore publishes annual accounts in line with company law and under charities regulations. These accounts are independently audited and available from company registry.

OTC has no ongoing reliance on public money other than the money for the provision of the science centre, W5 Ltd.

As with any other charitable organisation, those responsible for OTC are duty bound to ensure that they operate efficiently and effectively within the framework of its Memorandum and Articles, and in full accordance with relevant legislation and regulations.

### **Gaelic Games**

**Mr McKay** asked the Minister of Culture, Arts and Leisure for an estimate of the average number of people who attend Gaelic Games on a weekly basis at (i) County level; and (ii) club level.

**(AQW 2613/11-15)**

**Ms Ní Chuilín:** Neither my Department nor Sport NI routinely estimates the average number of people who attend Gaelic Games on a weekly basis either at County or club level. This is a matter for the governing body of the sport, the Gaelic Athletic Association.

### **DCAL: Special Adviser**

**Mr Allister** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 1976/11-15, whether her Special Adviser is in receipt of a salary and under which salary band her Special Adviser is being paid.

**(AQW 2635/11-15)**

**Ms Ní Chuilín:** The salary of DCAL's Special Adviser has yet to be finalised.

## Salmon Fishing

**Mr Swann** asked the Minister of Culture, Arts and Leisure for an update on the announcement made by her predecessor on the 11 February 2009, which stated that departmental officials would be 'tasked to come up with a suite of robust and effective measures which will make a significant contribution in the drive to conserve salmon' and that the Department would consult 'on new measures before implementing final changes to the way we fish for salmon, both in rivers and commercially in the sea around Northern Ireland'.

**(AQW 2682/11-15)**

**Ms Ní Chuilín:** DCAL Fisheries Staff working with Agri-Food and Biosciences Institute staff (AFBI) at the Bushmills Salmon Station, have undertaken long-term research into the ecology and population dynamics of wild Atlantic salmon.

This long term research is necessary for the Department to develop and implement robust and effective measures required to support the conservation of wild salmon stocks. The policy development process has been progressing since the announcement made by my predecessor in February 2009, and is now at an advanced stage.

The Department will consult all stakeholders on any new measures on fishing for salmon in the DCAL jurisdiction.

## Fish Stock Levels

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail the fish stock levels in each of the last three years, in each index river under her Department's jurisdiction.

**(AQW 2684/11-15)**

**Ms Ní Chuilín:** Table 1. Juvenile salmon (0+ summer) abundance indices (no. 5mins-1) for monitored rivers in the DCAL area of UK (N. Ireland) for 2008-10.

River	2008	2009	2010
Bush	5.2	3.9	6.3
Blackwater	9.8	6.3	3.9
Main	5.7	4.7	3.4
Glendun	4.2	7.1	6.9
Shimna	0.8	1.7	1.6

**TABLE 2. ADULT SALMON COUNTS FOR MONITORED RIVERS IN THE DCAL AREA OF UK (N. IRELAND) FOR 2008-10.**

River	2008	2009	2010
Bush	1712	726	1045
Blackwater	n/a	n/a	n/a
Main <sup>1</sup>	548	333	296
Glendun	127	41	84
Shimna	n/a	n/a	96

1 The River Main counter represents a partial count.

Table 3. Salmon ova deposition estimates (Million ova) for monitored rivers in the DCAL area of UK (N. Ireland) for 2008-10.

River	2008	2009	2010
Bush	2.4	1.4	1.3
Blackwater	n/a	n/a	n/a
Main	4.6	1.9	1.7
Glendun	0.4	0.1	0.3
Shimna <sup>2</sup>	0.1	0.1	0.2

2 Estimates for 2008 & 2009 produced from rod catch data.

**TABLE 4. PERCENTAGE COMPLIANCE WITH CONSERVATION LIMITS FOR MONITORED RIVERS IN THE DCAL AREA OF UK (N. IRELAND) 2008-2010.**

River	2008	2009	2010
Bush	103	66	56
Blackwater	n/a	n/a	n/a
Main	170	68	61
Glendun	96	33	64
Shimna	40	12	76

### Salmon Nets, Netting Operations and Fishing Engines off the North Coast

**Mr Swann** asked the Minister of Culture, Arts and Leisure to detail which MLAs, or former MLAs, have made representation to her Department for the retention of salmon nets, netting operations and fishing engines off the North Coast, in each of the last three years.

**(AQW 2685/11-15)**

**Ms Ní Chuilín:** The following (i) MLAs and (ii) former MLAs have made representations in the last three years to my Department for the retention of salmon nets, netting operations and fishing engines off the North Coast:

- (i) Daithí McKay MLA;
- (ii) Ian Paisley Junior and Declan O'Loan.

### Salmon Nets, Netting Operations and Fishing Engines off the North Coast

**Mr Swann** asked the Minister of Culture, Arts and Leisure to provide details of the representations made to her Department by MLAs, or former MLAs, in relation to operators of salmon nets, netting operations and fishing engines off the North Coast, in each of the last three years.

**(AQW 2686/11-15)**

**Ms Ní Chuilín:** The following MLAs and former MLAs have made representations in the last three years to my Department in relation to operators of salmon nets, netting operations and fishing engines off the North Coast:

- Danny Kinahan MLA – AQW 635/11;
- Daithí McKay MLA – meeting on 1 December 2008, AQW 784/09 and AQW 1194/09;
- Ian Paisley Junior – meeting on 1 December 2008;
- Declan O'Loan – meeting on 1 December 2008.

## DCAL: Ministerial Statements

**Mr Campbell** asked the Minister of Culture, Arts and Leisure how many (i) statements she has made to the Assembly; and (ii) of her answers to Members' questions have had to be corrected because of errors in her original statements or answers.

**(AQW 2702/11-15)**

**Ms Ní Chuilín:** I have made four statements to the Assembly and issued clarification in relation to a response I gave to a Member's question.

## Waterways Ireland

**Mr McGimpsey** asked the Minister of Culture, Arts and Leisure how many people are employed in Northern Ireland by Waterways Ireland.

**(AQW 2723/11-15)**

**Ms Ní Chuilín:** Waterways Ireland employs 97 people in the North (as at 3 October 2011). This is comprised of 87 permanent employees, 4 student placements employed on one year fixed term contracts and 6 agency workers.

## Department of Education

### Teachers: Certificate in Religious Education

**Mr D McIlveen** asked the Minister of Education what plans his Department has to make the Certificate in Religious Education more accessible to Protestant teachers, given that their main method of obtaining the certificate is through a 24-month correspondence course at the University of Glasgow and fees are set to increase to £800 next year.

**(AQW 2343/11-15)**

**Mr O'Dowd (The Minister of Education):** The Certificate in Religious Education is a mandatory requirement of the Council for Catholic Maintained Schools (CCMS) for all those seeking appointment to a permanent teaching position in a Catholic Maintained nursery or primary school here.

All student teachers and those teachers who have already qualified without the Certificate in Religious Education have several options open to them to acquire the Certificate. St Mary's University College and the University of Ulster are the local awarding bodies for the Certificate for their students whilst Stranmillis University College has established a partnership arrangement with the University of Glasgow which enables its students to acquire the Certificate through a part-time, distance learning route.

As well as having access to the University of Glasgow course, any student or qualified teacher can also avail of the opportunity to acquire the Certificate from the Iona Retreat Centre in Derry or through a Life-light Home Study Course.

The Department for Employment and Learning (DEL) provides additional funding to Stranmillis University College to enable students, who so wish, to undertake the Certificate in Religious Education course through any of the available providers. Students are reimbursed by the College up to £480 (the current University of Glasgow rate for the course) on submission of receipts and evidence of progress.

It is understood that the University of Glasgow has not yet published its fees for the 2012/13 academic year and so there is no evidence to indicate that these are to rise to £800. DEL will keep its funding allocations to the College under review in light of demand for the course and available resources.

My Department is currently engaged in a review to assess the impact of the requirement of a religious certificate on current and future recruitment opportunities in the teaching sector, including any course accessibility issues. It is anticipated the review will be finalised in 2011 and its outcome will be shared with the Education Committee.



## Teachers: Certificate in Religious Education

**Lord Morrow** asked the Minister of Education (i) whether he intends to hold discussions with the maintained sector to address the disparity in employing Protestant teachers without the necessity of obtaining a Certificate of Religious Education; and (ii) if this cannot be agreed, whether he would consider reducing the funding to the maintained sector on the basis that it falls short on equality ethos **(AQW 2380/11-15)**

**Mr O'Dowd:** It is a requirement of the Council for Catholic Maintained Schools (CCMS) that all those appointed to a permanent teaching position in a Catholic Maintained nursery or primary school should hold a recognised Certificate of Religious Education. All student teachers, regardless of their religious background, are able to access a course of study leading to the award of the certificate. I refer the Member to my answers to his questions AQW 1701/11-15 and AQW 1757/11-15 which were published in the Official Report on 16 September 2011.

The responsibility for equality legislation rests with the Office of the First Minister and deputy First Minister (OFMDFM) and therefore the exemption of teacher recruitment from the provisions of the Fair Employment and Treatment (NI) Order 1998 is not a matter for the Department of Education.

I do not intend to hold discussions with the maintained sector on this matter nor do I intend to reduce the funding to the maintained sector on the basis that it falls short on equality ethos.

## Integrated Education

**Mr D McIlveen** asked the Minister of Education whether he intends to issue a framework for increasing provision of integrated education, given that there is only one integrated school in North Antrim and it was 86 percent oversubscribed this year. **(AQW 2386/11-15)**

**Mr O'Dowd:** My Department has a statutory duty to encourage and facilitate the development of integrated education which I take very seriously.

However, as I outlined to the Assembly on 26 September, in future, any proposals for new schools will be founded in an area plan developed by all sectors. An important aspect of area plans will be that determining the need for particular provision, including integrated education, should be consistent with the overall plans for the area within which they are situated. Consequently, I will not be issuing a separate framework for increasing the provision of integrated education in North Antrim.

## Children from Ethnic Minority Backgrounds: GCSE's

**Mr Agnew** asked the Minister of Education to detail the proportion of children from ethnic minority backgrounds who achieved five or more GCSE Grades A\* - C in each of the last five years. **(AQW 2402/11-15)**

**Mr O'Dowd:** The answer is contained in the table below.

### NUMBER AND PERCENTAGE OF SCHOOL LEAVERS FROM MINORITY ETHNIC GROUPS<sup>(1)</sup> ACHIEVING AT LEAST 5 GCSES A\*-C 2005/06 TO 2009/10

	2005/06		2006/07		2007/08		2008/09		2009/10	
	No.	%	No.	%	No.	%	No.	%	No.	%
Minority Ethnic Groups	189	67.0	194	64.0	217	70.2	235	71.2	257	72.6
Northern Ireland Average	16,394	64.2	16,049	64.7	16,107	66.9	16,323	70.1	16,404	71.9

1 Minority Ethnic Groups includes Travellers.

**Source:** School Leavers Survey

## Catholic Teachers Employed in Controlled Schools

**Lord Morrow** asked the Minister of Education how many Catholic teachers are currently employed in Controlled schools, broken down by (i) nursery; (ii) primary; and (iii) post-primary schools.

**(AQW 2418/11-15)**

**Mr O'Dowd:** I refer the Member to my answer to AQW 56/11-15, tabled by David McIlveen MLA and published in the Official Report on 27 May 2011.

## Teachers: Certificate in Religious Education

**Mr Easton** asked the Minister of Education whether he has any plans to end the Certificate of Religious Education.

**(AQW 2480/11-15)**

**Mr O'Dowd:** The Certificate in Religious Education is a mandatory requirement of the Council for Catholic Maintained Schools (CCMS) for all those seeking appointment to a permanent teaching position in a Catholic Maintained nursery or primary school here.

Access to the Certificate is available to all student teachers via various routes and the onus is on students to acquire the Certificate if they wish to seek employment in a Catholic maintained nursery or primary school.

My Department is currently undertaking a review of employment opportunities for teaching staff. The purpose of the review is to assess the impact of the requirement for a religious certificate and make recommendations to promote equality of opportunity for all teachers. It is anticipated that this review will be finalised in 2011 and its outcome shared with the Education Committee.

## Schools: Capital Investment

**Mr Dallat** asked the Minister of Education what plans he has for capital investment in schools which are over-subscribed as a result of their performance and achievements, but have an enrolment number of less than 105 pupils for primary schools and 500 pupils for post-primary schools.

**(AQW 2497/11-15)**

**Mr O'Dowd:** As I outlined in my statement to the Assembly on Monday 26 September, I must be certain that we are investing our resources in the right schools. I have asked the managing authorities to conduct a viability audit to be submitted before the end of the year which will identify those schools facing significant viability issues and include proposals to protect the education of the pupils enrolled in those schools. In addition, I have commissioned the Education and Library Boards, working with CCMS and actively engaging with other sectors, to co-ordinate a strategic planning exercise based on each Board area to shape the future pattern of education delivery.

Any proposals for future capital investment must be founded in area plans agreed by the sectors and approved by my Department. These plans will be based on the Sustainable School Policy, the aim of which is to ensure that we have a network of viable and sustainable schools.

I will not comment on any specific school or type and size of school in advance of this work being completed.

## Educational Attainment

**Mr McKay** asked the Minister of Education for his assessment of the improvement in educational attainment in the last five years.

**(AQW 2548/11-15)**

**Mr O'Dowd:** There has been improvement in educational attainment in the last 5 years. In 2006, 53% of school leavers achieved at least five good GCSEs including GCSE Maths, English and, for those in

Irish-medium settings, Gaelige. By 2010, this improved to 59%, which equates to almost 3,000 more young people achieving at this level.

In primary schools the percentage of pupils achieving the expected levels in Key Stage 2 Communication in English has increased from 78% in 2005/06 to 81.4% in 2009/10. The percentage of pupils achieving the expected levels in Key Stage 2 Maths has increased from 80% in 2005/06 to 82.5% in 2009/10.

However, while overall levels of attainment have improved, we remain average by OECD standards and have too many young people leaving school not having achieved the expected level in literacy and numeracy and lacking the skills and qualifications they need for future employment.

I am continuing to implement a range of policies aimed at improving educational outcomes for all our young people, which include the school improvement policy, Count, read: succeed, the revised curriculum and entitlement framework, the ending of academic selection and work to finalise and put in place the SEN and Early Years Strategies. I intend to intensify the pace of implementation and delivery of these policies to ensure the needs of all our young people are to the fore and that progress in raising standards is accelerated.

### **Cambridge House Grammar School, Ballymena**

**Mr D McIlveen** asked the Minister of Education, to detail for the 2011/12 academic year, the number of (i) children who applied for a place at Cambridge House Grammar School, Ballymena; and (ii) pupils enrolled.

**(AQW 2578/11-15)**

**Mr O'Dowd:** The North Eastern Education and Library Board has indicated that 211 pupils applied for a place in Year 8 at Cambridge House Grammar School for September 2011 and 140 pupils were admitted.

The number of pupils who applied for a place in Year 13 was 164 and of these 89 were admitted, including 8 pupils from other schools.

The total number of pupils enrolled across all year groups at Cambridge House Grammar School as at 28 September 2011 is 9791.

### **Western Education and Library Board**

**Mr Buchanan** asked the Minister of Education to detail the number of (i) pupils; and (ii) teachers in each (a) primary school; and (b) post-primary school in the Western Education and Library Board area, broken down by education sector.

**(AQW 2607/11-15)**

**Mr O'Dowd:** The information requested has been placed in the Assembly library. It relates to the 2010-11 school year. Information for the 2011/12 school year is not yet available.

### **Movilla High School, Newtownards**

**Mr Nesbitt** asked the Minister of Education when he will inform Movilla High School, Newtownards, if its request to temporarily change its pupil number from 900 to 600 has been granted.

**(AQW 2657/11-15)**

**Mr O'Dowd:** My Department received a letter from the South Eastern Education and Library Board on 27 September 2011 supporting Movilla High School in a request that their admission and enrolment numbers be temporarily reduced. This is currently under consideration and the Department will reply to the Board and school as soon as possible and by no later than 18 October.

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1 This figure is correct as at 28 September 2011 and does not include statemented pupils.

## Western Education and Library Board: Schools Closures

**Mr Buchanan** asked the Minister of Education to detail the (i) primary schools; and (ii) post-primary schools which have closed in the Western Education and Library Board area in each of the last five years, in the (a) maintained; (b) controlled; and (c) integrated sector.

**(AQW 2659/11-15)**

**Mr O'Dowd:** There have been 6 school closures in the Western Education and Library Board in the past 5 years, none of which were in the integrated sector. The schools concerned and the year in which they closed were as follows:

School	Sector	Date of Closure
<b>2006</b>		
Stragowna PS	Controlled	31/8/2006
<b>2007</b>		
St Josephs High School, Plumbridge	Maintained	01/09/2007
<b>2008</b>		
Trillick PS	Controlled	31/08/2008
Shanmullagh PS	Controlled	31/08/2008
<b>2009</b>		
St Patricks PS Garvallah	Maintained	31/08/2009
St Columbas PS Curley	Maintained	31/08/2009

There were no school closures in the Western Education and Library Board in 2010.

## Academic Selection

**Mr Moutray** asked the Minister of Education, pursuant to AQW 2219/11-15, to detail the way in which each school has used academic selection 'to prevent young people from accessing' them.

**(AQW 2706/11-15)**

**Mr O'Dowd:** The schools listed in my answer to AQW 2219/11-15 use an academic criterion as their first criterion to select applicants when they are oversubscribed. Applicants are successful and unsuccessful according to their performance against this criterion. As outlined in the previous answer, that performance may be influenced by a number of factors and so self-evidently prevents some young people from gaining admission to a school that practises it.

My emphasis on young people's access being denied by academic selection is not an observation of how it mechanically functions as an admissions criterion. In the respect that it determines successful and unsuccessful applications, an academic admissions criterion is like any other admissions criteria. My emphasis on access denied is based on the characteristics of intakes in schools that currently determine their admissions chiefly by academic criteria. In the school year 2010/11, 7% of the grammar school pupil population was entitled to free school meals, whilst 26% of the secondary school pupil population was entitled to free school meals. These facts suggest that academic selection works as an effective criterion for selection based on socio-economic group. In that way it denies access to young people in a manner that is distinct from the effect of other admissions criteria.



## Irish-medium School and Preschool Units

**Mr McKay** asked the Minister of Education to list all the new Irish medium school and pre-school units which have been approved in the last four years.

**(AQW 2726/11-15)**

**Mr O'Dowd:** In the last four years (2008 – present) there have been 7 Irish medium schools, 2 Irish medium units and 9 Irish medium nursery units approved. As listed below:

### Irish Medium Schools

- |  |   |
|--|---|
| ■ Bunscoil Ui Chléirigh (Dungannon)    | ■ Gaelscoil na mBeann (Kilkeel)         |
| ■ Gaelscoil Na Daroige (Derry)         | ■ Gaelscoil Leim an Mhadaidh (Limavady) |
| ■ Gaelscoil an tSeancha (Magherafelt)  | ■ Gaelscoil Aodhua Rua (Dungannon)      |
| ■ Gaelscoil Choin Ri Uladh (Ballymena) |   |

### Irish Medium Units

- |  |  |
|--|--|
| ■ IM Unit at St Joseph's Grammar School (Donaghmore) | ■ IM Unit at St Malachy's High School (Castlewellan) |
|--|--|

### Irish Medium Nursery Units

- |  |                                       |
|--|---------------------------------------|
| ■ Scoil an Droichid (Belfast)                                    | ■ Gaelscoil Ui Neill (Coalisland)     |
| ■ IM Nursery Unit at Christian Brothers' Primary School (Armagh) | ■ Gaelscoil Ui Dhocartaigh (Strabane) |
| ■ Gaelscoil Eadain Mhoir (Derry)                                 | ■ Gaelscoil na gCrann (Omagh)         |
| ■ Bunscoil an tSleibhe Dhuibh (Belfast)                          | ■ Gaelscoil an Chaistil (Ballycastle) |
|  | ■ Bunscoil Bheann Mhadagain (Belfast) |

## Schools: Key Stages 4 and 5

**Mr Murphy** asked the Minister of Education what progress is being made in increasing the choice of subjects for Key Stage 4 and Key Stage 5 pupils.

**(AQO 460/11-15)**

**Mr O'Dowd:** As I set out in my recent statement to the Assembly on putting pupils first, I am fully determined to press ahead with the introduction of the Entitlement Framework in 2013. The Framework is a key measure in ensuring that young people can access a choice of courses that meet their needs, interests and career aspirations. The Entitlement Framework places a statutory obligation on schools to guarantee all pupils access to at least 24 courses at Key Stage 4 and 27 courses post-16. It is about quality and coherence of provision which meets the needs of our young people and properly prepares them for life and work in the 21st century.

I am pleased to report good progress since 2007/08 when only 47 post-primary schools were offering 24 or more courses at Key Stage 4, and 19 were offering 27 or more courses at post-16. Now 131 schools are offering 24 or more courses at Key Stage 4, and 59 schools are offering 27 or more courses post-16. Of these, 105 and 42 schools respectively include the breadth required by ensuring that one third of these courses are general and one third applied.

I have responded to those seeking certainty about the Entitlement Framework and will be commencing the legislation to take effect from September 2013. To further support schools in meeting their statutory obligations, I am also introducing a phased implementation of the full Entitlement Framework, specifying a slightly lower minimum course requirement of 18 and 21 courses from 2013, rising to the full minimum requirement of 24 and 27 courses by 2015.

## Sustainable Schools

**Ms S Ramsey** asked the Minister of Education how he plans to enforce the Sustainable Schools policy. (AQO 465/11-15)

**Mr O'Dowd:** I highlighted in my statement to the Assembly last Monday, that there was a need to quicken the pace of implementation of the Sustainable Schools policy. I have therefore commissioned a viability audit to examine enrolments, standards and the financial sustainability of schools. This is to identify those schools that are currently facing significant challenges and determine what actions are required going forward.

I have also asked the Education and Library Boards and CCMS, in consultation with other sectors, to commence collective strategic planning based on Board areas. I have set a challenging timeframe for process as it is essential that we move quickly to identify the education provision required to meet the needs of all pupils.

## Schools: Closure

**Mr McCallister** asked the Minister of Education how many schools with a significant maintenance backlog are earmarked for closure. (AQO 469/11-15)

**Mr O'Dowd:** There is no list of schools earmarked for closure. School managing authorities assess the long-term viability of schools against a range of criteria set out in the Sustainable Schools Policy. This process identifies those schools that cannot offer the required quality of education.

Any recommendation to close a school involves the publication of a statutory Development Proposal. This allows all interested parties to make their views known before a decision is taken.

The maintenance backlog at a school is not a factor taken into account in determining its potential for closure. It is, however, taken into account when determining the priority of expenditure on items requiring maintenance, refurbishment or replacement within the schools' estate.

## School Construction and Pupil Numbers

**Mr McNarry** asked the Minister of Education to detail (i) the total cost of each of the last five (a) primary schools; and (b) post-primary schools constructed by his Department; and (ii) the current number of pupils in each school. (AQW 2879/11-15)

**Mr O'Dowd:** The tables below detail the costs of the five most recently constructed primary schools and post primary schools. Enrolment numbers are officially verified in January 2012.

Type of Procurement	School Name	Total Construction Cost <sup>(1)</sup>	Current Enrolment Pupil Numbers <sup>(2)</sup>
<b>Primary Schools</b>			
Conventional	Lisnagelvin PS, L'Derry	£5.5m	541
Conventional	Lisbellaw PS, Enniskillen	£2.5m	219
Conventional	St Patrick's & St Brigid's PS, Ballycastle	£4.0m	356
Public Private Partnership (PPP)	St Joseph's PS, Carryduff	£4.1m	430
Conventional	Whitehouse PS, Newtownabbey	£3.9m	410

Type of Procurement	School Name	Total Construction Cost <sup>(1)</sup>	Current Enrolment Pupil Numbers <sup>(2)</sup>
<b>Post Primary Schools</b>			
Conventional	Assumption Grammar School, Ballynahinch	£15.3m	877
Public Private Partnership (PPP)	Our Lady & St Patrick's College, Knock	£18.3m	1,285
Public Private Partnership (PPP)	St Patrick's Grammar School, Downpatrick	£12.2m	683
Public Private Partnership (PPP)	St Mary's College, L'Derry	£15.9m	863
Public Private Partnership (PPP)	St Cecilia's College, L'Derry	£16.8m	871

(1) This cost excludes professional fees, furniture & equipment and site purchase (where applicable).

(2) Current enrolment numbers will be officially verified in January 2012.

## Early Years Strategy

**Mr McQuillan** asked the Minister of Education for an update on the Early Years (0-6) Strategy.  
(AQO 461/11-15)

**Mr O'Dowd:** Departmental officials are currently considering the responses to the consultation on the draft Early Years (0-6) Strategy. Almost 2,000 have been received and it is taking longer than expected to examine these.

I intend to publish the Strategy as soon as possible. However, it is important that the views raised in the consultation are fully considered before establishing the way forward. We will also need to ensure that the revised Strategy takes account of the most up to date position in relation to the Programme for Government and other key policies.

## Integrated Schools

**Mr Lyttle** asked the Minister of Education whether he would support a target of having 20 percent of pupils in integrated schools by 2020.  
(AQO 467/11-15)

**Mr O'Dowd:** The Department of Education has a statutory duty to encourage and facilitate the development of integrated education. I take that duty very seriously.

I also recognise that parental choice is central to the selection of schools for children. As such I would not consider it appropriate to prescribe targets for the development of integrated education, or any other sector.

In future any proposals for new schools will be founded in an area plan drawn up by all sectors to ensure that we are investing our resources in the right schools.

Notwithstanding this, I do, of course recognise the vital and valuable contribution that the integrated sector, together with all sectors of education, makes to building a peaceful and stable future for our children.

## Shared Education: Fermanagh

**Ms Gildernew** asked the Minister of Education for his assessment of the shared education programme in Fermanagh and how it has contributed to cross-community relations in schools.

**(AQO 468/11-15)**

**Mr O'Dowd:** The Fermanagh Trust Sharing in Education Programme is funded by the International Fund for Ireland (IFI) and, in line with the Fund's policy, any queries in relation to this programme should be directed to the Chair of the Fund.

My Department will, however, examine the final evaluation report once this has been published by the Fund.

## Irish-language Education

**Mr P Maskey** asked the Minister of Education what action his Department is taking to promote Irish language education.

**(AQO 470/11-15)**

**Mr O'Dowd:** My Department has a statutory duty to encourage and facilitate the development of Irish medium education which it takes very seriously. One of the ways it does this is by funding Comhairle na Gaelscolaíochta which has as an objective the promotion of Irish medium education.

My Department has facilitated the development of the Irish medium sector to the extent that there are now over 3800 pupils being educated through the Irish language. We will continue to support the sector, within the context of area based plans which are agreed by all sectors and approved by the Department as outlined in my statement to the Assembly on 26 September.

Irish medium education is and will continue to be embedded in the core work of my Department.

## Department for Employment and Learning

### DEL: Efficiency Savings

**Mr P Ramsey** asked the Minister for Employment and Learning how his Department intends to meet increased efficiency savings, which may involve looking at staffing options, while meeting his objective that front-line services will not be affected.

**(AQW 2167/11-15)**

**Dr Farry (The Minister for Employment and Learning):** To deliver these increased efficiency savings, the department has initiated the development of a Business Improvement Programme, which will include the examination of how the same level and quality of frontline services can be delivered at a lower cost.

### Steps to Work and Steps Ahead Programmes

**Ms S Ramsey** asked the Minister for Employment and Learning what provision is available for people with a learning disability who wish to participate in the programmes (i) Steps to Work; or (ii) Steps Ahead.

**(AQW 2175/11-15)**

**Dr Farry:**

- (i) Steps to Work is available to all those seeking work whether on benefits or not. While there is no specific provision within the programme for people with learning disabilities there are several strands which provide additional assistance to those who are particularly disadvantaged in their search for work. These include:
  - Help with any identified **Essential Skills** need/s. This offers participants the opportunity to undertake an essential skills qualification in literacy and/or numeracy. During this strand participants will also undertake work experience.



- **Enhanced Support.** This provides intensive one-to-one support to specific participants who without it would be unable or unlikely to move into work. Each participant is assigned a Mentor to help identify and address any barriers that prevent them from finding work or staying in work.
  - **Confidence/Motivational Building Provision.** This module of the programme is designed to help participants who have been out of the labour market for some time and are lacking the self confidence and/or motivation to actively look for work. It aims to boost self esteem and develop enthusiasm, helping create the positive attitude to work valued by employers.
  - Access to a job during participation on the **Employer Subsidy.** The main aim of the Employer Subsidy is to help improve the participant's chances of finding permanent employment by offering a period of subsidised work.
- (ii) The Step Ahead initiative is a 26 week temporary waged employment strand within the Steps to Work programme. This offers a paid job within the Voluntary/Community Sector for those who have been on benefits for 30 months or more. People who avail of Step Ahead may also have access to a Mentor.
- (iii) For people with a learning disability looking for employment, the Disability Employment Service (DES) has a number of programmes and services to help them:
- **Workable (NI)** - long term support to assist disabled people carry out the duties of a particular job, assistance can include a job coach, disability awareness to employers, or other development costs. Support is individually assessed and delivered by external providers.
  - **Access to Work (NI)** - individually assessed long term or one-off support to help a disabled person carry out their job. Assistance includes; Travel to Work, support worker and specialist equipment.
  - **Residential Training** - formal training for disabled people in a residential setting, to meet the needs of trainees unable to progress in mainstream training environments.
  - **Condition Management Programme** - delivered by Health Service professionals this programme assists people with a range of health conditions to manage their health condition/illness and be better prepared to enter the world of work or appropriate provision
  - **Occupational Psychology Services** assessment service enables people with disabilities to have a comprehensive employment assessment to gain guidance on suitable employment and support needs.

## Further and Higher Education: Note Takers

**Lord Morrow** asked the Minister for Employment and Learning how many note-takers are available for students who are unable to attend lectures or classes in each (i) Further Education College; and (ii) Higher Education Institution.

**(AQW 2207/11-15)**

**Dr Farry:** My Department is committed to widening access to further and higher education for students with learning difficulties and disabilities.

### (i) Further Education

The Department provides the six Further Education Colleges with £1.5m per annum through the Additional Support Fund, to help meet the additional costs associated with provision for students with learning difficulties and/or disabilities. Through this funding, Colleges provide electronic note-takers, audio note-takers, dictaphones and pen-casts (Livescribe), as required. Colleges do not retain a specific pool of note takers, such services are secured on a demand led basis.

**(ii) Higher Education**

The Department provides funding, through Disabled Students Allowances, to help students pay for the extra costs they may incur when studying their higher education course, as a direct result of a disability, mental health condition or specific learning difficulty. The allowances can help with the cost of a non-medical personal helper including a note taker, items of specialist equipment, travel and other course related costs. In the 2010/11 financial year my Department paid approximately £3.134m in Disabled Student Allowance awards.

Through Disabled Student Allowances, my Department also provides funding for the administration and delivery of a Register of Support Providers in each of the two Northern Ireland Universities. These are registers of freelance professional and non-professional support workers who are recruited and trained to assist students with disabilities.

At present, Queen's University has 127 trained note takers available to support students. The University of Ulster has approximately 100 note takers available and is currently undertaking a recruitment exercise. However, there may be an unknown degree of duplication as note-takers may be on both registers.

**St Mary's University College, Belfast**

**Lord Morrow** asked the Minister for Employment and Learning how many Protestants applied to attend St Mary's University College in each of the last four years; and how many were accepted.

**(AQW 2282/11-15)**

**Dr Farry:** In common with practice at other Higher Education institutions, students applying to St Mary's University College Belfast are not asked for their religious background. As it is not known how many members of the Protestant community applied to the College, it is not possible to state how many of these were accepted.

**Education Maintenance Allowance**

**Mr Ross** asked the Minister for Employment and Learning, for each of the last five years, how many students attending Further Education Colleges were in receipt of Educational Maintenance Allowance (EMA), broken down by the level of EMA received and the constituency in which they lived.

**(AQW 2323/11-15)**

**Dr Farry:** I can advise that in each of the last five academic years the number of students who have received Education Maintenance Allowance in Further Education Colleges broken down by the level of Education Maintenance Allowance received is set out in the table overleaf. I must also advise that data is not available in the constituency format requested.

<b>Academic year</b>	<b>06/07</b>	<b>07/08</b>	<b>08/09</b>	<b>09/10</b>	<b>10/11</b>
£30	5,810	5,970	6480	7,630	7,360
£20	540	500	620	670	670
£10	380	460	410	450	440
<b>Total</b>	<b>6,730</b>	<b>6,930</b>	<b>7,510</b>	<b>8,750</b>	<b>8,470</b>

**Education Maintenance Allowance**

**Mr Ross** asked the Minister for Employment and Learning how many pupils have received an Education Maintenance Allowance in each of the last five years, broken down by the (i) level of the Allowance; and (ii) constituency.

**(AQW 2334/11-15)**

**Dr Farry:** I can advise that (i) the total number of school pupils who have received Education Maintenance Allowance broken down by the level of allowance in the last five academic years is set out in the table below; (ii) Data is not available in the constituency format requested.

Academic Year	06/07	07/08	08/09	09/10	10/11
£30	10,060	9,880	10,380	11,830	13,700
£20	1,250	1,250	1,290	1,440	1,530
£10	1,150	1,150	1,070	1,090	1,230
<b>Total</b>	<b>12,460</b>	<b>12,280</b>	<b>12,740</b>	<b>14,360</b>	<b>16,460</b>

## Education Maintenance Allowance

**Mr Ross** asked the Minister for Employment and Learning for his assessment of whether the Education Maintenance Allowance has resulted in better qualifications for young people from disadvantaged areas who received the allowance.

**(AQW 2335/11-15)**

**Dr Farry:** The main purpose of the Education Maintenance Allowance scheme is to enable young people from lower income backgrounds to remain in post-compulsory education at school or college with the key objectives of raising participation and retention rates in the eligible group. It also aims to encourage young people to fulfil their educational potential and encourage them to achieve qualifications.

Since improving participation and retention rates have always been the key objectives of the scheme, with the attainment of qualifications being a positive outcome, there are currently no mechanisms in place to specifically track the qualifications achieved by students in receipt of Education Maintenance Allowance.

However, student survey findings from the recent review of the Education Maintenance Allowance scheme in Northern Ireland indicated that learners felt their engagement with learning had increased since receiving Education Maintenance Allowance. Just over a half of learners agreed or strongly agreed that Education Maintenance Allowance had a positive impact on their attendance and time-keeping. This finding was supported by the Education Maintenance Allowance co-ordinators survey and, of course, actual records of attendance in the schools and Further Education colleges.

Following the recent review, it is intended that my Department and the Department of Education will jointly present options for the future of the Education Maintenance Scheme to the Executive in the autumn and this will be followed by a public consultation. I can confirm that, as part of this consultation, consideration will be given to the feasibility of developing a specific mechanism to track the qualifications attained by students in receipt of Education Maintenance Allowance.

## Students from England, Scotland and Wales

**Mr Weir** asked the Minister for Employment and Learning how many students from (i) England; (ii) Scotland; and (iii) Wales have studied at universities in Northern Ireland in each of the last five years.

**(AQW 2369/11-15)**

**Dr Farry:** The number of student enrolments at Northern Ireland Higher Education Institutions from England, Scotland and Wales in each of the last five years is detailed below:

Academic year	England	Scotland	Wales
2005/06	835	185	40
2006/07	735	120	40

Academic year	England	Scotland	Wales
2007/08	835	130	45
2008/09	1,025	140	55
2009/10	1,045	150	50

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- (1) Figures have been rounded to the nearest 5.
- (2) The latest available data are for 2009/10.
- (3) The figures in the table above are for all years and levels of study.

## St Mary's University College, Belfast

**Mr Spratt** asked the Minister for Employment and Learning for an update on the report on the future sustainability of St Mary's University College, Belfast.

**(AQW 2382/11-15)**

**Dr Farry:** The College forwarded a copy of the report to the Department and I understand that the Governing Body has considered the report and the responses to the public consultation that it conducted on it. I further understand that the Governing Body has approved the report and accepted the majority of its recommendations. The College has produced a draft institutional plan based on the report which was agreed by the Governing Body in June. I believe that the plan will be publicly launched next month.

I hope to meet with St Mary's shortly and to discuss this and other issues.

## Tackling Violence at Home Action Plan

**Mr McKay** asked the Minister for Employment and Learning whether his Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if his Department will meet the target implementation date of December 2011.

**(AQW 2436/11-15)**

**Dr Farry:** The Department for Employment and Learning has met its obligations under the action in the Tackling Violence at Home Action Plan by adhering to the NI Civil Service (NICS) guidance on Domestic Violence and Abuse, which was issued in 2006 and is included in the NICS Human Resources Handbook. The policy applies to all staff and includes guidance for line managers in dealing with staff who may be victims of domestic violence as well as providing information on the help and support available to victims. The Department of Finance and Personnel has an overarching responsibility for maintaining the policy.

The Local Domestic Violence Partnerships and the Prevention & Support sub-group are directly responsible for the other outcomes from this action, including employer engagement with private and public sector organisations.

## Arts Educational Capital Projects

**Mr Weir** asked the Minister for Employment and Learning what consideration has been giving to jointly funding arts educational capital projects with the Department of Culture, Arts and Leisure.

**(AQW 2449/11-15)**

**Dr Farry:** There has been substantial investment in further and higher education capital projects in recent years. Currently however there are no joint proposals being considered with DCAL for my

Department, all funding is fully committed for the current budget period which makes it unlikely that any new proposals could be funded.

The only previous consideration for joint funding between my Department and the Department of Culture Arts and Leisure for arts educational projects was a Cathedral Quarter arts centre proposal, in 2004, involving the then Belfast Institute of Further and Higher Education. After preliminary assessments, this proposal was not taken forward.

### **St Mary's University College and Stranmillis University College, Belfast**

**Lord Morrow** asked the Minister for Employment and Learning whether he would explore additional collaboration between St Mary's University College and Stranmillis University College, Belfast.  
(AQW 2469/11-15)

**Dr Farry:** Both St. Mary's University College and Stranmillis University College are independent bodies and they are both colleges of Queen's University of Belfast.

Both already collaborate on a number of initiatives. An example of this is the collaboration on issues such as Diversity and Mutual Understanding (DMU). St Mary's and Stranmillis have developed the DMU program to become an integral aspect of study for all students studying on Bachelor of Education and PGCE pathways. Members of academic staff from both Colleges provide a range of activities and workshops at a variety of locations including both college campuses. Students are encouraged to engage in discussion and establish ways of coping with issues such as identity, diversity and prejudice within the classroom environment.

Greater collaboration between the Colleges is primarily a matter for the Governing Bodies of both Colleges. However, I am due to meet with members of the Governing Body and senior staff of St Mary's in the near future and the issue of greater collaboration may be discussed.

### **University of Ulster**

**Mr Campbell** asked the Minister for Employment and Learning for an estimate of the numbers of additional places that will be provided by the University of Ulster at the (i) Magee; and (ii) Coleraine campuses in the next academic year.  
(AQW 2471/11-15)

**Dr Farry:** The number of student places at each campus is a matter for the University. You are aware that the Executive has made available a total of £3m to finance additional student places. Work is ongoing to determine the number of additional Higher Education places that can be financed from the very limited resources available. Final decisions have yet to be taken on the number of places to be funded and their allocation across the Higher Education providers in Northern Ireland.

### **Further and Higher Education: Drop-out Rates**

**Mr Weir** asked the Minister for Employment and Learning to detail the student drop-out rate in each of the last five years for (i) Queen's University Belfast; (ii) the University of Ulster, Jordanstown; (iii) the University of Ulster, Coleraine; (iv) the University of Ulster, Magee; (v) South Eastern Regional College; and (vi) the remaining Further Education Colleges.  
(AQW 2485/11-15)

**Dr Farry:** Data on drop out rates for Higher Education Institutions are only available for undergraduate entrants who fail to return to Higher Education in the following academic year. In terms of reporting information on drop out rates in Higher Education, the Department concentrates on full-time first degree entrants.

Therefore, the drop out rates for full-time first degree entrants to (i) Queen's University Belfast; (ii) the University of Ulster, Jordanstown; (iii) the University of Ulster, Coleraine; and (iv) the University of Ulster, Magee in each of the last four years (these data are only available from the Department for the 4 years 2005/06 to 2008/09), are detailed in the following table:



	Year of Entry			
Institution	2005/06	2006/07	2007/08	2008/09
QUB	7.5%	6.3%	7.1%	7.7%
UU – Jordanstown	15.0%	12.6%	13.3%	10.5%
UU - Coleraine	14.7%	11.0%	13.4%	8.9%
UU - Magee	16.9%	12.9%	13.1%	10.5%

**Source:** Higher Education Statistics Agency (HESA)

**Notes:**

- 1 Data on drop out rates for Higher Education Institutions are obtained from the Higher Education Statistics Agency's Performance Indicators data.
- 2 The latest available data are for 2008/09 entrants failing to continue in Higher Education in 2009/10.
- 3 The data measure those full-time first degree entrants who fail to continue in Higher Education in a particular academic year after entry in the previous academic year.

Drop out statistics from the Northern Ireland Further Education Colleges are calculated as the proportion of enrolments coded as 'withdrawn' from the College Statistical Returns, which are set out in the table below for (v) South Eastern Regional College; and (vi) the remaining Further Education Colleges for each of the last 5 years for which data are available:

	Academic Year				
Further Education College	2005/06	2006/07	2007/08	2008/09	2009/10
Belfast Metropolitan College	17.1%	12.4%	13.1%	16.0%	15.7%
Northern Regional College	12.7%	16.0%	14.9%	15.3%	18.1%
South Eastern Regional College	13.9%	12.8%	11.5%	7.5%	8.7%
Southern Regional College	12.6%	9.1%	7.8%	7.7%	9.1%
South West Regional College	12.3%	11.5%	12.0%	12.7%	8.2%
North West Regional College	11.2%	12.9%	11.1%	12.5%	14.4%

**Source:** Further Education Leavers Survey (FELS)

**Notes:**

- 1 The data above only relate to enrolments on DEL funded recurrent grant provision on professional and technical courses and therefore exclude courses such as Government Training, Cost Recovery and Vocational Enhancement Programme/Entitlement Framework enrolments.
- 2 The data are presented in the context of the 6 college model in place since 2007/08 with College data mapped accordingly prior to this.
- 3 Latest available validated full-year data pertains to the 2009/10 academic year.

## Education Maintenance Allowance

**Mr Buchanan** asked the Minister for Employment and Learning what steps he is taking to ensure that participants in the Give and Take Scheme, and similar pre-vocational training schemes, qualify for the Education Maintenance Allowance.

**(AQW 2532/11-15)**

**Dr Farry:** It is important to clarify that there is a means tested and also a non-means tested Education Maintenance Allowance which have very different target audiences.

The means-tested Education Maintenance Allowance (EMA) scheme was jointly introduced in September 2004 by the Department for Employment and Learning (DEL) and the Department of Education (DE). The main purpose of the scheme is to enable young people from lower income backgrounds to remain in post-compulsory education at school or college with the express purpose of raising participation, retention and achievement rates in the eligible group; and addressing the well-established cyclical link between low attainment and low income.

Following a recent review of the means-tested scheme, DEL and DE will consider options for its future. It is intended that options will be presented to the Executive in the autumn and this will be followed by a public consultation. Any proposals to change the current provision of the scheme will also be subject to the appropriate equality considerations.

The non means tested EMA was established in 2008 under the provisions of the Employment and Training Act (Northern Ireland) 1950 and applies exclusively to unwaged trainees on the Training for Success Programme. When put in place this EMA scheme formed part of a package of financial incentives directed at young people undertaking specifically structured training of a minimum of 30 hours per week and leading to recognised professional and technical qualifications. The legislative basis for this EMA package is tied inextricably to UK wide Social Security and Child Benefit legislation and cannot apply to programmes such as the Give and Take scheme which is funded through the ESF or to other pre-vocational training not provided by DEL under the Act.

The issue has also been raised during the Pathways to Success consultation on those young people Not in Education, training or Employment (NEET).

It will be considered, along with a range of issues arising from the responses to the consultation, as the Department leads the development of a cross Departmental strategy to reduce the number of young people who are not in education, employment or training

## **EU Agency Workers Directive**

**Mr Irwin** asked the Minister for Employment and Learning whether, under the proposed Agency Workers Directive, after twelve weeks of employment an agency worker will receive the same pay as a fellow non-agency employee who is working in an identical post, regardless of the fees retained by the agency. **(AQW 2561/11-15)**

**Dr Farry:** One of the key elements in the transposition of the Directive will be the inclusion of a 12-week qualifying period before the equal treatment provisions of the Directive will apply. However, once this 12-week period has elapsed, an agency worker will be entitled to the same basic working and employment conditions, as if they had been recruited directly to that post.

These basic working and employment conditions will include the level of a worker's pay, regardless of the fees retained by the employment agency.

One exception to the availability of equal treatment in respect of pay after twelve weeks is under a permanent contract of employment and payment between assignments ('the Swedish Derogation'). This provision allows an employment agency to offer an agency worker a permanent contract of employment, and pay the Agency Worker between assignments (i.e. when they are not working). This means that after twelve weeks in a given job, the agency worker will not be entitled to the same pay as if they had been recruited directly. However, they will be entitled to receive a guaranteed minimum level of pay during any period when they are not working.

All agency workers, including those covered by the Swedish Derogation, are entitled to other new provisions under the Regulations. In particular, equal treatment in relation to the duration of working time, night work, rest periods and rest breaks, and annual leave after twelve weeks.

## Teacher Training: PGCE Courses

**Mr Eastwood** asked the Minister for Employment and Learning if he has had any discussions with the Minister of Education regarding the possible introduction of a cap on PGCE course places to reflect the number of teaching posts that are available each year due to the retirement of teachers.

**(AQO 447/11-15)**

**Dr Farry:** The number of both BEd and PGCE places at Northern Ireland Higher Education institutions is a matter for the Minister for Education. No meetings have taken place on this subject to date, however, correspondence has been exchanged and it is a firm agenda item for my forthcoming meeting when I expect to discuss it with the Minister.

## Belfast Metropolitan College: Ballymacarrett

**Mr Douglas** asked the Minister for Employment and Learning if he can confirm that the Belfast Metropolitan College will continue its outreach work in East Belfast and, in particular, within the Ballymacarrett area when the new Skainos Project is completed.

**(AQO 448/11-15)**

**Dr Farry:** Belfast Metropolitan College has informed me that it remains committed to outreach work in East Belfast including when the Skainos Project is completed. In addition it is currently developing new provision for the area and, in particular, with the Skainos Project.

The exciting development of BMC in the Titanic Quarter will enhance significantly the breadth of learning opportunities for all of Belfast including East Belfast.

## Unemployment: Ballymoney

**Mr Storey** asked the Minister for Employment and Learning what plans he has to tackle unemployment in the Ballymoney area during this Assembly term.

**(AQO 449/11-15)**

**Dr Farry:** My staff in Ballymoney Jobs and Benefits Office continue to work with employers to assist with their recruitment, training and development needs.

Ballymoney Jobs and Benefits Office are currently working in partnership with Loughgiel Community Association to host a Job Fair and Advice Forum in The Millennium Centre, Lough Road, Loughgiel on 12th October. Previously events were held in Moyle in November 2010 and Ballymoney in March 2011.

The Local Employment Intermediary Service (LEMIS) is an initiative designed to help unemployed people with a common employability barrier to employment. The majority of LEMIS clients have barriers such as . homelessness, a history of drug/alcohol misuse or are ex-prisoners or offenders. This service is offered on behalf of the Department, by community employment organisations on an outreach basis within the Ballymoney District Council area.

My officials are also working closely with InvestNI to deliver a new initiative, the Short Term Employment Scheme (STES). This collaborative work aims to ensure that those most disadvantaged in the labour market are able to take advantage of the jobs that are created through a range of new schemes.

## Universities: Researcher Development Framework

**Mr D McIlveen** asked the Minister for Employment and Learning how much has been spent by universities on training days for postgraduate research students since they were introduced by the last Westminster Government under the Research Development Framework.

**(AQO 450/11-15)**

**Dr Farry:** My Department recognises the importance of investing in postgraduate opportunities and in academic year 2010/11, provided funding of more than £27 million to support the student and institutional costs of 795 students. A portion of each postgraduate award is specifically targeted at

the enhancement of the student's transferable skills, which are critical to the development of world-class researchers. Funding in respect of generic skills training for postgraduate researchers was first made available by my Department to Queen's and the University of Ulster in April 2004. In total, since 2004, our universities have spent almost £3.5 million in direct costs through their formal provision of Generic and Research Skills Training, which all postgraduate research students undertake in addition to the training normally provided as integral to their PhD. This sum does not include costs for faculty based training or training delivered by administrative and library staff involved in induction and ongoing support for specialised subjects.

In addition, in support of the researcher development agenda, my Department has endorsed the Researcher Development Framework which was launched in September 2010. This new approach provides a common framework for researchers and research institutes throughout the United Kingdom.

It does not directly allocate money to our universities but is rather a tool for planning, promoting and supporting the personal, professional and career development of researchers in higher education.

This framework underpins researcher training and development in the United Kingdom, enhancing our capability to develop world-class researchers and realise their potential for all sectors of the economy and society.

### **Higher Education: Additional Places**

**Ms Ritchie** asked the Minister for Employment and Learning when he will provide details to the Assembly on the allocation of additional student places in the Higher Education sector.

**(AQO 451/11-15)**

**Dr Farry:** The recent agreement reached on the level of tuition fees in Northern Ireland will allow for a modest increase in the number of additional student places in the Higher Education sector. My Department now has available to it a total of £3m to fund additional places across all Higher Education providers. The additional places will be phased in and will first be available in the 2012/13 academic year which commences on 1 August 2012. Work is continuing with the providers on this issue and the actual number of additional places and their distribution among the providers will be announced as soon as is practicable.

Any additional student places which are allocated to providers will only be in subject areas of economic relevance.

### **Stranmillis University College**

**Mr Spratt** asked the Minister for Employment and Learning for his assessment of the condition of the buildings at Stranmillis University College, Belfast.

**(AQO 452/11-15)**

**Dr Farry:** I was able to visit the Stranmillis site very recently to view the estate first hand. I saw how funding provided by my Department in the last comprehensive spending review period was deployed. I also saw how the proposed funding of £1.6m is to be deployed in the current spending period to 2015. The College reported in its Business Case to support the proposed merger that it required around £9m to address backlog maintenance on the estate and for work on its Henry Garrett building.

I saw clear evidence of this maintenance backlog and of the need for significant additional capital investment at Stranmillis.

My capital budget is not sufficient to provide the level of investment required. However, if the proposed merger with Queen's University proceeds, the University will assume responsibility for the backlog maintenance and invest an initial £7m in the estate. This will result in an investment of £16m in Stranmillis by Queen's from its own resources.

## Further Education: Funding

**Ms P Bradley** asked the Minister for Employment and Learning if he can give any assurances on the continuation of funding for further education colleges and on courses remaining at current levels.  
**(AQO 453/11-15)**

**Dr Farry:** The Further Education sector cannot be fully protected from reductions in public expenditure given the budgetary pressures faced by my Department.

Maintaining capacity and protecting student facing services in Further Education is a priority. Capacity and enrolment targets however beyond the current academic year remain subject to negotiation through the College Development Planning process.

The Further Education budget settlement for 2011/12 was announced on 14 April 2011. It reflects the outcome of the Comprehensive Spending Review and sees the block grant allocation to the 6 Further Education Colleges reduce from £148.2 million in 2010/11 academic year to £143 million in 2011/12. The settlement however aims to protect the capacity across the FE sector with no impact on front line delivery in 2011/12. This has been achieved through the delivery of efficiencies and agreement of enrolment targets with all colleges through detailed bilateral negotiations.

Enrolments for both Further Education provision up to and including level 3, and Higher Education delivered in FE Colleges, are protected at current 2010/11 levels. For Essential Skills, the settlement resources an additional 814 enrolments, increasing the target to almost 25,500 enrolments in 2011/12.

This demonstrates my Department's commitment to the Further Education sector and their critical role in the continuing recovery of our economy in equipping individuals and employers with skills to become more competitive.

## Education Maintenance Allowance

**Mr McMullan** asked the Minister for Employment and Learning what measures he will take to ensure that the Education Maintenance Allowance is retained and to outline any plans he has to improve the scheme.  
**(AQO 454/11-15)**

**Dr Farry:** I am committed to the retention of the Education Maintenance Allowance Scheme. It is clear, however, that the funding needs to be better targeted. Findings from the joint review of the Education Maintenance Allowance scheme in Northern Ireland by my Department and the Department of Education highlighted that the scheme is not as economically efficient as it could be because a majority of Education Maintenance Allowance students indicated that they would have remained in education even if they had not received Education Maintenance Allowance.

However, in some cases it makes a real difference. I am determined that young people from lower income families, for whom these allowances make a real difference, continue to be assisted to stay in education and training. I would, however, agree with the Employment and Learning Committee's recommendation that the allowances could be better targeted. I am also conscious of the very difficult budgetary position currently facing my Department.

I can advise that my Department and the Department of Education have recently established a joint project team which will consider options for the future of the Education Maintenance Allowance scheme.

Following approval by myself and my ministerial colleague in the Department of Education, it is intended that options for the future of the Education Maintenance Allowance scheme will be presented to the Executive in the autumn and this will be followed by a public consultation. I am committed to completing this process as soon as practically possible.

Any proposals to change the current provision of the Education Maintenance Allowance scheme in Northern Ireland will also be subject to the appropriate equality considerations.



## Education Maintenance Allowance

**Mr Hamilton** asked the Minister for Employment and Learning for an update on the review of the Education Maintenance Allowance.

**(AQO 455/11-15)**

**Dr Farry:** I can advise that my Department and the Department of Education have recently established a joint project team which will consider options for the future of the Education Maintenance Allowance scheme.

Following approval by me and my ministerial colleague in the Department of Education, it is intended that options for the future of the Education Maintenance Allowance scheme will be presented to the Executive in the autumn and this will be followed by a public consultation. I am committed to completing this process as soon as practically possible.

Any proposals to change the current provision of the Education Maintenance Allowance scheme in Northern Ireland will also be subject to the appropriate equality considerations.

## Department of Enterprise, Trade and Investment

### Rowan Tree Centre, Pomeroy

**Mr Allister** asked the Minister of Enterprise, Trade and Investment (i) whether her Department gives approval to, or through, Cookstown Enterprise Centre before units in the Rowan Tree Centre, Pomeroy are rented out to businesses; (ii) whether her Department ensures that the proposed uses of the centre are compliant with the pertaining planning permission; and (iii) whether any businesses are currently utilising units for office purposes in contravention of any planning permission prohibiting office use.

**(AQW 2158/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):**

- (i). All business tenant applications at the Rowan Tree Centre are considered for approval by my Department to ensure they comply with the conditions of funding in the DETI letter of offer. The outcome of this assessment is notified to the workspace promoter (to date, through Cookstown Enterprise Centre in its capacity as Managing Agent for the facility).
- (ii). It is the responsibility of Pomeroy Development Projects Ltd as owners of the facility, in conjunction with prospective business tenants, to ensure that any proposed use of the centre complies with existing planning permissions.
- (iii). Judgement on, and enforcement of planning permission is the responsibility of Planning Service, a function within the Department of the Environment.

### Mutual Energy

**Mr Allister** asked the Minister of Enterprise, Trade and Investment who determines who will serve as directors and non-executive directors of Mutual Energy and their remuneration.

**(AQW 2159/11-15)**

**Mrs Foster:** Mutual Energy Limited is a private company and details relating to its appointment of directors and their remuneration are contained in the company's Articles of Association and Annual Reports.

### Directors of Mutual Energy

**Mr Allister** asked the Minister of Enterprise, Trade and Investment to detail the total remuneration packages paid annually to directors of Mutual Energy since it came into existence.

**(AQW 2160/11-15)**

**Mrs Foster:** Mutual Energy is a private company and, as such, the information requested is not held by DETI.

### Discover Ireland Website

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what efforts have been made to market tourist attractions in County (i) Antrim; (ii) Fermanagh; (iii) Derry; (iv) Armagh; (v) Down; and (vi) Tyrone on the Discover Ireland website.

**(AQW 2210/11-15)**

**Mrs Foster:** There is a dedicated section on each of these counties on Tourism Ireland's suite of 42 international websites – [www.discoverireland.com](http://www.discoverireland.com) – containing up to date information on upcoming events and festivals, key attractions in the county, accommodation listings and special offers, in addition to an interactive map of each county. Tyrone, Fermanagh, Londonderry, Antrim and Down are also included in Tourism Ireland's set of "Go" films and are used extensively as part of promotional campaigns in key overseas markets. The "Go" series of films is an evolving project, with films being added over a number of years and Armagh is on the agenda for future productions.

### Discover Ireland Website

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to detail the average daily number of hits on the (i) [discovernorthernireland.com](http://discovernorthernireland.com); (ii) [discoverireland.ie](http://discoverireland.ie); and (iii) [discoverireland.com](http://discoverireland.com) websites.

**(AQW 2211/11-15)**

**Mrs Foster:**

- (i) In 2010/2011 the Northern Ireland Tourist Board (NITB) consumer website [www.discovernorthernireland.com](http://www.discovernorthernireland.com) received 2.5 million visitors. This equates to a daily average of 6,897 visitors.
- (ii) In 2010 Tourism Ireland's suite of 42 international websites - [www.discoverireland.com](http://www.discoverireland.com) - attracted almost 12 million unique visitors. There are approximately 31,500 visits to [discoverireland.com](http://discoverireland.com) each day.
- (iii) The new Failte Ireland site, [www.discoverireland.ie](http://www.discoverireland.ie), was launched in June 2011. To date the site has received over 1 million visitors with an average of 8,500 per day.

### Ballycastle and Rathlin Island

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what Tourism Ireland has done to market (i) Ballycastle; and (ii) Rathlin Island in each of the last three years.

**(AQW 2212/11-15)**

**Mrs Foster:** Over the last 3 years Tourism Ireland has featured the Causeway Coast including key locations such as Ballycastle and Rathlin Island as part of its extensive global marketing programme.

Information on Ballycastle and Rathlin Island is available on the [discoverireland.com](http://discoverireland.com) website.

Events such as the Auld Lammas Fair are also featured in Tourism Ireland's ezines and newsletters which are sent out regularly to top travel trade, media contacts and to consumers overseas.

In partnership with NITB, Tourism Ireland has arranged for overseas travel and lifestyle media to visit a range of attractions in Co Antrim, including Ballycastle and Rathlin Island.

### Ballycastle and Rathlin Island

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what plans (i) the Tourist Board; and (ii) Tourism Ireland have to market (a) Ballycastle; and (b) Rathlin Island over the next three years.

**(AQW 2214/11-15)**

**Mrs Foster:** Rathlin Island has been highlighted as part of the NITB campaign which runs both in Northern Ireland and the Republic of Ireland.

The Causeway Coast will be a central feature of Tourism Ireland's "NI2012" global promotional campaign, to coincide with a number of events and celebrations taking place throughout Northern Ireland, including the opening of the Giants Causeway Visitor Centre. Tourism Ireland features the Causeway Coast - including Ballycastle and Rathlin Island - as part of its extensive marketing programme.

## **Invest NI**

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment if she will review the policy on land owned by Invest NI which is being sought either for purchase or long-term lease by companies offering to open new stores in areas of high unemployment.

**(AQW 2236/11-15)**

**Mrs Foster:** Invest NI land is held exclusively in support of approved economic development projects brought forward by qualifying businesses.

These businesses have a strong focus on export markets and are in the manufacturing and tradeable services sectors. Invest NI will prioritise its limited resources on these sectors.

Sectors such as retail, which have Northern Ireland as their principal market place, do not fall within the agency's remit.

## **Food Production Industries**

**Dr McDonnell** asked the Minister of Enterprise, Trade and Investment what plans she has to expand food production industries.

**(AQW 2287/11-15)**

**Mrs Foster:** The food and food and drinks processing industry in Northern Ireland is very important to our economy, generating significant external sales and employment. In 2010 the industry continued to make the biggest contribution to Northern Ireland's manufacturing sector accounting for 23.8% of total manufacturing sales, an increase of 1.9%. Turnover also increased from £3.4billion in 2009 to £3.7billion in 2010 representing a growth of 8.3% with £2.4billion sales external to Northern Ireland. Employment levels and average wages and salaries also increased.

As the economic development and policy department, DETI, through Invest Northern Ireland, recognises the importance of this sector and continues to support growth in the industry through financial investment and non-financial support. Between 1st April 2010 and the 31st March 2011 Invest NI offered £8.2m of assistance to companies within the food and drinks sector, contributing towards £62m of investment commitments within the local economy. Last year I also launched the Short Term Employment Scheme in response to the economic downturn and specifically prioritised the food processing sector within that scheme to offer support for generating additional employment in the sector. Support through this scheme is ongoing.

Collaboration across government departments is essential in supporting this industry, and alongside my department DETI, DARD and DEL also have a role to play in developing the industry. Additional capital support is available to the industry through the Processing & Marketing Grant Scheme which is administered by DARD. It is a well known scheme within the food and drinks sector and my Department through Invest NI promotes this scheme to client companies, appraises project applications and monitors business performance after approval. We are currently working alongside DARD on over 70 project applications received in May of this year.

Strategically the development of the industry is directed by the 'Focus on Food' strategy developed and agreed by DETI/Invest NI, DARD, DEL and the Industry Advisory Panel. 'Focus on Food' provides a shared vision for a thriving, successful and sustainable food industry in Northern Ireland. The strategy recognises the importance of innovation, skills development and export markets to the future success

of the agri-food sector. These points are consistent with the key themes identified within the developing NI Economic Strategy.

In March 2010, I together with the former DARD Minister agreed the findings of a review of the delivery structures under 'Focus on Food' including the recommendation for the appointment of an independent Chair to a newly established Food Strategy Board. I and the current DARD Minister have agreed the terms for this appointment and arrangements for recruitment to this post are well underway. In addition to the Chair the new Food Strategy Board will consist of six industry members representing both primary producers and processors, and six government officials. One of the roles of this new Food Strategy Board will be to refresh the current 'Focus on Food' strategy, developing a longer-term five-year vision for the industry, both on the primary side which DARD is responsible for and on the processing side which my Department is responsible for.

In summary I am committed to working with the industry and other Government departments to continue to support and develop this important sector, which has a key role to play in strengthening Northern Ireland's economy.

## Energy Strategy

**Mr Allister** asked the Minister of Enterprise, Trade and Investment whether the authority for devising and implementing an energy strategy lies with her Department or the utility regulator; and for her assessment of how satisfactory this arrangement is.

**(AQW 2301/11-15)**

**Mrs Foster:** Energy policy is the responsibility of DETI. The Utility Regulator is responsible for regulation of the energy industries. However, delivery of strategic energy policy demands partnership between all relevant bodies including the Utility Regulator and Consumer Council, as well as those in industry and the wider energy sector.

## Energy: Common Arrangements for Gas

**Mr Allister** asked the Minister of Enterprise, Trade and Investment for her assessment of the proposal detailed in the Common Arrangements for Gas consultation that responsibility for the costs of the unused IC2 pipeline should be shared; and whether she can give an assurance that this position will not arise.

**(AQW 2302/11-15)**

**Mrs Foster:** The consultation by the Republic of Ireland's Commission for Energy Regulation on Regulatory Treatment of the Bord Gáis Éireann Interconnectors with Great Britain was not part of Common Arrangements for Gas (CAG) policy consultation and the cost of maintaining them is not part of the CAG project.

## Fracking

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what chemicals are used in the process of fracking.

**(AQW 2318/11-15)**

**Mrs Foster:** The composition of fracturing fluids used depends on the geological conditions. The main constituents are water and proppant (sand) but chemical additives may be used to improve the performance of the fracturing operation and subsequent gas flow by cleaning the casing perforations, inhibiting the growth of bacteria, altering the fluid viscosity and preventing precipitation of chemical compounds. In Northern Ireland, Tamboran Resources have stated their intention not to use any chemicals additives in their fracking fluids.

## Fracking

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what financial assistance her Department provides to companies which are involved in fracking.

**(AQW 2319/11-15)**

**Mrs Foster:** My Department does not provide any financial assistance to companies involved in fracking.

## Fracking

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what qualifications or licences do companies need before they can undertake fracking.

**(AQW 2320/11-15)**

**Mrs Foster:** In order to undertake hydraulic fracturing a company would need to hold, or to be working under contract to a company that holds, a petroleum licence. The petroleum licensee must obtain approval from DETI to carry out their drilling operations, which would be dependent on the company obtaining all other permissions needed, including those from Planning Service, NIEA and HSENI. When submitting a drilling application the petroleum licensee must also nominate an Operator, to be approved by DETI, who should have the qualifications and experience appropriate to the proposed operations, as should any contractors or sub-contractors employed by the licensee.

## Firmus Energy

**Mr Nesbitt** asked the Minister of Enterprise, Trade and Investment for her assessment of how effective regulation of the gas industry can result in Firmus Energy operating two tariffs for their gas, depending on the geographic location of the customer.

**(AQW 2328/11-15)**

**Mrs Foster:** firmus energy supplies gas within two separate licensed areas in Northern Ireland and has priced their product according to the different nature of these two gas markets.

In the '10 towns' licensed area which includes Londonderry, Limavady, Coleraine, Ballymena, Ballymoney, Antrim, Craigavon, Banbridge, Armagh, and Newry, firmus energy currently holds exclusive rights to develop a new gas market. In this area, oil represents the company's main competition and its gas tariffs are subject to scrutiny by the Utility Regulator to ensure that they are fair and reasonable.

firmus energy is a recent entrant to the more mature 'Greater Belfast and Larne' gas market in which Phoenix Supply is the incumbent gas supplier. firmus' final gas tariffs in this area are not regulated, as the need to be competitive against the regulated tariffs of Phoenix effectively sets the company's prices.

## MTV Europe Music Awards

**Mr Hilditch** asked the Minister of Enterprise, Trade and Investment how much revenue the MTV Europe Music Awards event in Belfast is expected to generate.

**(AQW 2353/11-15)**

**Mrs Foster:** It is forecast that hosting the 2011 MTV Europe Music Awards (EMAs) will generate £10m to the local economy.

In addition, it is estimated that worldwide media coverage of the EMAs will generate £10m worth of PR.

The Awards will attract approximately 20,000 visitors with 25% coming from outside Northern Ireland and bring significant economic, social and tourism benefits to Northern Ireland in the longer term.



## Tackling Violence at Home

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether her Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if her Department will meet the target implementation date of December 2011.

**(AQW 2437/11-15)**

**Mrs Foster:** The Department of Enterprise, Trade and Investment is not a member of the Inter-Departmental Group tasked with implementing the Action Plan.

## Infatrata PLC and eCORP Oil and Gas UK Ltd

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment to provide further details of the work programme of Infatrata PLC and eCORP Oil and Gas UK Ltd in years one and two, as outlined in the licence PL1/10.

**(AQW 2459/11-15)**

**Mrs Foster:** The work programme for years one and two of PL1/10 is to:

- i) Acquire, re-process and interpret 32km of existing 2D seismic reflection data.
- ii) Acquire, process and interpret 250km of new 2D seismic reflection data.
- iii) Carry out regional studies to include seismic mapping of source rocks, facies mapping of reservoir rocks, petroleum system modelling including structural development of identified leads.
- iv) Review the unconventional gas potential of the licence area.
- v) Review options for development and integration with infrastructure.

The primary objective is to identify conventional Permo-Triassic oil and gas targets similar to those hosting the Morecambe gasfields.

## Tourism: North Coast

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether any work is being undertaken with Donegal County Council or the Irish Government to develop joined-up marketing of the north coast and to ensure that we can benefit from the tourists who visit Donegal each year.

**(AQW 2477/11-15)**

**Mrs Foster:** Under the tourism theme of the Interreg IVA programme, DETI is providing support of £1.0m (€1.1m) towards the £6.6m (€7.4m) Sail West programme, with a further £3.5m (€4m) to support the £7.3m (€8.2m) Gobbins/Slieve League project. Both of these projects involve Donegal County Council as a lead partner.

The Sail West project will see the joint marketing of the marine tourism offering across the west coast of Scotland, the north west of Northern Ireland and the northern coast of the Republic of Ireland.

A joint marketing plan for the Gobbins/Slieve League project will include arrangements to bring to market these iconic coastal attractions in Counties Antrim and Donegal. It is envisaged that Gobbins and Slieve League will act both as significant visitor attractions in their own right and as new anchor points to a coastal touring route designed to attract more visitors to Northern Ireland.

Tourism Ireland continues to promote Northern Ireland overseas as part of its extensive global destination marketing programme. Tourism Ireland works closely with the Derry Visitor and Convention Bureau (DVCB).

## Fuel Poverty

**Mr McKay** asked the Minister of Enterprise, Trade and Investment what action she has taken to encourage the home heating oil industry to support people in fuel poverty, such as the introduction of 'pay as you go' cards.

**(AQW 2615/11-15)**

**Mrs Foster:** DETI does not have a statutory remit for the oil supply chain. However, I am alert to concerns about the cost of home heating oil, especially for those on low incomes and would support advice from the oil industry that consumers shop around for oil prices.

Budgeting options are available using pre-payment methods, such as PayPoint through 500 outlets across Northern Ireland, direct debit, stamps or individual distributor schemes. I would encourage consumers to ask their local supplier what credit terms or pre-payment methods are on offer to ensure a regular supply of oil is always available.

## Corporation Tax

**Mr Durkan** asked the Minister of Enterprise, Trade and Investment for her assessment of the impact that a delay in the lowering of Northern Ireland's Corporation Tax rate could have on our ability to attract inward investment and new business start-ups.

**(AQO 435/11-15)**

**Mrs Foster:** The biggest impact of any delay in lowering corporation tax will be on attracting Foreign Direct Investment, FDI.

The recent report produced by my Economic Advisory Group highlights the positive impact of corporation tax on FDI and the wider economy, and this can be used to gauge the costs of any delay in devolving corporation tax to Northern Ireland.

My Department will shortly complete research that sets out the extra FDI we might have attracted, in the past, had lower corporation tax been available.

While issues around the timetable for devolving Corporation Tax varying powers, pre-announcement, phasing and also the loss of Regional Aid are all related issues, nevertheless, these research reports should offer Members a good indication of the cost of any undue delay.

## Invest NI Land Bank in the Foyle Constituency

**Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment to outline the current status of the InvestNI Land Bank in the Foyle constituency, including any reserves, the number of sites and their value.

**(AQW 2653/11-15)**

**Mrs Foster:** Invest NI's land is held in support of economic development projects brought forward by qualifying businesses with an approved business case and immediate property need.

Within the Foyle Constituency the agency holds approximately 414 acres across 6 business parks. Whilst a significant proportion of this has been developed and is occupied by businesses there remains approximately 104 acres available to qualifying businesses.

Invest NI employs a long term strategy in respect of its land holding and does not hold land in reserve.

The table attached at Annex A provides information in respect of Invest NI's land holding, the amount of available land and its valuation broken down by industrial estate.

**Annex A**

<b>Industrial Estate</b>	<b>Land Holding (Acres)</b>	<b>Land Availability (Acres)</b>	<b>Valuation (£) as at 31 March 2011*</b>
Campsie	244.52	61	3,360,000
Skeoge	75.18	32.4	3,170,000
Maydown	66.34	11.07	1,007,500
Springtown	26.23	0	N/A
Lenamore	0.92	0	N/A
Culmore	0.69	0	N/A
<b>Total</b>	<b>413.88</b>	<b>104.47</b>	<b>7,537,500</b>

\* An asset valuation exercise on all Invest NI property is undertaken by DFP Land and Property Services (LPS) on an annual basis. Indicative per acre valuations are also undertaken by LPS which reflect the restrictive covenants contained within the 999 year lease offered by Invest NI.

**Broadband: Mayobridge and Saval**

**Mrs McKevitt** asked the Minister of Enterprise, Trade and Investment for her assessment of broadband services in the Mayobridge and Saval areas of Co.Down; and whether she has any plans to improve the service.

**(AQW 2709/11-15)**

**Mrs Foster:** The telecoms market is fully privatised and independently regulated. My assessment is based on the impact of investments made by my department. It may be the case that the private sector has made other investments that I am not aware of which impact on services in this area.

Due to an investment made by my department, since December 2005 broadband services with download speeds of at least 512kilobits per second (Kbps) have been available across all of Northern Ireland including in the Mayobridge and Saval areas of County Down. These services are delivered by a range of local, national and international suppliers using a number of technologies.

In December 2009, DETI embarked on the Next Generation Broadband Project which will bring higher speed broadband services to at least 85% of businesses across NI. This Programme for Government project has a business focus. However wholesale arrangements set down under the contract mean that other service providers can use the BT infrastructure to deliver their own products, which may also include services aimed at residential consumers. Details of where these upgrades are located can be found at [www.fasterbroadbandni.com](http://www.fasterbroadbandni.com) or [www.nibroadband.com](http://www.nibroadband.com).

Due to distance from a cabinet or an exchange, not all premises will benefit from the technology deployed under the Next Generation Broadband Project. For that reason, DETI also has a contract in place with Avanti Communications, a satellite broadband provider, to ensure that broadband services of between 512Kbps and 3 Mbps are available to all premises in NI where it is not technically or economically possible to deliver fixed-line services.

Furthermore, the NI Broadband Fund, launched in August 2008, has provided support for businesses and organisations wishing to promote solutions for delivery of commercial, high speed broadband services in rural locations. Six calls for project applications have been issued under the Fund since its inception. As well as advertising in the press, Departmental officials alert the Chief Executives and Economic Development Officers in all District Councils when Calls are issued, providing them with an opportunity to work with local service providers to develop applications seeking support for localised broadband solutions. To date no projects have come forward in relation to the Mayobridge or Saval areas.

## Go For It Programme

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment if she can give a commitment that no jobs will be lost following InvestNI's decision not to award the contract for the Go For It Programme to Enterprise Northern Ireland.

**(AQO 426/11-15)**

**Mrs Foster:** The award of the contract for the new Business Start Programme was a commercial procurement decision carried out in line with public procurement guidelines.

Both Enterprise Northern Ireland and the Local Enterprise Agencies would have been aware that any future contracts would be subject to a public procurement exercise and therefore no level of work could be guaranteed beyond the term of their existing contract.

As the process is now subject to a legal challenge, it would be inappropriate for me to comment further on the tender process or award decision.

## Manufacturing

**Mr S Anderson** asked the Minister of Enterprise, Trade and Investment what steps she is taking to help manufacturers to identify new markets.

**(AQO 433/11-15)**

**Mrs Foster:** Invest NI has enhanced its range of solutions aimed at helping Northern Ireland based companies to identify new export markets. This has included new in-market representation in Brazil, Canada, Russia, Saudi Arabia and South Africa which builds on the existing representation in China, Germany, India, United Arab Emirates and the USA. Such resource is used to help companies look at the potential export opportunities in those markets.

## Marble Arch Caves Global Geopark

**Mr Lynch** asked the Minister of Enterprise, Trade and Investment what action she has taken to promote and enhance the profile of the Marble Arch Caves Global Geopark.

**(AQO 434/11-15)**

**Mrs Foster:** The Geological Survey of Northern Ireland, GSNI, promotes and supports the Geopark both locally and internationally, having presented it to member states of UNESCO and at meetings worldwide. GSNI ensures that the international profile of the Geopark worldwide. Tourism Ireland and the Northern Ireland Tourist Board also feature the Marble Arch Caves Global Geopark as part of their extensive marketing programmes.

## Shankill Tourism

**Mr Humphrey** asked the Minister of Enterprise, Trade and Investment if she will continue to support the development of Shankill Tourism.[R]

**(AQO 436/11-15)**

**Mrs Foster:** The Northern Ireland Tourist Board, NITB, has provided support for the Greater Shankill Partnership to develop and operate a Local Information Office on the Shankill Road.

This successful initiative is in its third year of operations and NITB will continue to monitor and evaluate its performance against visitor numbers and income generation targets, and provide support until the end of March 2012.

## Air Passenger Duty

**Mr I McCrea** asked the Minister of Enterprise, Trade and Investment to outline the impact that no reduction in Air Passenger Duty could have on business and the tourism industry.

**(AQO 437/11-15)**

**Mrs Foster:** Air Passenger Duty impacts on all business sectors and in particular on long haul flights which are important for Foreign Direct Investment and tourism. The Chancellor of the Exchequer's announcement on X 2011 of a reduction in the rate of APD applied to direct flights operating to Band B destinations from Northern Ireland airports is very welcome and sends a positive message that Northern Ireland is a viable long haul destination.

Furthermore, the Coalition Government's decision to commence the process of devolving APD to Northern Ireland sends a clear message that we are determined to do everything in our power to build confidence in and grow our economy.

### **Invest NI: Carrickfergus**

**Mr Hilditch** asked the Minister of Enterprise, Trade and Investment what work is being undertaken by InvestNI in Carrickfergus to help indigenous companies and to attract new investment into the area.  
**(AQO 438/11-15)**

**Mrs Foster:** Invest NI works with a wide range of businesses in Carrickfergus to help them start, develop and grow internationally. Support for new business starts is available in three key areas; business start up advice; business start-up finance for those new businesses that intend to export their goods or services outside Northern Ireland, and; specialist support for those new high-technology companies that have the potential for rapid growth and substantial sales outside Northern Ireland. Between 2008 and 2011, Invest NI helped almost 100 new businesses start in the borough

For established small businesses, Invest NI has structured its support around a number of key areas including strategy development, finance, people and skills, energy efficiency, product development, research and development and selling outside Northern Ireland. In the last three years, 133 offers of support were issued to established locally-owned companies in Carrickfergus such as Advanced Sensors, Pollock Lifts and NK Fencing. This assistance will generate total investment in the borough of over £5 million.

Invest NI continues to work with potential investors and encourages them to consider a variety of potential locations within Northern Ireland including Carrickfergus however, it is important to emphasise that it is the investor's decision to select a business location. This is based on a number of factors, including availability of skills and workforce, transport links and availability of suitable property. Between 2008 and 2011, Invest NI has supported significant inward investment projects in Carrickfergus by companies such as Ryobi and ZST. Almost £4 million of support has been offered to externally-owned companies in the borough, generating total investment of over £57 million and promoting nearly 200 new jobs.

### **Renewable Heat Incentive**

**Mr Frew** asked the Minister of Enterprise, Trade and Investment, following the consultation on the Renewable Heat Incentive, what action she will take to progress this issue.  
**(AQO 439/11-15)**

**Mrs Foster:** The consultation period on the Renewable Heat Incentive proposals closes today. I will now consider the comments and evidence received from respondents before beginning the development and implementation of a final policy position.

This work will be taken forward as quickly as is practical, for I am committed to the development of the Northern Ireland renewable heat market.

### **Investment: Ballymoney**

**Mr Storey** asked the Minister of Enterprise, Trade and Investment what steps she will take during this Assembly term to promote investment in Ballymoney.  
**(AQO 440/11-15)**



**Mrs Foster:** Invest NI works with a wide range of businesses in Ballymoney to help them start, develop and grow internationally. Support for new business starts is available in three key areas; business start up advice; business start-up finance for those new businesses that intend to export their goods or services outside Northern Ireland, and; specialist support for those new high-technology companies that have the potential for rapid growth and substantial sales outside Northern Ireland. Between 2008 and 2011, Invest NI helped almost 120 new businesses start in the borough

For established small businesses, Invest NI has structured its support around a number of key areas including strategy development, finance, people and skills, energy efficiency, product development, research and development and selling outside Northern Ireland. In the last three years, 86 offers of support were issued to locally-owned companies in Ballymoney such as KBB Doors, JMF Ltd and Woodland Kitchens and Furniture. This assistance will generate total investment in the borough of almost £3 million.

Invest NI continues to work with potential investors and encourages them to consider a variety of potential locations within Northern Ireland including Ballymoney however, it is important to emphasise that it is the investor's decision to select a business location. This is based on a number of factors, including availability of skills and workforce, transport links and availability of suitable property.

## Department of the Environment

### DOE: Special Adviser

**Mr Allister** asked the Minister of the Environment whether his Special Adviser is paid within Band A or Band B of the Department of Finance and Personnel's salary scale; and, if it is within Band B whether, in light of the DFP decision to increase the upper limit of the Band B scale to £90,000, there has been an increase in salary or an increase is planned.

**(AQW 2037/11-15)**

**Mr Attwood (The Minister of the Environment):** The salary of the Special Adviser in the Department of the Environment falls within Pay Band B. I have noted the revalorised pay bands provided by the Department of Finance and Personnel; that no increase has been made to the Special Advisor's salary.

### Belfast Metropolitan Area Plan

**Mr Easton** asked the Minister of the Environment for an update on the Belfast Metropolitan Area Plan.  
**(AQW 2050/11-15)**

**Mr Attwood:** The BMAP Public Inquiry concluded in May 2008, and since this time the Planning Appeals Commission (PAC) has been considering all the information before it prior to completing its report and making its recommendations.

To date, the PAC has delivered several parts of their report to my Department, including the part relating to Strategic Retail Issues (received in January 2009), the part relating to the Strategic Plan Framework (received in March 2011), and the reports on Belfast, Lisburn and Castlereagh Districts (received in July 2011). The Reports on Carrickfergus, North Down and Newtownabbey Districts remain outstanding together with the report on the proposals in the Lagan Valley Regional Park.

The delay in the receipt of the Report in its entirety has inevitably impacted on the process of adopting BMAP. The original timescale for the delivery of the PAC Report was early summer 2010. The Commission, however, stated that due to the number of objections and the complexity of the issues that they raise, it would not be possible to meet this timescale.

Senior officials from my Department have been liaising with the PAC to stress the urgency of receiving a completed report as soon as possible to allow BMAP to be progressed to adoption.

This and similar experiences mean that too often in too many places, plan led development does not occur. Reforms to the development plan system aim to reduce the length of the overall development

plan preparation process. The Planning Act (Northern Ireland) 2011 also allows for the commencement of the plan led system which will result in better planning, development and certainty for applicants.

## Advertising Illegally in Public Spaces

**Mr Craig** asked the Minister of the Environment what action has been taken in each of the last five years against businesses that have used illegal forms of advertising in public spaces, such as fly-posting on road signs.

**(AQW 2121/11-15)**

**Mr Attwood:** District councils take action under Article 18 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 to remove or obliterate any placard or poster displayed in contravention of the Planning (Control of Advertisements) Regulations (Northern Ireland) 1992. However, the Department does not hold details of the extent of such action taken by district councils over the last five years.

The Department enforces advertisement control under Article 84 of the Planning (Northern Ireland) Order 1991. However, while the Department can take action against the landowner, occupier or person benefiting from an illegal advertisement, it must be in a position to identify the person responsible and have sufficient evidence to prove that they displayed it. It is defence for an alleged offender to prove that the advertisement was displayed without their knowledge or consent.

Also, in many cases, the Department only becomes aware that fly posting has taken place after the event, and it has proved difficult to obtain the required evidence to pursue a prosecution, particularly in tracing the person who posted the advertisement.

The number of cases involving the unauthorised display of advertisements investigated by the Department during the 2009/10, 2010/11 and 2011/12 business years is set out in the table below.

Breach Type	09/10	10/11	11/12 to date
Advertising	56	124	141

It is important to note that the vast majority of breaches of planning control are resolved informally through negotiation with the owner/occupier or through the submission and consideration of a retrospective planning application.

I have been advised by the Minister for Regional Development, Danny Kennedy MLA, that, where advertising hoardings are erected illegally on his Department's property, action is taken by Roads Service to try and remove these under Article 87 of the Roads (NI) Order 1993. (This Article deals with advertisements, pictures, signs, etc. unlawfully affixed to the surface of a road, or any tree, structure or other works in or on a road. i.e. signs on Roads Service's property.)

Article 21(1) of the Roads (Northern Ireland) Order 1993 states that "any person who erects or exhibits or causes or permits to be erected or exhibited any advertisement or notice which is sited or designed wholly or mainly for the purpose of being visible to persons using a special road or which is likely to prejudice the safety of traffic using a special road shall be guilty of an offence and liable on summary conviction to a fine." The motorway and Westlink are examples of Special Roads.

Minister Kennedy has confirmed that, where an advertising hoarding is erected illegally on his Department's property or adjacent to special roads, action is taken by Roads Service to try and remove these under Articles 87 & 21 respectively of the Roads (NI) Order 1993. His Department may subsequently seek to recover costs as appropriate.

The Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 will strengthen the law in relation to illegal fly posting by:-

- providing district councils with the power to issue fixed penalty notices in respect of certain fly-posting offences;

- enabling councils to serve notices on statutory undertakers and the other owners of street furniture requiring them to remove fly-posters from their property;
- amending existing powers available to district councils to ensure that –
- the council can act more quickly to remove the fly-poster;
- the landowner or occupier, who in all likelihood is the victim of the fly-posting, is not responsible for the cost of removing it and that the cost is borne, where possible, by the person who committed the act of fly-posting or the person whose goods, trade, business or other concerns are publicised by it; and
- existing loopholes which allow the beneficiaries of fly-posting to avoid liability and to continue to benefit from free illegal advertising are closed.
- amending the defence currently available to the beneficiaries of fly-posting to make it more difficult for them to escape prosecution;
- providing councils with additional powers to gather information in relation to fly-posting offences.

### Non-governmental Organisations: Funding

Mr Kinahan asked Minister of the Environment to detail (i) each non-governmental organisation which has received funding from his Department in each of the last five years; (ii) how much funding was awarded for each scheme or programme; and (iii) the purpose of the funding in each case.

**(AQW 2128/11-15)**

**Mr Attwood:** The table below provides details of the funding disbursed by the Department to non-government organisations for the last five years and the purpose of the funding.

Non Government Organisation	Purpose of funding	2006/07 (£)	2007/08 (£)	2008/09 (£)	2009/10 (£)	2010/11 (£)
Architectural Heritage Fund	Built Heritage Grant	20,000	25,000	160,000	305,228	20,000
Alliance Youth Works	Natural Heritage Grant	0	0	0	0	21,665
An Creaghan	Natural Heritage Grant	0	0	0	0	27,270
Association of Prevention Trusts	Built Heritage Grant	6,818	7,500	0	15,075	10,000
Baglady Productions	Community Waste Innovation Fund	41,243	17,237	0	0	0
Belfast Hills Partnership	Natural Heritage Grant	71,549	82,800	84,873	89,560	70,130
Bryson House	Community Waste Innovation Fund	140,828	127,697	102,858	58,196	0
Butterfly Conservation NI	Natural Heritage Grant	34,307	40,555	50,084	48,486	58,629

<b>Non Government Organisation</b>	<b>Purpose of funding</b>	<b>2006/07 (£)</b>	<b>2007/08 (£)</b>	<b>2008/09 (£)</b>	<b>2009/10 (£)</b>	<b>2010/11 (£)</b>
Carntogher Community Association	Natural Heritage Grant	15,326	11,657	0	0	0
Causeway Coast & Glens Heritage Society	Natural Heritage Grant	92,894	93,104	149,771	154,849	143,751
Conservation Volunteers NI	Natural Heritage Grant	254,968	77,234	363,129	303,100	188,464
Conservation Volunteers NI	Community Waste Innovation Fund	87,859	0	0	0	0
Copeland Bird Observatory	Natural Heritage Grant	7,500	3,846	15,432	8,553	0
Countryside Recreation Network	Natural Heritage Grant	208,130	179,432	323,097	266,850	243,620
Creggan Education Research	Natural Heritage Grant	0	0	0	0	14,539
Derg Valley Care	Community Waste Innovation Fund	16,008	43,845	19,650	37,460	0
Earth Science 2000	Natural Heritage Grant	1,119	0	0	5,000	0
East Belfast Mission	Community Waste Innovation Fund	80,064	147,805	170,793	51,037	0
Eco Seeds Ltd	Natural Heritage Grant	14,841	0	0	0	0
Envirocentre	Community Waste Innovation Fund	61,269	50,668	42,063	0	0
Fermanagh Local Strategy	Natural Heritage Grant	12,865	2,813	0	0	0
Groundwork NI	Natural Heritage Grant	834	0	0	0	0
Killesher Community Development Association	Natural Heritage Grant	7,000	12,414	3,000	0	0
Limavady Community Development Initiative	Community Waste Innovation Fund	34,196	53,023	65,933	14,606	0

<b>Non Government Organisation</b>	<b>Purpose of funding</b>	<b>2006/07 (£)</b>	<b>2007/08 (£)</b>	<b>2008/09 (£)</b>	<b>2009/10 (£)</b>	<b>2010/11 (£)</b>
Marine Conservation Society Ltd	Natural Heritage Grant	7,409	14,202	3,890	19,283	18,000
Mourne Heritage Trust	Natural Heritage Grant	173,907	150,692	231,124	301,860	294,489
NI Environment Link	Natural Heritage Grant	144,960	136,068	249,960	181,541	209,992
NI Raptor Study Group	Natural Heritage Grant	0	0	0	0	4,985
Quarry Products Association	Natural Heritage Grant	16,959	22,404	3,690	2,100	4,200
Shopmobility Belfast	Natural Heritage Grant	0	17,821	19,488	49,475	0
Speedwell Project	Natural Heritage Grant	0	25,475	42,730	64,030	60,201
Sperrin Tourism Ltd	Natural Heritage Grant	8,411	0	0	0	0
Sustainable NI	Community Waste Innovation Fund	8,846	0	0	0	0
Talnoy Avian Care Trust	Natural Heritage Grant	10,644	32,548	6,244	48,208	30,618
Ulster Historic Churches Trust	Built Heritage Grant	3,000	0	0	0	0
Foyle Civic Trust	Built Heritage Grant	0	0	0	0	2,500
Old Belont School Preservation Trust	Built Heritage Grant	0	0	0	0	288,000
The National Trust	Natural Heritage Grant	216,169	549,849	640,757	132,651	216,247
The National Trust	Built Heritage Grant	100,530	290,286	91,394	127,675	10,220
The Royal Society for the Protection of Birds	Natural Heritage Grant	133,104	112,388	404,665	190,643	209,660
The Ulster Wildlife Trust	Natural Heritage Grant	202,859	285,314	199,021	318,402	213,593
The Wildfowl & Wetlands Trust	Natural Heritage Grant	0	0	83,771	107,400	131,320



<b>Non Government Organisation</b>	<b>Purpose of funding</b>	<b>2006/07 (£)</b>	<b>2007/08 (£)</b>	<b>2008/09 (£)</b>	<b>2009/10 (£)</b>	<b>2010/11 (£)</b>
The Woodlands Trust	Natural Heritage Grant	252,832	101,131	476,993	125,064	94,545
Tidy Northern Ireland	Litter Grant	140,762	117,000	97,000	100,847	77,006
Tidy Northern Ireland	Eco Schools Grant	0	0	22,700	23,082	36,802
Tidy Northern Ireland	Natural Heritage Grant	5,884	26,123	0	0	0
Ulster Architectural Heritage Society	Built Heritage Grant	31,053	43,360	52,633	43,027	26,220
Various Churches	Built Heritage Grant	312,219	394,867	696,730	476,814	963,210
Voluntary Services Lisburn	Community Waste Innovation Fund	91,103	165,803	163,564	8,155	0
Northern Ireland Bat Group	Natural Heritage Grant	304	0	0	1,728	966
Lough Macrory Community Development Association	Natural Heritage Grant	114,936	0	0	0	0
Disability Action	Raise awareness of disability access within the built environment.	161,000	185,000	185,000	182,000	80,000
Community Places	Services to community and voluntary groups and individuals in recognised disadvantaged areas.	154,900	159,050	177,000	177,000	88,500
Community Places	Part funding of purchase of new building.	125,000	0	0	0	0

Non Government Organisation	Purpose of funding	2006/07 (£)	2007/08 (£)	2008/09 (£)	2009/10 (£)	2010/11 (£)
THI - Antrim	The Townscape Heritage Initiative (THI) grant programme focuses on designated Conservation Areas and aims, in partnership with the public, private and voluntary sectors, to secure the long-term future of the built heritage.	30,932	10,000	0	0	0
THI - Bushmills THI Partnership		0	0	8,805	0	49,877
THI - Canal Street Heritage Initiative		71,965	58,273	23,304	0	0
THI - Carnlough		11,602	0	0	0	0
THI - Dungannon		0	7,000	0	0	0
THI - Lisburn City Centre Management Ltd		0	39,875	20,000	5,000	20,927
THI - Lurgan Forward		0	11,500	38,500	10,786	0
THI - Newtownstewart		0	25,000	0	0	0
THI - Randalstown		16,484	0	0	0	0
THI - Walled City Partnership Ltd		65,955	31,038	32,793	71,428	24,500
HEARTH	Purchase/improvement of buildings in Conservation Areas	50,000	0	0	0	0
PLACE	Core activity costs of the Built Environment Centre	5,000	0	0	0	0
PLACE	Part funding of salary of director	0	0	0	9,649	12,291
West Belfast Partnership Board	Funding of seconded member of staff	0	0	0	13,573	0
<b>Total</b>		<b>3,878,344</b>	<b>3,988,697</b>	<b>5,522,439</b>	<b>4,149,420</b>	<b>3,966,937</b>

### Local Government: External Consultants and Media Services

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 828/11-15 (i) for his assessment of local councils' spend on external consultants and external media services; and (ii) whether he intends to issue guidance on this expenditure.

**(AQW 2147/11-15)**

**Mr Attwood:** To facilitate our comparison of the relative spend of councils, the expenditure tables provided to you in answer to AQW 828/11-15 were recast to draw out council expenditure set against its population. The revised tables are provided below.

My officials then sought explanations from those councils above the average spend. They were advised that in relation to consultancy costs, the spend related mainly to the quantum of capital spend, along with HR related exercises, and feasibility studies carried out on promoting tourism and economic development in the area. Some expenditure included grant aided projects and this can be recouped.

With regard to external media services, the bulk of the expenditure related to promoting arts / festivals, tourist events, publications for ratepayers, economic development, job vacancies, press notices about tenders and provision of services.

It is worthy of note that overall council spend in both of the categories has reduced over the last three years – consultancy by 32.6% in 2010/11 compared to 2008/09 and external media spend by 10.4% over the same period.

One exception to this generally decreasing trend is Craigavon Borough Council. I am advised that this council's expenditure relates to capital projects amounting to approximately £37m and to costs associated with major refurbishment of streets and footpaths in Lurgan and Portadown town centres. Other expenditure relates to developing the Community Integrated Development Framework within the Craigavon Area Plan as well as for economic development programmes in the area.

The figures that have been produced require further interrogation and I shall work with officials to drill down and to determine what further action might then be necessary. The ICE programme which is being taken forward by DOE/NILGA/SOLACE can also produce opportunities for better spend and value. It should be noted that district councils are bodies corporate as defined in legislation and that the Department has no statutory powers to intervene as long as councils operate within the legislative provisions. As there is no suggestion that this is the case in either of these matters, it would not be appropriate for the Department to issue such guidance.

#### **AQW 2147 11-15 EXTERNAL CONSULTANCY**

<b>Council</b>	<b>2008/2009 £</b>	<b>2009/2010 £</b>	<b>2010/2011 £</b>	<b>Total Expenditure £</b>	<b>Expenditure Per Head of Population 2008/2011</b>
Newtownabbey	1,052,810	909,929	361,778	2,324,517	27.87
Armagh	572,459	704,523	222,358	1,499,340	25.49
Down	664,966	401,870	583,546	1,650,382	23.48
Belfast	2,393,000	1,783,000	1,312,000	5,488,000	20.45
Craigavon	357,279	559,931	833,113	1,750,323	18.95
Newry & Mourne	674,621	465,774	470,831	1,611,226	16.32
Coleraine	270,655	234,654	203,754	709,063	12.42
Strabane	158,589	97,001	95,986	351,576	8.82
North Down	205,000	233,000	214,000	652,000	8.19
Derry	193,656	445,820	228,160	867,636	7.91
Ards	246,004	276,793	92,976	615,773	7.88
Antrim	106,624	136,096	91,312	334,032	6.18
Omagh	144,974	89,390	85,382	319,746	6.10

<b>Council</b>	<b>2008/2009 £</b>	<b>2009/2010 £</b>	<b>2010/2011 £</b>	<b>Total Expenditure £</b>	<b>Expenditure Per Head of Population 2008/2011</b>
Ballymena	109,636	123,620	121,293	354,549	5.61
Moyle	43,803	41,156	10,037	94,996	5.61
Carrickfergus	135,124	44,705	35,874	215,703	5.38
Banbridge	90,094	78,119	75,562	243,775	5.13
Fermanagh	108,720	100,030	109,571	318,321	5.10
Magherafelt	129,842	49,107	40,365	219,314	4.96
Larne	71,597	33,447	28,643	133,687	4.25
Lisburn	210,844	105,688	145,852	462,384	3.97
Ballymoney	39,012	23,787	30,147	92,946	3.05
Limavady	30,950	54,704	14,126	99,780	2.94
Cookstown	54,933	28,496	21,178	104,607	2.88
Dungannon	74,793	23,056	31,593	129,442	2.29
Castlereagh	13,056	21,137	34,726	68,919	1.03
<b>Total</b>	<b>8,153,041</b>	<b>7,064,833</b>	<b>5,494,163</b>	<b>20,712,037</b>	<b>11.58</b>

**AQW 828 11-15 EXTERNAL MEDIA**

<b>Council</b>	<b>2008/2009 £</b>	<b>2009/2010 £</b>	<b>2010/2011 £</b>	<b>Total Expenditure £</b>	<b>Total Expenditure Per Head of Population</b>
Strabane	154,936	131,429	154,834	441,199	11.07
Belfast	849,000	732,000	497,000	2,078,000	7.74
Craigavon	179,878	225,026	264,086	668,990	7.24
Down	168,349	154,276	155,561	478,186	6.80
Cookstown	92,603	66,212	68,172	226,987	6.26
Ards	175,653	157,076	139,981	472,710	6.05
Newtownabbey	150,099	165,232	187,896	503,227	6.03
Fermanagh	147,231	127,356	79,520	354,107	5.68
Banbridge	82,551	76,746	77,940	237,237	4.99
Magherafelt	80,772	79,654	53,083	213,509	4.83
Carrickfergus	71,492	49,753	68,681	189,926	4.73
Castlereagh	93,649	100,408	118,681	312,738	4.69
Lisburn	109,618	194,785	163,030	467,433	4.01
Moyle	12,226	14,662	22,362	49,250	2.91

<b>Council</b>	<b>2008/2009 £</b>	<b>2009/2010 £</b>	<b>2010/2011 £</b>	<b>Total Expenditure £</b>	<b>Total Expenditure Per Head of Population</b>
Larne	27,560	29,350	31,695	88,605	2.82
Ballymena	22,303	51,916	63,044	137,263	2.17
Armagh	18,354	68,000	30,255	116,609	1.98
North Down	33,000	23,000	27,000	83,000	1.04
Ballymoney	8,696	5,980	6,037	20,713	0.68
Newry & Mourne	6,310	7,160	7,310	20,780	0.21
Derry	5,020	960	12,420	18,400	0.17
Coleraine	3,170	661	3,967	7,798	0.14
Antrim	0	1,325	0	1,325	0.02
Dungannon	0	0	0	0	0.00
Limavady	0	0	0	0	0.00
Omagh	0	0	0	0	0.00
<b>Total</b>	<b>2,492,470</b>	<b>2,462,967</b>	<b>2,232,555</b>	<b>7,187,992</b>	<b>4.02</b>

### **Strabane District Council**

**Mr Campbell** asked the Minister of the Environment whether he can confirm that the recent decision by Strabane District Council to appoint a temporary replacement for the current Chief Executive was carried out in accordance with the appropriate guidelines.

**(AQW 2172/11-15)**

**Mr Attwood:** Yes, the decision was carried out in accordance with the appropriate guidelines and endorsed by the Local Government Staff Commission which has a related statutory responsibility.

### **Planning: Golf Resort at Bushmills**

**Mr D McIlveen** asked the Minister of the Environment (i) when he expects the planning application for the new golf resort at Bushmills to be processed; and (ii) what action his Department is taking to ensure that there will be no further delays.

**(AQW 2227/11-15)**

**Mr Attwood:** I have instructed planning officials to bring forward papers on the planning application for the Golf Resort at Runkerry Bushmills and to do so by the end of November 2011. It is my view that all issues around this application have been or are being exhaustively interrogated. I believe it is time to make a decision and I plan to do so. I will carefully weigh all relevant material considerations – environmental, World Heritage Status at the Giant's Causeway, economic benefits and others – in making the decision.

My officials have liaised closely with the agents for the application to agree a timeframe to ensure that all outstanding environmental information was submitted to the Department in good time to allow for appropriate advertising and consultation under the Planning (Environmental Impact Assessment) Regulations 1999. Further Environmental Information was submitted on 27 September 2011 and will be advertised in the week beginning 4 October 2011. Four weeks is allowed under the Regulations for further representations to be made. My officials have been instructed to actively manage and progress



the consideration of the application, taking account of all issues, to ensure that a recommendation is brought to me before the end of November 2011 for my decision on the proposals.

### **Local Government: Ministerial Visits**

**Mr Weir** asked the Minister of the Environment which local councils he has visited since taking up office.  
**(AQW 2240/11-15)**

**Mr Attwood:** Since taking up office, I have visited two local councils; Omagh District Council on 23 August 2011 and Newry & Mourne District Council on 31 August 2011.

I have had a series of meetings with NILGA, NAC, Council Procurement groups and other groups including Local Government representatives and management.

### **Planning: Runkerry Development, Bushmills**

**Mr Storey** asked the Minister of the Environment when he will make an announcement on his decision on the proposed Runkerry development, Bushmills.  
**(AQW 2455/11-15)**

**Mr Attwood:** I have instructed planning officials to bring forward papers on the planning application for the Golf Resort at Runkerry Bushmills and to do so by the end of November 2011. I believe it is time to make a decision and I plan to do so. I will carefully weigh all relevant material considerations – environmental, World Heritage Status at the Giant's Causeway, economic benefits and others – in making the decision.

My officials have liaised closely with the agents for the application and have now agreed a timeframe that will allow for all the outstanding environmental information to be advertised and consulted upon in accordance with the Planning (Environmental Impact Assessment) Regulations 1999. Further Environmental Information was submitted on 27 September 2011 and will be advertised in the week beginning 4 October 2011. Four weeks is allowed under the Regulations for further representations to be made. My officials have been instructed to actively manage the remaining application process in order to ensure that a recommendation is brought to me before the end of November 2011.

### **Marine Bill**

**Mr D McIlveen** asked the Minister of the Environment when the Marine Bill will be introduced.  
**(AQW 2515/11-15)**

**Mr Attwood:** I am committed to bringing forward the Marine Bill at the earliest opportunity.

As currently drafted, the Marine Bill provides for marine spatial planning, for the streamlining of certain energy licences, and for conservation zones to help protect habitats and species.

The full benefits of these can be realised only if they are implemented in an integrated and independent way. I therefore intend to strengthen the Bill through provisions for a Marine Management Organisation.

Proposals for this organisation are currently being developed and I will outline the timetable for introduction following consideration of these proposals by the Executive.

### **National Parks**

**Mr McCallister** asked the Minister of the Environment how he will ensure that any future National Parks legislation will reflect the concerns of residents in the affected areas.  
**(AQO 476/11-15)**

**Mr Attwood:** My Department has published a comprehensive consultation document on enabling legislation for national parks. The document envisages that legislative provisions should include specific consultation requirements for any proposal to designate an area as a national park.

There will therefore be ample opportunity for residents of any area that is proposed for designation to have their views heard.

### **Local Government: Review of Public Administration**

**Ms S Ramsey** asked the Minister of the Environment to provide a timeframe for the implementation of the Review of Public Administration proposals.

**(AQO 477/11-15)**

**Mr Attwood:** The First Minister and the Acting deputy First Minister have advised me that they have reached an understanding on the way forward with the reform of local government. I look forward to receiving their proposals, which I will carefully consider.

Of course, it is for me, as Minister of the Environment, to bring forward a comprehensive package of proposals to the Executive that embrace all key reform issues and are linked to a timeframe that serves the best interests of ratepayers.

I am fully committed to doing so, sooner rather than later, in order to provide the certainty that is required across local government and government Departments that propose to transfer functions to it.

### **Carrickfergus Castle**

**Mr Hilditch** asked the Minister of the Environment what action he is taking to promote Carrickfergus Castle to its full potential.

**(AQO 475/11-15)**

**Mr Attwood:** On behalf of the Department, the Northern Ireland Environment Agency (NIEA) promotes Carrickfergus Castle continually throughout each business year. This promotion includes working with other government departments, local government bodies, the public, tourists and schoolchildren alike. NIEA works in partnership with others to provide such civic events as the Lughnasa Celebrations and Armed Forces Day. NIEA will also continue to liaise with cruise ship companies and coach operators and, by prior arrangement and where practicable, open the Castle early or late to facilitate tour groups. NIEA works with local hotels and commercial concerns on pricing and sponsorship promotions, accepts bookings for the use of existing facilities as staff resources permit, and will continue to seek a partner to facilitate the use of the Keep for suitable events such as weddings, receptions and reunion dinners outside normal hours. NIEA has also developed a series of resources, which are available on the DOE website.

NIEA is currently examining the possibilities of working in partnership with NITB in order to update and enhance the interpretation of the Castle; has had positive contact with the MOD over the potential of a new build above the barrel-vaulted stores in which to house a museum of relevant military memorabilia; and is discussing other possibilities. A one-day conference to promote the castle and its conservation issues is to be held in Carrickfergus Town Hall on Friday 28 October 2011.

### **Environment: North/South Co-operation**

**Mrs D Kelly** asked the Minister of the Environment for an update on his plans for greater North-South cooperation across the environment policy agenda.

**(AQO 478/11-15)**

**Mr Attwood:** Since I took up office in May this year I have been looking at all opportunities for greater North South cooperation on environmental policy, both within the auspices of the North South Ministerial Council and on a bi-lateral basis on other areas of mutual interest which fall outside the NSMC framework.

The areas within the NSMC framework include

- Waste Management
- Cross-border movements of waste

- Water Quality and
- Environmental protection.

On waste management, there is potential for greater all-island cooperation to exploit economies of scale in the market for recycled materials, such as plastics. In many cases the island is losing valuable resources that could be used here, meaning that raw materials still have to be imported. The North South Market Development Group is looking at a number of potential initiatives that could be rolled out to develop all-island market opportunities.

On Water Quality there is an opportunity for greater cooperation to refocus on a range of important water quality issues of common concern and to build on the progress already made under the Water Framework Directive.

Outside the formal NSMC mechanisms I am keen to explore the opportunities for greater engagement on an all-island basis with the EU and this would undoubtedly increase the potential to drawdown significant EU funding.

There are already close relations at policy and operational levels between officials in the Department and their counterparts in the south on a wide range of environmental matters. I have urged them to ensure they look at all opportunities to enhance that co-operation.

### Single-use Carrier Bags

**Mr Ross** asked the Minister of the Environment when he will introduce a levy on single use carrier bags. **(AQO 479/11-15)**

**Mr Attwood:** My objective is to ensure that charging is underway by April 2013. However achievement of this target depends, of course, on the required legislation and the necessary operational arrangements being in place in advance of that date.

At present, Departmental officials are working on a detailed framework for the introduction of a carrier bag levy. The Member will also be aware that I am currently consulting on proposals for the levy. The consultation closes on 12 October 2011, and the outcome will help me determine implementation requirements. I will of course keep the Executive informed of key policy developments.

### Rivers: Pollution

**Mr S Anderson** asked the Minister of the Environment for an update on his efforts to address the number of prosecutions and amount of costs recovered following river pollution incidents. **(AQO 480/11-15)**

**Mr Attwood:** NIEA has a robust enforcement policy which compares favourably with that of other environmental agencies: such as the Environment Agency (EA) in England and Wales, or the Environmental Protection Agency (EPA) in the Republic of Ireland. Cost recovery, under the Water (Northern Ireland) Order 1999, for water pollution incidents was introduced on 1 April 2008.

Under NIEA's Enforcement Policy, appropriate enforcement action is pursued where a water pollution incident is of high or medium severity. Where the polluter can be identified, the range of enforcement action taken by NIEA includes:-

- prosecution
- issue of a notice requiring remedial or other action by the polluter
- breach under cross-compliance for farms (resulting in financial penalties)
- issue of a formal warning letter.

It is not always the case that such incidents result in significant costs for NIEA – for example the polluter will often voluntarily employ a specialist cleanup company and so there are no NIEA cleanup costs to be recovered.

Public Prosecution Service (PPS) will generally not allow a prosecution to proceed for less severe pollution incidents, therefore, NIEA does not spend valuable staff time preparing prosecution files for minor incidents which are unlikely to be allowed to proceed to court by PPS.

For this financial year to date, cost recovery for pollution incidents is over £40k. This includes the costs of NIEA staff time and materials recovered directly by NIEA from the polluter. Additional costs to the polluter will not show up in the costs recovered by NIEA.

Furthermore, NIEA will generally require the offender to carry out whatever repairs and take whatever measures are necessary to ensure the pollution problem does not recur. The total costs to the polluter for remedial work is in addition to any payment made direct to NIEA for clean up costs.

## Vehicle Tax

**Mr Hamilton** asked the Minister of the Environment if he will explore with the Driver and Vehicle Agency the possibility of making car tax renewals available online.

**(AQO 481/11-15)**

**Mr Attwood:** Vehicle licensing and registration is an excepted matter for which responsibility rests with the Secretary of State for Transport. However, it is administered in Northern Ireland by the Driver and Vehicle Agency (DVA) under the terms of a formal agreement between my Department and the Department for Transport, represented by the Driver and Vehicle Licensing Agency (DVLA) in Swansea.

Currently there are separate IT systems for delivering vehicle registration and licensing services in Northern Ireland and Britain and this has resulted in differences in the services available to NI customers, especially in relation to online facilities.

DVLA believes that the best way to make these services available in NI is through the integration of these separate IT systems and it has initiated a feasibility study to examine the potential for integrating the systems. An integrated system would extend online relicensing to NI customers.

Following correspondence and a meeting earlier in the year, I recently wrote again to Mike Penning the Parliamentary Under-Secretary of State at the Department for Transport about this issue. I plan to continue to press for the upgrading of services for NI motorists and protect DVA staff numbers.

## George Best Belfast City Airport

**Dr McDonnell** asked the Minister of the Environment what steps can be taken to manage noise levels around the George Best Belfast City Airport better.

**(AQO 482/11-15)**

**Mr Attwood:** On 30 September 2011 I announced the initiation of a public process to modify the existing Planning Agreement between my Department and GBBCA. The existing Agreement controls certain aspects of the airport's operations such as the number of aircraft movements, operating hours and the types of aircraft that can use the airport. However to date a bespoke noise management system has not been established.

My objective in seeking a further modification of the Agreement is to establish a fair, effective and enforceable noise management system at the airport. I want to see a system that provides operational flexibility and commercial certainty for the airport with the environment and quality of life for local residents protected.

The modification process will be transparent and inclusive. It will include a public consultation on proposals for a noise management system, to be brought forward by the airport. This will include a Public Examination to independently consider all of the issues and report to me. After I have considered the independent report and recommendations of the Examination I will decide what modifications should be included in the Planning Agreement.

It is hoped that the process will be concluded by early Summer 2012.

## Marine Bill

**Mr Lunn** asked the Minister of the Environment what progress has been made on the draft Marine Bill.  
(AQO 484/11-15)

**Mr Attwood:** As currently drafted, the Marine Bill provides for marine spatial planning, for the streamlining of certain energy licences, and for conservation zones to help protect habitats and species.

The full benefits of these can be realised only if they are implemented in an integrated and independent way. I therefore intend to include in the Bill provisions for a Marine Management Organisation. This will be a non-Departmental Public Body capable of delivering the range of marine operational functions which is currently fragmented across Departments. Proposals for this organisation are currently being developed.

## Planning Applications

**Mr Ó hÓisín** asked the Minister of the Environment what is the current number of planning applications awaiting approval and the average time taken to process an application.  
(AQO 485/11-15)

**Mr Attwood:** At the end of August 2011 there were 10,028 live planning applications awaiting a decision.

The average processing times for the 2010/11 business year are contained within the Development Management Statistics Northern Ireland 2010/11 Annual Statistical Bulletin (April 2010 to March 2011) which is publically available on the Department's website.

The average time taken to process a planning application in the 2010/11 business year was 77 days.

## Department of Finance and Personnel

### DFP: Arm's-length Bodies

**Mr Spratt** asked the Minister of Finance and Personnel to detail the cost to his Department of its arm's-length bodies in each of the last two years.  
(AQW 1946/11-15)

**Mr Wilson (The Minister of Finance and Personnel):** Earlier this year my Department undertook a review of the reporting classification of the bodies for which it has a degree of responsibility, in particular, to reassess whether the bodies were public bodies or arm's length bodies.

This review resulted in additional bodies being classified as arm's length bodies. The outcome of the review is reflected in a document entitled 'Bodies for Which DFP has a Degree of Responsibility' which is available on the Department's website <http://www.dfpni.gov.uk/bodies-which-dfp-has-degree-of-responsibility.pdf>

The arm's length bodies set out in the table below reflect the outcome of the review.

Arm's Length Body	Cost	
	2009-10 £'000s	2010-11 £'000s
NI Building Regulations Advisory Committee	5	2
Statistics Advisory Committee	-	-
Lands Tribunal for NI	292	498
NI Valuation Tribunal	30	50



<b>Arm's Length Body</b>	<b>Cost</b>	
	<b>2009-10 £'000s</b>	<b>2010-11 £'000s</b>
Public Service Commission for NI	82	78
Lay Observer for NI	23	26
Principal Civil Service Pension Scheme (NI) Governance Group	-	1

The Lands Tribunal for NI and the NI Valuation Tribunal transferred to the Department of Justice with effect from April 2011.

### **DFP: Special Advisers**

**Mr Allister** asked the Minister of Finance and Personnel why their Department requires eight Special Advisers compared to the number of Special Advisers in the Scottish Parliament and the National Assembly for Wales.

**(AQO 341/11-15)**

**Mr Wilson:** The number of Special Advisers in the Office of the First Minister and deputy First Minister is provided for by statute. Under the provisions of the Civil Service Commissioners (NI) Order 1999 the First Minister and deputy First Minister may each appoint up to three persons to hold, at any one time, a situation as a Special Adviser. The Civil Service Commissioners (Amendment) (Northern Ireland) Order 2007 provides that two junior Ministers in the Office of the First Minister and deputy First Minister may each appoint one person to hold a situation as a Special Adviser, if so authorised by the First Minister and the deputy First Minister.

The number of Special Advisers in the Office of the First Minister and deputy First Minister reflects the range and complexity of the work of that department and its co-ordinating role across all departments.

### **Vacant Business Premises**

**Mr Allister** asked the Minister of Finance and Personnel (i) how many business premises are currently vacant in (a) Ballymena; (b) Ballymoney; and (c) Ballycastle; (ii) how many premises in each of these towns are occupied by charities with rates exemption; and (iii) how do these figures compare with the figures from three years ago.

**(AQW 2441/11-15)**

**Mr Wilson:** Information on the number of business premises that are currently vacant in the towns of Ballymena, Ballymoney and Ballycastle is not available as data is collated at District Council and Ward level only. The latest figures available, at 25th September 2011, indicate that there are 445, 192 and 109 business premises vacant in the District Councils of Ballymena, Ballymoney and Moyle respectively.

Information available cannot easily or consistently identify those properties which are charities with rates exemption.

The earliest comparable figures available for vacant premises are at 31st March 2010 and indicate that 441, 181 and 103 business premises were vacant in the District Councils of Ballymena, Ballymoney and Moyle respectively at that time.

### **Civil Service: Secondment**

**Mr McGlone** asked the Minister of Finance and Personnel, pursuant to AQW 1944/11-15, whether the Department will recoup the costs from the host organisation, and if not, to detail what the secondment is providing with regard to public interest and benefit.

**(AQW 2704/11-15)**

**Mr Wilson:** The host organisation is reimbursing the Northern Ireland Civil Service at 54% of the secondees's salary.

Secondments offer benefits for both the employer and the employee. Employees receive opportunities to develop new skills and experiences from which the employer can benefit on the individual's return to the civil service. This particular secondment will expose the secondees to a range of different experiences and working practices in the private sector.

## Department of Health, Social Services and Public Safety

### Payment of Invoices: 10-day Target

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail the minimum 10-day target for payment of invoices, other than health and social care invoices, by (i) each Health and Social Care Trust; and (ii) the Health and Social Care Board.

**(AQW 2224/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The Department has directed all HSC organisations to ensure that they have taken all appropriate steps to support the commitment to paying businesses within 10 days.

Whilst HSC organisations are committed to maximising the number of invoices paid within 10 days, there are no specific performance targets against this commitment.

The Department is committed to and monitors performance against the requirements of the Better Payments Practice Code, which stipulates that payments should be made within agreed terms or where no terms exist, 30 days after receipt of a valid invoice. This requirement has a best practice target of 95%.

### Payment of Invoices: 10-day Target

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to detail the success rate of (i) each Health and Social Care Trust; and (ii) the Health and Social Care Board in meeting the 10-day target for payment of invoices, other than health and social care invoices, in the (a) 2010/11 financial year; and (b) 2011/12 financial year to date.

**(AQW 2225/11-15)**

**Mr Poots:** The table below shows the number of non-HSC invoices paid within 10 days and the percentage this represented of the total invoices received by each HSC Trust for 2010/11 and the five months ended 31 August 2011.

	2010-11		31 Aug 2011	
	Invoices paid within 10 days	% of total invoices received	Invoices paid within 10 days	% of total invoices received
Belfast	136,696	38.3	73,316	47.4
Northern	51,729	37.6	19,085	36.4
Southern	40,496	38.0	15,562	33.8
South Eastern	51,114	42.2	21,690	40.0
Western	54,032	54.5	23,510	56.2
N.I.A.S.	15,137	36.5	2,519	40.1

It is not possible to provide comparable information for the HSCB, as could only be done at disproportionate cost.

## Abortions

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many of the abortions in each of the last three years were performed on women who resided outside Northern Ireland, in particular the Republic of Ireland.

**(AQW 2315/11-15)**

**Mr Poots:** The number of abortions carried out in Northern Ireland in each of the last three years is shown in the table below.

Financial Year	Number of Abortions	Number Carried Out on Women who Reside	
		Outside NI	Within ROI
2008/09	77	<5	<5
2009/10	67	<5	<5
2010/11 <sup>P</sup>	74	<5	<5

**Source:-** Hospital Inpatient System (HIS)

In line with professional guidelines on disclosure and in order to protect patient confidentiality, information relating to less than 5 individuals is not released.

P Information relating to 2010/11 is provisional and may be subject to changes.

## Health and Social Care Trusts: Chaplaincy Services

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety to detail the cost of chaplaincy services in each of the last three years, broken down by each Health and Social Care Trust.

**(AQW 2325/11-15)**

**Mr Poots:** The cost of chaplaincy services in each of the last three years, broken down by each Health and Social Care Trust, is set out in the table below.

Health & Social Care Trust	2010/11 £	2009/10 £	2008/09 £
Belfast Health & Social Care Trust	478,000	535,000	453,000
Northern Health & Social Care Trust	142,548	178,168	147,463
South Eastern Health & Social Care Trust	133,900	129,512	125,031
Western Health & Social Care Trust	159,980	166,118	186,758
Southern Health & Social Care Trust	110,246	102,554	95,663
NI Ambulance Service	0	0	0
<b>Total</b>	<b>1,024,674</b>	<b>1,111,352</b>	<b>1,007,915</b>

The costs relate to salaries and wages, travel expenses, hospitality, goods and services.

## Children with Special Needs: Review of Allied Health Professional Services

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety (i) for his assessment of the potential impact that the review by the Public Health Agency on Allied Health Professional Services to children with special needs, will have on the outcome and implementation of the policy proposals contained in 'Every School a Good School: The Way Forward for Special Educational Needs and Inclusion'.

**(AQW 2331/11-15)**

**Mr Poots:** The Review by the PHA of Allied Health Professional services to children with special needs will require a collaborative multiagency approach involving all key stakeholders which will include Education as a key partner. Full consideration of the proposals within “Every School a Good School: The way forward for Special Education Needs and Inclusion” will be integral to the process.

Any potential impact of this review on the above policy proposals is anticipated to be positive. However, the full implications will not be known until the process is under way in partnership with all key stakeholders. The engagement process has begun between the PHA and my Department of Health on how this review should be taken forward across Health and Education.

We expect the review to take approximately one and a half years to complete. This however, will depend on what is agreed on a multi professional and multiagency basis when the review commences.

### **Children with Special Needs: Review of Allied Health Professional Services**

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety to detail the likely end date for the review by the Public Health Agency on Allied Health Professional Services to children with special needs.

**(AQW 2333/11-15)**

**Mr Poots:** The Review by the PHA of Allied Health Professional services to children with special needs will require a collaborative multiagency approach involving all key stakeholders which will include Education as a key partner. Full consideration of the proposals within “Every School a Good School: The way forward for Special Education Needs and Inclusion” will be integral to the process.

Any potential impact of this review on the above policy proposals is anticipated to be positive. However, the full implications will not be known until the process is under way in partnership with all key stakeholders. The engagement process has begun between the PHA and my Department of Health on how this review should be taken forward across Health and Education.

We expect the review to take approximately one and a half years to complete. This however, will depend on what is agreed on a multi professional and multiagency basis when the review commences.

### **Mid-Ulster Hospital**

**Mr I McCrea** asked the Minister of Health, Social Services and Public Safety to detail the current, and future, plans for the Mid-Ulster Hospital site.

**(AQW 2385/11-15)**

**Mr Poots:** The Mid Ulster hospital site is an important health and social care campus and the hospital will continue to play an important part in the delivery of hospital services to the population served by the Northern Trust. The current services are:

- |                             |                               |
|-----------------------------|-------------------------------|
| ■ Care of the elderly       | ■ Minor Injuries Unit         |
| ■ Children's Unit           | ■ Occupational therapy        |
| ■ Community dental services | ■ Outpatients services        |
| ■ Day Procedure Unit        | ■ Physiotherapy               |
| ■ Diagnostics               | ■ Rehabilitation              |
| ■ Dietetics                 | ■ Speech and language therapy |
| ■ Endoscopy Suite           |                               |

The Trust is currently in the process of developing a proposal to refurbish elements of the Mid Ulster Hospital to provide administrative and clinical space to accommodate primary and community care services. I am advised that the Trust has arranged to meet with you and the other Mid-Ulster MLAs in October 2011 to discuss these plans further.

## Social Work Qualifications

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety whether he would liaise with his counterpart in the Republic of Ireland to discuss the implementation of a mutual recognition agreement between the Northern Ireland Social Care Council and CORU on social work qualifications, which would allow social workers to work in both jurisdictions without paying registration fees for both.  
**(AQW 2417/11-15)**

**Mr Poots:** This issue is covered by European Legislation as part of the European Directive 2005/36/EC on the recognition of professional qualifications. In the context of the EU the UK is recognised as a single country, therefore any decisions made for Northern Ireland would have implications for the rest of the UK. The position at present is that in Northern Ireland, as in other parts of the UK, applications from the Republic of Ireland are dealt with as part of the International Recognition Service. The Degree in Social Work issued by universities in the Republic of Ireland is recognised as an equivalent social work qualification by the Northern Ireland Social Care Council.

As with the rest of Europe, social workers and other professionals require to be registered in each country in which they wish to practise with the appropriate regulator. There are administrative costs associated with this for each regulator.

Registration of Social Workers in the Republic of Ireland comes under the remit of the Social Work Registration Board and the Health and Social Care Professions Council. Anyone practising social work in Northern Ireland must be registered with the Northern Ireland Social Care Council.

## Antrim Area Hospital and Causeway Hospital

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to outline the cost implications for (i) Antrim Area Hospital; and (ii) Causeway Hospital from the introduction of the Locum Appointment for Service grade.

**(AQW 2442/11-15)**

**Mr Poots:** The additional cost\* implications of Locum Appointment to Service Grades (LAS) appointments to (i) Antrim Area Hospital and (ii) Causeway Hospital for the 12 months August 2010 to August 2011 (latest figures available) are as follows:-

Hospital	Number of LAS Posts	Total Cost	Additional costs (compared with training posts)
Antrim Area Hospital	2	£180,642	£33,916
Causeway Hospital	0	-	-

**Source:** Northern Health and Social Care Trust

## Antrim Area Hospital and Causeway Hospital: Junior Doctor Training Posts

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many Northern Ireland Medical and Dental Training Agency junior doctor training posts were unfilled across each speciality in August 2011 in (i) Causeway Hospital; (ii) Antrim Area Hospital; and (iii) Northern Ireland.

**(AQW 2443/11-15)**



**Mr Poots:** At 22nd August 2011,

- (i) there were 9 unfilled junior doctor training posts in the **Causeway Hospital** in the following specialities:
- |                      |   |
|----------------------|---|
| ■ Foundation F2      | 2 |
| ■ Emergency medicine | 6 |
| ■ Core surgical      | 1 |
- (ii) there were 10 unfilled junior doctor training posts in the Antrim Area Hospital in the following specialities:
- |                           |   |
|---------------------------|---|
| ■ Foundation F2           | 1 |
| ■ Emergency medicine      | 2 |
| ■ Obstetrics &Gynaecology | 1 |
| ■ Paediatrics             | 1 |
| ■ Core Medical            | 1 |
| ■ Gastroenterology        | 1 |
| ■ Rheumatology            | 1 |
| ■ Core Surgical           | 2 |
- (iii) there were 74 unfilled junior doctor training posts throughout Northern Ireland in the following specialities:
- |                           |    |
|---------------------------|----|
| ■ Foundation F2           | 8  |
| ■ Emergency medicine      | 17 |
| ■ Obstetrics &Gynaecology | 4  |
| ■ Paediatrics             | 3  |
| ■ Core Medical            | 5  |
| ■ Gastroenterology        | 1  |
| ■ Rheumatology            | 2  |
| ■ Core Surgical           | 18 |
| ■ Anaesthetics            | 1  |
| ■ Acute medicine          | 1  |
| ■ Clinical Oncology       | 1  |
| ■ Haematology             | 2  |
| ■ Renal medicine          | 1  |
| ■ Core Psychiatry         | 3  |
| ■ Cardiothoracic          | 1  |
| ■ Plastic Surgery         | 3  |
| ■ Neurosurgery            | 1  |
| ■ Ophthalmology           | 2  |

### Junior Doctor Posts

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many unfilled junior doctor posts in August 2011 were covered by locums in (i) the Northern Health and Social Care Trust;

and (ii) Northern Ireland; and how many of these locums were paid at (a) normal Trust rates; (b) premium Trust rates; and (c) local agency rates.

**(AQW 2444/11-15)**

**Mr Poots:** This information is detailed in the table below:

Trust/Agency	Number of unfilled junior doctor posts	Number filled by locums	Number paid at normal trust rate	Number paid at premium trust rate	Number paid at local agency rates.
Belfast HSC Trust	34	4	3	n/a	1
Southern HSC Trust	7	7	5	n/a	2
South Eastern HSC Trust	10	4	4	n/a	unknown at this stage as adhoc shifts covered rather than the WTE post
Public Health Agency	1	0	n/a	n/a	n/a
Northern HSC Trust	18	18	13	n/a	5
Western HSC Trust	17	12.8	5.8	n/a	7
<b>Totals</b>	<b>87*</b>	<b>45.8</b>	<b>30.8</b>	<b>0</b>	<b>15</b>

\* 74 posts unfilled deanery appointments (NIMDTA), 13 Trust appointed clinical research fellows.

### Northern Ireland Medical and Dental Training Agency

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the circumstances in which a doctor in training can refuse to take up a post assigned by the Northern Ireland Medical and Dental Training Agency.

**(AQW 2482/11-15)**

**Mr Poots:** The recruitment process managed by the Northern Ireland Medical and Dental Training Agency (NIMDTA) takes account of training requirements, curriculum requirements and trainee preferences, with posts assigned to try and meet all three of these criteria.

If however a doctor in training is not satisfied with the post assigned to him/her by NIMDTA they can apply for a post in a different location under the special circumstances criteria. To be eligible the trainee must satisfy one of the following criteria:

- Be a parent or legal guardian with significant caring responsibilities for a child or children under the age of 18 (this would normally mean the child or children residing primarily with the trainee);
- Be the primary carer for someone who is disabled (as defined by the Disability Discrimination Act 2005) (expected to be a partner, sibling or parent);
- Have a medical condition (physical or psychological) or disability for which local follow up and / or support is an absolute requirement, as confirmed by a report from an Occupational Health physician or an appropriate medical specialist.

## Causeway Hospital

**Mr Swann** asked the Minister of Health, Social Services and Public Safety how many doctors in training have refused an offer of a position at the Causeway Hospital, Coleraine, in each of the last three years.  
(AQW 2483/11-15)

**Mr Poots:** The Northern Ireland Medical and Dental Training Agency (NIMDTA), who are responsible for placing junior doctors into training posts, do not collect or retain this data. They have however advised that in their experience, refusals to take up training posts at the Causeway Hospital, are rare.

## NHS: GP Training Places

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail the number of GP training places available in each of the last three years; and the number of applicants who applied for each place.

(AQW 2484/11-15)

**Mr Poots:** The following table details the number of GP training places available and the number of applicants in each of the last three years:

Year	Places	Applicants
2009	65	189
2010	65	190
2011	65	187

## NHS: GPs Training in Hospitals

**Mr Swann** asked the Minister of Health, Social Services and Public Safety for his assessment of the additional medical roles, at a similar level, a GP in training could fulfil at a district general hospital.

(AQW 2486/11-15)

**Mr Poots:** The roles and responsibilities of GP's whilst they are in training in hospital settings are strictly regulated by both the General Medical Council (GMC) and the Royal College of General Practitioners, accordingly there is no scope for them to perform additional medical roles outside the GP training curriculum.

GP trainees normally spend eighteen months of their training in a hospital based setting with their training centred on the specialities of general medicine, obstetrics and gynaecology, paediatrics, emergency medicine and psychiatry. These have all been approved by the GMC.

## Causeway Hospital

**Mr Swann** asked the Minister of Health, Social Services and Public Safety how many (i) GPs in training; and (ii) doctors in training have been assigned to the Causeway Hospital, Coleraine (a) in total; and (b) in each hospital department, in each of the last three years.

(AQW 2488/11-15)

**Mr Poots:**

### NUMBER OF GP TRAINEES ASSIGNED TO CAUSEWAY HOSPITAL IN PAST 3 YEARS, (BY SPECIALTY)

Specialty	2009	2010	2011
Emergency Medicine	2	2	2
Psychiatry	2	2	2

Specialty	2009	2010	2011
General medicine	2	2	2
Obs and Gynae	2	2	2
Psychiatry	2	2	2
<b>Total</b>	<b>10</b>	<b>10</b>	<b>10</b>

**NUMBER OF DOCTORS IN TRAINING ASSIGNED TO CAUSEWAY HOSPITAL IN PAST 3 YEARS,  
(BY SPECIALTY)**

Specialty	2009	2010	2011
Foundation	28	20	21
Emergency Medicine	0	0	4
Core Medical Training	7	3	2
Cardiology	1	1	1
Gastroenterology	1	1	1
General Medicine	1	0	0
Obs and Gynae	7	7	6
Paediatrics	5	2	2
Core Psychiatry	3	3	3
General Adult Psychiatry	1	1	1
Core Surgical Training	5	4	4
General Surgery	3	2	2
<b>Total</b>	<b>62</b>	<b>44</b>	<b>47</b>

**NHS: Paediatric Orthopaedic Waiting Lists**

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what waiting list initiatives the Belfast Health and Social Care Trust has undertaken to address the waiting list for paediatric orthopaedic patients in the private sector.

**(AQW 2491/11-15)**

**Mr Poots:** The Belfast Health and Social Care Trust has advised me that it currently does not have enough capacity to treat all orthopaedic patients within the waiting time targets; a number of patients are therefore referred to Independent Sector providers for outpatient assessment and treatment. Some patients are also referred from the Musgrave Park Hospital inpatient/day case waiting list for treatment by Independent Sector providers.

**Royal Victoria Hospital: Short Stay Unit**

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety to detail (i) the opening times of the Short Stay Unit at the Royal Victoria Hospital, Belfast; (ii) why the Unit closes at the weekends; and (iii) when the Unit will be operational seven days a week.

**(AQW 2493/11-15)**

**Mr Poots:** The Belfast Trust has advised me that the Short Stay Unit is presently open from 8:00am Mondays until 9:00pm Fridays. The Unit closes at weekends because there are insufficient senior medical staff available to provide appropriate medical cover.

It is expected that the unit will become operational seven days a week from 1 November when senior medical staff relocated from the Belfast City Hospital A&E department will be available to provide cover.

### **Royal Victoria Hospital: Accident and Emergency Unit**

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety when the additional beds in the Accident and Emergency Unit at the Royal Victoria Hospital, Belfast, will become operational; and whether these beds will be available 24 hours a day.

**(AQW 2494/11-15)**

**Mr Poots:** The Belfast Trust has advised me that the work to provide the additional capacity in the A&E department at the Royal Victoria Hospital is currently well under way and is due to be completed shortly. The Trust plans to have the new area operational by 1 November 2011.

Due to relocation of Belfast Trust senior medical staff to the Royal Victoria Hospital, this will enable beds which are currently only available from Monday to Friday (8.00 -21.00) to be operational 24 hours per day.

### **Hospitals: Admissions**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety why, after GPs have carried out patient assessments and have recommended hospitalisation, it is necessary for patients to see a junior doctor in an Accident and Emergency Unit before being admitted.

**(AQW 2523/11-15)**

**Mr Poots:** Treatment by GPs is limited by the facilities and options available for clinical interventions in GP surgeries.

While on some occasions GPs can admit directly to wards, patients presenting at an Accident and Emergency department may be reassessed to determine the most appropriate treatment pathway, which may include the option of treatment and observation in a Medical Assessment Unit and discharge home, or admission to an appropriate clinical area.

### **Accident and Emergency Units: Staff**

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the number of staff, broken down by grade, employed in the Accident and Emergency Unit at the (a) Belfast City Hospital; (b) Royal Victoria Hospital; (c) Mater Hospital; (d) Ulster Hospital; (e) Antrim Area Hospital; and (f) Causeway Hospital.

**(AQW 2524/11-15)**

**Mr Poots:** The information requested is provided in the tables below.

#### **STAFF EMPLOYED IN THE ACCIDENT AND EMERGENCY UNITS AT BELFAST CITY HOSPITAL, ROYAL VICTORIA HOSPITAL AND MATER HOSPITAL AT SEPTEMBER 2011**

<b>Grade</b>	<b>Belfast City Hospital</b>		<b>Royal Victoria Hospital</b>		<b>Mater Hospital</b>	
	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>
Consultant	4	3.70	9	8.30	4	4.00
Staff Grade / Associate Specialist	3	3.00	3	3.00	2	2.00
Specialist Registrar	4	4.00	5	5.00	6	6.00



Grade	Belfast City Hospital		Royal Victoria Hospital		Mater Hospital	
	HC	WTE	HC	WTE	HC	WTE
Foundation House Officer	4	4.00	4	4.00	4	4.00
Practitioner (Sessions)					1	0.10
Band 7/8 Nurse	4	3.71	9	8.76	2	2.00
Band 6 Nurse	10	9.00	8	7.84	9	8.08
Band 5 Nurse	28	25.59	28	24.34	19	17.16
Nurse Support staff	5	4.17	9	8.12	5	4.56
Domestics / Porters	8	5.68	17	13.50	5	3.90
Band 4/5 Admin / Medical Secretary	4	2.47	4	3.59	1	1.00
Band 2/3 Admin	19	15.20	11	11.00	10	10.00
<b>Total</b>	<b>93</b>	<b>80.52</b>	<b>107</b>	<b>97.45</b>	<b>68</b>	<b>62.80</b>

**Source:** Belfast Health and Social Care Trust

**STAFF EMPLOYED IN THE ACCIDENT AND EMERGENCY UNITS AT ULSTER HOSPITAL, ANTRIM AREA HOSPITAL AND CAUSEWAY HOSPITAL AT SEPTEMBER 2011**

Grade	Ulster Hospital		Antrim Area Hospital		Causeway Hospital	
	HC	WTE	HC	WTE	HC	WTE
Consultant	5	4.20	6	6.00	3	3.00
Staff Grade / Associate Specialist	1	1.00	4	3.57	1	1.00
Specialist Registrar (ST5/6 / CT1/2)	13	12.60	7	7.00		
GP Trainee			5	5.00	1	1.00
Foundation House Officer	4	4.00	4	4.00		
Practitioner (Sessions)	7	1.03				
Band 7/8 Nurse	7	7.00	7	5.32	3	2.23
Band 6 Nurse	8	7.00	8	6.05	9	7.15
Band 5 Nurse	50	41.92	51	35.17	27	22.71
Nurse Support staff	11	10.00	11	8.35	4	3.73
Plaster Technician			1	1.00		
Band 4/5/6 Admin / Medical Secretary	4	4.00	5	4.40	2	1.90
Band 2/3 Admin	22	12.75	16	10.40	7	4.80

Grade	Ulster Hospital		Antrim Area Hospital		Causeway Hospital	
	HC	WTE	HC	WTE	HC	WTE
<b>Total</b>	<b>132</b>	<b>105.50</b>	<b>125</b>	<b>96.26</b>	<b>57</b>	<b>47.52</b>

**Source:** South Eastern & Northern Health and Social Care Trusts

**Notes:**

- 1 HC = Headcount.
- 2 WTE = Whole-time Equivalent.

### Accident and Emergency Units: Staff Vacancies

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the number of staff vacancies, broken down by grade in the Accident and Emergency Unit at the (a) Belfast City Hospital; (b) Royal Victoria Hospital; (c) Mater Hospital; (d) Ulster Hospital; (e) Antrim Area Hospital; and (f) Causeway Hospital.

**(AQW 2525/11-15)**

**Mr Poots:** The information requested is provided in the tables below.

#### STAFF VACANCIES IN THE ACCIDENT AND EMERGENCY UNIT AT BELFAST CITY HOSPITAL, ROYAL VICTORIA HOSPITAL AND MATER HOSPITAL AT SEPTEMBER 2011

Grade	Belfast City Hospital		Royal Victoria Hospital		Mater Hospital	
	HC	WTE	HC	WTE	HC	WTE
Consultant					1	1.00
Specialty Doctor (Staff Grade)	2	2.00				
Foundation Year 2 Doctor	1	1.00	2	2.00	1	1.00
Foundation Year 1 Doctor	1	1.00	1	1.00		
Sister					1	1.00
Staff Nurse	5	4.80	7	6.98	6	5.24
Health Care Support	1	0.79	3	2.88	1	0.74
<b>Total</b>	<b>10</b>	<b>9.59</b>	<b>13</b>	<b>12.86</b>	<b>10</b>	<b>8.98</b>

**Source:** Belfast Health and Social Care Trust

#### STAFF VACANCIES IN THE ACCIDENT AND EMERGENCY UNIT AT ULSTER HOSPITAL, ANTRIM AREA HOSPITAL AND CAUSEWAY HOSPITAL AT SEPTEMBER 2011

Grade	Ulster Hospital		Antrim Area Hospital		Causeway Hospital	
	HC	WTE	HC	WTE	HC	WTE
Specialty Doctor (Staff Grade)	6	6.00	3	2.43	1	1.00
Specialty Registrar ST6			1	1.00		

Grade	Ulster Hospital		Antrim Area Hospital		Causeway Hospital	
	HC	WTE	HC	WTE	HC	WTE
Specialty Registrar CT1/2					7	6.00
Band 6 Nurse	1	1.00				
Band 5 Nurse	7	7.00	1	1.00	1	1.00
Nurse Support					2	0.33
Band 6 Social Worker	1	1.00				
Admin Support			12	8.61	4	2.88
<b>Total</b>	<b>15</b>	<b>15.00</b>	<b>17</b>	<b>13.04</b>	<b>15</b>	<b>11.21</b>

**Source:** South Eastern & Northern Health and Social Care Trusts

**Notes:**

- 3 HC = Headcount.
- 4 WTE = Whole-time Equivalent.
- 5 Vacant administrative posts at Antrim Area Hospital and Causeway Hospital have been held due to the Review of Public Administration.

### Royal Victoria Hospital: Accident and Emergency Unit

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety (i) whether the Accident and Emergency Unit at the Royal Victoria Hospital, Belfast is currently housed in a temporary building; and (ii) when the new critical care unit on this site is due for completion.

**(AQW 2527/11-15)**

**Mr Poots:**

- (i) I can confirm that the A&E Department at the Royal Victoria Hospital is currently housed in a temporary building.
- (ii) The new building is due for completion in October 2012. Services could start operating from the building from May 2013, based on the current timetable and following the clinical commissioning of the building.

### Ulster Hospital: Accident and Emergency Unit

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety what yearly visit capacity the Accident and Emergency Unit at the Ulster Hospital, Dundonald was designed to accommodate.

**(AQW 2528/11-15)**

**Mr Poots:** The Accident and Emergency Department at the Ulster Hospital has recently been extended and refurbished. The existing accommodation based on current Health Building Note guidance can accommodate in the range of 70,000 and 90,000 attendances per annum.

### Healthcare Assistants

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety how many healthcare assistants are employed by each of the Health and Social Care Trusts.

**(AQW 2529/11-15)**

**Mr Poots:** The information requested is provided in the table below.

**NURSE SUPPORT AND ALLIED HEALTH PROFESSIONAL SUPPORT STAFF EMPLOYED WITHIN NORTHERN IRELAND HEALTH AND SOCIAL CARE TRUSTS AT JUNE 2011**

HSC Trust	Headcount	WTE
Belfast	1,735	1,447.69
Northern	873	728.09
South Eastern	711	611.85
Southern	862	730.85
Western	854	769.47
<b>Total</b>	<b>5,035</b>	<b>4,287.95</b>

**Source:** Human Resources Management System

**Notes:**

- 6 WTE = Whole-time Equivalent.
- 7 The term healthcare assistant has been defined as nursing support grades and allied health professional support grades, but does not include clinical science support grades.

**Healthcare Assistants: Training in Dementia Care**

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety given that the National Institute for Health and Clinical Excellence states that staff working with people with dementia should have training in dementia care, how many healthcare assistants have received mandatory training in dementia care.

**(AQW 2530/11-15)**

**Mr Poots:** It is not mandatory for Health Care Assistants to receive training in dementia care. However, Trusts provide a comprehensive induction programme which provides them with knowledge and skills necessary to work with patients in all areas, including those with dementia. The National Institute for Health and Clinical Excellence guidelines are advisory rather than compulsory and used by Trusts as an evidence based reference guide.

**Healthcare Assistants**

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety what provision is in place to ensure that healthcare assistants are adequately trained to respond appropriately and efficiently to the needs of people with dementia.

**(AQW 2531/11-15)**

**Mr Poots:** Trusts provide comprehensive induction training for all healthcare assistants across a range of settings, including dementia care. In addition, healthcare assistants can avail of further work based training in dementia care, including Healthcare at levels 2 and 3 on the Qualifications Credit Framework.

**Donated Blood: Infections**

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of infections detected in blood donations and blood component donations in each of the last five years, broken down by (a) type of donation; and (b) type of infection; and (ii) what happened to the infected donations.

**(AQW 2552/11-15)**

**Mr Poots:** The information requested in part (i) of the question is set out in the table below.

Year	Number of Infections Detected	Type of Donation (a)	Type of Infection (b)
2007	4	All Whole Blood (WB) donors	1 x Hep B Virus 1 x Hep C Virus 2 x Syphilis
2008	5	All Whole Blood (WB) donors	1 x Hep B Virus 4 x Syphilis
2009	7	All Whole Blood (WB) donors	2 x Hep B Virus 1 x HIV 4 x Syphilis
2010	4	All Whole Blood (WB) donors	1 x Hep B Virus 2 x Hep C Virus 1 x HIV
2011 (to date)	5	1 x Apheresis donor, 4 x Whole Blood (WB) donors	1 x Hep B Virus 4 x Syphilis

(ii) All donations that tested positive were discarded.

## Donated Blood

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to detail the amounts of donated blood and donated blood components which have been exported to (i) England; (ii) Scotland; (iii) Wales; (iv) the Republic of Ireland; and (v) elsewhere, in each of the last five years.

**(AQW 2554/11-15)**

**Mr Poots:** There is a reciprocal relationship within the UK Blood Services to move blood around in terms of specific group shortages or specific component shortages. The table below sets out the amounts of donated blood and donated blood components which have been exported in the last five years.

	Unit of product	2006/07	2007/08	2008/09	2009/10	2010/11
England		0	0	0	0	0
Scotland	Fresh Frozen Plasma	0	0	225	0	0
	Red Cells	100	0	0	0	0
	Leuco/Cryo Depleted Plasma	56	0	0	0	0
Wales		0	0	0	0	0
Republic of Ireland		0	0	0	0	0
Portugal	Red cells	0	0	0	1	0

Note: Each unit in the table above represents 250mls of blood components.

## Donated Blood

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety, for each of the last five years, in relation to donated blood and donated blood components to detail (i) how much has been



sold; (ii) to whom it was sold; (iii) the countries in which the purchasers were based; and (v) the revenue that was acquired from the sales,

**(AQW 2555/11-15)**

**Mr Poots:** The processing of donated whole blood collected by NI Blood Transfusion Service into blood components suitable for transfusion, results in surplus plasma as only 10% of the plasma produced is required by hospitals. Prior to 2008, this plasma was incinerated as there was no other clinical use for it and NIBTS incurred a charge for disposal. As there is a commercial market for this component, since 2008, surplus plasma has been sold by NIBTS to be used in the manufacture of laboratory test reagents. The table below details to whom the surplus plasma was sold, the volume sold, and the revenue received since 2008.

	<b>2008/09</b>		<b>2009/10</b>		<b>2010/11</b>	
<b>Company</b>	<b>Volume (litres)</b>	<b>Value (£)</b>	<b>Volume (litres)</b>	<b>Value (£)</b>	<b>Volume (litres)</b>	<b>Value (£)</b>
Nova Biologics (USA)	4,699	131,558	10,681	321,649	11,290	338,702
Randox Laboratories (NI)	2,719	76,133	365	10,212	0	0

## Pharmacy

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether a population-based needs assessment, which took into account a high prevalence of health inequalities and ill health, was carried out to inform his decision on the proposed cuts to the community pharmacy budget.

**(AQW 2565/11-15)**

**Mr Poots:** I am committed and indeed required by law to provide a fair and reasonable system of remuneration to community pharmacists in Northern Ireland.

In light of the judicial review of the new remuneration arrangements successfully sought by Community Pharmacy Northern Ireland (CPNI), which was heard on 20, 21 and 22 September, it would be inappropriate for me to comment further until the outcome of the hearing is known.

## Dementia Strategy

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety when he intends to make an announcement on the Dementia Strategy.

**(AQW 2569/11-15)**

**Mr Poots:** Dementia care is an important issue facing us all in Northern Ireland. The expected increases in numbers of people with dementia will bring further pressures on our health and social care services.

Recognising these pressures my Department has developed and consulted on a regional strategy for improving dementia services. Given the current financial climate, I am giving careful consideration to realistic and meaningful options to progress implementation of the strategy. I hope to make a statement to the Assembly regarding this matter in the near future.

## Pharmacists

**Mrs Hale** asked the Minister of Health, Social Services and Public Safety what steps he intends to take to ensure that pharmacists who provide front-line services in rural communities and areas of deprivation remain financially viable.

**(AQW 2570/11-15)**

**Mr Poots:** I am committed and indeed required by law to provide a fair and reasonable system of remuneration to community pharmacists in Northern Ireland.

In light of the judicial review of the new remuneration and reimbursement arrangements successfully sought by Community Pharmacy Northern Ireland (CPNI) which was heard on 20, 21 and 22 September, it would be inappropriate for me to comment further on these issues until the outcome of the hearing is known.

### **Causeway Hospital: Accident and Emergency Unit**

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of patients admitted to the Accident and Emergency Unit at the Causeway Hospital, Coleraine, in the last 12 months; and (ii) how many of these patients were seen within four hours of arrival.

**(AQW 2571/11-15)**

**Mr Poots:** Information on (i) the number of patients that attended the Accident and Emergency Unit at the Causeway Hospital, Coleraine, in the last 12 months; and (ii) how many of these patients were seen within four hours of arrival, is collected and published on a quarterly basis. It is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3/emergency\\_care-monthly\\_waiting\\_times.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm)

### **Antrim Area Hospital and Causeway Hospital: Car Parking**

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety what steps he intends to take to ensure that the conversations of owners whose vehicles are clamped at the Antrim Area Hospital or the Causeway Hospital car parks are not taped without their permission.

**(AQW 2572/11-15)**

**Mr Poots:** Parking Enforcement Agency policy is to record conversations with clients who are being clamped.

The Trust has agreed with PEA (the company that enforces parking regulations at Antrim) that printed signs will be placed on cars that have been clamped to inform the client that they will be recorded.

Printed information will also be handed to the client to inform them that they are being recorded. This information will also be delivered verbally, so there is no ambiguity for anyone concerned.

### **Suicide Prevention**

**Mr S Anderson** asked the Minister of Health, Social Services and Public Safety to outline the enhanced mental health crisis intervention services for suicide prevention that are provided by his Department.

**(AQW 2588/11-15)**

**Mr Poots:** Over £5.5m (recurrent) has been allocated to the HSC Board for community mental health services, including Crisis Response and Home Treatment teams. This facilitates early intervention, promotes recovery in the community and is reducing demand for acute psychiatric beds. My Department has also allocated a further £1m (recurrent) to expand crisis response to Child and Adolescent Mental Health Services. In addition, the Card Before You Leave protocol has been implemented in hospital A&E Departments to ensure that those not requiring immediate treatment are seen by community mental health teams within 24 hours.

As regards investment in suicide prevention, a total of £6.7m has been allocated by my Department for this purpose. This is made up of £3.2m for the implementation of Protect Life actions (including over £2m in community support) and £3.5m for the operation of Lifeline (including its wraparound support services).

## Suicide Prevention

**Mr S Anderson** asked the Minister of Health, Social Services and Public Safety (i) how much his Department spent on public awareness campaigns for suicide prevention in each of the last five years; and (ii) how these campaigns were targeted at local areas.

**(AQW 2589/11-15)**

**Mr Poots:**

- (i) The 'Protect Life' Northern Ireland Suicide Prevention Strategy contains actions which support the development of suicide awareness public information campaigns. The Public Health Agency is responsible for the development of the relevant campaigns. Funding allocated in each of the last five years is as follows:

2006/07	2007/08	2008/09	2009/10	2010/11
£315,387	£422,769	£302,746	£317,434	£387,158

The costs include TV, cinema, radio, and online advertising, and also all supporting materials such as leaflets and posters.

- (ii) While the TV and radio elements of the campaigns are broadcast on a Northern Ireland wide basis, much of the supporting literature is disseminated at a local level through GP surgeries, schools, community centres, libraries, and partner organisations. Other local area-specific advertising is also undertaken via billboards, and in facilities such as washrooms and bus shelters.

## Alcohol and Substance Abuse

**Mr S Anderson** asked the Minister of Health, Social Services and Public Safety to outline the support provided by his Department to address alcohol and substance abuse.

**(AQW 2590/11-15)**

**Mr Poots:** Alcohol and drug misuse have been significant public health and social issues in Northern Ireland over the last number of years, and continue to be a key priority for my Department.

In 2005, the Department led the development of a cross-sectoral strategy that sought to reduce the harm related to both alcohol and drug misuse in Northern Ireland. This strategy, the New Strategic Direction for Alcohol and Drugs (NSD), began being implemented in October 2006. Approximately £8 million is allocated to its implementation each year, and additional funding is provided through the mental health budget for the provision of treatment and support services. The NSD seeks to direct action across five pillars, and these are: prevention and early intervention; harm reduction; treatment and support; law and criminal justice; and monitoring, evaluation and research.

It was agreed last year that, rather than carrying out a full formal review, the existing NSD would be refreshed, updated and extended for a further five years. A number of emerging issues (including prescription drug misuse; legal highs; and links with mental health and suicide) are highlighted in the revised NSD and a range of actions has been developed to address these issues. The revised NSD issued for public consultation in March 2011. Responses have been analysed and are very supportive of the approach being taken. The strategy is now being finalised in light of consultation responses and it is anticipated that it will be published before the end of this year.

## At Risk Register

**Mr Moutray** asked the Minister of Health, Social Services and Public Safety to detail the criteria used to assess whether a child should be placed on the At Risk Register.

**(AQW 2591/11-15)**

**Mr Poots:** The criteria used to assess whether a child should be placed on the At Risk Register are set out in the Department's guidance, Co-operating to Safeguard Children (2003) and in the Regional Child Protection Committee's Policy and Procedures Guidance. Social Workers are required to follow this guidance and will exercise their professional judgment when responding to the particular circumstances of individual children and their families. Following a comprehensive assessment of risk, which concludes that the child has suffered or is likely to suffer significant harm, the child's name should be included on the Child Protection Register. When a child's name is included on the Child Protection Register, a Child Protection Plan is put in place for the child which, among other things, sets out how identified risks will be managed and the welfare needs of the child met.

## Hospitals: Building Improvements and Building Projects

**Mr Moutray** asked the Minister of Health, Social Services and Public Safety how much has been spent on building improvements and building projects at each acute hospital in each of the last five years. **(AQW 2593/11-15)**

**Mr Poots:** The attached table details capital spend at each acute hospital in each of the last 5 years, including the new SW Hospital at Enniskillen.

Hospital	2006/07 (£000'S)	2007/08 (£000'S)	2008/09 (£000'S)	2009/10 (£000'S)	2010/11 (£000'S)	Totals (£000'S)
Belfast City	7,185	482	4,277	2,655	5,600	20,199
Royal Group	16,165	13,284	25,433	22,771	49,071	126,724
Mater	940	1,336	624	1,651	1,839	6,390
Antrim Area	0	403	4,949	2,884	2,908	11,144
Causeway	0	387	75	654	567	1,683
Ulster	22,238	18,674	20,858	27,188	14,790	103,748
Craigavon Area	5,109	17,001	6,747	12,530	3,335	44,722
Daisy Hill	0	472	2,195	369	3,222	6,258
Altnagelvin	27,727	20,120	16,175	11,149	2,054	77,225
SW Hospital Enniskillen	13,786	5,297	3,321	1,900	1,252	25,556
Totals	93,150	77,456	84,654	83,751	84,638	426,649

## Cancer

**Mr Moutray** asked the Minister of Health, Social Services and Public Safety to detail the percentage of the population diagnosed with cancer in each of the last three years, broken down by (i) constituency; and (ii) council area. **(AQW 2594/11-15)**

**Mr Poots:** There were on average 8,223 annual incidences of cancer in Northern Ireland between 2007 and 2009 (excluding non-melanoma skin cancer). This represents around half a percent of the population.

Table 1 and table 2 outline the yearly percentage of the population diagnosed with cancer in 2007, 2008 and 2009 in each Westminster Parliamentary Constituency Area (WPC) and District Council/Local Government District (LGD). The percentage rate makes no allowance for differences in the age and gender of the population in each area and care should therefore be taken when comparing these rates between the areas.

Table 2 also outlines the standardised incidence ratio (SIR) at LGD level for 2007-2009. This rate is age standardised which allows for relative comparison between the areas. SIRs at WPC level is not available.

**TABLE 1 INCIDENCE OF CANCER\* BY WESTMINSTER PARLIAMENTARY CONSTITUENCY\*\* AND YEAR OF DIAGNOSIS (2007-2009)**

	Incidence as percentage of the population		
	2007	2008	2009
Belfast East	0.6%	0.6%	0.5%
Belfast North	0.5%	0.5%	0.6%
Belfast South	0.5%	0.5%	0.4%
Belfast West	0.5%	0.5%	0.5%
East Antrim	0.5%	0.5%	0.5%
East Londonderry	0.4%	0.5%	0.5%
Fermanagh & South Tyrone	0.4%	0.4%	0.4%
Foyle	0.4%	0.4%	0.4%
Lagan Valley	0.5%	0.5%	0.5%
Mid Ulster	0.4%	0.4%	0.4%
Newry & Armagh	0.4%	0.4%	0.5%
North Antrim	0.4%	0.5%	0.5%
North Down	0.5%	0.5%	0.5%
South Antrim	0.4%	0.4%	0.4%
South Down	0.4%	0.4%	0.4%
Strangford	0.4%	0.5%	0.4%
Upper Bann	0.4%	0.5%	0.4%
West Tyrone	0.4%	0.4%	0.4%
Northern Ireland	0.5%	0.5%	0.5%

1.2% of cancer incidences over this period have no geography attached.

\* Excluding non-melanoma skin cancer

\*\* 2008 boundaries

**TABLE 2 INCIDENCE OF CANCER\* BY LOCAL GOVERNMENT DISTRICT AND YEAR OF DIAGNOSIS (2007-2009)**

	Incidence as percentage of the population			Standardised incidence ratio (NI=100) (95% CI)	
	2007	2008	2009	2007-09	
Antrim	0.4%	0.4%	0.4%	99.6	(91.0,108.3)
Ards	0.4%	0.5%	0.5%	92.4	(86.2,98.6)
Armagh	0.4%	0.4%	0.5%	106.4	(98.1,114.6)



	Incidence as percentage of the population			Standardised incidence ratio (NI=100) (95% CI)	
	2007	2008	2009	2007-09	
Ballymena	0.4%	0.5%	0.5%	96.3	(89.2,103.4)
Ballymoney	0.5%	0.4%	0.5%	93.3	(82.8,103.8)
Banbridge	0.4%	0.4%	0.4%	88.5	(80.1,96.9)
Belfast	0.5%	0.5%	0.5%	109.4	
Carrickfergus	0.5%	0.4%	0.5%	97.0	(88.0,106.1)
Castlereagh	0.5%	0.5%	0.5%	91.9	(85.5,98.3)
Coleraine	0.4%	0.5%	0.6%	98.2	(90.8,105.5)
Cookstown	0.5%	0.4%	0.4%	99.1	(88.6,109.6)
Craigavon	0.4%	0.5%	0.4%	100.3	(93.9,106.8)
Derry	0.4%	0.4%	0.4%	104.3	(98.1,110.6)
Down	0.4%	0.5%	0.4%	102.4	(95.1,109.7)
Dungannon	0.4%	0.4%	0.4%	92.9	(84.7,101.1)
Fermanagh	0.4%	0.5%	0.4%	92.1	(84.9,99.4)
Larne	0.5%	0.5%	0.6%	107.3	(96.8,117.7)
Limavady	0.4%	0.4%	0.4%	102.0	(90.9,113.1)
Lisburn	0.4%	0.5%	0.4%	105.7	(99.9,111.5)
Magherafelt	0.4%	0.4%	0.4%	95.9	(86.4,105.5)
Moyle	0.6%	0.5%	0.5%	99.4	(85.5,113.3)
Newry & Mourne	0.4%	0.4%	0.4%	105.3	(98.7,112.0)
Newtownabbey	0.5%	0.5%	0.5%	91.9	(85.8,97.9)
North Down	0.5%	0.5%	0.5%	95.3	(89.4,101.2)
Omagh	0.4%	0.4%	0.4%	91.1	(82.8,99.4)
Strabane	0.4%	0.4%	0.4%	101.0	(91.1,110.9)
Northern Ireland	0.5%	0.5%	0.5%	100.0	

1.2% of cancer incidences over this period have no geography attached.

\* Excluding non-melanoma skin cancer

This information has been provided by the Northern Ireland Cancer registry and is the most up to date available.

## Accident and Emergency Units

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the number patients who were not (i) treated; (ii) admitted; or (iii) discharged within the target time of 12 hours of arrival, in each month since April 2011 at the Accident and Emergency Unit of the (a) Belfast City Hospital; (b) Mater Hospital; and (c) Royal Victoria Hospital.

**(AQW 2598/11-15)**

**Mr Poots:** Information on the number of patients who were not (i) treated; (ii) admitted; or (iii) discharged within the target time of 12 hours from their arrival, is not currently available.

However, information on the time spent by patients in an emergency care department from their arrival until admission, transfer or discharge, is collected and published on a quarterly basis. This information is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3/emergency\\_care-monthly\\_waiting\\_times.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm)

### **Accident and Emergency Units**

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the number patients who were not (i) treated; (ii) admitted; or (iii) discharged within the target time of four hours of arrival but were treated, admitted or discharged within 12 hours of arrival, in each month since April 2011 at the Accident and Emergency Unit of the (a) Belfast City Hospital; (b) Mater Hospital; and (c) Royal Victoria Hospital.

**(AQW 2599/11-15)**

**Mr Poots:** Information on the number of patients who were not (i) treated; (ii) admitted; or (iii) discharged within the target time of four hours of their arrival but were treated, admitted or discharged within 12 hours of their arrival, is not currently available.

However, information on the time spent by patients in an emergency care department from their arrival until admission, transfer or discharge, is collected and published on a quarterly basis. This information is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3/emergency\\_care-monthly\\_waiting\\_times.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm)

### **Accident and Emergency Units**

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the number patients who were not (i) treated; (ii) admitted; or (iii) discharged within the target time of four hours of arrival, in each month since April 2011 of the Accident and Emergency Unit at the (a) Belfast City Hospital; (b) Mater Hospital; and (c) Royal Victoria Hospital.

**(AQW 2600/11-15)**

**Mr Poots:** Information on the number of patients who were not (i) treated; (ii) admitted; or (iii) discharged within the target time of four hours from their arrival, is not currently available.

However, information on the time spent by patients in an emergency care department from their arrival until admission, transfer or discharge, is collected and published on a quarterly basis. This information is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3/emergency\\_care-monthly\\_waiting\\_times.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm)

### **Accident and Emergency Units**

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the number patients who were (i) treated; (ii) admitted; or (iii) discharged within the target time of four hours of arrival, in each month since April 2011 at the Accident and Emergency Unit of the (a) Belfast City Hospital; (b) Mater Hospital; and (c) Royal Victoria Hospital.

**(AQW 2601/11-15)**

**Mr Poots:** Information on the number of patients who were (i) treated; (ii) admitted; or (iii) discharged within the target time of four hours from their arrival, is not currently available.

However, information on the time spent by patients in an emergency care department from their arrival until admission, transfer or discharge, is collected and published on a quarterly basis. This information is available to view or download from:

[http://www.dhsspsni.gov.uk/index/stats\\_research/hospital-stats/emergency\\_care-3/emergency\\_care-monthly\\_waiting\\_times.htm](http://www.dhsspsni.gov.uk/index/stats_research/hospital-stats/emergency_care-3/emergency_care-monthly_waiting_times.htm)

## NHS: Pay Bill

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail any plans he has to reduce the pay bill of the Health Service for the 2011-15 budget period, broken down by year.  
(AQW 2602/11-15)

**Mr Poots:** Controls on the Health and Social Care pay bill are already in place and include: continuation of the pay freeze for all staff earning over £21k ending in 2012/13; vacancy controls; reduction of reliance on agency workers and further efficiencies through the introduction of shared services. Over the budget period, there will be continual monitoring of cost pressures including pay bill costs. PEDU are currently carrying out a review of the efficiency of DHSSPS.

## Domestic and Sexual Violence

**Mr McKay** asked the Minister of Health, Social Services and Public Safety (i) when future meetings of the Inter-Ministerial Group on Domestic and Sexual Violence are scheduled to take place; and (ii) whether the group will be providing a progress report on the implementation of the Tackling Violence at Home Action Plan.  
(AQW 2612/11-15)

**Mr Poots:** Following completion of the current “Tackling Violence at Home” Action Plan which runs to April 2012, a progress report evaluating the implementation of the actions will be provided to the Inter-Ministerial Group. At this stage, proposals on the way forward to integrate the domestic and sexual violence strategies will have been developed and will be presented to the Inter-Ministerial Group for consideration.

## Dementia

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety for an estimate of the prevalence of dementia in each of the last five years.  
(AQW 2614/11-15)

**Mr Poots:** Under the Quality & Outcomes Framework (QOF) of the General Medical Services contract, the total number of GP-registered patients diagnosed with dementia is recorded. Table 1 shows the raw prevalence of dementia in Northern Ireland in each of the last five years.

**TABLE 1: RAW PREVALENCE OF DEMENTIA PER 1,000 REGISTERED PATIENTS IN NORTHERN IRELAND, 2007- 2011**

Year	Raw prevalence of dementia per 1,000 registered patients <sup>1,2</sup>
2007	5.26
2008	5.32
2009	5.38
2010	5.71
2011	5.97

**Source:** Payment Calculation and Analysis System (PCAS)

**Notes:**

- 1 The prevalence is calculated based on the number of patients on the dementia register as a proportion of the full GP registered list for Northern Ireland.
- 2 The disease register data is extracted on National Prevalence Day each year, which was on 14 February up to 2008, but was changed to 31 March from 2009 onwards. The GP registered list size is taken as at January of each year.

**Cerebral Angiogram**

**Mr Storey** asked the Minister of Health, Social Services and Public Safety what is the current average waiting time for a patient to receive the results of a cerebral angiogram in each Health and Social Care Trust.

**(AQW 2626/11-15)**

**Mr Poots:** The Health and Social Care Board have informed me that catheter cerebral angiograms are performed at the Belfast Health and Social Care Trust.

These cerebral angiograms are undertaken by a radiologist following a referral from a consultant, whom in the majority of cases is a neuro-surgeon. The results of the procedure are usually available for the referring consultant to view on the Northern Ireland Picture Archive and Communication System (NIPACS) within 48 hours of the procedure being undertaken, with a paper copy of the report forwarded to the referrer soon after. It is then the responsibility of the referring consultant to communicate the results of the procedure to the patient.

Information on the length of time taken for consultants to communicate the results of cerebral angiograms to patients is not readily available. The calculation of this information would incur a disproportionate cost.

**Suicide Prevention and Bereavement Support Services**

**Mr Storey** asked the Minister of Health, Social Services and Public Safety how much his Department spent on community-led suicide prevention and bereavement support services in each of the last five years.

**(AQW 2627/11-15)**

**Mr Poots:** A total of £2.3 million of the Protect Life strategy's £3.2 million annual budget is currently allocated for the delivery of community-led suicide prevention and bereavement support services. A breakdown of expenditure on these services over each of last five financial years is outlined in the table below:

<b>Protect Life Initiative</b>	<b>Funding 2006/07</b>	<b>Funding 2007/08</b>	<b>Funding 2008/09</b>	<b>Funding 2009/10</b>	<b>Funding 2010/11</b>
Community Support Funding	£500k	£1.8m	£2.060 m	£2.230m	2.3m

**Self-harm**

**Mr Storey** asked the Minister of Health, Social Services and Public Safety to detail the information held on the Register of Deliberate Self-Harm which is used to inform the delivery of accident and emergency services and psychiatric follow-up.

**(AQW 2628/11-15)**

**Mr Poots:** The Deliberate Self Harm Registry holds the following data items: gender, age, date and time of attendance, admission details (where applicable), method(s) of self harm, and details of psychiatric assessments undertaken at Accident and Emergency Departments. This information is subsequently made available to the Health and Social Care system to help inform planning and service delivery in a wide range of areas, which include:

- Identification of need for Child and Adolescent or Adult Mental Health specialists within A&E;
- Staff rota management to ensure cover at peak attendance times;
- Targeting of resources to deal with increases in specific self-harm methods;
- Treatment of people who self-harm while under the influence of drugs and alcohol;
- Reduction in number of patients leaving without seeing an A&E Clinician;
- Recording of the “Card Before You Leave” protocol.

## Self-harm

**Mr Storey** asked the Minister of Health, Social Services and Public Safety to detail how many people have had personal information held on the Register of Deliberate Self-Harm, broken down by (i) each of the last five years; (ii) constituency; and (iii) council area.

**(AQW 2629/11-15)**

**Mr Poots:** The Deliberate Self-Harm Registry was established in the Western Health and Social Care Trust area during 2007, and it was extended to the Belfast Health and Social Care Trust area in 2011.

All data held in the Deliberate Self-Harm Registry is anonymised; therefore, no identifiable personal information is recorded.

Annual reports are produced which report on deliberate self-harm rates by participating Health and Social Care Trust areas and by associated local council areas. The next reports are due for publication by the end of 2011.

## Suicide and Self-harm

**Mr Storey** asked the Minister of Health, Social Services and Public Safety (i) how much his Department has spent on local research into suicide and self-harm, broken down by (a) each of the last five years; (b) constituency; and (c) council area; and (ii) who carried out the research.

**(AQW 2630/11-15)**

**Mr Poots:** The need for further research in a number of areas relating to suicide prevention is highlighted in the Northern Ireland Suicide Prevention Strategy and Action Plan, “Protect Life – A Shared Vision”.

The amount spent on local research in each of the last five years is detailed in the table below together with the name of the organisation or individual who carried out the research:

Year	Amount	Service Provider
2006	£7, 448	Millward Brown Ulster
2006	£5,000	University of Ulster & QUB
2007	£29,500	Social Market Research
2007	£4,050	Millward Brown Ulster
2007	£14,700	SMR
2007	£73,000	University of Ulster & QUB
2008	£8,200	Claria Research
2008	£29,950	Social Market Research
2008	£13,900	Millward Brown Ulster
2008	£12,880	McCready Donnelly and Lowry Consultants
2008	£20,000	Carecall



Year	Amount	Service Provider
2008	£96,000	University of Ulster & QUB
2008	£12,880	McCready Donnelly and Lowry Consultants
2009	£20,000	Magee Consultancy and Quaesitum
2009	£5,000	Millward Brown Ulster
2009	20,000	Northern Ireland Association of Mental Health
2009	£5,000	Jim Deeds
2009	£18,000	Deloitte
2009	£31,826	University of Sterling
2009	£39,000	University of Manchester
2009	£74,000	University of Ulster & QUB
2010	£190,147	NI Association for Mental Health
2010	£19,700	Moore Stephens Consultancy
2010	£62,513	University of Ulster
2010	£75,493	Northern Ireland Association of Mental Health
2010	£10,000	University of Sterling
2010	£30,000	University of Manchester
2010	£5,000	Millward Brown Ulster

This information is not available by parliamentary constituency or council area.

### Maternity Services: Complaints

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety how many complaints have been lodged against (i) midwives; and (ii) maternity units in each hospital, in each of the last five years. **(AQW 2634/11-15)**

**Mr Poots:** Information on the number of complaints lodged against (i) midwives; and (ii) maternity units in each hospital, in each of the last five years, is not currently available.

However, information is available on the number of complaints received by HSC Trusts relating to the Maternal and Child Health Programme of Care, for each of the last four years, detailed in the table below.

HSC Trust	2007/08	2008/09	2009/10	2010/11
Belfast	148	92	180	178
Northern	75	71	10	22
South Eastern	47	59	32	94
Southern	21	9	9	2
Western	31	38	44	29
<b>Total</b>	<b>322</b>	<b>269</b>	<b>275</b>	<b>325</b>

**Source:** CH8

## Rainbow Project

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 1755/11-15 (i) why the Rainbow Project's 2010/13 revenue grant renewal application to his Department was approved, given that its forward plan stated that it would lobby for Section 75 to be extended to include schools and the promotion of good relations between people of different sexual orientations, particularly as the Department does not allocate funding to be spent on lobbying for an expansion of gay rights; and (ii) how much funding has been allocated to the Rainbow Project by each Health and Social Care Trust in each of the last five years.

**(AQW 2638/11-15)**

**Mr Poots:**

- (i) The revenue grant renewal application towards the central administrative costs of the Rainbow Project was approved by my Department to help achieve an agreed schedule of activities which support the aims and objectives of the Department's Sexual Health Promotion Strategy and Action Plan. Rainbow is an independent charitable organisation; its forward work plan includes activities beyond the scope of the Department's financial contribution.
- (ii) I am advised that funding provided from the Health and Social Care Trusts to the Rainbow Project in each of the last five years is as follows:
- (iii)

	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
WHSCT	*	£36,013	£21,496	£39,077	£36,730
NHSCT	NIL	NIL	NIL	NIL	NIL
SHSCT	NIL	£9,358	£3,000	NIL	NIL
SEHSCT	NIL	NIL	NIL	NIL	NIL
BHSCT	NIL	NIL	£2,000	£17,593	£12,000

\* Unable to confirm funding provided by legacy Trusts.

## Health and Social Care Trusts: Document Storage

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety how much each Health and Social Care Trust has spent on secure data and document storage in each of the last ten years.  
**(AQW 2640/11-15)**

**Mr Poots:** The table below sets out expenditure incurred by Health and Social Care Trusts for off-site external document storage in each of the last four years. Expenditure prior to April 2007 could only be obtained at disproportionate cost.

	2007/08 £	2008/09 £	2009/10 £	2010/11 £
Belfast Health & Social Care Trust	431,220	563,723	609,000	510,000
Northern Health & Social Care Trust	13,053	12,948	23,152	21,811
South Eastern Health & Social Care Trust	115,134	151,060	177,703	112,586
Western Health & Social Care Trust	0	0	0	0
Southern Health & Social Care Trust	62,235	88,551	97,519	57,827
NI Ambulance Service	0	0	0	0
<b>Total</b>	<b>621,642</b>	<b>816,282</b>	<b>907,374</b>	<b>702,224</b>

It is not possible to provide details of costs associated with secure electronic data storage, as this information is not readily available and could only be obtained at disproportionate cost.

## Card Before You Leave Appointment System

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety for an update on the Card Before You Leave scheme in each Health and Social Care Trust area.

**(AQW 2652/11-15)**

**Mr Poots:** All Trusts have confirmed that the Card Before You Leave scheme is in operation in each A&E Department in their area. The scheme facilitates those patients who have self harmed and have presented to the Emergency Department, but who are assessed as being of low risk to themselves or others, to avail of a full mental health assessment the next day. The patient is given information on keeping safe and an appointment to attend mental health services the following day.

## Prescription Medicines

**Mr Nesbitt** asked the Minister of Health, Social Services and Public Safety to quantify the amount of prescription medicines that were returned by patients to community pharmacists in each of the last three years, broken down by (i) retail cost; (ii) volume; and (iii) unfinished courses of medicine.

**(AQW 2658/11-15)**

**Mr Poots:** The information being requested regarding the quantification of the actual amounts and costs of medicines being returned to Community Pharmacists by patients is not available in the format requested.

Studies have indicated that around 11% of UK households have been found to have one or more medicines that are no longer being used. The Department ran a successful advertising campaign in 2010-11 to encourage the reduction of prescription drug wastage across Northern Ireland.

## Prisoners who are Drug Dependent

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety to provide an estimate of the percentage of prisoners who are drug dependent; and whether there has been a change in this figure in the last three years.

**(AQW 2661/11-15)**

**Mr Poots:** Information on the number of prisoners registered on my Department's Drug Misuse Database is set out in the table below:

	Number of prisoners on the Drug Misuse Database
2007/08	148
2008/09	162
2009/10	188

The Drug Misuse Database holds information on problem drug users throughout Northern Ireland presenting to drugs treatment agencies, for the first time or after a period of 6 months. It is not possible to estimate the percentage of prisoners who are drug dependent, only the number of prisoners on the database between April 1 to March 31 for each of the years listed above.

A problem drug user is defined as a person who experiences social, psychological, physical or legal problems (related to intoxication and/or regular excessive consumption and/or dependence) as a consequence of their own use of drugs or chemical substances. Drugs are defined as any drug, whether prescribed or not, including solvents and tranquillisers, but excluding alcohol and tobacco.

## Orchardville Day Centre, Finaghy Road, Belfast

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety (i) how much has been spent on transporting clients to and from the Orchardville Day Centre, Finaghy Road, Belfast, including day trips, in each of the last three years; (ii) how much of this was paid to a private transport company; and (iii) when did the Belfast Health and Social Care Trust start using the private transport company.  
(AQW 2678/11-15)

**Mr Poots:** I refer the Member to the table below which sets out, in the format requested, money spent on transporting clients to and from Orchardville Day Centre.

Year	Cost of Trust Transport *	Cost of Private Transport Provider	Total
2008-09	£310,595	Information not available	N/A
2009-10	£310,520	£41,228	£351,748
2010-11	£315,531	£35,857	£351,388

\* Includes the operating cost of 6 vehicles (including capital charges), drivers and bus escorts.

The Trust has been using a private transport operator to provide a service for clients attending Orchardville Day Centre from East Belfast since July 2006.

## Suffolk Day Centre: Physiotherapist

**Ms S Ramsey** asked the Minister of Health, Social Services and Public Safety when the physiotherapist is due to retire from the Suffolk Day Centre; and whether she will be replaced.  
(AQW 2679/11-15)

**Mr Poots:** I am advised that the physiotherapist currently employed by the Belfast Health and Social Care Trust at Suffolk Day Centre will retire on 1 November 2011.

The Trust plans to replace this member of staff at the earliest opportunity, following approval by the Belfast Trust Scrutiny Committee.

## Vacant Health Service Posts

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety how many Health Service posts were vacant on 1 September 2011.  
(AQW 2722/11-15)

**Mr Poots:** The information requested is not readily available and could only be obtained at disproportionate cost.

The Department of Health collects information on the number of vacancies within Trusts on a bi-annual basis (as at 31st March and as at 30th September) by means of a survey and this information is published on the Departmental website. The latest available report records vacancies as at 31st March 2011 and can be found at:

[http://www.dhsspsni.gov.uk/vacancy\\_survey\\_march\\_2011\\_web\\_report.pdf](http://www.dhsspsni.gov.uk/vacancy_survey_march_2011_web_report.pdf)

## Expectant Mothers

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety what percentage of expectant mothers in the East Antrim constituency smoked during their pregnancy in the 2010-11 year, broken down by electoral ward.  
(AQW 2744/11-15)

**Mr Poots:** In the calendar year 2010, 18.4% of expectant mothers smoked during the pregnancy in the East Antrim Westminster Parliamentary Constituency (provisional figures). This compares with 17.5% in 2009.

Due to small numbers, the percentage of expectant mothers that were smoking cannot be broken down by Electoral Ward. The data at this geographical level would not be robust.

This information is taken from the Child Health System supplied by the HSC Trusts and is based on live births only. Please note that in some cases, where an expectant mother has stopped smoking during the pregnancy, her records may not have been updated to reflect this.

Regional information on smoking during pregnancy is also published from the UK wide Infant Feeding Survey ([www.ic.nhs.uk/pubs/infantfeeding10](http://www.ic.nhs.uk/pubs/infantfeeding10)).

## Department of Justice

### Convictions for Perverting the Course of Justice

**Lord Morrow** asked the Minister of Justice how many convictions for perverting the course of justice have been secured in the last five years.

**(AQW 1825/11-15)**

**Mr Ford (The Minister of Justice ):** The table below gives the number convicted for perverting the course of justice under Common Law in the last five years of available data.

Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included. The table covers the calendar years 2002 to 2006, the latest year for which figures are currently available.

#### NUMBER OF PEOPLE CONVICTED OF PERVERTING THE COURSE OF JUSTICE – NUMBER CONVICTED, 2002-2006

Year	Number convicted
2002	6
2003	0
2004	7
2005	6
2006	9

### Prisoners: Currency Seizures

Mr Allister asked Minister of Justice (i) on how many occasions have there been currency seizures from prisoners from 1 January 2009 to date; (ii) how much has been seized; and (iii) to detail the dates, amounts and locations of the seizures.

**(AQW 2216/11-15)**

**Mr Ford:** Currency seizures from prisoners from 1 January 2009 to date are as follows:

#### Maghaberry

- 08/02/2009 - £5 note found on a prisoner in visits search box.
- 24/07/2009 - Half a £5 note handed in by a prisoner.
- 06/08/2010 - £10 note found on a prisoner in visits search box.



### **Magilligan and Hydebank Wood**

There are no reported currency seizures in Magilligan or Hydebank Wood for the same period.

### **Separated Prisoners**

**Lord Morrow** asked the Minister of Justice whether Marion Price McGlinchy has signed the required compact for prisoners wishing to be treated as separated prisoners; and if so, when it was signed.

**(AQW 2223/11-15)**

**Mr Ford:** Marion McGlinchey (nee Price) has not yet signed the required compact for prisoners wishing to be treated as a separated prisoner. The compact, and the associated information booklet for female separated prisoners, is still in draft form. When the documents are approved for issue Ms McGlinchey will be asked to sign the compact.

### **Convictions for Possessing Indecent Images of Children**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 1636/11-15, given that notification of sex offenders is set by statute and anyone convicted of such offences is automatically subject to notification, whether the prison officers caught with indecent images of children and dealt with internally by the Prison Service are bound by this statute.

**(AQW 2232/11-15)**

**Mr Ford:** Notification is a direct statutory consequence of a conviction for a sexual offence. There is no statutory requirement to notify if there has been no conviction for such an offence.

I would refer the Member to the reply given to him on 22 September in AQW 1699/11-15. The matter of the disciplinary cases involving prison officers has been referred to the PSNI.

### **Human Trafficking**

**Mr D McIlveen** asked the Minister of Justice what action he intends to take to protect and identify victims of human trafficking; and how does his Department intend to deal with the perpetrators, given that a recent report described Northern Ireland as a gateway for trafficking.

**(AQW 2332/11-15)**

**Mr Ford:** I support the work of the Police Service and others in seeking to identify victims of human trafficking, to provide support to those victims and to bring the traffickers before the courts.

My Department funds a comprehensive victim-centred care and support package for adult victims of human trafficking while the Department of Health Social Services and Public Safety provides care and support to children. This includes safe accommodation in an environment that is conducive to the recovery of victims. Victims have access to healthcare, counselling, translation services and other necessary advice in line with our obligations under the relevant Council of Europe Convention.

The Organised Crime Task Force Immigration and Human Trafficking Sub Group provides a forum for inter-departmental and cross border co-operation on steps to tackle human trafficking in Northern Ireland. Members include the Police Service, United Kingdom Border Agency, Serious and Organised Crime Agency, DHSSPS and An Garda Síochána.

My Department seeks to engage the public to support our efforts to identify victims and perpetrators of human trafficking by knowing what signs to look out for and reporting information to PSNI or Crimestoppers. With this in mind, my Department has funded publicity campaigns, conferences and workshops. Further information on human trafficking is available at [www.blueblindfold.co.uk](http://www.blueblindfold.co.uk)

## Part-time Reserve Gratuity Scheme

**Mr McQuillan** asked the Minister of Justice whether he intends to re-open the Part-Time Reserve Gratuity Scheme to ensure that those entitled to it receive payment.

**(AQW 2350/11-15)**

**Mr Ford:** Apart from those applications pending the Appeals Panel decisions, the Scheme is now closed and all of the £20m allocated. Therefore I am unable to reopen the scheme to allow late applications.

## Prison Officers

**Lord Morrow** asked the Minister of Justice to confirm when the matter of two prisoner officers being caught with an indecent image of a child was referred to the PSNI.

**(AQW 2376/11-15)**

**Mr Ford:** The Northern Ireland Prison Service consulted with the PSNI on 9 September 2011 and Prison Service staff met with officers from the Child Protection Unit on 28 September 2011 to discuss the case. At that meeting the PSNI advised that the picture did not constitute an indecent image. As no criminal offence has taken place, the police have advised that they will not be taking further action.

## Prisons: Criminal Damage

**Mr Allister** asked the Minister of Justice to detail the total cost of criminal damage within prisons since January 2007

**(AQW 2399/11-15)**

**Mr Ford:** It is not possible to detail the cost incurred by each incident of criminal damage since January 2007 except at disproportionate cost to the public purse.

## Fuel Laundering

**Lord Morrow** asked the Minister of Justice how many people have been convicted of fuel laundering and related offences in each of the last five years, broken down by court division.

**(AQW 2419/11-15)**

**Mr Ford:** Her Majesty's Customs and Revenue have advised that in 2009/2010 one person was convicted of fuel laundering or related offences (in Antrim Court) and in 2010/2011 four people were convicted of fuel laundering or related offences in Northern Ireland (one in Armagh, one in Newry and two in Belfast). Information on convictions in previous years is available in the HMRC Autumn Performance Report 2009 – see table 5 on oils ([www.hmrc.gov.uk/about/autumn-report-2009.pdf](http://www.hmrc.gov.uk/about/autumn-report-2009.pdf)). This does not break down the information by court division.

## Domestic Violence

**Mr McKay** asked the Minister of Justice which District Policing Partnerships have set targets relating to domestic violence; and whether these targets are qualitative, quantitative or both.

**(AQW 2422/11-15)**

**Mr Ford:** The Northern Ireland Policing Board has informed me that of the 29 Local Policing Plans set for Financial Year 2011/2012, a total of 12 plans contain targets relating to domestic violence. Nine contain targets to increase detection rates; one has a target to reduce incidents of repeat victimisation; one has a target for the proportion of these crimes for which an alleged offender is arrested; one has a target to support victims of domestic violence and encourage reporting. A list of these is attached.

It is important to note that the PSNI Area Commander, rather than the District Policing Partnership, is responsible for issuing a local policing plan and the associated targets. In line with Section 22 of the Police (Northern Ireland) Act 2000, the PSNI must consult the District Policing Partnership and take account of any views expressed prior to issuing or revising the local policing plan.

**A District****West Belfast**

- To increase the detection rate for domestic violence with injury crimes by 5 percentage points.

**North Belfast**

- To increase the detection rate for domestic violence with injury crimes by 5 percentage points.

**B District****East Belfast**

- To increase the detection rate domestic violence with injury crimes by 5 percentage points.

**C District****Ards**

- To increase the detection rate for domestic violence with injury crimes by 5 percentage points.

**North Down**

- To increase the detection rate for domestic violence with injury crimes by 5 percentage points.

**D District****Antrim**

- To increase the detection rate for crimes with domestic motivation.

**Carrickfergus**

- To increase the detection rate for crimes with a domestic motivation.

**Lisburn**

- To increase the detection rate for domestic violence with injury crimes by 5 percentage points.

**Newtownabbey**

- To increase the detection rate for crimes with a domestic motivation.

**G District****Foyle**

- To reduce the incidents of repeat victimisation of domestic abuse.

**Limavady**

- To ensure that the alleged offender is arrested in at least 75% of domestic violence with injury crimes.

**H District****Ballymena**

- To ensure that our working practices support victims of Domestic Violence within our Borough and encourage the reporting of this hidden harm.

## Grants for Community Groups

**Mr Easton** asked the Minister of Justice what grants are available from his Department for community groups.

**(AQW 2432/11-15)**

**Mr Ford:** The Youth Justice Agency provides grants to voluntary bodies and community groups to assist activities which support the work of the Agency in terms of diverting children away from offending.

The Department also provides funding to Community Safety Partnerships, who work with a wide range of bodies including voluntary and community groups.

## Prison Officers

Lord Morrow asked Minister of Justice, pursuant to AQW 1557/11-15, whether the PSNI was obliged to investigate the possession of indecent images by prison officers when it was made aware of the situation by the Prison Service.

**(AQW 2464/11-15)**

**Mr Ford:** A response as to whether the PSNI was obliged to investigate the possession of indecent images by prison officers when it was made aware of the situation is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board, and committed to respecting the operational independence of the Chief Constable and the role of the Policing Board.

You may therefore wish to direct your question to the PSNI.

## Prison Service

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 1699/11-15, for his assessment of how the incident in question was handled by the Prison Service.

**(AQW 2468/11-15)**

**Mr Ford:** The Prison Service followed internal procedures in the handling of this case. Two members of staff were identified as having emailed inappropriate imagery, Prison Service Headquarters immediately referred the matter to the appropriate Governing Governor, who in turn investigated the cases under the NIPS Code of Conduct and subsequently charged the two officers with gross misconduct.

When this issue was raised with the current management of the Prison Service, they sought the views of PSNI who have confirmed that no

criminal offence was committed. That being the case, it would not be appropriate for them to conduct a criminal investigation into this matter.

## Tackling Violence at Home Action Plan

**Mr McKay** asked the Minister of Justice whether his Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if his Department will meet the target implementation date of December 2011.

**(AQW 2478/11-15)**

**Mr Ford:** The Department of Health, Social Services and Public Safety has the lead in the issue of workplace policies and I understand that this action is being taken forward regionally by the Local Domestic Violence Partnerships (LDVPs) in conjunction with their member organisations. Whilst the exploratory work is on target to be completed by December 2011, work to increase the number of employers who implement Workplace Policies will be an ongoing part of the LDVPs' business. The Northern Ireland Civil Service has a policy in place to support employees who are experiencing domestic abuse.

## Cases Dismissed at Committal Hearing Stage

**Mr Weir** asked the Minister of Justice, in each of the last four years, how many (i) preliminary investigation; (ii) preliminary enquiry; and (iii) mixed committal proceedings were dismissed at the committal hearing stage because of a lack of prima facie evidence.

**(AQW 2490/11-15)**

**Mr Ford:** The information sought is set out below:

Year	Total defendants Committed	Number of Statement of Complaints with a Preliminary Investigation (PI) hearing that were Dismissed	Number of Statement of Complaints with a Preliminary Inquiry (PE) hearing that were Dismissed	Number of Statement of Complaints with a mixed PE/PI hearing that were Dismissed
2007	1,938	2	2	0
2008	1,764	0	1	0
2009	1,754	1	1	0
2010	1,899	0	1	0
<b>Total</b>	<b>7,355</b>	<b>3</b>	<b>5</b>	<b>0</b>

## Brendan Lillis

**Mr Givan** asked the Minister of Justice, pursuant to AQW 1751/11-15, what cognisance was given to the medical report by Dr Sean O Domhnaill when the Parole Board was considering the release of Brendan Lillis.

**(AQW 2516/11-15)**

**Mr Ford:** The assessment of any evidence in a case before them is wholly a matter for the Parole Commissioners for Northern Ireland. I am committed to respecting their statutory and operational independence.

## Motoring Offences

**Mrs D Kelly** asked the Minister of Justice what action was taken against motorists who were caught on camera failing to stop at a red light in each of the last five years; and how much money was generated by fines imposed on these motorists broken down by (i) County Court Division; and (ii) year.

**(AQW 2517/11-15)**

**Mr Ford:** Where a motorist is detected by camera to have failed to stop at a red light, a Conditional Offer Fixed Penalty Notice (COFPN) is issued by police. The information requested is not available as sought as the revenue received for COFPN offences is not broken down by offence type.

However, the total sums received are set out below and the police have provided information on the number of detections of red light running by police district.

## REVENUE FOR COFPN 2007 - 2010

Year	Amount
2007	£716,220.00
2008	£735,420.00
2009	£1,033,680.00



Year	Amount
2010	£879,360.00

### NI Road Safety Partnership

Detections at Red Light Running Cameras 2007-2010

	2007	2008	2009	2010
Nelson St, Belfast	23	106	91	168
Castle St, Belfast	2	58	72	53
Middlepath St, Belfast	45	199	279	235
York St, Belfast	21	55	30	34
Millfield, Belfast	72	276	206	152
Glenshane Rd, Foyle	0	63	164	158
<b>Total Detections</b>	<b>163</b>	<b>757</b>	<b>842</b>	<b>800</b>

**Note:** Red Light Running cameras were introduced in 2007 to five sites in Belfast and in 2008 to one site in Foyle. Please note that due to ongoing work on the VPFP system, these figures are subject to minor changes.

### Power of Attorney Cases

**Mr Weir** asked the Minister of Justice what requirement is asked by the Courts with regard to insurance in power of attorney cases; and whether this requirement has changed in recent years.

**(AQW 2544/11-15)**

**Mr Ford:** There is no statutory requirement for an attorney under an enduring power to provide insurance.

### Child Abuse

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 1958/11-15, what guidelines are in place to monitor or police priests who fail to disclose information on child abuse heard under the seal of the Confessional; and whether it falls to the alleged victim to report a priest who has not disclosed the information.

**(AQW 2606/11-15)**

**Mr Ford:** As I explained in my earlier answer, the law is clear that it is an offence not to provide information to the police in relation to relevant offences, such as child abuse, unless there is a reasonable excuse. I am not aware of specific guidelines relating to a failure to disclose such information and am not clear how any such guidelines might be applied. It is, of course, open to anyone with evidence of the failure of an individual, such as a priest, to disclose information relevant to a crime to bring this to the attention of the police; although this could also emerge as part of a criminal investigation.

### Firearms Certificate

**Lord Morrow** asked the Minister of Justice to detail the administrative costs of (i) granting a firearms certificate; and (ii) altering an existing firearms certificate.

**(AQW 2610/11-15)**

**Mr Ford:** The administrative costs of firearm certificate licencing are a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board.

I have been advised by the PSNI that they have also received this question and will be responding directly.

## PSNI Firearms Licensing Branch

**Lord Morrow** asked the Minister of Justice to detail the (i) income; and (ii) expenditure of the PSNI Firearms Licensing Branch in each of the last three years.

**(AQW 2611/11-15)**

**Mr Ford:** The income and expenditure of the Police Service of Northern Ireland Firearms Licensing Branch is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board.

I have been advised by the PSNI that they have also received this question and will be responding directly.

## Legal Aid

**Mr Campbell** asked the Minister of Justice to detail the amount paid in legal aid fees to the ten highest earning people who received legal aid in the 2009/10 financial year.

**(AQW 2616/11-15)**

**Mr Ford:** Information regarding amounts paid to the highest earning barristers and solicitor firms for the financial year 2009/10 is published on the Legal Services Commission website, [www.nilsc.org.uk](http://www.nilsc.org.uk).

The Commission does not hold information on the level of individual solicitor's earnings. Legal aid payments that are made to solicitor firms often cover the work of a number of individuals.

## Knife Amnesty

**Mr Campbell** asked the Minister of Justice whether he plans to re-introduce a knife amnesty.

**(AQW 2662/11-15)**

**Mr Ford:** The PSNI statistics on violent and sexual offences involving knives and sharp instruments indicate that the number of incidents has dropped by 117 during 2010/2011 compared to the previous year – a decrease of 12.2%.

That said there is no room for complacency and my Department is fully committed to tackling violent crimes, including knife crime. The possibility of a further knife amnesty will, therefore, remain, under consideration as we monitor the ongoing trend in knife crime across Northern Ireland.

## Department for Regional Development

### Railways: Belfast to Dublin

**Mr Craig** asked the Minister for Regional Development to detail the average travel time for the NI Railways Enterprise Service from Belfast to Dublin.

**(AQW 2088/11-15)**

**Mr Kennedy (The Minister for Regional Development):** Translink advise that the average journey time for the NI Railways Enterprise Service from Belfast to Dublin during the period 25 July 2011 to 21 August 2011 was 135 minutes, based on the 205 journeys made during this period.

### Translink: Financial Subsidy

**Ms Lo** asked the Minister for Regional Development to outline the annual financial subsidy to Translink, broken down by constituency.

**(AQW 2205/11-15)**

**Mr Kennedy:** It is not possible to outline the annual financial subsidy to Translink broken down by constituency. This is because the major revenue grants are based on subsidising travel on the bus and rail networks as a whole and also because Translink do not break down their costs by constituency.

The largest single grant is the concessionary fares scheme for senior citizens, school children and other specified groups which accounts for over £30m per annum. Concessionary fares are primarily a subsidy to the passenger but are included as it is such an important part of the funding for Translink. The second largest is Public Service Obligation or deficit funding for the Northern Ireland Railways network which is over £25m in the current year. After that Fuel Duty Rebate or rebate on the duty paid on fuel for operating a stage carriage network of services is the next largest annual subsidy to Translink at around £10m. The remaining subsidies relate to support for pensions and delivery of transport services for people with disabilities.

In the absence of being able to answer your question by constituency, I have outlined the total annual subsidies to Translink over the Budget period broken down by bus and rail.

Financial Year	NIR £m	Translink Bus £M	Total £M
2011/12	33.5	35.7	69.2
2012/13	32.7	37.2	69.9
2013/14	33.5	31.4	64.9
2014/15	29.5	32.9	62.4

### Cycle Lanes: Ards Peninsula

**Mr Weir** asked the Minister for Regional Development how much funding has been identified for the provision of cycle lanes in the Ards Peninsula.

**(AQW 2243/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that while no funding has been allocated for cycle lanes on the Ards Peninsula during the current financial year, a contribution to cycling has been made through the provision of a bridge, to be erected over the Ballyrainey Road, Comber as an extension to the Comber Greenway, and by way of technical assistance for that project.

### Car Parking: Residents

**Mr Agnew** asked the Minister for Regional Development for an update on the plans for residential parking schemes; and if any consideration has been given to the introduction of a residents parking scheme in Bangor town centre.

**(AQW 2261/11-15)**

**Mr Kennedy:** The Belfast Metropolitan Transport Plan (BMTP) 2015 identified a number of locations where there should be parking restraint and Roads Service's initial focus has been in areas where the problems have been assessed to be most critical and long standing. The introduction of Residents' Parking Schemes within the Belfast Metropolitan Area (BMA) is currently focused in areas close to Belfast city centre.

My Department's Roads Service is currently engaged with a number of local communities with a view to developing and implementing schemes in those areas. These are not pilot schemes, but the first in a number of schemes to be developed, consulted upon and, hopefully, implemented in due course.

As the design and consultation process in these areas is well advanced, I believe there is merit in continuing with this work with a view to having schemes implemented as soon as possible.

In addition, it is Roads Service's intention to work towards the introduction of Residents' Parking Schemes, where appropriate, within all areas of parking restraint identified in the BMTP. I would hope

that, in due course, schemes could be progressed in Lisburn, Bangor and Carrickfergus, subject to the availability of resources and public acceptance.

## **A5: Funding**

**Mr Dickson** asked the Minister for Regional Development for his assessment of how the funding allocation for the A5 scheme will impact upon structural maintenance elsewhere.

**(AQW 2278/11-15)**

**Mr Kennedy:** The budget for period 2011/12 to 2014/15 was announced to the Assembly by the Minister for Finance and Personnel on 4 March 2011. The structural maintenance budget is currently held by my Department's Roads Service is that allocated to it centrally by the Department of Finance and Personnel following the Budget 2010 settlement. Progression of the A5 scheme does not necessarily impact on Roads Service's structural maintenance budget.

## **Car Parking: Residents**

**Mr Weir** asked the Minister for Regional Development whether he has any plans to introduce residents parking schemes outside Belfast; and if so, where and when.

**(AQW 2289/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it will consider requests to introduce Residents' Parking schemes in urban areas.

At present, a consultation has been successfully completed on a proposal for a scheme in the Bogside area of Londonderry and details are being finalised in preparation for the necessary legislative procedures.

Elsewhere, I would hope that, in due course, schemes could be progressed in Antrim, Lisburn, Bangor, Ballymena and Carrickfergus, subject to the availability of resources and public acceptance.

## **Footpaths**

**Mr Durkan** asked the Minister for Regional Development what steps he has taken to make it obligatory for the Northern Ireland Local Government Association to work with Roads Service to ensure that snow and ice is removed from footpaths to avoid the injuries and the disruption that were experienced last winter.

**(AQW 2296/11-15)**

**Mr Kennedy:** I should advise the Member that there is no statutory duty on Roads Service, or indeed on District Councils which have responsibilities for street cleaning, to salt, or clear snow and ice from footways. I do not, therefore, have any powers to compel the Northern Ireland Local Government Association (NILGA) to work with Roads Service on this matter.

However, I am well aware of the difficulties experienced by the public during the last two winters and for that reason, my Department's Roads Service has held a series of meetings with NILGA and the Society of Local Authority Chief Executives (SOLACE) representatives, throughout the summer period. The purpose of these meetings was to establish a consensus on a number of points of principle, which will set out the basis of partnering arrangements between Roads Service and Councils for the removal of snow and ice from busy town centre footways, during prolonged periods of wintry weather.

When finalised, it is hoped that agreements based on the broad framework can be put in place. These may be specifically tailored for each individual Council, in relation to the agreement of schedules of footways, call-out arrangements, or salt delivery arrangements. It is planned that the agreements will be in place before the winter season starts. However, each individual Council will have the final decision on whether or not it signs up to provide this valuable service to the public.

## Roads: Salt and Grit

**Mr Durkan** asked the Minister for Regional Development, given the shortages last winter, whether his Department plans to increase the number of salt bins and grit piles on public roads.

**(AQW 2297/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that arrangements are in place to maintain approximately 4,200 salt bins and almost 40,000 grit piles at pre-agreed strategic locations on public roads across Northern Ireland. These locations meet the required criteria and are monitored on a regular basis, including during the cyclical highway inspections.

Roads Service uses best endeavours to maintain all of these bins with salt supplies. During hazardous weather conditions, the replenishment of salt bins is given a high priority and requests for salt replenishment are duly actioned, as resources permit.

During the exceptional period of cold weather, in December 2010, Roads Service employed all of its available resources, as well as additional contractor squads, to replenish the salt boxes that were in place. Unfortunately, I am informed that occasionally after refilling, the salt was sometimes completely removed from many bins, frequently on the same day and often by people for use in other areas. This made it very difficult to keep up with the demand for replenishment, and also resulted in some members of the public encountering difficulties or delays accessing salt supplies.

The current policy does not limit the numbers of salt bins or grit piles in any area provided they meet the required criteria. However, salt bins are not normally provided within 100m of another bin.

Using the current criteria, new salt bins and grit piles can be, and are being, requested and supplied on an ongoing basis and in doing so, my Department's Roads Service is increasing the number of salt bins and grit piles on public roads this winter.

## Roads Service: Salting

**Mr Durkan** asked the Minister for Regional Development to detail the amount of salt used by Roads Service last winter in each division.

**(AQW 2298/11-15)**

**Mr Kennedy:** Details of the volume of salt used by my Department's Roads Service, broken down by Division, are provided in the table below:

Roads Service Division	Volume of Salt Used (Tonnes)
Northern	35,383
Southern	25,201
Eastern	17,085
Western	21,479
DBFO Contractor (Motorways)	11,205
<b>Total</b>	<b>110,353</b>

## Roads: Ice and Snow

**Mr Durkan** asked the Minister for Regional Development whether Roads Service has made the clearing of ice and snow from roads around schools a priority for this winter.

**(AQW 2299/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that following the severe wintry conditions experienced at the start of December 2008, Roads Service carried out an examination of its operational response to areas around rural schools. This examination resulted in Roads Service



introducing enhanced communication arrangements, and priority “secondary” salting to the 46 rural schools most affected by weather conditions throughout the winter of 2008/09. This amended policy, which is designed to give priority to such schools, will be in operation again this winter.

Roads Service maintains the policy at a local level, taking into consideration local weather conditions. There is flexibility to add other schools as conditions dictate throughout the winter period.

At the same time, the criteria for the provision of grit/salt piles and salt bins were also amended so that these can now be provided to affected schools, upon request.

### **NI Water: Major Incident Plan**

**Mr Durkan** asked the Minister for Regional Development, given the predictions of severe weather conditions to occur as early as October, (i) when NI Water's Major Incident Plan will be tested; and (ii) when NI Water plans to launch its winter publicity campaign to provide advice on lagging and burst pipes prior to potential severe drops in temperature.

**(AQW 2300/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that (i) its Major Incident Plan has been revised following lessons learnt from last winter and a mock incident exercise will be held on 26 October 2011, a number of stand alone procedural tests have already been completed; and (ii) NIW's winter awareness campaign has already commenced with discussions held with various stakeholders to raise awareness of the need to protect water pipes. Those consulted include vulnerable groups, business groups, the Ulster Farmers' Union, local councils, the Housing Executive and the Education & Library Boards. A winter warmer campaign was launched on 14 September 2011 which promoted the 'lag and tag' message to ensure customers are aware of the location of their stop valve in the event of a burst pipe. In addition, a message and advice on how to 'protect your pipes' is available on NIW's website [www.niwater.com](http://www.niwater.com) and an extensive public awareness advertising campaign with the key message of 'Don't Wait, Insulate' will run from 24 October 2011, using a wide range of media outlets. The campaign will include a leaflet drop to all NIW customers throughout Northern Ireland.

### **Footpath Resurfacing: Magherafelt**

**Mr I McCrea** asked the Minister for Regional Development to detail the footpath resurfacing or upgrade schemes planned for the Magherafelt District Council area in each of the next two years.

**(AQW 2306/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 2303/11-15.

### **Signage: Cleaning**

**Mr Easton** asked the Minister for Regional Development to outline his Department's policy on cleaning departmental signage.

**(AQW 2309/11-15)**

**Mr Kennedy:** My Department's Roads Service regularly inspects all public roads and footways to ensure that essential response maintenance is identified and completed as necessary. During these inspections, all defects, including defective signs and signs requiring cleaning to improve their visibility, are noted.

The frequency of these inspections and the subsequent action varies according to the type of road and the volume of vehicular or pedestrian traffic.

### **Roundabouts: Craigantlet Hills, North Down**

**Mr Easton** asked the Minister for Regional Development for an update on the proposed new roundabouts for the Craigantlet Hills, North Down.

**(AQW 2311/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it is anticipated that a planning application and environmental statement for this major improvement scheme to upgrade two junctions in the vicinity of Craigantlet Crossroads will be submitted in autumn of this year.

However, the timescale for construction of this proposed scheme, which is expected to cost in the region of £2.1 million, will be dependent on the outcomes of the various statutory processes, land acquisition and the availability of the necessary finance.

While a firm commitment on funding for this project cannot be given until the various statutory processes have been successfully completed, the scheme remains a high priority for Roads Service.

### **Road Surfacing: Donaghadee**

**Mr Easton** asked the Minister for Regional Development what new road surfacing schemes are planned for the Donaghadee area in the next two financial years.

**(AQW 2312/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 1815/11-15.

### **Footpaths: Conlig**

**Mr Easton** asked the Minister for Regional Development what new footpath schemes are planned for Conlig in the next four financial years.

**(AQW 2313/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 1815/11-15.

### **Roads: Gritting**

**Mr McQuillan** asked the Minister for Regional Development what action he has taken to ensure that there will be an increased supply of grit available in rural areas this winter.

**(AQW 2351/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that its winter service policy and procedures, which set out the criteria for the salting of roads, are based on the well established practice of targeting the limited resources available for this service on the busier main through routes.

Roads Service has no statutory obligation to salt roads, but it does earmark funds to provide a salting service with the aim of helping main road traffic to move safely and freely in wintry conditions.

Roads Service salts main through routes carrying more than 1,500 vehicles per day. In exceptional circumstances, roads with difficult topography carrying between 1,000 and 1,500 vehicles per day will also be salted. The application of this policy ensures that 28% of the total road network, which carries around 80% of traffic, is salted. In an average winter, Roads Service would usually use around 50,000 tonnes of salt at a cost of around £5 million. During last year's severe weather, Roads Service used over 100,000 tonnes of salt at a cost of over £10 million.

In addition, small settlements in rural areas containing 100 dwellings or more also have salted links to roads on the main salted network and, priority "secondary" salting is provided to around 50 rural schools that are most affected by the adverse weather conditions. Salting may also be undertaken in urgent situations such as to provide access for the emergency services, unforeseen occurrences such as funerals or to help get fuel or feed stocks to farmers.

Arrangements are also in place to use farmers and contractors to assist with clearing snow from local roads and for the provision of approximately 4,200 salt bins and almost 40,000 grit piles on public roads.

I understand that over 14% of the total amount of salt used during last winter was applied to local roads not on the salted network, to help alleviate conditions in appropriate situations and to replenish salt bins and grit piles.

During the exceptional conditions of last winter, all available resources as well as additional contractors squads were employed, to replenish the salt boxes that were in place. Unfortunately, after refilling, the salt was on occasions completely removed from a number of boxes, frequently on the same day and often by people for use in other areas. This made it very difficult to keep up with the demand for replenishment and unfortunately also denied other members of the public access to salt supplies.

While the current policy does not limit the numbers of salt bins or grit piles in any area provided the request satisfies the required criteria, salt bins are not normally provided within 100m of another bin.

I can confirm that My Department's Roads Service will continue to the use best endeavours to maintain all grit piles, and any requests for replenishment of salt boxes will be dealt with as a matter of priority, as resources permit.

### **A37: Limavady-Coleraine**

**Mr Campbell** asked the Minister for Regional Development what plans he has to upgrade the A37 Limavady-Coleraine Road which has been scheduled for improvement for a number of years.

**(AQW 2356/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that the Regional Strategic Transport Network Transport Plan 2015 (RSTNTP), published in 2005, envisaged the provision of improved overtaking opportunities for Coleraine bound traffic through the construction of a 2.3 kilometre climbing lane on the west side of Keady Mountain, at Gortcorbies.

In completing this scheme, Roads Service needs to take account of the attractive Binevenagh Area of Outstanding Natural Beauty, and would wish to develop an environmentally friendly and cost effective design. However, issues relating to the disposal of the substantial volume of surplus material that would arise from construction have consistently frustrated development of the scheme.

Unfortunately, given the current financial climate and based on the funding currently allocated to my Department, construction of the Gortcorbies Climbing Lane is not anticipated to commence before 2014/2015, at the earliest.

### **A2 at Ballykelly Village**

**Mr Campbell** asked the Minister for Regional Development at what stage are the plans to (i) decide which is the preferred route; and (ii) provide a bypass on the A2 at Ballykelly village.

**(AQW 2357/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that the preferred route for the Ballykelly Bypass was announced in March 2010. The proposed scheme is for the construction of 4.2km of dual carriageway that will pass to the south of Ballykelly village. A proposed junction at the Loughermore Road will provide access to and from the dual carriageway.

The Investment Delivery Plan (IDP) for Roads, which was published in 2008, identifies the delivery of the A2 Ballykelly Bypass during the plan period 2008–2018. Unfortunately, the funding levels within the current budget do not allow for construction to start before 2014/15 at the earliest. The timing of delivery will be dependent on the allocation of finances beyond the Budget 2011-15.

### **Railways: Privately Owned Crossings**

**Mr Frew** asked the Minister for Regional Development what plans are in place to provide technology at privately-owned farm railway crossings to enhance safety and provide an early warning system.

**(AQW 2363/11-15)**

**Mr Kennedy:** My Department has approved funding to Northern Ireland Railways of £3,378,000 for a User Worked Crossing Safety Improvement Programme on the railways network. Work is under way to investigate the need for safety improvements and to look for practicable solutions where improvements are deemed appropriate.

Given that the greatest safety improvement for any User Worked Crossing is closure, the initial approach is to investigate the potential to permanently close such crossings by provision of alternate access.

Where this is not practicable options will be considered for improving safety by provision of equipment such as telephones for users to obtain permission to cross or, if appropriate, warning systems such as Miniature Stop Lights to provide active warning to users of approaching trains.

Each location is unique and when considering the most practicable solution at each Crossing a number of factors are considered. Work is prioritised on the basis of risk and on each occasion the landowner/ authorised user is consulted to try to reach a solution which is mutually acceptable.

### **Road Surfacing: Millisle**

**Mr Easton** asked the Minister for Regional Development what road surfacing schemes are planned for the Millisle area in the 2012/13; and (ii) 2013/14 financial years.

**(AQW 2367/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 1815/11-15.

### **Footpaths: Crawfordsburn**

**Mr Easton** asked the Minister for Regional Development what footpath schemes are planned for Crawfordsburn village in next four financial years.

**(AQW 2368/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 1815/11-15.

### **Footpaths: North Down**

**Mr Weir** asked the Minister for Regional Development to detail the cost of replacing footpaths with asphalt in the North Down area in each of the last five years.

**(AQW 2370/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it does not maintain details on the cost of replacing footways and cycle tracks on the basis of its expenditure on a functional activity basis by council area, however, the information is available for the whole of Northern Ireland.

Roads Service's total expenditure on footway and cycle tracks is broken down into resurfacing (using asphalt) and resurfacing and reconstruction works (including emergency works, using macadam, flagstones and block paving, and other surface treatments). Details of the material that the resurfaced/ reconstructed footways and cycle tracks were originally surfaced with are not held.

Details of expenditure for each of the last 5 years on footways and cycle tracks, using asphalt, and the total amount on structural maintenance work on footways and cycle paths, including asphalt, are set out in the table below:

<b>Financial Year</b>	<b>Footways &amp; Cycle Tracks – Resurfacing (asphalt)</b>	<b>Total Footways &amp; Cycle Tracks – Resurfacing &amp; Reconstruction</b>
2006-07	£1,708.000	£2,961.000
2007-08	£1,851.000	£3,302.000
2008-09	£1,685.000	£2918.000
2009-10	£2,443,000	£4,181.000
2010-11	£2,324,000	£4,125.000

### **Footpaths: North Down**

**Mr Weir** asked the Minister for Regional Development what projects are planned to replace footpaths in North Down in each of the next three years.

**(AQW 2371/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 2145/11-15.

### **Footpaths: North Down**

**Mr Weir** asked the Minister for Regional Development what footpath schemes are planned for the North Down area in each of the next three years.

**(AQW 2372/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 2145/11-15.

### **Footpaths**

**Mr Weir** asked the Minister for Regional Development to detail the cost of replacing flagged footpaths with asphalt in each of the last five years.

**(AQW 2373/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 2370/11-15.

### **Traffic Calming and Lighting: Magherafelt**

**Mr I McCrea** asked the Minister for Regional Development what (i) traffic calming schemes; and (ii) lighting schemes are planned for the Magherafelt District Council area in each of the next two years.

**(AQW 2383/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 2303/11-15.

### **Cycle Lanes: Magherafelt and Cookstown**

**Mr I McCrea** asked the Minister for Regional Development what plans he has to increase the number of cycle lanes on roads in the (i) Magherafelt District Council area; and (ii) the Cookstown District Council area.

**(AQW 2384/11-15)**

**Mr Kennedy:** My Department's Roads Service advises that details of cycling provision in both Magherafelt and Cookstown Council areas are available in the Sub-Regional Transport Plan, which can be viewed at the following web address:

[http://www.drdni.gov.uk/index/subregionaltransport/srtp\\_technical\\_supplements.htm](http://www.drdni.gov.uk/index/subregionaltransport/srtp_technical_supplements.htm)

### **Private Roads**

**Mr Kinahan** asked the Minister for Regional Development what action he is taking to ensure that unfinished private roads in developments, where the developer has gone into administration, will be finished to an acceptable standard.

**(AQW 2395/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that, where a developer has gone into administration, it will initially liaise with the administrator to seek completion of the development's roads infrastructure that has been considered for adoption. Should this work be undertaken by the administrators, or any other responsible party, Roads Service will carry out inspections at key stages during the construction to ensure the roads and footways determined for adoption are completed to the required standard.



If this is not possible, Roads Service will call upon the road bond and arrange for another contractor to complete the necessary works and will again carry out inspections at key stages during the construction. These inspections confirm that the roads and footways comply with the Private Streets (Construction) Regulations (NI) 1994.

### **Blue Badges**

**Mr Hamilton** asked the Minister for Regional Development how many Blue Badges have been revoked because of their misuse in each of the last three years.

**(AQW 2415/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that no Blue Badges have been revoked in the last three years.

Misuses of the Blue Badge Scheme detected by Traffic Attendants are reported to Roads Service. Three such recorded instances of misuse will lead to the withdrawal of the Blue Badge. There are currently no Blue Badges with three recorded instances of misuse.

### **Blue Badges**

**Mr Hamilton** asked the Minister for Regional Development how many applications for Blue Badges for children under 2 years old have been received in each of the last three years; and how many have been granted.

**(AQW 2416/11-15)**

**Mr Kennedy:** My Department's Blue Badge Unit advises that the information is not available in the format you have requested. However, I can confirm that of the 102,000 Blue Badges currently in use, 29 were issued for children under 2 years of age.

### **NI Water: Waste Water Treatment Works**

**Mr Hamilton** asked the Minister for Regional Development what work NI Water intends to carry out on (i) Killyleagh Waste Water Treatment Works; (ii) Ballygowan Waste Water Treatment Works; and (iii) Saintfield Waste Water Treatment Works in this financial year.

**(AQW 2423/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that (i) it expects to award a contract during October 2011 for a programme of capital base maintenance work at Killyleagh Wastewater Treatment Works (WWTW). (ii) It proposes to construct a replacement WWTW at Ballygowan, to serve both Ballygowan and adjacent catchments, and hopes to identify a potential site during this financial year. Subject to the successful purchase of land and the completion of all statutory processes, a tender competition will be held to secure a design and build contractor to undertake the works. (iii) Work on a significant upgrade of Saintfield WWTW is in the final stages and completion is anticipated in October 2011.

### **NI Water**

**Mr Hamilton** asked the Minister for Regional Development to detail the operational schemes which NI Water intends to carry out in Ballynahinch in this financial year.

**(AQW 2424/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that, during this financial year, it plans to commence a £4.5 million project to upgrade Ballynahinch Wastewater Treatment Works to address compliance, capacity and operational issues. It also plans to provide a storm sewer at Magheraknock Road, Ballynahinch and both projects are expected to commence early in 2012.

In addition, NIW is currently progressing work on the provision of a storm sewer at Crossgar Road, Ballynahinch and will soon commence work on the upgrade of Ballynahinch Town Wastewater Pumping Station. It is expected that both these projects will be completed during this financial year.

### **Car Parking: Residents**

**Mr Campbell** asked the Minister for Regional Development whether he is considering introducing residents only parking schemes for urban areas of Coleraine.

**(AQW 2427/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that a Residents' Parking Scheme is currently being considered at Circular Road, Coleraine. The Member should note that the proposed scheme is at a very early stage. Roads Service will assess the results of initial surveys against the qualifying criteria and inform you of the outcome in due course.

### **Alley Gating**

**Mr Weir** asked the Minister for Regional Development how much his Department has spent on alley gating in each of the last three years.

**(AQW 2446/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 2259/11-15.

### **Railways: Class 80 Rolling Stock**

**Mr Dallat** asked the Minister for Regional Development to detail his plans for the Class 80 rolling stock which has been taken out of service.

**(AQW 2499/11-15)**

**Mr Kennedy:** Northern Ireland Railways has advised that they have already invited registration of expressions of interest from parties wishing to procure all or parts of surplus rolling stock which will become available for disposal over the next year or so. This will be completed in accordance with agreed guidance and in the manner which represents best value for money for Northern Ireland Railways and my Department.

### **Railways: Derry Station**

**Mr Dallat** asked the Minister for Regional Development what plans are in place to provide a new railway station in Derry which is accessible from the new Peace Bridge.

**(AQW 2500/11-15)**

**Mr Kennedy:** Translink is working with Ilex to carry out a joint 'Londonderry Railway Station Feasibility Study' in order to identify the preferred location and concept layout of a new or refurbished station. As part of the study Translink will consider options to continue using the existing location, acquiring and re-using the old station building and also a new build option. The study is expected to be completed during 2011/12.

Translink recognises that Ilex is currently developing the area and the study is being undertaken at this stage so that suitable steps can be taken to protect the identified preferred site. It should be emphasised that there is no funding within the current capital programme for the station to be built.

Realistically progress will depend on the next Comprehensive Spending Review.

### **Railways: Halts at Magilligan and Bellarena**

**Mr Dallat** asked the Minister for Regional Development to detail the amount of money which has been spent on improving the railway halts at (i) Magilligan; and (ii) Bellarena in the last twelve months; and

what plans exist for the improvement of these stations in keeping with the development of a modern inter-city rail service between Belfast and Derry.

**(AQW 2501/11-15)**

**Mr Kennedy:** Translink has not carried out any improvements to Bellarena Halt in the past year, nor are there currently any plans for works at this location. There is no railway halt at Magilligan. The other halt between Coleraine and Londonderry is at Castlerock and there are also no plans for works at this location in the immediate future.

### **Translink: Compensation Claims**

**Mrs D Kelly** asked the Minister for Regional Development how many passengers who were travelling on the Metro bus which overturned outside Central Station, Belfast on 14 August 2011 have submitted compensation claims; and when is the cut-off date for submitting a claim.

**(AQW 2518/11-15)**

**Mr Kennedy:** At the time of the incident there were 35 passengers on the bus. To date Translink has received 26 personal injury claims.

The cut-off point for submitting such claims is 3 years from the date of the incident for a personal injury claim before the statute of limitation expires. In respect of a minor the statute of limitation expires when they reach 21 years of age.

### **Comber Greenway**

**Miss M McIlveen** asked the Minister for Regional Development what plans are there to connect the Comber Greenway to Comber town centre.

**(AQW 2766/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that due to the existing narrow carriageways, which form the most direct route to the town centre and reduced levels of funding over the current Budget period. There are currently no plans to extend the Comber Greenway into Comber town centre.

However, there may be opportunities to provide a cycle lane if a one-way traffic system was introduced to Mill Street, as part of or in connection with, an Environmental Improvement scheme for that part of Comber.

## **Department for Social Development**

### **Medical Referee Service**

**Mr Swann** asked the Minister for Social Development, on average, how long a person has to wait for an oral hearing when appealing a 'fit to work' decision by the Medical Referee Service.

**(AQW 2156/11-15)**

**Mr McCausland (The Minister for Social Development):** The average time an appellant has to wait for an oral hearing for an Employment Support Allowance appeal, where a Work Capability Assessment informed the decision, is 11.35 weeks from when the appeal is received by The Appeals Service.

### **Fuel Poverty**

**Mr Swann** asked the Minister for Social Development (i) whether he plans to reduce fuel poverty by ensuring that all senior citizens living in social housing have double glazing; and (ii) to detail the timescale for any such plans.

**(AQW 2161/11-15)**

**Mr McCausland:** The Housing Executive has advised that they do not have a category of stock for senior citizen accommodation. However, they do have a number of window replacement schemes included in their planned maintenance programme this financial year which will see work carried out to over 3,200 homes. The Housing Executive Board has set the objective of having all their properties double glazed by 2021 and I am bidding for additional funding in the October Monitoring round to enable the Housing Executive to replace single glazed windows with double glazing and additional insulation measures to tackle the thermal efficiency of individual homes. With regard to Housing Associations, much of their stock already has double glazing and most have advised that they intend replacing any remaining single glazed windows with double glazing in their planned programme of works.

### **Civil Servants: Relocation**

**Mr Eastwood** asked the Minister for Social Development how he will ensure that Civil Servants based in Belfast and who wish to transfer to Derry as a result of the relocation of state retirement pension services, are able to do so.

**(AQW 2169/11-15)**

**Mr McCausland:** The co-location of over 90 posts for state pension and state pension credit services in Londonderry will create a single Northern Ireland Pension Centre. This exercise will not result the creation of new posts, but in the relocation of posts that already exist within the Social Security Agency.

The human resources plans for the re-location of the posts are being managed under a business-driven Recruitment, Training and Redeployment Strategy. A key requirement of the Strategy is the need to ensure that the services provided to customers are maintained throughout the relocation exercise and that Northern Ireland Civil Service (NICS) policies on staff redeployment and vacancy management are complied with.

Staff needed for the relocated function will be identified from a range of sources, including those staff currently in post and who wish to move with their post; Departmental staff who have been identified for redeployment; and NICS staff placed on priority pools for redeployment, Disability Discrimination Act (DDA) work adjustments and Welfare transfers. In addition, in order to secure the degree of experience necessary to allow the maintenance of service levels, and to reflect the fact that this exercise is essentially about the relocation of existing posts, staff across the Department with relevant experience have been invited to express an interest in the vacancies available. If vacancies remain after these stages, expressions of interest will be invited from staff across the wider NICS.

### **Housing Executive Properties: North Antrim**

**Mr Frew** asked the Minister for Social Development how many Housing Executive properties in the North Antrim constituency are not fit for habitation, broken down by (i) the type of dwelling; and (ii) the areas within the constituency.

**(AQW 2179/11-15)**

**Mr McCausland:** The information is not available in the format requested because the Housing Executive does not routinely collate information by Parliamentary Constituency. However, figures from the 2009 House Condition Survey in relation to unfitness indicates that, in the Mid Antrim and Causeway Coast areas, the level of unfitness in 2009 for all housing stock was estimated to be 4% and 1% respectively. This compares with 2.4% for Northern Ireland. These figures relate to all tenures and include vacant dwellings.

### **Attendance Allowance and Carers Allowance**

**Mr McClarty** asked the Minister for Social Development (i) what systems are in place to ensure that the Attendance Allowance and Carers Allowance is received by people who require it; and (ii) what support, guidance and monitoring is provided for people in receipt of the Attendance Allowance and the Carers Allowance.

**(AQW 2201/11-15)**

**Mr McCausland:** Benefit uptake is a key Social Security Agency priority and since 2005 specific exercises within the overall uptake programme have focused on increasing uptake of Attendance Allowance and Carer's Allowance. This has resulted in over 5,000 successful claims to Attendance Allowance and Carer's Allowance generating an additional £12 million in annual benefits and arrears for customers. A strand of this years' uptake Programme will again focus on people who could be entitled to Attendance Allowance and Carer's Allowance with over 16,000 people being targeted specifically and offered a full benefit assessment. This work is complemented by participation in local promotional events and general assistance with information and advice through the Social Security Agency's network of offices and Outreach Service which provides a home visiting service to vulnerable customer requiring assistance with all aspects of the benefit claims process.

People who are in receipt of Attendance Allowance and Carer's Allowance can request information or make general enquiries through a dedicated Customer Contact Centre operated by the Social Security Agency for these benefits. This service is supplemented by a Freephone Benefit Enquiry Line providing general advice and information on all social security benefits, including Attendance Allowance and Carer's Allowance. The notification advising a customer of entitlement to Attendance Allowance and Carer's Allowance is also accompanied by an information leaflet about the benefits.

### **Child Poverty: East Antrim**

**Mr Dickson** asked the Minister for Social Development, pursuant to AQW 1728/11-15, what steps his Department has taken, and plans to take, to address the high level of child poverty in the East Antrim area. **(AQW 2234/11-15)**

**Mr McCausland:** Although OFMDFM has lead responsibility for tackling child poverty my Department clearly has a key role to play. My Department has recently contributed to the Executive's delivery plan for the Child Poverty Strategy and I am keen for this work to be progressed. My Department included its main strategies for tackling child poverty in all areas including;

- Providing financial support for parents through the social security system and through the delivery of better child support arrangements. This includes the Benefit Uptake Programme which since 2007 contacted over 15,000 families and offered a full benefit assessment carried out by an independent advice sector partner;
- Raising the standards of housing available for young people and families in both the private rented and social housing sectors;
- Tackling fuel poverty in the most vulnerable households through our Fuel Poverty Strategy;
- Funding the provision of advice and volunteer services and a range of programmes, such as the areas at risk programme which have a direct impact on the lives of families in most need.

In the East Antrim Constituency Area my Department provides funding through the Community Investment Fund (CIF) to two recipient Groups. DSD CIF funding to these Groups for 2011/12 is:

Carrickfergus Community Forum	£60,642
Larne Community Development Programme	£50,379

### **Warm Homes Scheme**

**Ms Ritchie** asked the Minister for Social Development what steps he intends to take to refocus the Warm Homes Schemes on targeting and meeting the needs of vulnerable groups. **(AQW 2250/11-15)**

**Mr McCausland:** The Department's primary tool in tackling fuel poverty is the Warm Homes Scheme and since its introduction in 2001 the Scheme has provided over 90,000 household with insulation measures and over 23,000 households with heating measures. The Warm Homes Scheme now targets privately owned or privately rented properties where there is no central heating, solid fuel, Economy



7 or Liquid Petroleum Gas heating. The Scheme also offers insulation for privately owned or privately rented accommodation.

I have asked officials to review our approach to energy efficiency improvement taking account of lesson learned from the pilot Boiler Replacement Scheme and the recent University of Ulster report “Defining Fuel Poverty in Northern Ireland: a Preliminary Review”.

### External Cyclical Maintenance Schemes

**Mr Easton** asked the Minister for Social Development what external cyclical maintenance schemes are planned for the Bangor area in the (i) 2012/13; and (ii) 2013/14 financial years.

**(AQW 2307/11-15)**

**Mr McCausland:** There are no external cyclical maintenance schemes programmed in the Bangor area for 2012/13.

An external cyclical maintenance scheme is in the Housing Executive’s 2013/14 programme for Kilcooley, covering 291 dwellings at an estimated cost of £640,000. This will of course be subject to the availability of finance.

### Jobseeker’s Allowance

**Mr McQuillan** asked the Minister for Social Development how many males in the East Londonderry area have (i) applied for; and (ii) received Jobseeker’s Allowance in each of the last six months.

**(AQW 2348/11-15)**

**Mr McCausland:** Data is only held on successful claims to Jobseeker’s Allowance.

The table below shows the number of new male claimants in the East Londonderry Parliamentary Constituency whose claim to Jobseeker’s Allowance started in the 6 months between 1 February 2011 and 31 July 2011.

Month	New male claimants
Feb-11	306
Mar-11	319
Apr-11	312
May-11	319
Jun-11	361
Jul-11	310

### Portrush

**Mr Campbell** asked the Minister for Social Development what action is being taken to (i) improve the visibility on the access routes to Portrush; and (ii) implement a strategic improvement urban plan for Portrush.

**(AQW 2358/11-15)**

**Mr McCausland:** I can advise the following actions by my Department in relation to Portrush:

- (i) The Department operates an Urban Development Grants scheme which is available to property owners and developers in all urban cities and towns across Northern Ireland including Portrush. The aim of the scheme is to make the built environment within town centres more attractive, to improve their overall competitiveness and make them more economically sustainable. Properties located on arterial routes into towns which meet the scheme’s criteria are eligible for grant

support. Funding for any individual project is subject to a satisfactory assessment and the budget resources that are available to my Department.

- (ii) My Department is working in partnership with Coleraine Borough Council to implement the Western Peninsula Strategy for Portrush, which was launched in 2007. As part of this, my Department has made significant funding contributions towards major public realm schemes on the East Strand, which was completed in June 2011, and at Station Square, which has now commenced. In addition the Department has engaged consultants to report on the feasibility of re-locating the train station to unlock potential development land for use as a hotel, spa and conference centre. A report by the consultants is expected to be completed shortly which will inform the next steps by my Department.

### **Shops: Kilcooley Square, Bangor**

**Mr Easton** asked the Minister for Social Development whether his Department owns the shops at Kilcooley Square in Bangor.

**(AQW 2365/11-15)**

**Mr McCausland:** No, however, I can confirm that the six shops at Kilcooley Square, Bangor, are owned by the Housing Executive.

### **External Cyclical Maintenance Schemes**

**Mr Easton** asked the Minister for Social Development what external cyclical maintenance schemes are planned for the Holywood area in the (i) 2012/13; and (ii) 2013/14 financial years.

**(AQW 2366/11-15)**

**Mr McCausland:** The Housing Executive have 2 external cyclical maintenance schemes planned for the Holywood area in the next two financial years, subject of course to the availability of finance. The schemes are:

2012/13	Redburn/Strand	310 dwellings at an estimated cost of £682,000
2013/14	Loughview	247 dwellings at an estimated cost of £543,000

### **Housing Executive District Offices**

**Mr D McIlveen** asked the Minister for Social Development what action his Department intends to take to improve consistency in Housing Executive district offices, given that there are no over-arching Government guidelines for consistency of practice.

**(AQW 2404/11-15)**

**Mr McCausland:** The Housing Executive already has a comprehensive framework of checks and controls in place to ensure consistency of performance and compliance with policy and procedures across all of their District Offices. These include the following:-

#### **District Business Plans:-**

Each District Office is required to produce an annual Business Plan which requires each Manager to agree SMART performance objectives linked to the corporate objectives. These plans are approved by the Area Managers and quality assured by the Director responsible for District Offices.

#### **Risk Management:-**

All District Systems and Activities have been risk assessed to ensure that all risks are either mitigated or have controls in place to manage inherent risk. Each District Office is independently inspected to ensure that the controls are being operated satisfactorily (Primary Control Inspections). System Controls:-

In addition all major systems have in built system controls which are also inspected as part of the Primary Control Inspections.

**Key Performance Indicators:-**

There are Key Performance Indicators which set performance targets for all major housing activities. These targets are cascaded down to District Office level and are reported in the District Business Plans.

**District Manager Assurance Statements:-**

Assurance Statements for Senior Managers have recently been introduced as part of the Housing Executive's Corporate Governance Framework of Control. These statements provide formal confirmation on the effectiveness of the systems of internal control that managers have in place to fulfil their responsibilities.

**Homelessness Strategy**

**Mr D McIlveen** asked the Minister for Social Development what action his Department intends to take to ensure that the Housing Executive implements its Homelessness Strategy without further delay.  
**(AQW 2407/11-15)**

**Mr McCausland:** The Housing Executive's Draft Homelessness Strategy 2011/16 went out for consultation in June 2011 and closed on 17 August 2011.

A number of comprehensive responses (19 organisations plus multiple group seminar responses) these are currently being considered with a view to finalising the Strategy as soon as possible.

Once finalised an action plan will be developed to accompany the Homelessness Strategy, and working groups will be developed to monitor progress.

Meanwhile work continues on a number of extant programmes and initiatives to tackle homelessness.

**Houses in Multiple Occupation: Inspections**

**Mr Durkan** asked the Minister for Social Development (i) how many Houses in Multiple Occupation inspections have been carried out in the Foyle constituency in the last 12 months; and (ii) what percentage of properties failed to meet the criteria.  
**(AQW 2411/11-15)**

**Mr McCausland:** The Housing Executive has advised that 82 Houses in Multiple Occupation Inspections were carried out in the Foyle constituency in the last twelve months and of those inspections 52.44% failed to meet the HMO standards.

Appropriate action has been taken on these cases by the serving of Statutory Notices

**Housing Associations**

**Mr Durkan** asked the Minister for Social Development, in the case of an emergency, how many housing associations can acquire service from contractors who are not on their selected lists.  
**(AQW 2412/11-15)**

**Mr McCausland:** Within Housing Association contracts there will be provision for dealing with emergencies which ensures that appropriate procurement procedures are followed.

**Housing Executive: Home Heating Systems**

**Mr Campbell** asked the Minister for Social Development, in light of the impending oil price increases, whether he has any plans to discuss with the Housing Executive its policy on replacing home heating systems.  
**(AQW 2425/11-15)**

**Mr McCausland:** The Housing Executive has carried out a review of its heating policy which has been submitted to the Department for consideration. That review considers all aspects of the Housing Executive's heating policy including home heating systems. I understand that the Housing Executive intends to publish its review in due course.

## Fuel Poverty

**Mr Campbell** asked the Minister for Social Development for an estimate of the percentage of households, with at least one senior citizen resident, that will be in fuel poverty as a result of the current fuel price increases.

**(AQW 2426/11-15)**

**Mr McCausland:** Fuel poverty is measured through the Northern Ireland Housing Executive's House Condition Survey and the latest survey was undertaken in 2009. The survey found that 53% of households headed by a person aged 60 to 74 and 76% of households headed by a person aged 75 and over were in fuel poverty. In addition the survey found that 83% of lone older households were in fuel poverty.

The next House Condition Survey is due to report in autumn 2012 and will take account of increases in energy prices.

## Jobseekers Allowance

**Mr McQuillan** asked the Minister for Social Development how many females in East Londonderry have applied for Jobseekers Allowance in each of the last six months; and how many applications were successful.

**(AQW 2428/11-15)**

**Mr McCausland:** Data is only held on successful claims to Jobseeker's Allowance.

The table below shows the number of new female claimants in the East Londonderry Parliamentary Constituency whose claim to Jobseeker's Allowance started in the 6 months between 1 February 2011 and 31 July 2011.

Month	New female claimants
Feb-11	130
Mar-11	143
Apr-11	116
May-11	130
Jun-11	195
Jul-11	187

## Funding for Community Groups

**Mr Easton** asked the Minister for Social Development to detail all funding provided by his Department to community groups in North Down in the last twelve months.

**(AQW 2431/11-15)**

**Mr McCausland:** Funding is provided my Department to community groups in North Down in the last twelve months through;

The Regional Development Office fund Neighbourhood Renewal and Small Pockets of Deprivation Programmes;

The Northern Ireland Housing Executive fund local community groups;

The Voluntary & Community Unit funding under the Community Support Programme, the Community Investment Fund Programme, the Areas at Risk Programme and the Volunteering Small Grants scheme.

The table below sets out funding details for the above funding.

<b>Funding Programme</b>	<b>Amount</b>
Neighbourhood Renewal Programme (including Small Pockets of Deprivation)	£258,199.19
Community Support Programme (DSD element)	£34,621.00
Community Investment Fund	£164,850.00
Areas at Risk	£91,128.00
Volunteering Small Grants*	£15,400.00
Northern Ireland Housing Executive	£34,791.00
Total DSD Funding	£598,989.19

\* The Volunteering Small Grants Programme is administered on behalf of the Department by Volunteer Now and the allocation shown above covers both the North Down and Ards council areas.

## Homelessness

**Mr D McIlveen** asked the Minister for Social Development, given that an estimated 38 percent of homeless people are single and are amongst those finding it most difficult to find accommodation, what his Department is doing to help them find accommodation.

**(AQW 2456/11-15)**

**Mr McCausland:** The Northern Ireland Housing Executive endeavours to assist all applicants on the Common Waiting List, and recognises that single people face particular difficulties obtaining accommodation.

In addition, households, including single person households, are provided with housing advice regarding alternative housing options, for example, access to the private sector, advice on housing benefit and the availability of private sector properties. A rent guarantee/bond scheme for the private sector is also available in some areas across Northern Ireland which is likely to be expanded in 2012. Applicants, if agreeable, are signposted to these schemes for further consideration.

The Housing Executive will continue to assist all applications for accommodation but it must be recognised that there are limitations in regard to stock, especially for single applicants.

## Grants for Community Groups

**Mr Easton** asked the Minister for Social Development what grants are available for community groups.

**(AQW 2465/11-15)**

**Mr McCausland:** The Department for Social Development administers a range of grants for community groups as follows: -

(A short summary of each of the programmes below has been placed in the Assembly Library for future reference).

### Voluntary & Community Unit

- Community Support Programme
- Community Investment Fund
- Volunteer Bureaux Initiative
- Small Grants Programme



**Northern Ireland Housing Executive**

- Strategic Partnerships
- Community Development
- Community Cohesion
- Small Pockets of Deprivation (SPOD) Scheme
- Alpha Programme

**Social Security Agency**

- Innovation Fund

**Belfast City Centre Regeneration Directorate (BCCRD)**

- Laganside Events Grant
- Laganside Community Activity Grant

**Neighbourhood Renewal Unit**

- Neighbourhood Renewal
- Urban Development Grant
- Areas at Risk

**Regeneration of Queen's Parade, Bangor**

**Mr Easton** asked the Minister for Social Development for an update on the regeneration of Queen's Parade, Bangor.

**(AQW 2466/11-15)**

**Mr McCausland:** My Department and the developer are in the process of negotiating a Development Agreement for the site which will set out the nature of the development to be delivered and the timescale for its implementation. I anticipate that the agreement will be signed in April or May 2012.

Due to the scale and complexity of the project, it is estimated that it will take the developer between 18 and 24 months to draw up detailed plans, secure planning permission and assemble the site. The Department has established a Project Board to manage the regeneration scheme. The Department has also established a Community Engagement Partnership to liaise with the local community throughout the process.

**Social Housing: Rathgill Estate, Bangor**

**Mr Easton** asked the Minister for Social Development to detail his plans to refurbish the flats in the Rathgill Estate, Bangor.

**(AQW 2467/11-15)**

**Mr McCausland:** There are 16 flats in Rathgill Park, Bangor (12 housing Executive properties and 4 owner occupier).

Later this year, the Housing Executive plan to survey all flats to identify those that would benefit from better insulation and/or new windows.

Next year (2012/13) replacement heating will be installed in the Housing Executive flats and in 2014/15 new kitchens are planned again only for the Housing Executive properties.

This work is expected to cost approximately £180k and when completed should make the flats more comfortable for residents.

## Interface Violence in East Belfast

**Mr Lyttle** asked the Minister for Social Development to detail the cost to his Department of (i) repairs; (ii) adaptations; and (iii) forced house moves as a result of interface violence in East Belfast this summer.  
**(AQW 2514/11-15)**

**Mr McCausland:** The final costs have not yet been established however the Housing Executive maintenance costs for cleaning up following the violence currently stand at £6,580.

The cost of enhancing the security of the roofs of Housing Executive properties in Thistle Court and the Newtownards Road is estimated at £56,000 and will be undertaken in the coming weeks.

Habinteg Housing Association has already spent over £17,500 on adaptations (including the conversion of a number of properties from oil to gas heating) and the cleanup of their properties in Duke Street following the violence. They have also recently agreed to replace the roof tiles on their homes along the interface with metallic, fire resistant tiles. This work is expected to cost in excess of £50,000.

Connswater Housing Association has already spent between £1,250-£1,400 replacing panes of lexon glass in a number of their properties. They met with their tenants last week to discuss a variety of options to help better protect their homes on the Newtownards Road. Following that meeting they have agreed to carry out further work to safeguard these homes/tenants but those costs are not yet known.

Whilst no tenants have yet moved following the violence, two have indicated they would prefer to be re-housed and arrangements are already in place to manage this once suitable alternative accommodation is available.

## Alcohol

**Mr Easton** asked the Minister for Social Development what plans his Department has to address the price of alcohol.  
**(AQW 2575/11-15)**

**Mr McCausland:** Through the Young People's Drinking Action Plan, my Department have been working closely with the Department of Health, Social Services and Public Safety (DHSSPS) to look at the availability of alcohol – including how it is priced, promoted and marketed. In March, a joint DSD/DHSSPS consultation on the introduction of minimum pricing of alcohol and other alternative measures to tackle the availability of cheap alcohol was issued and this ended on 26 June. Responses are currently being analysed and an options paper is being developed for consideration by Health Minister Poots and myself before a decision on the way forward is taken.

I am also concerned at the use of promotional practices by the licensed trade which may encourage excessive consumption of alcohol. My officials are engaging with the key stakeholders on the possible introduction of a code of practice aimed at preventing the irresponsible promotion of alcohol.

## Social Housing: Kikcooley Estate, Bangor

**Mr Easton** asked the Minister for Social Development what plans he has to renovate the flats in the Kikcooley Estate, Bangor.  
**(AQW 2577/11-15)**

**Mr McCausland:** The Housing Executive has just completed an Economic Appraisal looking at each of the options for the flats at Kilclief Gardens in Kilcooley. I understand that it has just been approved by the Board of the Housing Executive and will be submitted to the Department for approval in the coming days. I will ensure that the process is completed as soon as practicably possible and will be happy to update the member on the outcome of this once a decision is made.

## Grants to Make Homes More Energy Efficient

**Mr Easton** asked the Minister for Social Development what grants are available from his Department to make homes more energy efficient.

**(AQW 2618/11-15)**

**Mr McCausland:** My department's primary tool in making homes more energy efficient is the Warm Homes Scheme. Since the scheme was launched in 2001 insulation measures have been installed in over 90,000 homes across Northern Ireland and 23,000 homes have benefited from heating measures. In addition, the Housing Executive has increased the energy efficiency of its stock through their annual Heating Replacement Scheme.

In June 2011 I launched a pilot Boiler Replacement Scheme. A budget of £2 million was allocated which I expect will assist over 1,300 households. The rationale for the pilot scheme was to offer assistance to householders on low income who miss out on other energy efficiency improvement schemes such as the Warm Homes Scheme. All potential applicants have been identified and contacted by leaflet encouraging them to apply. I recently opened the scheme up to householders aged 70 and over, in receipt of Lone Pensioner Allowance, with old inefficient boilers.

## Social Houses: Burren Road, Warrenpoint

**Ms Ruane** asked the Minister for Social Development for an update on the proposed new build social houses planned for Burren Road, Warrenpoint.

**(AQW 2711/11-15)**

**Mr McCausland:** There are no schemes in the Social Housing Development Programme for the Burren Road, Warrenpoint.

## Northern Ireland Assembly Commission

### Parliament Buildings: Official Tours

**Mr Allister** asked the Assembly Commission why the script used for official tours of Parliament Buildings has no reference to the memorial tablets to former Members who were murdered by the IRA; and if it will amend the script to include a reference to the memorials.

**(AQW 2632/11-15)**

**Mr McElduff (The Representative of the Assembly Commission):** The aim of the tour of Parliament Buildings is to provide an insight into the day to day procedural work of the Northern Ireland Assembly. In addition the tour also aims to highlight the building's architecture and history of usage. As the duration of the tour is only 45 minutes it is not possible to cover every aspect of the procedural work, architecture and history of usage, however if a Member wishes a tour to incorporate particular features in more detail then this request is normally accommodated.

The tour regulations were reviewed and approved by the Assembly Commission in 2001.

### Special Advisers

**Mr Allister** asked the Assembly Commission whether the Special Adviser to the Speaker is paid within Band A or Band B of the Department of Finance and Personnel's salary scale; and, if it is within Band B whether, in light of the DFP decision to increase the upper limit of the Band B scale to £90,000, there has been an increase in salary or an increase is planned.

**(AQW 2785/11-15)**

**Mr Weir (The Representative of the Assembly Commission):** The Speaker does not have a Special Adviser. The Adviser to the Speaker, as Head of the Office of the Speaker with responsibility for providing support and advice to the Speaker, Principal Deputy Speaker and Deputy Speakers, is

a full-time, permanent employee of the Assembly Commission who was appointed following open competition in January 2011. The Assembly Commission does not utilise the Department of Finance and Personnel's salary scales for its staff. The Adviser to the Speaker is paid on the Assembly Grade 3 salary scale. This is a 6-point salary scale with a scale minimum of £57,608 per annum and a scale maximum of £65,259 per annum. In line with the public sector pay freeze, this salary scale was not up-rated in 2010 or 2011.





# Northern Ireland Assembly

Friday 14 October 2011

## Written Answers to Questions

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

#### Special Advisers

**Mr Allister** asked the First Minister and deputy First Minister (i) how many of the Special Advisers within their Department are paid within the (a) Band A; and (b) Band B scales, (ii) if Band B, whether there has been an increase in salaries, or whether any increases are planned, following the decision of the Department of Finance and Personnel on 18 July 2011 to increase the upper limit of Band B to £90,000; and (iii) how many Special Advisers benefited from the increase.

**(AQW 1792/11-15)**

**Mr P Robinson and Mr O'Dowd (The First Minister and Acting deputy First Minister):** All Special Advisers within our Department are paid on Salary Band B. It is not our policy to disclose salary details beyond the band in which they fall.

#### Flags Protocol Review Group

**Mr McDevitt** asked the First Minister and deputy First Minister when the Flags Protocol Review Group is next due to meet regarding the issues which the Group was set up to monitor and review, particularly in light of the disturbances and tensions during the summer.

**(AQO 347/11-15)**

**Mr P Robinson and Mr O'Dowd:** We recognise that the displaying of flags and emblems here has been a contentious issue for many years and in an attempt to address the problem OFMDFM introduced "The Joint Protocol in Relation to Flags Flown in Public Areas" in 2005 as the agreed guidance for the removal of flags from public property.

Officials continue to monitor the issue, and research is continuing into the proliferation of flags in town centres and on arterial routes. The "Public Displays of Flags and Emblems in Northern Ireland: Survey 2010" produced by the Queen's University, Belfast, on behalf of OFMDFM was published in June this year. The report provides comparative information about the type and numbers of flags erected and the duration for which they were flown. We will take full account of this work in considering the issue and in developing the Programme for Cohesion, Sharing and Integration.

#### Childcare Strategy

**Mrs Overend** asked the First Minister and deputy First Minister to outline the current position in relation to a Childcare Strategy.

**(AQO 348/11-15)**

**Mr P Robinson and Mr O'Dowd:** Our Department is leading work across Government and with stakeholders to co-ordinate the development of a Childcare Strategy, including a range of essential supporting measures and actions, for consideration by the Executive.

In support of this approach we have secured an additional £12m over the Budget period, and Departments have already embarked on a range of measures to increase childcare provision.

As the lead department in co-ordinating this work, we anticipate issuing proposals on a draft Childcare Strategy for a period of public consultation early next year.

### **OFMDFM: Visit to America**

**Mr G Kelly** asked the First Minister and deputy First Minister for an update on their visit to America.  
**(AQO 351/11-15)**

**Mr P Robinson and Mr O'Dowd:** The First Minister made a full report regarding the recent Ministerial visit to America in his statement to the Assembly on Tuesday 27 September. The statement is available for Members from the Assembly Library.

### **Leveson's Judicial Inquiry into Telephone Hacking**

**Ms Ritchie** asked the First Minister and deputy First Minister (i) whether they were consulted about the terms of reference of Leveson's Judicial Inquiry into telephone hacking; and (ii) for his assessment of the effects of media telephone hacking on (a) public figures; and (b) victims of terrorism in Northern Ireland.

**(AQW 2322/11-15)**

**Mr P Robinson and Mr O'Dowd:** The Secretary of State for Culture, Media and Sport wrote to the Department of Enterprise, Trade and Investment on 13 July in relation to the draft terms of reference for the independent public inquiry to, firstly, review the regulation of the press and, secondly, to examine the recent allegations of phone hacking and other illegal press practices.

The matter was referred to OFMDFM.

We are in possession of no information pertaining to the assessment of the effects of media telephone hacking on public figures or victims of terrorism in Northern Ireland.

### **Sustainable Consumption Action Plan**

**Mr Agnew** asked the First Minister and deputy First Minister if they will produce a sustainable consumption action plan as outlined in 'A Sustainable Development Strategy - first steps towards sustainability' and if so, when it is likely to be published.

**(AQW 2393/11-15)**

**Mr P Robinson and Mr O'Dowd:** Following the publication, in May 2011, of 'Focus on the Future' – the Executive's Sustainable Development Implementation Plan, an effective action plan for the achievement of sustainable consumption is in place.

Focus on the Future has 32 Strategic Objectives, 13 of which relate directly to sustainable consumption.

Focus on the Future can be downloaded from: [http://www.ofmdfmni.gov.uk/focus\\_on\\_the\\_future.pdf](http://www.ofmdfmni.gov.uk/focus_on_the_future.pdf)

### **Former Army Base Site in Ballykelly**

**Mr Campbell** asked the First Minister and deputy First Minister for their assessment of the value of the land and buildings at the former army base site in Ballykelly.

**(AQW 2549/11-15)**

**Mr P Robinson and Mr O'Dowd:** This property is in the process of being gifted by the Ministry of Defence to the Executive. Full administrative control of the former military base at Shackleton, Ballykelly was handed over to OFMDFM on 7 October, and formal conveyancing is expected to be completed shortly.

This will allow the full potential of the site to be properly assessed. This assessment has already begun.

## Tackling Violence at Home Action Plan

**Mr McKay** asked the First Minister and deputy First Minister whether their Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if their Department will meet the target implementation date of December 2011.

**(AQW 2559/11-15)**

**Mr P Robinson and Mr O'Dowd:** The "Tackling Violence at Home Strategy" launched jointly by DHSSPS and NIO in 2005 is a cross-departmental strategy that targets all victims of domestic violence.

DHSSPS issued guidance for employers in 2006 on Developing a Workplace Policy for Domestic Violence and Abuse. A NICS-wide Workplace Policy for Domestic Violence and Abuse covers employees in all Government Departments here.

OFMDFM provides an accessible welfare and counselling service that is free to all staff, and to their immediate family members. There are named welfare officers available to meet and talk in confidence on a range of issues with any member of staff. These services are regularly promoted through local posters and leaflets, team brief, intranet links and HR Connect. Awareness leaflets provided by the Regional Steering Group on Domestic Violence are periodically distributed and made available to all staff.

## Social Protection Fund

**Mr Ó hÓisín** asked the First Minister and deputy First Minister for an update on the Social Protection Fund and to outline its potential benefits.

**(AQO 380/11-15)**

**Mr P Robinson and Mr O'Dowd:** We are currently working with departments to identify projects for prioritisation under the Social Protection Fund.

## UN Convention on the Rights of Persons with Disabilities

**Mr Lyttle** asked the First Minister and deputy First Minister (i) what measures their Department has taken to implement the UN Convention on the Rights of Persons with Disabilities; and (ii) what progress has been made in protecting and delivering the rights contained within each of the Convention articles.

**(AQW 2707/11-15)**

**Mr P Robinson and Mr O'Dowd:** OFMDFM officials have undertaken a number of engagement events and continue to plan other events to promote awareness of the Convention and its benefits for people with disabilities.

Awareness raising has included a programme in schools involving, to date, some 413 pupils and separate events for women and disability organisations. Officials are currently considering other possible events to further promote awareness of the Convention.

Executive Ministers have also agreed the Executive's input to the first report to the United Nations on the implementation of the convention in the UK. A copy of the Executive's input is available on the OFMDFM website at <http://www.ofmdfmni.gov.uk/index/equality/disability.htm> .

Work is also continuing towards the development of a draft strategy and action plan to address the recommendations in the Promoting Social Inclusion Working Group's report on disability. It is anticipated that the development of the strategy and the delivery of the Action Plan will further support the delivery of the rights set out in the Convention.

Officials updated the OFMDFM Committee on 21 September on progress to date and further substantive progress is anticipated early in 2012.

## Errors in Statements or Answers

**Mr Campbell** asked the First Minister and deputy First Minister, since May 2010, how many (i) statements they have made to the Assembly; and (ii) of their answers to Members' questions have had to be corrected because of errors in their original statements or answers.

**(AQW 2749/11-15)**

**Mr P Robinson and Mr O'Dowd:** Since May 2010, OFMDFM Ministers have made a total of fourteen oral and written statements to the Assembly.

None of the answers to Members' questions have had to be corrected because of errors in any of those original statements or subsequent answers.

## Inquiry into Historical Institutional Abuse

**Mr Allister** asked the First Minister and deputy First Minister whether the inquiry into Historical Institutional Abuse will cover abuse perpetrated by the clergy and the members of religious orders outside of an institutional setting.

**(AQW 2753/11-15)**

**Mr P Robinson and Mr O'Dowd:** The Interdepartmental Taskforce was established to bring forward recommendations on the nature of an inquiry into historical institutional abuse. The subsequent Executive decision was based on this remit and an institution for the purposes of the inquiry will be anywhere "where children were placed outside the domestic environment, which provided shelter and residential accommodation and where responsibility was taken other than by the child's family for decisions affecting the child's everyday life."

The issue of clerical abuse is no less important or emotive and we are mindful of the equally destructive impact it has had on many individuals. As such, the Executive will have to give careful consideration as to how it should be dealt with. In addition, it was agreed that we would request advice from the Chair of the Inquiry and Investigation as to any necessity for any possible expansion of its remit.

## Ministerial Vehicles and Drivers

**Mr Elliott** asked the First Minister and deputy First Minister (i) whether the deputy First Minister will retain the use of his Ministerial vehicle and driver whilst running in the Republic of Ireland's Presidential Campaign; and (ii) to detail the wage his driver will receive and the functions he will perform during this period.

**(AQW 2806/11-15)**

**Mr P Robinson and Mr O'Dowd:** The deputy First Minister has not retained the use of his Ministerial vehicle during this period. OFMDFM does not employ the drivers for the deputy First Minister and therefore does not hold the information you request in relation to their wages and functions.

## Play and Leisure Policy Action Plan

**Mr Lyttle** asked the First Minister and deputy First Minister for an update on the implementation of the Play and Leisure Policy Action Plan.

**(AQW 2854/11-15)**

**Mr P Robinson and Mr O'Dowd:** The vision of the Play and Leisure Policy statement is to "establish play within a policy framework that will place a high value on play as an essential element in the development of children's and families' lives through building child friendly communities, and in improving current play and leisure provision for all children and young people aged 0-18".

This is a statement we remain committed to, which is evidenced by the publication of the Play and Leisure Implementation Plan 2011-2016 in March 2011.

Both the Play and Leisure Policy Statement and Implementation Plan intend to help deliver on the aims of the Ten Year Strategy for Children and Young People and contribute to the delivery of a broad range of strategic aims, including those which relate to improved health and achievement outcomes.

Whilst many of the actions within the Implementation Plan are for our Executive colleagues and local councils to deliver on, we recognise our departmental role and have identified actions specific to us which we are currently addressing. To date we have:

- established play and leisure strategic partnerships with 14 councils to ensure a joined-up approach to the planning and commissioning of play and leisure services to meet the needs of local children, and we are currently engaging with the remaining 12 councils;
- delivered seminars on risk-taking in play;
- delivered Playshaper seminars to professionals, such as Architects and landscapers, involved in the world of play to demonstrate how best communities can be shaped to be play and child friendly;
- additionally, we have invested in providing a range of exemplar projects across council areas on new and innovative play areas and these have proved to be very successful.

Whilst the Implementation Plan is in its infancy, we are pleased with progress to date and will continue to engage with the relevant sectoral stakeholders and Executive colleagues to meet key targets and shared goals.

### **Former Army Base Site in Ballykelly**

**Mr McClarty** asked the First Minister and deputy First Minister for an update on the sale of the former army base site in Ballykelly, including any bids received.

**(AQW 2856/11-15)**

**Mr P Robinson and Mr O'Dowd:** Following the recent conclusion of the MoD sales process for former military base site at Ballykelly, known as Shackleton, we concluded that none of the bids received by MoD were satisfactory given the size and scale of the site. We therefore decided that OFMDFM should take control of the site. This occurred on 7 October 2011.

Work is currently underway to examine the potential of, and options for, this site.

### **Future and Leadership of the Department of Justice**

**Mr Allister** asked the First Minister and deputy First Minister what decisions have been taken about the future and leadership of the Department of Justice after May 2012; and if no such decisions have been taken, what processes are in place to resolve this matter.

**(AQW 2874/11-15)**

**Mr P Robinson and Mr O'Dowd:** We are aware of the provisions contained in paragraph 8 of Schedule 1 to the Northern Ireland Act 2009 and the timescales applying. On 10 October 2011 the Assembly referred to the Assembly and Executive Review Committee the matter of the initial Ministerial provision in relation to the Department of Justice and agreed that the Committee should make recommendations relating to the provision that should exist from 1 May 2012.

### **Former Army Base Site in Ballykelly**

**Mr Campbell** asked the First Minister and deputy First Minister (i) whether land at the former army base site in Ballykelly is deemed to be of a much higher value than any private sector bid which has been received; and (ii) whether the Executive will consider using this land to relocate a department.

**(AQW 2897/11-15)**

**Mr P Robinson and Mr O'Dowd:** Following the recent conclusion of the MoD sales process for former military base site at Ballykelly, known as Shackleton, we concluded that none of the bids received by



MoD were satisfactory. In our view, these bids did not reflect the potential worth of the site and that more effort should be devoted to obtaining better value.

We therefore decided that OFMDFM should take control of the site. This occurred on 7 October 2011.

Work is currently underway to examine the options for this site which will include an assessment of its economic potential. Following receipt of this report, we will decide if any public sector options for the site should be explored further.

### Proposed Capital Spend Projects

**Mr McGlone** asked the First Minister and deputy First Minister to detail their Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2908/11-15)**

**Mr P Robinson and Mr O'Dowd:** A detailed list of proposed capital projects for this financial year, including the projected timescales and the costs for each project, is detailed below.

Proposed Capital Spend – for the year from 1 April 2011 to 31 March 2012

#### 1 MAZE/ LONG KESH

Project	Proposed capital spend in 2011/12 Financial Year	Timescale
Remediation	£1.722m	December 2011
Infrastructure Preparatory Work	£0.137m	March 2012
Office Equipment	£0.003m	September 2011
Site Transport	£0.018m	March 2012
<b>Total</b>	<b>£1.880m</b>	

#### 2 ILEX

Project	Proposed capital spend in 2011/12 Financial Year	Timescale
Parade Ground	£4.565m	December 2011
Conservation Works	£0.200m	March 2012
Restoration of Buildings on Site	£0.850m	March 2012
Associated fees	£0.400m	March 2012
<b>Total</b>	<b>£6.015m</b>	

#### 3 CRUMLIN ROAD GAOL

Project	Proposed capital spend in 2011/12 Financial Year	Timescale
Gatehouse & Governor's Corridor	£1.598m	October 2011
Walls and Roofs	£0.948m	December 2011
Restoration/ Groundworks	£0.048m	March 2012

<b>Project</b>	<b>Proposed capital spend in 2011/12 Financial Year</b>	<b>Timescale</b>
Café Project	£0.138m	September 2011
Associated fees - CPD	£0.343m	March 2012
<b>Total</b>	<b>£3.075m</b>	

### **Crumlin Road Gaol Tours**

**Mr Easton** asked the First Minister and deputy First Minister to detail the number of visitors on the Crumlin Road Gaol Tours in each of the last three years.

**(AQW 2918/11-15)**

**Mr P Robinson and Mr O'Dowd:** The table below outlines the approximate number of people who attended tours and events in Crumlin Road Gaol in 2008 and 2009. There were no tours or events held in the Gaol in 2010 as it closed due to the commencement of two major capital works.

<b>Year</b>	<b>No. of People on Tours</b>	<b>No. of People Attending Events</b>	<b>Total</b>
2008	10,000	1,300	11,300
2009	27,303	3,421	30,724
<b>Total</b>	<b>37,303</b>	<b>4,721</b>	<b>42,024</b>

### **Child Poverty Figures**

**Mr Lyttle** asked the First Minister and deputy First Minister when child poverty figures for 2009/10 will be made available and the reason for the delay.

**(AQW 2967/11-15)**

**Mr P Robinson and Mr O'Dowd:** The Department for Social Development (DSD) publishes child poverty statistics through the Household Below Average Income Report (HBAI).

Publication of the Northern Ireland HBAI Report is dependent on the supply of data from the Department for Work and Pensions. These data are supplied to DSD following production of the UK report. This year's data arrived in late May/early June at the same time as the Department was updating its infrastructure to enable the more efficient dissemination of National Statistics. There has consequently been a short delay.

Figures will be published for 2009-10 in the late autumn.

### **Programme for Government 2011-15**

**Mr McClarty** asked the First Minister and deputy First Minister for an update on the Programme for Government 2011-2015, including when it will be completed and published.

**(AQO 488/11-15)**

**Mr P Robinson and Mr O'Dowd:** We circulated a working draft of the Programme for Government to the Executive following its meeting of 22 September. This was also shared with party leaders and departments.

At that time, we sought comments and input from Departments, and these were all received in the period up to the Executive meeting last Thursday. These comments and the suggested revisions are currently being analysed and tested. We are making every effort to produce a document that will be

both meaningful and understandable and one that will receive buy-in from everyone in society. An important part of its development will be the response to the public consultation exercise.

In getting to this point, Ministers and officials have, over a period of several months, met with and considered representations from a range of stakeholders across all sectors. The views expressed were all carefully considered and have informed the shaping of the draft Programme for Government so far.

The public consultation will last for a minimum of twelve weeks and our officials will be holding a series of meetings across Northern Ireland to introduce the Programme for Government and to seek the views of organisations and the public.

We want to stress that, for this consultation, we will be very much in listening mode. We are approaching the exercise with an open mind and are keen to hear from everyone who has a vested interest.

The responses that we receive will all be subject to equal and careful consideration.

Subsequent to the consultation closing and analysis of the responses being completed, the final document will be presented to the Executive for agreement and, finally, publication.

We are absolutely determined to use the limited resources available to the Executive as effectively as possible to deliver positive and meaningful change. An agreed Programme for Government will be an important strategic tool in this process.

## **Play and Leisure Policy**

**Mrs Dobson** asked the First Minister and deputy First Minister for an update on the implementation of the 'Play and Leisure Policy in Northern Ireland - Your Right to Play'.

**(AQO 493/11-15)**

**Mr P Robinson and Mr O'Dowd:** The Play and Leisure Policy Statement and associated Implementation Plan intends to help deliver on the aims of the ten year strategy for children and young people and contribute to the delivery of a broad range of strategic aims, including those which relate to improved health and achievement outcomes.

We want to establish play and leisure within a policy framework that will place a high value on play as an essential element in the development of children's and families' lives; child friendly communities; and in improving current play and leisure provision for all children and young people aged 0-18.

We remain committed to this, which is evidenced by the publication of the Play and Leisure Implementation Plan 2011-2016 in March 2011.

Whilst many of the actions within the plan are for our Executive colleagues and local councils to deliver on, we recognise our departmental role within this and have identified and are addressing our specific actions.

We have engaged 14 councils to establish play and leisure strategic partnerships to ensure a joined-up approach to the planning and commissioning of play and leisure services to meet the needs of local children and we are currently engaging with the other 12 councils.

We have delivered seminars on risk-taking in play and on showing professionals how to shape communities to be play and child friendly.

We have also invested in providing a range of exemplar projects across council areas on new and innovative play areas – these have proved to be very successful.

This implementation plan is in its infancy but the start has been encouraging and we shall continue to engage with the relevant sectoral stakeholders and Executive colleagues to meet key targets and shared goals.

## North/South Ministerial Council

**Mr I McCrea** asked the First Minister and deputy First Minister what measures have been considered to make North-South Ministerial Council meetings more cost efficient.

**(AQO 495/11-15)**

**Mr P Robinson and Mr O'Dowd:** At the NSMC Institutional meeting in November 2009, Ministers agreed that, where practicable, future NSMC meetings would be held in the new NSMC Joint Secretariat accommodation in Armagh. This represents a more cost effective and efficient use of resources.

The accommodation has been fully operational since 19 April 2010, and between then and 30 September 2011, 23 NSMC meetings have been held there, including a Plenary meeting in January 2011.

The cost to OFMDFM of these meetings was £5,921, compared with £15,631 for the previous 23 NSMC meetings.

## Department of Agriculture and Rural Development

### National Ploughing Championships in County Kildare

**Mr McKay** asked the Minister of Agriculture and Rural Development to outline the benefits of her recent visit to the National Ploughing Championships in County Kildare.

**(AQW 2475/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** My attendance at the 80th National Ploughing Championships provided a unique occasion to meet with farmers, rural business owners, farming and political representatives from across Ireland and provided me with a greater insight into the opportunities and challenges facing the agri-food industry and rural businesses.

This year I hosted the first joint ministerial reception at the championships with Simon Coveney, Minister for Agriculture, Food and the Marine. This provided me with the opportunity to address a wide cross section of agri-business, farming and political representatives on the need for co-operation and collaboration at government level to address the issues, including the upcoming CAP reform proposals, and develop the obvious potential of the agri-food industry on this island. The launch of the All-Island Animal Disease Surveillance Report at the reception is just one example of the practical application of this co-operation.

The National Ploughing Championships is a great place to do business as is demonstrated by the fact that around 190,000 people visited the event and there were over 1,200 exhibitors, including 85 from north. I was delighted to be able to help 8 local small businesses and organisations attend this year's event as part of the DARD exhibit, in addition to supporting the NI Ploughing Association promote their annual Ploughing Championships. Around 10,000 people visited the DARD exhibition over the three days and I am aware that some of our exhibitors have already generated new business and it is likely that this will increase as further business leads are followed up.

### Promoting Local Produce and Agrifoods

**Mr Frew** asked the Minister of Agriculture and Rural Development, given the predicted increase in demand for food, what her Department is doing to promote local produce and agrifoods on the international stage.

**(AQW 2511/11-15)**

**Mrs O'Neill:** My Department works closely with Invest NI, which has the lead responsibility for marketing our food to the export markets, through a range of supply chain and market intelligence initiatives to support local producers.

Specifically my Department is funding and delivering a Regional Food Programme which offers financial support to assist eligible groups in the local agrifood industry to develop and expand profitable and sustainable markets for quality regional food. The programme is designed to encourage co-operation across the industry to provide a united front to retailers and consumers. The raising of awareness and empowerment of local groups is designed to develop and expand all markets for our quality regional produce, including export markets. In the past four years the Programme has funded some food tourism and export initiatives which have given international exposure to our local produce.

My Department also administers the EU's Protected Food Name Scheme on behalf of applicants. This provides a system for the protection of food names on a geographical or traditional basis and can be used as a valuable promotional tool. The Commission has informed us that "Lough Neagh Eels" are set to become the first product from the north to receive protected status and I am hopeful that New Season Comber Potatoes and Armagh Bramley Apples will also receive protection in the near future. I would encourage local producers to explore the opportunities that the Protected Food Names Scheme can provide and whether it would be of benefit to them.

### Northern Ireland's Woodland

**Mr Frew** asked the Minister of Agriculture and Rural Development for her assessment of 70% of Northern Ireland's woodland being publicly owned and 30% privately owned compared to the rest of the UK; and whether this balance will remain in the future.

**(AQW 2567/11-15)**

**Mrs O'Neill:** The Forest Service published area of woodland at March 2011 indicates that there were 61 thousand hectares of woodland managed by Forest Service and 27 thousand hectares of woodland not managed by Forest Service. This equates to approximately 70% being managed by Forest Service and 30% being non-Forest Service managed woodland.

The Forestry Strategy (2006) identified a long term aim of increasing forest cover from 6% to 12% of land area over the next 50 years, primarily through supporting landowners to convert agricultural land to woodland. Funding is made available to Grant Aid this woodland creation under the Rural Development Programme. My Department may also acquire areas of land for woodland creation, particularly where it helps consolidate existing forests. This is, however, likely to be at a lower level than woodland creation by other landowners.

As a result, I would anticipate that the percentage of non-Forest Service woodland will gradually increase over the long term.

### Publicly Owned Forest Land

**Mr Frew** asked the Minister of Agriculture and Rural Development how many hectares of publicly owned forest land has been sold in the last (i) five; (ii) ten; (iii) fifteen; and (iv) twenty years.

**(AQW 2568/11-15)**

**Mrs O'Neill:** The Department of Agriculture and Rural Development has sold the following number of hectares of publicly owned forest land over the last (i) five; (ii) ten; (iii) fifteen and (iv) twenty years:-

(i)	1 April 2006 – 31 March 2011	33.68Ha
(ii)	1 April 2001 – 31 March 2006	28.49Ha
(iii)	1 April 1996 – 31 March 2001	343.89Ha
(iv)	1 April 1991 – 31 March 1996	722.29Ha

In the 20 year period up to 31 March 2011 a total of just over 1,128 hectares of land have been sold. These areas were generally deemed not to be strategically suitable for operational forestry purposes. Over the same period Forest Service purchased approximately 1,000 hectares of land which is utilised for forestry purposes.



## Farm Woodland Premium Schemes

**Mr Frew** asked the Minister of Agriculture and Rural Development what incentives are in place to encourage part-time farmers and other landowners to plant out new areas with trees, given that the definitions being used by the Forest Service for the Farm Woodland Premium Schemes could disadvantage these groups.

**(AQW 2574/11-15)**

**Mrs O'Neill:** Landowners, including those on small or part time farms, are eligible to apply for capital grants, under the Woodland Grant Scheme, to assist them to establish new woodland, the lower threshold is 0.2 hectare or approximately 0.5 acre. Those landowners establishing one or more hectares of new woodland, on agricultural land, are also eligible for annual Farm Woodland Premium Scheme payments, either at the "farmer" or "non-farmer" rate.

Changes to the Single Farm Payment (SFP) Scheme, allowing farmers to continue to receive SFP, as well as forestry grant payments, on land converted to woodland have also been beneficial in encouraging woodland creation.

Forest Service has submitted a number of proposals to Brussels to amend the definition of a farmer in respect of the Rural Development Programme forestry measures, aimed at allowing more people with small or part-time farms to attract the higher "Farmer" rate of annual Farm Woodland Premium Scheme payments. The EU has, however, rejected these proposals.

In addition to the Woodland Grant Scheme and Farm Woodland Premium Scheme, participants in agri-environment schemes may benefit from funding for planting small areas of native trees on farmland and managing existing woodland. These schemes include the Countryside Management Scheme and Environmentally Sensitive Areas Scheme.

## Farm Woodland Premium Schemes

**Mr Frew** asked the Minister of Agriculture and Rural Development what was the outcome of the Forest Service's deliberations with European Union officials regarding the definition of a farmer for the purposes of the Farm Woodland Premium Scheme.

**(AQW 2579/11-15)**

**Mrs O'Neill:** Forest Service has submitted a number of proposals to Brussels since February 2008 to amend the definition of a farmer in respect of the Rural Development Programme forestry measures, to allow more people with small or part-time farms, to claim the higher "farmer" rate of annual Farm Woodland Premium Scheme payments.

The last proposal, in December '09, sought to reduce the qualifying criteria for a "farmer" from at least 25% income from farming to at least 15% income from farming. It was accompanied by a detailed paper setting out the context and justification for the proposed reduction. The EU Commission replied in April 2010, rejecting the proposal. In June 2010, the former Minister, Michelle Gildernew, met the EU Commissioner for Agriculture, Mr Dacian Ciolos and raised the issue again. The Commissioner responded in December 2010, restating that the thresholds in relation to income from farming would not be reduced and the current farmer definition remains unchanged.

## Slurry

**Mr Dallat** asked the Minister of Agriculture and Rural Development what incentives are available to encourage farmers to add deodourising agents to slurry before spreading.

**(AQW 2580/11-15)**

**Mrs O'Neill:** My Department is implementing a series of actions to improve slurry management and promote best practice which contribute to reducing odour from slurry spreading operations.

This includes providing financial support to encourage uptake of advanced slurry spreading systems such as trailing-shoe technology which have been proven to significantly reduce odour and ammonia

emissions. However, my Department does not offer financial incentives to encourage farmers to add deodourising agents to slurry.

Advanced slurry spreading systems also offer a range of other productive environmental benefits including greater nutrient efficiency from slurry, reduced need for chemical fertilizer and increased flexibility in spreading practice. This has been confirmed by research by the Agri-Food and Biosciences Institute (AFBI) and promoted through Slurry Efficiency workshops for farmers run by the College of Agriculture Food and Rural Enterprise (CAFRE).

Eighty three advanced slurry spreaders have been grant aided through Tranche 1 of my Department's Manure Efficiency and Technology Scheme (METS) and grant support for some one hundred and twenty five machines has been made available through Tranche 2. The Scheme provides 40% grant aid to a maximum grant of £10,000.

Advice for farmers on best practice and statutory requirements relating to slurry management, including minimizing odour, is provided in my Department's Code of Good Agricultural Practice.

In addition, anaerobic digestion of slurry results in a reduction of slurry odour when the digestate is spread. Future uptake of anaerobic digestion technology would contribute to reducing odour from slurry management in addition to other benefits including renewable energy, reduced greenhouse gas emissions and improved nitrogen efficiency.

Under Tranche 1 of the Department's Biomass Processing Challenge Fund, funding has been awarded to support the construction of five on farm anaerobic digesters. The Department intends to launch a second tranche of the Fund in the near future.

### **Young Farmers' Clubs**

**Mr D McIlveen** asked the Minister of Agriculture and Rural Development how she intends to support the Young Farmers' Clubs and other organisations in fostering links with schools to explain the importance of farming to pupils.

**(AQW 2585/11-15)**

**Mrs O'Neill:** The YFCU is a leading representative group for young people in agriculture and rural communities in the north. DARD has committed to provide annual funding of £75k to the YFCU from 2011-14 subject to the YFCU providing an acceptable funding proposal covering five specific work areas agreed with them. One of the work areas agreed with the YFCU is a schools outreach programme of a cross community nature. Within their funding proposal they have undertaken to plan and deliver a range of activities within schools. These activities could highlight the importance of farming in rural areas.

### **Antibiotics on Livestock**

**Mr Agnew** asked the Minister of Agriculture and Rural Development what steps her Department is taking to reduce the use of antibiotics on livestock; and for her assessment of whether the overuse of antibiotics is a major contributor to the growth of antibiotic-resistant bacteria.

**(AQW 2586/11-15)**

**Mrs O'Neill:** DARD has no statutory role in controlling the volume of anti-microbial usage in farm animals in the north of Ireland. However, DARD officials have worked closely with other government and non-government bodies on this important health issue in order to raise awareness of the mechanisms and significance of the development of antibiotic resistance.

In addition, CAFRE have a role in the education of farmers in the judicious use of animal medicines.

## Forest Service Board

**Mr Frew** asked the Minister of Agriculture and Rural Development what consideration she has given to increasing the membership of the Forest Service Board to include representatives from the private sector as non-executive members.

**(AQW 2648/11-15)**

**Mrs O'Neill:** The Forest Service Chief Executive is responsible to me for the Agency's performance and operations. As such, he is responsible for the arrangements for effective governance, and keeps these under review. The current Chief Executive has been recently appointed and advises me that he has no plans to change the arrangements for governance at the moment. When he does so he will ensure that he achieves an effective balance between executive and non-executive Directors.

## Woodland: Regulation

**Mr Frew** asked the Minister of Agriculture and Rural Development which is the lead agency for the regulation of woodland of less than 0.2 hectares.

**(AQW 2649/11-15)**

**Mrs O'Neill:** Guidance and regulation applied to woodland is laid out in the Forestry Standard and associated Guidelines. The Standard and Guidelines apply to all forests and woodland (i.e. land predominantly covered in trees).

DARD's Forest Service is responsible for promoting and regulating forestry under the new Forestry Act (NI) 2010.

When subordinate legislation is made in respect of felling trees, under the new Forestry Act, it will apply to woodland of 0.2 hectare or more as the intention of the legislation is to protect woodland, and not individual trees.

The Standard, however, recognises that other bodies have responsibility for trees and woodlands. For example: DARD's agri-environment schemes (through the Rural Development Programme) specifically encourages planting of native woodland less than 0.2 hectare; DoE's Planning Service has responsibility for Tree Preservation Orders to protect individual or groups of trees and for planning applications where development is proposed on a woodland site; DARD's Forest Service apply the Environmental Impact Assessment(Forestry) Regulations to areas of proposed afforestation or deforestation in woodlands less than 0.2 hectare, if the proposal lies within a sensitive area such as a Special Area of Conservation.

## Farm Woodland Premium Scheme

**Mr Frew** asked the Minister of Agriculture and Rural Development what consideration she has given to tracking the Farm Woodland Premium Scheme rates with the exchange rates similar to those of the Single Farm Payment.

**(AQW 2650/11-15)**

**Mrs O'Neill:** Single Farm Payment entitlements are set in euro and payments to farmers are normally made in sterling using the exchange rate as recorded by the European Central Bank on 30 September. Farmers may opt to receive their payment in euro, but must elect to do this on an annual basis by 15 May on the Single Application Form.

Farm Woodland Premium Scheme rates are based on income foregone calculations in sterling, taking account of different agriculture land categories. They were last reviewed and amended by the Department in 2009 and are published and paid as sterling rates and are therefore not connected to the euro/sterling exchange rate in the same way as may affect Single Farm Payments.

## Rural Crime

**Mr Weir** asked the Minister of Agriculture and Rural Development for her assessment of (i) the number of thefts of tractors; and (ii) other rural crimes at present.

**(AQW 2687/11-15)**

**Mrs O'Neill:** I am aware of the increasing number of thefts on farms and the concern it is causing amongst the farming community. The number of recorded offences has increased from 66 in 07/08 to 137 in 10/11. My predecessor met with the Minister of Justice late last year to discuss issues relating to the increasing levels of rural crime including, in particular, agriculture related crime. My officials have liaised with colleagues in the Department of Justice to ensure that issues relating to rural crime are reflected in the development of the Rural White Paper.

I welcome local initiatives by Community Safety Partnerships to prevent rural crime, such as trailer marking and the forensic marking of sheep, and acknowledge the role Rural Watch schemes have in improving community safety. I also welcome the work streams being developed by the PSNI and An Garda Síochána under the Cross Border Strategy to prevent rural crime.

I would encourage farmers to participate in these initiatives and continue to ensure that they secure their properties by taking steps to minimise the risk of theft from their farms.

## Independent Appeal Panels: Recommendations

**Mr Allister** asked the Minister of Agriculture and Rural Development how many recommendations from independent appeal panels have been (i) accepted; and (ii) rejected by her Department since May 2007.

**(AQW 2701/11-15)**

**Mrs O'Neill:** Since May 2007, my Department has accepted 247 Panel recommendations and has not accepted 31 Panel recommendations.

These Panel recommendations were made under the Single Farm Payment and Farm Subsidies review processes.

## Canvassing on Behalf of Mr McGuinness

**Mr Elliott** asked the Minister of Agriculture and Rural Development whether she had use of her Ministerial car whilst she was canvassing for Martin McGuinness in his campaign for the Presidency of the Republic of Ireland during the recent National Ploughing Championships; and whether any of her departmental officials who accompanied her to the Championships were canvassing on behalf of Mr McGuinness.

**(AQW 2780/11-15)**

**Mrs O'Neill:** No, I did not have use of my Ministerial car inside of the National Ploughing Championships.

No Departmental officials were canvassing on behalf of Mr McGuinness.

## Victims of Domestic Violence

**Mr Storey** asked the Minister of Agriculture and Rural Development what work place policies are in place to assist victims of domestic violence within her Department and its arm's-length bodies.

**(AQW 2836/11-15)**

**Mrs O'Neill:** An NICS wide Workplace Policy for Domestic Violence and Abuse is in place and covers employees in all Government Departments. This policy offers support to those experiencing domestic violence and advice on where help and support can be obtained from within the Department and the various support services across the north of Ireland. The policy is easily accessible on the HRConnect portal.

## Meetings with Counterpart from the Republic of Ireland and UK

**Mr Allister** asked the Minister of Agriculture and Rural Development how many times she has met with her counterpart from the (i) Republic of Ireland; and (ii) UK since coming into office.

**(AQW 2841/11-15)**

**Mrs O'Neill:** To date I have not had the opportunity to meet my Defra Counterpart, Caroline Spelman, as a meeting I requested in June was declined. However, I am due to meet with Caroline Spelman and the other Devolved Ministers on the 25th October and 1st November.

I have met with my southern counterpart, Minister Simon Coveney on five occasions since coming into office.

## Official Visit to the Irish Ploughing Championships

**Mr Allister** asked the Minister of Agriculture and Rural Development, given her recent campaigning for a candidate in the Irish Presidential election during an official visit to the Irish Ploughing Championships, whether she intends to reimburse the public purse for any of the cost of the trip; and how much she will reimburse.

**(AQW 2842/11-15)**

**Mrs O'Neill:** As Minister, I am invited each year to the National Ploughing Championships. In September 2011, I spent three days at this event carrying out Ministerial duties. On Tuesday 20th, I had 2 hours of free time allocated in my diary, during which I decided to accompany Mr McGuinness on a short tour of the site as part of his campaign for the Irish Presidency.

There was no cost to the public purse.

## Errors in Statements or Answers

**Mr Campbell** asked the Minister of Agriculture and Rural Development, since coming to office, how many (i) statements she has made to the Assembly; and (ii) of her answers to Members' questions have had to be corrected because of errors in his original statements or answers.

**(AQW 2843/11-15)**

**Mrs O'Neill:** Since coming into office I have made two statements to the Assembly. Both Statements were made on 26 September on the NSMC Meetings in Aquaculture and Agriculture respectively.

No answers to Members' questions following these statements had to be corrected and there were no errors in my original statements.

## Agrifood Sector

**Mr Campbell** asked the Minister of Agriculture and Rural Development, in light of the strategy for the Agrifood sector which was announced last year, to outline the export led growth targets that are in place.

**(AQW 2880/11-15)**

**Mrs O'Neill:** Focus on Food outlined three key performance indicators (KPIs). However, in relation to your specific question, the relevant KPI is "External Sales as a percentage of Total Gross Turnover", with a target in place of 74.4% for 2010/11.

I have publicly stated my view that this strategy now needs to be developed into a longer-term plan up to 2020. Focus on Food and its performance indicators provide a foundation to build on for the Food Strategy Board (FSB), which will be developing this longer term vision for the sector up to 2020.

Work is well advanced with DETI on the establishment of the FSB and appointment of the independent Chair, after which this important work can begin.



## Agricultural Wages Board

**Mr Campbell** asked the Minister of Agriculture and Rural Development to detail the total cost to the public purse of the Agricultural Wages Board in each of the last three years.

**(AQW 2881/11-15)**

**Mrs O'Neill:** The total cost of the Agricultural Wages Board in each of the last three years is as follows:

2008-9	£24,809.77
2009-10	£24,559.92
2010-11	£22,912.45.

## Slurry

**Mr Frew** asked the Minister of Agriculture and Rural Development, given the deadline restricting farmers from spreading slurry after the 15 October 2011, the high level of rain fall over the past few weeks and the time it will take for land conditions to improve before spreading can resume, for her assessment of the situation now facing farmers; and what consideration will be given to extending the deadline.

**(AQW 2923/11-15)**

**Mrs O'Neill:** I recognise that many farmers have become concerned about their ability to meet the 15 October deadline for spreading slurry under the Nitrates Action Programme Regulations.

The ongoing wet weather has meant that in some areas harvesting of crops and silage have been delayed, livestock have had to be housed early and farmers have been unable to spread slurry as weather and ground conditions have been unsuitable. I therefore support some temporary flexibility enabling slurry to be spread up to 31 October this year.

This extra time would enable farmers to spread slurry when conditions may improve and therefore protect the environment. It is vital that farmers take great care to prevent water pollution. Slurry should only be spread when soil and weather conditions are suitable as required by the Nitrates Action Programme.

The Nitrates Action Programme (NI) Regulations 2010 and are joint legislation between my Department and the Department of the Environment (DOE). However, I am confident that working together, government and the farming industry can overcome the current difficulties whilst continuing to meet the requirements of the Nitrates Directive.

## Farms: North Down Area

**Mr Easton** asked the Minister of Agriculture and Rural Development to detail the number of farms in the North Down area.

**(AQW 2947/11-15)**

**Mrs O'Neill:** The June 2010 Agricultural Census found 64 farm businesses in the North Down District Council area.

## Department of Culture, Arts and Leisure

### Grants for Junior Football Clubs

**Mr Easton** asked the Minister of Culture, Arts and Leisure what grants are available from her Department for junior football clubs.

**(AQW 2542/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Sport NI is the lead development agency for sport in the north of Ireland with responsibility for the distribution of funding. Sport NI currently has no funding programmes open to which junior association football clubs could apply. However, in the last three financial years, Sport NI has provided £213,422 of exchequer funding to junior association football clubs. A breakdown of this funding is set out below:

Date	Organisation	Project	Grant
21/10/09	Tullyvallen Rangers FC	3G pitch + floodlighting	£192,494
11/02/10	Tollymore Utd FC	Mini league and coaching	£2,707
11/02/10	Greenisland FC	Aspects	£3,076
18/03/10	Greenisland FC	Aspects	£985
25/11/10	St Patricks FC	Equipment	£2,650
25/11/10	St Patrick's Young Mens/Girls FC	Equipment	£4,250
21/12/10	Lisnaskea Rovers FC	Equipment	£4,987
22/12/10	Shamrock FC	Equipment	£2,273
<b>Total</b>			<b>£213,422</b>

## Irish Minister for Transport, Tourism and Sport

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure whether she will initiate discussions with the Irish Minister for Transport, Tourism and Sport to analyse the potential for the island of Ireland to play host to significant sporting events such as the Rugby World Cup.

**(AQW 2620/11-15)**

**Ms Ní Chuilín:** I have already asked my officials to examine, and bring forward proposals on, the potential for greater north-south co-operation on culture, arts and leisure policy issues generally including sport. As part of this process, the potential for the island of Ireland to play host to significant sporting events, and discussions with the Department of Transport Tourism and Sport (DTTS), have been identified as one area for consideration. I will be considering proposals for initiating discussions with DTTS on these matters in the near future. I would also expect that the outcome of any discussions between DCAL and DTTS on the hosting of significant sporting events on the island will be shared with the Department of Enterprise, Trade and Investment (DETI) which has policy responsibility for major events in the north of Ireland.

## Salmon Stocks

**Mr Swann** asked the Minister of Culture, Arts and Leisure what measures she intends to put in place to ensure the future of salmon stocks in the rivers and sea around Northern Ireland; and whether the angling community will be consulted on these measures.

**(AQW 2683/11-15)**

**Ms Ní Chuilín:** Northern Ireland's Atlantic salmon management strategy is aligned to the agreement reached by North Atlantic Salmon Conservation Organization (NASCO) and its Parties to adopt and apply a Precautionary Approach to the conservation, management and exploitation of the salmon resource and the environments in which it lives. NI, through the UK and EU, is a Party to NASCO.

NASCO agreements and guidelines are informed by and given legal standing through EC Directives such as the Habitats and Water Framework Directives.

The Department of Culture, Arts and Leisure (DCAL) has overall policy responsibility to ensure implementation of the strategy. The Department liaises with the Department of Agriculture and

Rural Development (DARD) which has responsibilities for aquaculture and fish health matters, the Department of Environment (DOE) and its agency, the Environment and Heritage Service, which deal with broader water quality matters and the Loughs Agency which implements Salmon conservation policies in the Foyle and Carlingford areas.

DCAL Fisheries Staff working with Agri – Food and Biosciences Institute staff (AFBI) at Bushmills Salmon Station, are currently undertaking long-term research on wild Atlantic salmon stocks.

The results of the research are vital in informing the development of further DCAL policy on the conservation of wild Atlantic salmon stocks and this process is now at an advanced stage.

The Department will consult with all stakeholders on any new measures on fishing for salmon in the DCAL jurisdiction.

### **Sailing Facilities at Strangford Lough**

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure whether the sailing facilities at Strangford Lough are being considered for use during the 2013 World Police and Fire Games.

**(AQW 2767/11-15)**

**Ms Ní Chuilín:** Between 2 July 2010 and 29 July 2010 Sport NI completed an ‘expression of interest’ exercise (on behalf of the Stakeholder Group - the lead body prior to the formal establishment of 2013 World Police and Fire Games Limited on 28 February 2011) to identify potential venues to host the sports events for the 2013 Games.

Sport NI received 75 applications however no sailing facilities or sailing club based at Strangford Lough submitted an application for consideration. Therefore no sailing facilities at Strangford Lough are being considered for use during the 2013 Games.

### **October Monitoring Round**

**Mr Swann** asked the Minister of Culture, Arts and Leisure to provide details of the proposed re-classification of £105,000 from resources to the capital budget in the October Monitoring Round for the Ministerial Advisory Group on the development of an Ulster-Scots Academy Strategy.

**(AQW 2776/11-15)**

**Ms Ní Chuilín:** Discussions between the Ministerial Advisory Group on the development of an Ulster-Scots Academy (MAG) and stakeholders in the Ulster-Scots community have identified that a small amount of capital funding will be required for projects that will contribute to the delivery of the MAG key objective of developing an Academy approach.

My Department as part of its proposals under October Monitoring sought to reclassify £105,000 of the MAG budget from resource to capital.

### **Proposed Capital Spend Projects**

**Mr McGlone** asked the Minister of Culture, Arts and Leisure to detail her Department’s proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2791/11-15)**

**Ms Ní Chuilín:** The proposed capital spend projects for this financial year for my Department, including the projected timescales and the costs for each project are detailed in the table below.

<b>Project</b>	<b>Total Cost £000</b>	<b>Spend in 2011-12 £000</b>	<b>Projected Timescale</b>
<b>Inland Fisheries Group</b>			
Movanagher Hatchery – roof repair	325	325	Project completion is anticipated by the end of March 2012.
<b>PRONI</b>			
Digital Preservation Repository	317	22	Project completion is scheduled for July 2013.
New Accommodation Project – Provision of a new Public Record Office of Northern Ireland (PRONI)	29,000	57	Whilst the new PRONI building opened to the public on 30 March 2011, some minor works remain. The New Accommodation Project will be complete by the end of March 2012.

### Chairperson or Chief Executive: Arm's-length Bodies

**Mr Beggs** asked the Minister of Culture, Arts and Leisure to detail the daily rate paid by her Department to each Chairperson or Chief Executive of each of its arm's-length bodies; and how this rate was determined and approved.

#### (AQW 2799/11-15)

**Ms Ní Chullín:** Chairpersons or Chief Executives in each of my Department's arm's-length bodies are paid on a per annum basis rather than a daily rate.

The rate of pay, commensurate with the level of responsibility, is determined by the arm's-length body and is designed to attract a suitably qualified individual. The rate is approved at Ministerial level.

In the case of Foras na Gaeilge, the rate of pay is determined by the North/South Ministerial Council.

Table 1 shows the rate of pay of each Chairperson appointed by DCAL for each of its arm's-length bodies. Where DCAL does not appoint a Chairperson, the rate of pay for the Chief Executive is shown.

**TABLE 1:**

<b>Name of Arm's-Length Body</b>	<b>Rate of Pay (£ per annum)</b>
Libraries NI Chairperson	10,000-15,000
Arts Council NI Chairperson	10,000-15,000
Sport NI Chairperson	10,000-15,000
National Museums NI Chairperson	10,000-15,000
NI Screen Chairperson	10,000-15,000
Ulster Scots Agency Chairperson	5,000-10,000
Armagh Observatory Chief Executive	60,000-65,000
Armagh Planetarium Chief Executive	60,000-65,000
NI Museums Council Chief Executive	Band 50,000 – 55,000
Waterways Ireland Chief Executive	90,000-95,000
Foras na Gaeilge Chairperson	10,000-15,000

## Victims of Domestic Violence

**Mr Storey** asked the Minister of Culture, Arts and Leisure what work place policies are in place to assist victims of domestic violence within her Department and its arm's-length bodies.

**(AQW 2837/11-15)**

**Ms Ní Chuilín:** My Department implements the NICS Workplace Policy for Domestic Violence and Abuse which provides advice to Departments, line managers and individuals on how to deal with domestic violence situations when they arise.

The Department's arm's-length bodies do not have specific Workplace Policies for Domestic Violence and Abuse but a range of support and counselling services is offered for both workplace and domestic matters.

## World Police and Fire Games 2013

**Mr Swann** asked the Minister of Culture, Arts and Leisure where the athletics events of the 2013 World Police and Fire Games will be held.

**(AQW 2864/11-15)**

**Ms Ní Chuilín:** Between 2 July 2010 and 29 July 2010 Sport NI completed an 'expression of interest' exercise (on behalf of the Stakeholder Group - the lead body prior to the formal establishment of 2013 World Police and Fire Games Limited on 28 February 2011) to identify potential venues to host the sports events for the 2013 Games.

Sport NI received 75 applications from potential venues, including athletics venues. 35 of the potential venues met the minimum standards specified by Sport NI and the Company is engaging in pre contract negotiations with them prior to the Board of the Company making final decisions. The negotiations are without prejudice. I will not be in a position to confirm venues until that process is complete.

## World Police and Fire Games 2013

**Mr Swann** asked the Minister of Culture, Arts and Leisure to outline the projected capital costs of bringing the venues for the 2013 World Police and Fire Games up to the required standard.

**(AQW 2865/11-15)**

**Ms Ní Chuilín:** Between 2 July 2010 and 29 July 2010 Sport NI completed an 'expression of interest' exercise (on behalf of the Stakeholder Group - the lead body prior to the formal establishment of 2013 World Police and Fire Games Limited on 28 February 2011) to identify potential venues to host the sports events for the 2013 Games.

All of the provisional sports venues identified by 2013 WPFGL meet the required minimum sports standards specified by Sport NI and the World Police and Fire Games Federation therefore no capital work is required.

However I would wish to highlight the fact that no capital funding has been allocated to 2013 World Police and Fire Games Limited and the Company is not in a position to fund any capital works were it required.

## World Police and Fire Games 2013

**Mr Swann** asked the Minister of Culture, Arts and Leisure whether all the 2013 World Police and Fire Games events will be held in Northern Ireland.

**(AQW 2867/11-15)**

**Ms Ní Chuilín:** Between 2 July 2010 and 29 July 2010 Sport NI completed an 'expression of interest' exercise (on behalf of the Stakeholder Group - the lead body prior to the formal establishment of 2013 World Police and Fire Games Limited on 28 February 2011) to identify potential venues to host the sports events for the 2013 Games. I can confirm that all the potential venues shortlisted for consideration are within the north of Ireland.



## Libraries

**Mr Swann** asked the Minister of Culture, Arts and Leisure how many members of libraries have been banned for having fines in excess of £10, in each of the last three years.

**(AQW 2906/11-15)**

**Ms Ní Chuilín:** Because of the dynamic nature of the Libraries NI database, it is not possible to say how many members of libraries have been banned for having fines in excess of £10 in each of the last three years.

Once a fine is paid, Libraries NI do not hold a record that the borrower was once in default, they can only identify borrowers who are still in default.

On 6 October 2011 the total number of borrowers still having fines greater than £10 outstanding was 2,368.

## Salmon Stocks

**Mr Swann** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 2080/11-15, whether her Department has made any provision for new or additional conservation measures to protect against threats to wild salmon populations; and if so, to detail these measures.

**(AQW 2996/11-15)**

**Ms Ní Chuilín:** My Department will undertake and complete a number of habitat improvement schemes and fish passage projects, in line with North Atlantic Salmon Conservation Organisation (NASCO) guidance, in the current financial year. These will enhance the conditions for the breeding and survival of wild salmon populations.

My Department recently agreed and signed a new Memorandum of Understanding (MOU) between DCAL and the Northern Ireland Environment Agency (NIEA). The purpose of the MOU is to establish a framework for co-operation in implementing our respective statutory duties in relation to the protection of fisheries, pollution incidents, conservation of water resources and water quality.

My Department undertakes full technical assessments on all planning applications and abstraction licence applications relating to fish passage issues. Recommendations are forwarded to Planning Service for consideration and these may be incorporated as conditions on any Planning Approval Consent issued.

New fish count passes at the Clady River and Garvery River will become operational in 2012 and will provide additional data which will be used to inform and develop future salmon conservation measures.

My Department continues to commission scientific research and monitors the status of salmon stocks within its jurisdiction and such data informs the on-going development of salmon conservation policy.

## Sports: Facilities in North Down

**Mr Easton** asked the Minister of Culture, Arts and Leisure what action she is taking to promote the sharing of sports facilities in North Down.

**(AQW 3049/11-15)**

**Ms Ní Chuilín:** Responsibility for taking action to promote the sharing of sports facilities in North Down is a matter for the owners of those facilities and North Down Borough Council in the first instance. Nevertheless, through my sports strategy, Sport Matters, I have been encouraging all sports stakeholders to agree specific, co-ordinated actions that will promote greater sharing of sports facilities and spaces for sport generally in the north of Ireland including North Down.

As a result of this process, a detailed Sport Matters Action Plan was agreed and approved in October 2011 by my DCAL led, Sport Matters Monitoring Group, which I chair. This detailed Action Plan sets out a range of concerted cross-sectoral actions, to be taken over the next 4 years, that will facilitate the delivery of the targets in Sport Matters including those relating to the development of multi-use and

shared sports facilities. These actions have been agreed and endorsed by a wide range of stakeholders representing central and local government, sport and the voluntary and community sectors. The actions agreed cover all areas of the north of Ireland including North Down.

### Northern Ireland Captain Aaron Hughes

**Mr Weir** asked the Minister of Culture, Arts and Leisure what plans her Department has to mark the retirement from international football of the Northern Ireland captain Aaron Hughes.

**(AQW 3052/11-15)**

**Ms Ní Chuilín:** I have no plans to mark the retirement from international football of Aaron Hughes as this is not a matter for me but entirely a matter for the governing body for association football in the north, the Irish Football Association.

### Libraries: Opening Hours

**Mrs McKeivitt** asked the Minister of Culture, Arts and Leisure why Libraries NI did not consider daily procedures such as requests, renewals, new borrowers and stock processing as criteria in the consultation on the Review of Library Opening Hours.

**(AQW 3053/11-15)**

**Ms Ní Chuilín:** The Review of Library opening hours categorised all libraries into four bands based on levels of use drawing on four key indicators: stock issues, visits, active members and use of the public access computer terminals.

Libraries NI is content that these key indicators are representative of overall library activity and that, in total, they provide a sufficiently comprehensive and informed picture upon which it can consult with the public.

The public consultation process has commenced and will include conversations with each community about when they would like to see their library opened.

Decisions will not be made until all the information from the consultation has been collated and presented to the Board of Libraries NI. This Board contains councillors from the DUP, the SDLP, my own party and the UUP.

I would emphasise that nothing as yet has been finalised by the Libraries NI Board and I would encourage people to take part in this consultation.

### Gaelic Athletic Association and Gaelic Games: Funding

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure how much funding her Department has provided to the Gaelic Athletic Association and Gaelic games in each of the last five years.

**(AQW 3060/11-15)**

**Ms Ní Chuilín:** Sport NI is the lead development agency for sport in the north of Ireland with responsibility for the distribution of funding. In the last five financial years, Sport NI has provided a total of £20,972,646 to the Gaelic Athletic Association and Gaelic games broken down as follows:

Financial Year	Funding Provided
2006/07	£2,028,625
2007/08	£3,983,734
2008/09	£5,632,932
2009/10	£8,700,691
2010/11	£626,664
<b>Total</b>	<b>£20,972,646</b>

## Odyssey Trust Company

**Mr Allister** asked the Minister of Culture, Arts and Leisure for her assessment of whether Directors and staff in the Odyssey Trust Company are paid salaries which do not exceed reasonable and proper open market and arm's-length commercial rates.

**(AQW 3065/11-15)**

**Ms Ní Chuilín:** The Odyssey Trust Company (OTC) Limited is a charity and an independent company limited by guarantee.

OTC's Trustees are the non-executive Directors of the charity and do not receive any remuneration.

The recruitment, selection, appointment and remuneration of OTC's staff is the sole responsibility of the OTC Trustees.

As with any other charitable organisation, those responsible for OTC are duty bound to ensure that they operate efficiently and effectively within the framework of its Memorandum and Articles, and in full accordance with relevant legislation and regulations.

## Gaelic Athletic Association and Gaelic Games: Funding

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure how much funding her Department provided to the Gaelic Athletic Association and Gaelic games in the last financial year.

**(AQW 3067/11-15)**

**Ms Ní Chuilín:** Sport NI is the lead development agency for sport in the north of Ireland with responsibility for the distribution of funding. In the last financial year to 31 March 2011, Sport NI provided £626,664 to the Gaelic Athletic Association and Gaelic games.

## Department of Education

### Sublet Premises

**Mr McQuillan** asked the Minister of Education how many schools currently sublet premises to playgroups and nurseries; and (ii) what is the average rental cost of these sublets.

**(AQW 2360/11-15)**

**Mr O'Dowd (The Minister of Education):** Information to answer this question is not readily available and to source would incur disproportionate cost.

### Schools: Vacant Places

**Mr Campbell** asked the Minister of Education to detail the current total estimated number of vacant places in primary schools.

**(AQW 2388/11-15)**

**Mr O'Dowd:** The number of vacant places in primary schools in 2010-11 – the most recent academic year for which figures are available - was 66,705.

The figures are derived from the difference between the total of the approved enrolment numbers for schools and the number of children enrolled. They exclude the enrolments of 4409 pupils in receipt of a statement of special educational needs, and 7 pupils admitted on appeal by the Education and Library Board appeal tribunals as they are admitted over and above a school's approved enrolment number.

## Alternative Education Provision Review

**Mr McDevitt** asked the Minister of Education when the Alternative Education Provision Review will be published for consultation.

**(AQW 2439/11-15)**

**Mr O'Dowd:** The report from the review is on track to be published for consultation in December.

I have made it clear that schools must meet the need of pupils. The proposals have been revisited on a number of occasions to take account of policy developments which contribute to the retention of pupils within the school environment, where ever possible. Furthermore, the proposals will be assessed to ensure that they are wholly compatible with "Putting Pupils First – Shaping Our Future announced on 26 September.

## 11-plus Transfer Test

**Mr D McIlveen** asked the Minister of Education what assistance his Department is giving to post-primary schools which are endeavouring to deal with the removal of the 11 plus transfer test.

**(AQW 2457/11-15)**

**Mr O'Dowd:** My Department has published advice and guidance on post-primary transfer which provides schools with recommendations that may be adopted when setting admissions criteria. If followed, these recommendations will help promote equality of access to a school's provision, and do so without the need for any form of transfer test.

My Department's guidance contains a section entitled "Moving Forward – the Transition to an Equality Based Transfer Process" which highlights issues to be considered by schools seeking to move away from academic selection. It highlights that my Department will offer individual advice in response to a school's specific plans to make this change.

My Department officials are available to discuss the matter with any school which requires clarification or additional advice on the practical steps that need to be followed to make this change.

## Western Education and Library Board: Staff

**Mr Allister** asked the Minister of Education to provide a breakdown of the religious background of staff in the (i) Legal Section; (ii) Development Section; and (iii) Drawing Office in the Western Education and Library Board.

**(AQW 2505/11-15)**

**Mr O'Dowd:** The Department is unable to provide the information requested as the number of staff in each section is relatively small. Given this fact, release of the information requested may lead to an individual being identified which would constitute a breach the Data Protection Act 1998.

## Schools: Transport

**Mr Frew** asked the Minister of Education what duty an Education and Library Board has to provide transport for children who live over three miles from their school.

**(AQW 2513/11-15)**

**Mr O'Dowd:** The duty of an Education and Library Board is to provide transport assistance, not specifically transport, for eligible pupils in line with Article 52 of the Education and Libraries (NI) Order 1986, as substituted by Article 23(1) of the Education (NI) Order 1997. Once a pupil's eligibility is determined based on the two criteria of suitable school and distance which is 3 miles in the case of a post-primary school, Boards consider how best to assist the pupil based on factors such as the location of their house, distribution of other eligible pupils, existing transport routes etc. Assistance may take the form of a bus pass on Translink/Metro services, or a seat on a Board or private operator bus/taxi, or a parental allowance. In deciding the form of assistance provided, Boards must have regard to the need not to incur unreasonable public expenditure.

## Tackling Violence at Home Action Plan

**Mr McKay** asked the Minister of Education whether his Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if his Department will meet the target implementation date of December 2011.

**(AQW 2556/11-15)**

**Mr O'Dowd:** The Education and Library Boards have previously reported that they do not have domestic violence workplace policies in place but may consider developing a joint policy in future. I have asked my officials to write to the Management Sides of both the Teachers' Negotiating Committee and the Joint Negotiating Council to request that a draft domestic violence workplace policy is drawn up by December 2011 in consultation with stakeholders including trade unions. In the meantime, the ELBs' staff welfare service is available to support staff who experience domestic violence or abuse.

The NICS Domestic Violence and Abuse policy is set out in the NICS HR Handbook. This policy applies across all NICS Departments including DE.

The policy provides advice on how Departments and Agencies should deal with domestic violence situations that might arise: it provides details of the first point of contact for employees who need to discuss issues around domestic violence; identifies signs of domestic violence; sets out the role of the Line Manager and Welfare Officer and provides a list of contact details for Support Services available to staff.

The Department is a member of the

- Inter-Ministerial Group on Domestic and Sexual Violence.
- Interdepartmental Multi-Agency Steering Group on Domestic Violence and Abuse.
- Prevention and Support Sub of the Interdepartmental Multi-Agency Steering Group on Domestic Violence and Abuse.

## Schools: Year 1 Places

**Mr Easton** asked the Minister of Education how many Year 1 school places were not filled this term in the North Down area.

**(AQW 2619/11-15)**

**Mr O'Dowd:** There are currently a total of 1167 Year 1 places available in primary schools in the North Down area for the 2011/12 academic year. There were 215 places unoccupied (as at 28 September 2011) in the following schools:

Hollywood PS	28
Clandeboyne PS	55
Redburn PS	40
Kilcooley PS	65
St Patrick's PS Hollywood	9
St Anne's PS Comber	8
St Malachy's PS Bangor	9
Glencraig Integrated PS	1



## Academy Scheme

**Mr D McIlveen** asked the Minister of Education (i) what consideration his Department has given to the Academy Scheme currently operating in England; and (ii) whether he has plans to introduce a similar scheme.

**(AQW 2621/11-15)**

**Mr O'Dowd:** I have not considered the introduction of an Academy scheme, and have no plans to do so. The keys to success for many schools are effective leadership by boards of governors, and a high degree of autonomy for the school to manage its own affairs. Under the Review of Public Administration, I seek to establish an Education and Skills Authority with a duty to support boards of governors, and ensure that all schools, regardless of sector or management type, have the level of autonomy that they need and require.

## Schools: Holidays

**Mr Flanagan** asked the Minister of Education, given the possibility of treacherous road conditions as a result of severe weather this winter, and rising energy prices, whether any research has been carried out on the savings that could be made if schools closed for the month of January as opposed to August.

**(AQW 2625/11-15)**

**Mr O'Dowd:** I am unaware of any research undertaken to determine what savings could be made if schools were to close for the month of January rather than August. Many schools already take a two week holiday at Christmas and, if adverse weather occurs, keep their heating running over this period to avoid the likelihood of burst pipes.

It could be possible to make such a change to the school holidays, provided there would be no reduction in the number of school days of operation and that the change is supported by schools, school teachers and parents. I have however received no representations from schools or parents, for such a change.

## Every School A Good School: The Way Forward for Special Educational Needs and Inclusion

**Ms S Ramsey** asked the Minister of Education (i) when the findings of the consultation document 'Every School A Good School: The Way Forward for Special Educational Needs and Inclusion' will be made available; and (ii) whether there will be another consultation on an updated document.

**(AQW 2654/11-15)**

**Mr O'Dowd:** The consultation document, 'Every School a Good School: The Way Forward for Special Educational Needs (SEN) and Inclusion' generated a high level of interest resulting in over 2900 responses. The Department has given full consideration to these responses and has taken care to fully understand and reflect the range of perspectives that the respondents provided. I have recently considered the draft summary report of the responses to the consultation.

I expect that this summary response report will issue later in the autumn, along with an indication of the broad direction of travel that I propose the policy will take. I envisage that any resultant legislative proposals would be drafted for consideration in early 2012.

Following my consideration of the options, there will be engagement with stakeholder groups, including teachers and parents, on the detailed policy proposals. Further public consultation will take place at the legislative stage as any revised legislation progresses through the Assembly.

## Free School Meals

**Mr McKay** asked the Minister of Education, to detail, in ascending order, what percentage of Year 8 pupils are entitled to free school meals in each post-primary school, broken down by (i) grammar schools; and (ii) non-grammar schools.

**(AQW 2660/11-15)**

**Mr O'Dowd:** The information requested is contained in the table below.

### PERCENTAGE OF YEAR 8 PUPILS ENTITLED TO FREE SCHOOL MEALS IN GRAMMAR SCHOOLS, 2010/11

School name	% Year 8 pupils entitled to Free School Meals
Campbell College	*
Ballyclare High School	*
Our Lady and St Patrick's College, Knock	*
The Royal Belfast Academical Institution	*
The Royal School Dungannon	*
Ballymena Academy	*
Down High School	*
Carrickfergus Grammar School	*
Sullivan Upper School	*
Banbridge Academy	2.6
Friends' School	*
Wallace High School	2.9
The Royal School Armagh	*
Loreto College, Coleraine	*
Methodist College	3.7
Antrim Grammar School	*
Collegiate Grammar School	*
Aquinas Diocesan Grammar School	4.3
Belfast High School	4.4
Dalriada School	4.8
Assumption Grammar School, Ballynahinch	4.9
Regent House School	5.2
St Mary's Grammar School, Magherafelt	5.2
Victoria College	5.3
Larne Grammar School	5.4
Strathearn School	5.5
Bangor Grammar School	5.5

<b>School name</b>	<b>% Year 8 pupils entitled to Free School Meals</b>
Rathmore Grammar School	5.5
Belfast Royal Academy	6.4
Sacred Heart Grammar School	6.5
Omagh Academy	6.7
Mount Lourdes Grammar School	6.9
Glenlola Collegiate	7.0
Rainey Endowed School	7.0
Lumen Christi College	7.3
Grosvenor Grammar School	7.6
Cambridge House Grammar School	7.7
Bloomfield Collegiate	7.9
Coleraine Academical Institution	8.0
Coleraine High School	8.2
St Louis Grammar School, Ballymena	8.6
Limavady Grammar School	8.6
Foyle & Londonderry College	8.7
Portora Royal School	8.7
Hunterhouse College	8.9
St Patrick's Grammar School, Downpatrick	8.9
St Patrick's Grammar School, Armagh	9.6
St Michael's College, Enniskillen	9.8
Abbey Christian Brothers Grammar School	11.0
St Colman's College, Newry	11.2
Dominican College, Portstewart	11.6
Wellington College	11.7
Dominican College, Belfast	12.0
St Dominic's High School, Belfast	12.7
St Malachy's College, Belfast	13.5
St Patrick's Academy, Dungannon	14.7
Our Lady's Grammar School, Newry	15.0
Loreto Grammar School, Omagh	15.2
St Joseph's Grammar School, Donaghmore	15.4
Strabane Grammar School	16.4
Christian Brothers' Grammar School, Omagh	17.4

<b>School name</b>	<b>% Year 8 pupils entitled to Free School Meals</b>
Thornhill College	19.2
St Louis Grammar School, Kilkeel	19.5
St Columb's College, Derry	20.4
St Mary's Christian Brothers' Grammar School , Belfast	25.1

**PERCENTAGE OF YEAR 8 PUPILS ENTITLED TO FREE SCHOOL MEALS IN NON-GRAMMAR SCHOOLS, 2010/11**

<b>School name</b>	<b>% Year 8 pupils entitled to Free School Meals</b>
Newtownhamilton High School	*
Saintfield High School	*
Drumragh College	8.5
Markethill High School	9.8
Lurgan Junior High	10.2
Killicomaine Junior High School	10.4
St Colm's High School, Draperstown	10.9
Rathfriland High School	11.1
The High School Ballynahinch	11.9
Devenish College	12.4
Strangford Integrated College	12.6
Dromore High School	12.7
Kilkeel High School	13.7
Fivemiletown College	13.9
Blackwater Integrated College	14.0
Slemish College	14.2
Ballyclare Secondary School	14.2
Crumlin Integrated College	14.3
Cookstown High School	14.7
St Killian's College, Carnlough	14.7
St Aidan's High School, Derrylin	14.7
St Joseph's College, Belfast	14.7
Downshire School	14.8
Lagan College	15.8
Laurelhill Community College	16.0
Tandragee Junior High School	16.0

<b>School name</b>	<b>% Year 8 pupils entitled to Free School Meals</b>
Cross and Passion College, Ballycastle	16.7
St Paul's Junior High School	16.8
New-Bridge Integrated College	16.9
St Paul's College, Kilrea	16.9
Fort Hill College	17.1
St Mary's College, Portglenone	17.6
Cullybackey High School	18.0
Shimna Integrated College	18.2
St Patrick's Co-ed Comprehensive College	18.3
Banbridge High School	19.2
St Patrick's High School, Keady	19.2
Sperrin Integrated College	19.5
Limavady High School	19.9
Our Lady of Lourdes High School, Ballymoney	20.0
St Columba's College, Portaferry	20.0
Glastry College	20.5
Aughnacloy High School	20.9
Ulidia Integrated College	20.9
Clounagh Junior High School	21.1
St Catherine's College, Armagh	21.4
Parkhall Integrated College	21.6
Newry High School	21.7
St Patrick's College, Dungiven	21.7
St Mary's High School, Lurgan	22.0
Dunclug College	22.0
Erne Integrated College	22.1
St Pius X College	22.9
Ballycastle High School	23.0
Dunluce High School	23.0
St Colmcille's High School, Crossgar	23.3
Larne High School	23.6
Dean Maguirc College	23.6
Drumglass High School	23.7
Omagh High School	23.7



<b>School name</b>	<b>% Year 8 pupils entitled to Free School Meals</b>
Bangor Academy and 6th Form College	24.0
St Joseph's College, Enniskillen	24.1
St Fanchea's College, Enniskillen	24.5
St Paul's High School, Bessbrook	24.6
Magherafelt High School	25.0
St Eugene's College, Roslea	25.0
St Mary's High School, Belleek	25.0
St Patrick's College, Banbridge	25.0
Integrated College Dungannon	25.3
St Ciaran's High School, Ballygawley	25.7
St Columbanus' College, Bangor	26.0
Lisnagarvey High School	26.3
St Patrick's High School, Lisburn	26.3
Ballymoney High School	26.6
Ashfield Boys' High School	27.4
St Colman's High School, Ballynahinch	27.7
St Mark's High School, Warrenpoint	27.9
Knockbreda High School	28.4
Holy Trinity College, Cookstown	28.4
Castlederg High School	28.4
Ashfield Girls' High School	28.4
City Armagh High School	28.6
St Joseph's College, Coleraine	28.8
Priory College	28.9
Glengormley High School	29.2
Monkstown Community School	29.4
St Mary's High School, Downpatrick	29.9
Carrickfergus College	29.9
St Columban's College, Kilkeel	30.3
St Brigid's High School, Armagh	30.4
St Malachy's High School, Castlewellan	31.0
St Patrick's College, Ballymena	31.1
St Mary's, Limavady	32.0
Lisnaskea High School	32.3

<b>School name</b>	<b>% Year 8 pupils entitled to Free School Meals</b>
St Comhghall's College, Lisnaskea	32.3
Lismore Comprehensive School	32.4
Nendrum College	32.6
St Benedict's College, Randalstown	33.7
Movilla High School	33.8
Lisneal College	33.8
Newtownbreda High School	34.2
Sacred Heart College, Omagh	34.3
St Mary's College, Irvinestown	34.5
Holy Cross College, Strabane	34.8
Ballee Community High School	35.2
St Patricks & St Brigids High School, Claudy	35.2
Little Flower Girls' School	35.5
St Patrick's College	35.8
Edmund Rice College	35.9
De La Salle College, Belfast	36.4
Dundonald High School	36.5
St Louise's Comprehensive College, Belfast	37.2
Garvagh High School	37.5
Colaiste Feirste	38.4
North Coast Integrated College	40.3
Dunmurry High School	40.5
St Joseph's Boys' High School, Newry	40.7
De La Salle High School, Downpatrick	40.9
Hazelwood College	40.9
Brownlow Integrated College	41.1
St Joseph's High School, Crossmaglen	41.8
Strabane High School	42.4
St Mary's High School, Newry	42.7
Belfast Model School For Girls	42.9
Coleraine College	42.9
St John's High School, Dromore	43.5
Belfast Boys' Model School	45.2
St Genevieve's High School, Belfast	45.4

School name	% Year 8 pupils entitled to Free School Meals
Malone Integrated College	46.9
St Patrick's College, Belfast	47.7
Our Lady of Mercy Girls' School, Belfast	48.0
Oakgrove Integrated College	48.6
St Cecilia's College, Derry	49.3
St Mary's College, Derry	52.1
St Eugene's High School, Castlederg	52.9
St Joseph's Boys' School, Derry	55.5
St Joseph's College, Coalisland	55.9
St Rose's High School, Belfast	56.4
Drumcree College	57.6
Newtownabbey Community High School	58.3
St Colm's High School, Dunmurry	60.9
Orangefield High School	63.3
St Brigid's College, Derry	64.6
Christian Brothers School, Belfast	65.7
St Gemma's High School, Belfast	68.8
Immaculate Conception College	70.8
Corpus Christi College	71.7
St Peter's High School, Derry	82.6

**Source:** NI school census.

**Note:** '\*' means a figure relating to fewer than 5 pupils has been treated under rules of disclosure.

### Schools: Year 8 Places

**Mr Easton** asked the Minister of Education how many Year 8 school places were not filled this term in the North Down area.

**(AQW 2668/11-15)**

**Mr O'Dowd:** There are currently 11 unfilled Year 8 places in the North Down constituency area.

### Sports: Shared Facilities or Grounds

**Mr Weir** asked the Minister of Education to detail the schools which have arrangements to share sports facilities or grounds with outside organisations on a regular basis.

**(AQW 2688/11-15)**

**Mr O'Dowd:** My Department does not hold records on the information requested and to compile this information would incur disproportionate costs.

However, I would advise that my Department encourages the community use of school facilities and to this end I am aware of many examples where school sports facilities are utilised by other

organisations. For example, five new build schools in the Belfast Education and Library Board (BELB) area have a wide range of facilities that are made available for community use.

The schools are: Ashfield Girls' High School, Belfast Boys' Model School, Belfast Model School for Girls', Grosvenor Grammar School and Orangefield Primary School.

My officials are also currently engaged in ongoing discussions with Sport NI on the wider community use of schools.

## Breakfast Clubs

**Mr Weir** asked the Minister of Education which schools in the North Down area offer Breakfast Clubs to pupils.

**(AQW 2689/11-15)**

**Mr O'Dowd:** Information on breakfast clubs is not routinely collected from schools. The Department's Extended Schools (ES) programme provides additional funding for those schools serving the most disadvantaged areas to provide for a wide range of services and activities outside of the traditional school day and, where assessed as needed, this may include breakfast clubs.

In the 2011/12 financial year, Extended Schools funding has been allocated in respect of 6 schools in the North Down constituency. The Chief Executive of the South Eastern Education and Library Board (SEELB) has confirmed that 4 of these schools currently operate a breakfast club using funding provided by the ES programme. Details are outlined in the table below.

### SCHOOLS IN NORTH DOWN OFFERING BREAKFAST CLUBS SUPPORTED BY ES FUNDING 2011/12

Clandeboyne Primary School
Millisle Primary School
Kilcooley Primary School
Bloomfield Primary School

## Free School Meals

**Mr Weir** asked the Minister of Education to detail (i) the number; and (ii) percentage of pupils in each school in the North Down area that receive free school meals.

**(AQW 2690/11-15)**

**Mr O'Dowd:** The number of children taking school meals varies from week to week. However, information collected annually from the School Meals Census provides a snapshot of the numbers taking meals on the day on which census information is gathered. The most recent figures available, taken from the 2010 School Meals Census are contained in the tables below:

### NURSERY SCHOOLS IN THE NORTH DOWN CONSTITUENCY<sup>1, 2</sup> - 2010/11

School name	Total enrolment	Total taking free school meals on census day	Percentage of pupils taking free school meals on census day
Bangor Central Nursery School	78	16	20.5%
Hollywood Nursery School	52	0	0.0%
Trinity Nursery School	52	0	0.0%

**PRIMARY SCHOOL AND PREPARATORY DEPARTMENT OF GRAMMAR SCHOOLS IN THE NORTH  
DOWN CONSTITUENCY 1,2,3,4 - 2010/11**

<b>School name</b>	<b>Total enrolment</b>	<b>Total taking free school meals on census day</b>	<b>Percentage of pupils taking free school meals on census day</b>
Ballyholme Primary School	593	7	1.2%
Ballymagee Primary School	409	30	7.3%
Ballyvester Primary School	68	7	10.3%
Bangor Central Primary School	572	16	2.8%
Bloomfield Primary School	332	80	24.1%
Clandeboyne Primary School	132	30	22.7%
Connor House Preparatory School	85	*	*
Crawfordsburn Primary School	219	16	7.3%
Donaghadee Primary School	418	35	8.4%
Glencraig Integrated Primary School	226	9	4.0%
Glenlola Collegiate Preparatory Department	83	*	*
Grange Park Primary School	363	18	5.0%
Hollywood Primary School	324	15	4.6%
Kilcooley Primary School	144	60	41.7%
Kilmaine Primary School	670	28	4.2%
Millisle Primary School	172	36	20.9%
Rathmore Primary School	551	28	5.1%
Redburn Primary School	76	15	19.7%
St Anne's Primary School	31	*	*
St Comgall's Primary School	290	8	2.8%
St Malachy's Primary School	330	46	13.9%
St Patrick's Primary School	217	11	5.1%
Sullivan Upper Preparatory Department	184	*	*
Towerview Primary School	369	16	4.3%



**POST PRIMARY SCHOOLS IN THE NORTH DOWN CONSTITUENCY - 2010/11**

<b>School name</b>	<b>Total enrolment</b>	<b>Total taking free school meals on census day</b>	<b>Percentage of pupils taking free school meals on census day</b>
Bangor Academy and 6th Form College	1412	164	11.6%
Bangor Grammar School	901	26	2.9%
Glenlola Collegiate	1073	30	2.8%
Priory College	481	67	13.9%
St Columbanus' College	558	70	12.5%
Sullivan Upper School	1070	17	1.6%

**SPECIAL SCHOOLS IN THE NORTH DOWN CONSTITUENCY - 2010/11**

<b>School name</b>	<b>Total enrolment</b>	<b>Total taking free school meals on census day</b>	<b>Percentage of pupils taking free school meals on census day</b>
Clifton Special School	118	27	22.9%
Lakewood Special School	6	0	0.0%

**Source:** NI school census 2010/11 and NI School Meals Census 2010/11

**Note:**

1. Some Nursery schools and Nursery units of Primary schools have not introduced all pupils to school by the Census date so although counted in the enrolment figures the numbers taking a school meal may be lower than if collected later in the year.
2. Some Nursery school and Nursery unit pupils only attend a half day session which may not include time for a midday meal.
3. Enrolment figures for primary schools include nursery units, reception and Year 1 - 7 classes.
4. Reception pupils and primary 1 pupils in some schools only attend for a half-day session until the end of October which may not include time for a midday meal.
5. \* denotes fewer than 5 pupils.

**Bangor Central Integrated Primary School**

**Mr Weir** asked the Minister of Education for an update on any proposed capital works for Bangor Central Integrated Primary School.

**(AQW 2691/11-15)**

**Mr O'Dowd:** As previously advised the SEELB plans to provide new temporary accommodation at Bangor Central Integrated Primary School to serve as a dining hall at a cost of approximately £185,000. This project has not yet been completed but the Board have advised that the work involved will be completed in the current financial year. In addition the SEELB also plans to undertake the replacement of windows in the school in 2011/12 at an estimated cost of £150,000, subject of course to the availability of finance.

You will be aware from my recent statement to the Assembly that all projects will now be critically assessed as part of the area planning exercise to determine the infrastructure needed to deliver the area plan.

The project for Bangor Central Integrated Primary School could come forward again if, after testing against the new processes being established, it remains the highest priority in the context of the area plan.

## School Inspections

**Mr Allister** asked the Minister of Education (i) what is the average (a) duration, on site, of a school inspection; and (b) length of time from a school inspection to report stage; and (ii) in light of established timescales, for his assessment of whether every school can be adequately inspected within three months, as announced by him on 26 September 2011.

**(AQW 2697/11-15)**

**Mr O'Dowd:** I wish to clarify that I have commissioned the Education and Library Boards, working in close conjunction with CCMS and other school sectors, to undertake a viability audit of the all schools, to identify those schools which are evidencing stress now in relation to sustainable enrolment levels, delivery of quality education and financial viability. It was not intended that a full inspection of each school would be required to complete this exercise.

I would emphasise that the viability audit is the first step in a process of collective, strategic planning which will ultimately lead to the production of an area plan for education provision to meet future demand balanced against available resources for investment. As area planning develops I will, of course, be seeking the advice of the Education and Training Inspectorate on the appropriateness of the proposals in the plans to meet the needs of the pupils in an area.

## Integrated System of Education

**Mr Lyttle** asked the Minister of Education how he intends to encourage increased sharing and collaboration between schools to progress a more integrated system of education.

**(AQW 2710/11-15)**

**Mr O'Dowd:** I am committed to putting the needs, interests and aspirations of pupils first. Sharing and collaboration not only benefit pupils but the whole school community and wider society. Based on genuine trust and good working relationships this will not be achieved by the setting targets or issue of directions by my department but by what works to enrich the educational and other experience of pupils

My Department's Community Relations, Equality and Diversity in Education Policy recognises the collaboration and partnership that already exists between schools, youth groups, colleges and training organisation and seeks to build on this in a way that meets the needs of young people. The policy encourages education settings to provide the opportunity for children and young people to build relationships with those of different backgrounds and traditions through sharing and collaboration. Similarly, there is and has been for a number of years much good practice in place, where schools across Area Learning Communities work together to come up with imaginative and innovative solutions to address the issue of broadening the range of curricular pathways for their pupils. In a difficult resource context, through working in partnership, schools can pool resources, share their expertise and avoid duplication. As area planning develops and the needs of pupils are identified opportunities for increased sharing may arise across and within sectors.

My Department is acting as the managing agent for the Sharing in Education Programme which is funded by the International Fund for Ireland. There are currently 22 projects funded under the programme to promote shared classes and collaboration. The International Fund for Ireland supports programmes and projects which aim to facilitate sharing of educational experiences among young people on a cross sectoral basis. My Department is therefore well placed to identify at first hand the emerging learning to inform policy development.

The Extended Schools programme encourages neighbouring schools to share resources and facilities which benefit both pupils and the wider community in that it provides access to a greater range of

opportunities. Of the schools eligible for the 2011/12 ES programme 434 (96%) are working in partnership with neighbouring schools.

### **Irish Medium Statutory Preschool Places**

**Mr McKay** asked the Minister of Education to detail the increase in the number of Irish Medium statutory pre-school places over the last four years.

**(AQW 2724/11-15)**

**Mr O'Dowd:** In the last four years there have been 9 Irish medium nursery units approved. Seven of these have provided an additional 182 full-time statutory Irish-medium pre-school places. A further two units have received conditional approval for 26 full-time places respectively, with an implementation date of September 2012.

### **Irish Medium Statutory Preschool Units**

**Mr McKay** asked the Minister of Education (i) to list all the Irish medium statutory pre-school units; and (ii) to detail (a) when they were given statutory status; and (b) their enrolment figures for each year since they opened.

**(AQW 2725/11-15)**

**Mr O'Dowd:** The attached table lists all Irish medium statutory pre-school units and gives details of their enrolment from the date they were granted statutory status apart from Bunscoil Phobal Feirste which only recorded the information in relation to its nursery unit from 2002. This school was granted statutory status in August 1994.

**PUPILS IN NURSERY UNITS IN IRISH MEDIUM SCHOOLS 2002/03 – 2010/11**

<b>School Name</b>	<b>2002/03 Enrolment</b>	<b>2003/04 Enrolment</b>	<b>2004/05 Enrolment</b>	<b>2005/06 Enrolment</b>	<b>2006/07 Enrolment</b>	<b>2007/08 Enrolment</b>	<b>2008/09 Enrolment</b>	<b>2009/10 Enrolment</b>	<b>2010/11 Enrolment</b>
Bunscoil Phobal Feirste	43	48	32	43	35	41	49	52	52
Gaelscoil Na Bhfal	-	24	26	26	26	26	27	26	27
Bunscoil An TSleibhe Dhuibh	-	-	-	-	-	-	-	-	26
Scoil An Droichid	-	-	-	-	-	-	20	26	26
Bunscoil Cholmcille	26	26	26	26	26	26	26	26	26
Gaelscoil Uí Dhochartaigh	-	-	-	-	-	-	-	-	26
Gaelscoil Éadain Mhóir	-	-	-	-	-	-	-	26	26
Gaelscoil na gCrann	-	-	-	-	-	-	-	-	23
Gaelscoil Uí Neill	-	-	-	-	-	-	-	-	26
Christian Brothers' Primary School (Unit)	-	-	-	-	-	-	-	26	26

Bunscoil Phobal Feirste was established in 1994, however enrolment figures are only available from 2002/03.

## Schools: Formal Intervention Process

**Mr McKay** asked the Minister of Education how many schools are currently in the Formal Intervention process.

**(AQW 2727/11-15)**

**Mr O'Dowd:** As at 3rd October 2011, there are 19 schools in the Formal Intervention Process. These schools are listed in the table below.

School	Date Entered Formal Intervention Process
Ballee Community High School, Ballymena	4 March 2010
Ballygolan Primary School, Belfast	22 March 2010
Bunscoil an Iúir, Newry	3 November 2010
Cambridge House Grammar School, Ballymena	03 June 2011
Crumlin Integrated College	1 February 2010
Dunmurry High School	14 March 2011
Gaelscoil na Daróige, Derry	22 December 2009
Gaelscoil na Móna, Belfast	25 January 2010
Harryville Primary School, Ballymena	22 June 2011
Kirkinriola Primary School, Ballymena	13 April 2011
Knockbreda High School, Belfast	20 October 2009
Lisnagarvey High School, Lisburn	06 April 2011
Lisneal College, Derry	11 March 2010
Omagh North Nursery School	28 September 2011
Orangefield High School, Belfast	10 May 2011
Springhill Primary School, Belfast	23 March 2011
St Gemma's High School, Belfast	13 April 2011
St Patrick's Primary School, Aughagallon	26 October 2010
Tullygally Primary School, Lurgan	23 March 2011

## Compulsory Education

**Mrs Cochrane** asked the Minister of Education to outline the research that suggests that children are at a disadvantage if they have not received compulsory education before they are five years old.

**(AQW 2745/11-15)**

**Mr O'Dowd:** The 'Effective Pre-School Provision in N I (EPPNI) Pre-School Experience and Key Stage 2 Performance in English and Mathematics Progress Report', published in 2010. This report found that a child's age in relation to others in the school year is an important predictor of both attainment and progress in English and Mathematics, with older pupils doing distinctly better. The report added that the odds of attaining level 5 (as compared with level 3) increase by 13-14% for each month of age. This report is published on the Department's website and can be accessed on the following link;  
[http://www.deni.gov.uk/no\\_52\\_2010.pdf](http://www.deni.gov.uk/no_52_2010.pdf)

Further information regarding EPPNI and other research associated with the Early Years Strategy is contained within an evidenced based paper commissioned by my Department to ensure the Early Years



Strategy is based on evidenced based policy findings. This paper is also published on the Department's website and can be accessed on the following link:

[http://www.deni.gov.uk/early\\_years\\_evidence\\_based\\_paper.pdf](http://www.deni.gov.uk/early_years_evidence_based_paper.pdf)

## Statement of Special Educational Need

**Mr Flanagan** asked the Minister of Education for his assessment of why the percentage of post-primary school pupils with a Statement of Special Educational Need is higher in some areas than others, in particular, the fact that Fermanagh and South Tyrone has a rate of 4 percent compared to the average rate of 3.6 percent; and what action his Department is taking to address these discrepancies.

**(AQW 2746/11-15)**

**Mr O'Dowd:** Assessment of, and provision for, children with special educational needs (SEN) is the responsibility of the education and library boards (ELBs) and is matched to the individual needs of each child. The statutory SEN framework and Code of Practice on the Identification and Assessment of Special Educational Needs (COP) apply across all areas. Within this framework it is each board's responsibility to ensure that each child has access to appropriate support.

There will always be some variation in the number of statements across geographical areas, but consistency was an issue which was looked at within the review of special educational needs and inclusion. The ELBs have also developed a common set of criteria to help ensure commonality, consistency and equality across all areas.

## Recycling Facilities

**Mr Agnew** asked the Minister of Education how many schools have comprehensive recycling facilities available for their pupils; and how many do not.

**(AQW 2764/11-15)**

**Mr O'Dowd:** The management and recycling of waste is a delegated responsibility within the decision making power of the Principal and Board of Governors of each school. Facilities for waste recycling must align with services provided in general by the Local Council and these vary across the 26 Councils as detailed on the attached table. All schools here, as public buildings, must follow the waste recycling guidelines and procedures operated by their Local Council.

Local Councils have their own Environmental Officers and Waste Advisers who visit schools and advise and encourage staff and pupils on how to use their recycling facilities which are available within the specific Council area.

Councils change recycling procedures to align with aims in the 'Northern Ireland Waste Management Strategy' and Biodegradable Waste Diversion targets set by the EU.

ELBs act in partnership with Councils to promote recycling at school level. However, no statistics are maintained on how many schools avail of the facilities.

Outside of the recycling arrangements provided by Local Councils, 775 of the circa 1200 schools here are registered as "Eco-Schools" and 220 of those have received the "Green Flag" award for high achievement within the Eco-Schools Programme. The Eco-Schools programme is operated by the environmental charity Tidy Northern Ireland whose main sponsor is Airtricity, with additional funding and support being provided by the Department of the Environment.

The Eco-Schools programme aims to make environmental awareness and action an intrinsic part of the life and ethos of a school and includes pupils, teachers, non-teaching staff and parents, as well as the local authority.

The Eco-Schools programme encourages Schools to draw up an Action Plan to improve their environmental impact, which should include specific and achievable targets in relation to the reduction, re-use and recycling of waste.

Further information on the programme may be found at [www.eco-schoolsni.org](http://www.eco-schoolsni.org)

### COUNCIL RECYCLING FACILITIES

#### BELFAST EDUCATION & LIBRARY BOARD:

Council Area	Paper	Cans	Plastic Bottles	Food/Garden Waste	Clothing Bank
Belfast	Paper & Cardboard	Yes	Yes	Yes	Yes

#### NORTH-EASTERN EDUCATION & LIBRARY BOARD:

Council Area	Paper	Cans	Plastic Bottles	Food/Garden Waste	Clothing Bank
Antrim	Yes	Yes	Yes	No	On request
Ballymena	Yes	Yes	Yes	Yes	Yes
Ballymoney	Yes Tetrapak	Yes	Yes	No	Yes
Carrick	Bryson (Must Pay)	Bryson (Must Pay)	Bryson (Must Pay)	No	On request
Coleraine	Yes	Yes	Yes	Yes	Yes
Larne	Yes	Yes	Yes	Yes	Yes
Magherafelt	Yes	Yes	Yes	Yes	Yes
Moyle	Yes – Bank at School	Yes	Yes	No	Yes
Newtownabbey	Yes Bryson	Yes Bryson	Yes Bryson	Not known	Yes Bryson

#### SOUTH-EASTERN EDUCATION & LIBRARY BOARD:

Council Area	Paper	Cans	Plastic Bottles	Food/Garden Waste	Clothing Bank
Ards	Paper & cardboard	Yes	Yes	No	Not known
Belfast	Paper & cardboard - Bryson	Yes	Yes + glass bottles	No	Not known
Castlereagh	Paper & cardboard - Bryson	Yes	Yes + glass bottles	No	Not known
Down	Paper and cardboard	Yes	Yes	No	Not known
Lisburn	Paper and cardboard	Yes	Yes	On trial in some schools	Not known

<b>Council Area</b>	<b>Paper</b>	<b>Cans</b>	<b>Plastic Bottles</b>	<b>Food/Garden Waste</b>	<b>Clothing Bank</b>
North Down	Paper and cardboard	Yes	Yes	No	Not known

**SOUTHERN EDUCATION & LIBRARY BOARD:**

<b>Council Area</b>	<b>Paper</b>	<b>Cans</b>	<b>Plastic Bottles</b>	<b>Food/Garden Waste</b>	<b>Clothing Bank</b>
Armagh	Yes	Yes	Yes	Composter provided on request	-
Banbridge	Paper & Tetrapak	Cans & aerosols	Yes	Composter provided on request	Yes
Cookstown	Yes	Yes	Yes	Composter provided on request	Some schools organise own
Craigavon	Paper, Tetrapak & cardboard	Yes	Yes	-	-
Dungannon	Paper, Tetrapak & cardboard	Yes	Yes	Composter provided on request	-
Newry	Paper & cardboard	Yes	Yes	-	Some schools organise own

**WESTERN EDUCATION & LIBRARY BOARD:**

<b>Council Area</b>	<b>Paper</b>	<b>Cans</b>	<b>Plastic Bottles</b>	<b>Food/Garden Waste</b>	<b>Clothing Bank</b>
Fermanagh	Paper & cardboard	Yes	Yes	-	Not known
Omagh	Paper & cardboard	Yes	Yes	Omagh town only	Not known
Strabane	Paper & cardboard	Yes	Yes	-	Not known
Limavady	Yes- by local Community Enterprise & Cardboard	Yes	Yes	-	Not known
Derry	Paper & cardboard	Yes	Yes	-	Not known

## Education Maintenance Allowance

**Mr Lyttle** asked the Minister of Education how the educational attainment of students in receipt of an Education Maintenance Allowance has been tracked and analysed to assess the efficacy of this policy. **(AQW 2787/11-15)**

**Mr O'Dowd:** The main purpose of the Education Maintenance Allowance (EMA) scheme is to enable young people from lower income backgrounds to remain in postcompulsory education at school or college with the key objectives of raising participation and retention rates in the eligible group. It also aims to encourage young people to fulfil their educational potential and encourage them to achieve qualifications.

Since improving participation and retention rates have always been the key objectives of the scheme, with the attainment of qualifications being a positive outcome, there are currently no mechanisms in place to specifically track the educational attainment achieved by students in receipt of an EMA.

However, student survey findings from the recent review of the EMA scheme indicated that learners felt their engagement with learning had increased since receiving an EMA. Just over half of learners agreed or strongly agreed that the Education Maintenance Allowance had a positive impact on their attendance and time-keeping. This finding was supported by the EMA coordinators' survey and, of course, actual records of attendance in the schools and Further Education colleges.

Following the recent review, it is intended that my Department and the Department for Employment and Learning will jointly present options for the future of the Education Maintenance Allowance scheme to the Executive in the autumn and this will be followed by a public consultation.

As part of the ongoing work on the review, both Departments will be investigating how EMA Learning Centres record data on students in receipt of EMAs so that the Departments can determine the best way to collect data to assist in the future evaluation of the EMA Scheme.

## Primary Schools: Languages

**Mr McKay** asked the Minister of Education (i) what plans he has to increase teaching languages in primary schools; and (ii) what progress has been made in teaching languages in primary schools in each of the last four years. **(AQW 2800/11-15)**

**Mr O'Dowd:** Modern languages are not a compulsory part of the statutory curriculum at primary level. Schools are however encouraged to offer a wider range of modern languages and the revised curriculum provides them with greater flexibility to do so, with the Council for the Curriculum, Examinations and Assessment providing support and resources for primary schools that wish to introduce an additional language.

To support primary schools wishing to deliver language learning the Primary Language Programme was introduced in 2007 to give pupils at Foundation Stage/Key Stage 1 the opportunity to learn an additional language in school. The programme offers primary schools the opportunity to work with peripatetic language tutors to deliver Irish, Spanish and Polish.

The Department does not hold records of the number of primary schools currently delivering foreign language teaching but does hold information on those schools participating in the Primary Languages Programme. The table below displays the number of schools participating in the programme over the last four years. It has been very successful with over 27,000 children currently benefiting from the programme each week.

	<b>Total Number Of Schools In PLP</b>
30 June 2008	324
30 June 2009	323
30 June 2010	361
30 June 2011	416

My department has also commissioned an Irish language primary pilot programme for pupils in Key Stage 2 which aims to build upon and compliment the provision made available via the Primary Languages Programme. The programme is scheduled to run for 4 years and due to commence in 10 primary schools in the Derry/North west area in October 2011.

### **Schools: Pupils Expelled**

**Mr Weir** asked the Minister of Education how many pupils have been expelled from schools in the North Down area in each of the last five years.

**(AQW 2810/11-15)**

**Mr O'Dowd:** The Department does not hold the information requested.

The Department collects information on pupil expulsions from each of the Education and Library Boards annually. The data collected is broken down by Board area, school management type, gender, ethnicity, special educational needs stage and whether or not the pupil is registered as disabled. It is therefore not possible to identify pupils from the North Down area.

The available data on pupil expulsions is published on the Department's website at [www.deni.gov.uk](http://www.deni.gov.uk) annually. Data for the 2010/11 school year is currently being analysed and will be published in November.

### **School: Vacant Places**

**Mr Campbell** asked the Minister of Education to give a breakdown, by constituency of the 85,000 vacant school places.

**(AQW 2820/11-15)**

**Mr O'Dowd:** The number of vacant places in schools is derived from the difference between a school's approved enrolment number and the number of pupils enrolled at the school.

According to this calculation, the 84,605 vacant school places in the 2010-11 year (including 119 unfilled places in nursery schools) were distributed across the parliamentary constituencies as follows:

Belfast East	3,666
Belfast North	6,874
Belfast South	3,876
Belfast West	8,388
East Antrim	3,323
East Derry	4,925
Fermanagh & South Tyrone	5,408
Foyle	6,328
Lagan Valley	2,535



Mid Ulster	4,494
Newry & Armagh	5,154
North Antrim	3,759
North Down	2,384
South Antrim	3,802
South Down	4,369
Strangford	3,774
Upper Bann	5,450
West Tyrone	6,096

The figures exclude the enrolments of 9,563 pupils in receipt of a statement of special educational needs, and 138 pupils admitted on appeal by the Education and Library Board appeal tribunals or by direction of the independent Exceptional Circumstances Body, as these are admitted over and above a school's approved enrolment number.

## Physical Education

**Mr Easton** asked the Minister of Education what plans he has to increase the hours of physical education undertaken by pupils in schools.

**(AQW 2850/11-15)**

**Mr O'Dowd:** As stated in my reply to AQW/251/2011-15, legislation governing the revised curriculum prevents the Department from prescribing the amount of time to be allocated to any particular subject within the curriculum.

Greater flexibility and less prescription are key features of the revised curriculum, which recognises the importance of allowing teachers to plan their teaching to meet the needs of their pupils and to ensure a broad and balanced education.

The curriculum has been taught to all pupils of compulsory school age in grant-aided schools since the 2009/10 school year and is now being embedded in classroom practice. Although my Department has issued guidance to schools recommending a minimum of two hours of PE per week, I have no plans at this time to make legislative changes to allow for prescription in terms of time to be allocated for specific subjects.

DCAL's Sports Strategy, Sport Matters, includes a target to establish a baseline for the number of children of compulsory school age participating in a minimum of two hours quality per week physical education. DE officials have been working with DCAL and the Education and Training Inspectorate (ETI) to take this work forward and an electronic survey of schools after Christmas 2011 is planned.

## Youth Service: Donegall Pass, Belfast

**Mr McGimpsey** asked the Minister of Education how many hours of Youth Service per week are provided in the Donegall Pass area, Belfast.

**(AQW 2884/11-15)**

**Mr O'Dowd:** Youth Service Provision in the Donegall Pass area is a matter for the Belfast Education and Library Board (BELB).

The BELB has advised that 18 paid part time hours per week are provided in the Donegall Pass Youth Club. At the request of the part time youth workers based in the club, additional programmes are provided in the area by the South Belfast Area Project.

## Teachers: Sick Leave

**Lord Morrow** asked the Minister of Education, pursuant to AQW 1857/11-15, how many of the 113 teachers are employed by the (i) maintained; and (ii) controlled sector.

**(AQW 2891/11-15)**

**Mr O'Dowd:** The 113 teachers are employed as follows: -

Controlled	40
Maintained	73*
<b>Total</b>	<b>113</b>

\* The Maintained Sector figure of 73 includes 6 teachers from the Grant-maintained Integrated Sector.

## Victims of Domestic Violence

**Mr Storey** asked the Minister of Education what work place policies are in place to assist victims of domestic violence within his Department and its arm's-length bodies.

**(AQW 2893/11-15)**

**Mr O'Dowd:** The NICS Domestic Violence and Abuse policy is set out in the NICS HR Handbook. This policy applies across all NICS Departments including DE.

The policy provides advice on how Departments and Agencies should deal with domestic violence situations that might arise: it provides details of the first point of contact for employees who need to discuss issues around domestic violence; identifies signs of domestic violence; sets out the role of the Line Manager and Welfare Officer and provides a list of contact details for Support Services available to staff.

The Education and Library Boards have previously reported that they do not have domestic violence workplace policies in place. However they have indicated they may consider developing a joint policy in future. My officials will write to the Management Sides of both the Teachers' Negotiating Committee and the Joint Negotiating Council to request that a draft domestic violence workplace policy is drawn up in consultation with stakeholders including trade unions. In the meantime, the ELBs' staff welfare service is available to support staff who experience domestic violence or abuse.

The Departments remaining Arms Length Bodies do not have specific policies in place; however a number do offer support to staff through other policies such as Occupational Health and Safety policy and Mental Health Policy.

## Proposed Capital Spend Projects

**Mr McGlone** asked the Minister of Education to detail his Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2909/11-15)**

**Mr O'Dowd:** The total 2011/12 gross capital budget is £115.7 million. There are currently no new major capital projects proposed for 2011/12. However £44.2 million will be required for the 16 projects currently on site. A list of the major projects on site together with the estimated cost and scheduled date for completion is detailed in the table below.

**MAJOR WORKS ON-SITE**

<b>Project</b>	<b>Estimated/Actual Completion Date</b>	<b>Estimated Capital Cost including Fees and Capital Furniture &amp; Equipment</b>
Banbridge Academy	Oct-11	£19,640k
Bangor Grammar	Feb-13	£17,333k
Carrick P.S. Warrenpoint	Sep-12	£3,647k
Coranny & Cornagague P.S.	Feb-12	£1,951k
Dromintee P.S.	Mar-12	£2,595k
Magherafelt H.S	Apr-12	£12,969k
Magherafelt P.S. & N.S	Nov-12	£5,243k
St Colman's P.S. Lambeg	Aug-12	£3,337k
St Columba's P.S, Straw, Draperstown	Sep-12	£1,944k
St Joseph's P.S Madden, Armagh	Jan-12	£1,767k
St Mary's P.S, Newcastle	Oct-12	£3,827k
St Oliver Plunkett P.S. Forkhill	Mar-12	£2,011k
Scoil Na Faiseoige P.S, Belfast	Jul-12	£2,105k
Strathearn GS, Belfast	Sep-14	£16,168k
Taughmonagh P.S, Belfast	Jun-12	£3,549k
Whitehouse P.S	Aug-11	£4,404k

A further £64 million has been allocated for minor works projects across the estate. Minor works can range in cost from several thousands of pounds up to £500,000. In any year there will be several hundred projects taken forward and it would be impracticable to list all of these.

Further capital funds have been allocated for youth facilities and other miscellaneous capital expenditure including transport and ICT projects.

Committed capital spend for 2011/12 is detailed in the table below:

	<b>£m</b>
Major Works	44.2
Minor Works	64
Youth Capital	5
Other Capital	2.5
<b>Total Capital</b>	<b>115.7</b>

New proposals for capital spend will be dependent on the outcome of the work I recently announced to develop a new process for capital investment and planning to ensure our schools' estate meets the needs of children and represents the most effective use of tax payers' money.

## Schools: Vacant Places

**Mr Easton** asked the Minister of Education to detail the number of vacant places in each primary school in the North Down area.

**(AQW 2944/11-15)**

**Mr O'Dowd:** The number of vacant places in schools is derived from the difference between a school's approved enrolment number and the number of pupils enrolled at the school. According to this calculation, in the 2010-11 academic year - the last year for which enrolment statistics are available - there were 2,302 unfilled places in primary schools in the North Down constituency area distributed as follows:-

School	Unfilled Places
Ballyvester Primary School	41
Hollywood Primary School	205
Crawfordsburn Primary School	6
Ballyholme Primary School	42
Donaghadee Primary School	106
School	Unfilled Places
Clandeboyne Primary School	412
Millisle Primary School	87
Redburn Primary School	284
Bloomfield Primary School	147
Grange Park Primary School	1
Kilcooley Primary School	451
Rathmore Primary School	138
Towerview Primary School	24
Kilmaine Primary School	0
Ballymagee Primary School	8
St Patrick's Primary School Hollywood	106
St Anne's Primary School Comber	45
St Comgall's Primary School Bangor	5
St Malachy's Primary School Bangor	162
Bangor Central Primary School	0
Glencraig Integrated Primary School	32

The figures reflect the number of children enrolled according to the October 2010 schools' census. They exclude the enrolments of 119 pupils in receipt of a statement of special educational needs as they are admitted over and above a school's approved enrolment number.

## Peripatetic Teachers

**Mr McCartney** asked the Minister of Education to detail the number of (i) peripatetic teachers for children who are deaf; (ii) children who avail of this service; and (iii) children on the waiting lists for this service, broken down by Education and Library Board.

**(AQW 2968/11-15)**

**Mr O'Dowd:** Provision for children with statements of special educational needs (SEN) is the responsibility of the education and library boards (ELBs) and is matched to the individual needs of each child.

I have been advised by the ELBs as follows:-

Education and Library Board	No. of peripatetic teachers for children who are deaf	No. of children who avail of this service	No. of children on the waiting list for this service
Belfast	5	164	Nil
North Eastern	10	493	Nil
South Eastern	6	426	Nil
Southern	5	220	Nil
Western	2	113	Nil

## School Uniform Grants

**Mrs D Kelly** asked the Minister of Education to detail (i) the number of successful applications for a school uniform grant; (ii) the average value of each grant; and (iii) the total amount of money awarded in each of the last five years.

**(AQW 2973/11-15)**

**Mr O'Dowd:** The information requested, as provided by the Education and Library Boards, is set out below:

**2006/07**

	Number of Successful Applications	Average Value of Each Grant	Total Amount of Money Awarded
BELB	7,158	£67.00	£479,109
NEELB	4,526	£67.87	£307,192
SEELB	4,152	£65.47	£271,827
SELB	4,677	£56.89	£266,088
WELB	7,358	£67.28	£495,076
<b>Total</b>	<b>27,871</b>	<b>£65.28</b>	<b>£1,819,292</b>



**2007/08**

	<b>Number of Successful Applications</b>	<b>Average Value of Each Grant</b>	<b>Total Amount of Money Awarded</b>
BELB	6,531	£70.08	£457,693
NEELB	4,225	£69.27	£292,667
SEELB	3,968	£69.69	£276,537
SELB	5,164	£69.13	£356,994
WELB	6,949	£68.51	£476,077
<b>Total</b>	<b>26,837</b>	<b>£69.31</b>	<b>£1,859,968</b>

**2008/09**

	<b>Number of Successful Applications</b>	<b>Average Value of Each Grant</b>	<b>Total Amount of Money Awarded</b>
BELB	6,437	£71.54	£460,489
NEELB	4,430	£70.72	£313,289
SEELB	3,859	£71.37	£275,421
SELB	5,424	£70.87	£384,376
WELB	6,911	£70.04	£484,028
<b>Total</b>	<b>27,061</b>	<b>£70.86</b>	<b>£1,917,603</b>

**2009/10**

	<b>Number of Successful Applications</b>	<b>Average Value of Each Grant</b>	<b>Total Amount of Money Awarded</b>
BELB	12,504	£55.17	£689,825
NEELB	9,833	£53.13	£522,477
SEELB	7,857	£54.27	£426,380
SELB	12,520	£53.12	£665,089
WELB	14,555	£52.91	£770,043
<b>Total</b>	<b>57,269</b>	<b>£53.67</b>	<b>£3,073,814</b>

**2010/11**

	<b>Number of Successful Applications</b>	<b>Average Value of Each Grant</b>	<b>Total Amount of Money Awarded</b>
BELB	13,814	£54.10	£747,340
NEELB	11,212	£52.64	£590,241
SEELB	9,024	£53.87	£486,119
SELB	14,390	£52.55	£756,233
WELB	15,808	£52.79	£834,431
<b>Total</b>	<b>64,248</b>	<b>£53.14</b>	<b>£3,414,364</b>

The figures for 2009/10 onwards include the primary school uniform grant which was introduced by my predecessor in that year, the first time that such a measure had been taken here.

In addition, the eligibility criteria were extended in 2010/11, on a phased basis, to include Foundation Stage and Key Stage one pupils in primary schools whose parents were in receipt of Working Tax Credit and who had an annual taxable income not exceeding £16,190. Key Stage 2 pupils became eligible under this criterion from September 2011.

### **Parkhall Integrated College, Antrim**

**Mr Kinahan** asked the Minister of Education for an update on the new build for Parkhall Integrated College; and whether his Department has scheduled a year for its rebuilding to commence.

**(AQW 3037/11-15)**

**Mr O'Dowd:** As I highlighted in my statement to the Assembly on Monday 26 September 2011, I have commissioned the five Education and Library Boards (ELBs) working in close conjunction with the Council for Catholic Maintained Schools (CCMS) and other sectors to co-ordinate a strategic area planning exercise based on each Board area to shape the future pattern of education delivery. In any area potential projects, such as that for Parkhall Integrated College, will be critically assessed as part of the area planning process, to determine how they will contribute to the overall infrastructure needed. No school building project will be looked at in isolation but must be considered in the context of the wider area.

Until this work is completed, I would not be in a position to comment on any potential project.

### **Schools: Incidents of Bullying**

**Mr I McCrea** asked the Minister of Education to detail the number of incidents of bullying in each (i) primary school; and (ii) post-primary school in the Mid-Ulster area, in each of the last two years.

**(AQW 3068/11-15)**

**Mr O'Dowd:** The Department does not hold the information requested.

Bullying, in whatever form and for whatever reason, has no place in schools.

Schools are not currently required to record incidences of bullying and my Department would be concerned about adding to the bureaucratic burden on schools at this time by requiring principals to do so.

The Education and Libraries (NI) Order 2003, which came into operation on 1 April 2003, places a duty on all grant-aided schools to have an anti-bullying policy which includes measures to prevent all forms of bullying among pupils. The effectiveness of these measures is monitored through the regular cycle of school inspections.

The Department recognises that it cannot solve the issue of bullying alone, and continues to work in close partnership with statutory and voluntary organisations through its membership and funding of the local Anti-Bullying Forum (NIABF). The Forum enables members to share models of best practice, to disseminate information, to develop and coordinate joint initiatives and to ensure that schools and organisations working with children and young people are able to develop appropriate strategies to prevent and deal with bullying behaviours.

In 2007, the Department published a research report on "The Nature and Extent of Bullying in Schools in the North of Ireland". The findings show little change in the level of bullying behaviour reported by pupils compared to an earlier study completed in 2002. A further research exercise was commissioned by the Department earlier this year and a further comparative publication will be available on the Department's website ([www.deni.gov.uk](http://www.deni.gov.uk)) by the end of October.

## Area Learning Communities

**Mr McClarty** asked the Minister of Education to provide a budget breakdown for 2011/12 for each of the Area Learning Communities established to deliver the Entitlement Framework.

**(AQW 3074/11-15)**

**Mr O'Dowd:** The Department does not allocate funding to Area Learning Communities (ALCs) but rather to schools within them. Under the Local Management of School (LMS) Scheme, the Board of Governors of every grant-aided school receives a delegated budget to meet the costs of providing access to the curriculum for the pupils within that school. Entitlement Framework (EF) funding is additional to LMS funding and is allocated on the assumption that there may be additional costs associated with planning and delivering an expanded curricular offer through collaboration.

There are two elements of direct EF support for schools; the EF on-line audit funding formula element and the collaboration element. The EF on-line audit element is directly related to the number of courses being delivered collaboratively and all schools have received the audit formula element for 2011/12 totalling £9m. The collaboration element, aimed at targeting those schools actively participating in an ALC, will be issued in due course following receipt of evidence that schools are taking account of local provision when planning to expand their curricular offer.

## Community Relations, Equality and Diversity in Education Policy

**Mr McClarty** asked the Minister of Education how much his Department has spent in this financial year to date on the 'Community Relations, Equality and Diversity in Education' policy.

**(AQW 3075/11-15)**

**Mr O'Dowd:** I can confirm that a total of £1.1m has been allocated to the Education and Library Boards (ELBs) and Youth Council (YCNi) in 2011/12 for the implementation of the new Community Relations, Equality and Diversity in Education policy. It is anticipated that the ELBs and the YCNi will achieve full spend in this budget area in 2011/12 and the Department will be monitoring performance in year.

## Department for Employment and Learning

### Certificate in Religious Education

**Lord Morrow** asked the Minister for Employment and Learning for his assessment of the equality issues arising from the fact that students graduating from St Mary's University College can take up posts in either Catholic or Controlled schools whilst students graduating from Stranmillis University College can only take up posts in Controlled schools unless they obtain a Certificate of Religious Education; and what plans he has to address this disparity.

**(AQW 2470/11-15)**

**Dr Farry (The Minister for Employment and Learning):** My Department provides funding to St. Mary's University College and Stranmillis University College. My Department also provides additional funding to Stranmillis University College to enable students to avail of the Certificate in Religious Education by distance learning.

While all student teachers in Northern Ireland, who wish to do so, have an opportunity to obtain the required Certificate of Religious Education, I am aware of concerns that have been expressed around the matter. It is a matter to which I am giving consideration.

### Students Dropping out of University

**Mr Weir** asked the Minister for Employment and Learning what is the average cost incurred when a student drops out of university.

**(AQW 2487/11-15)**

**Dr Farry:** My Department does not collate specific information on the cost of students who withdraw from their courses early as each case is unique, depending on various factors including the subject studied and the student's actual period of attendance.

## Capital Projects

**Mr Weir** asked the Minister for Employment and Learning what capital projects his Department has planned over each of the next three years; and the projected cost of each project.

**(AQW 2489/11-15)**

**Dr Farry:** The Department has a capital budget allocation for the three years from 2012-13 of £79.1m. This is relevant to the Further Education Sector, the Higher Education Sector and the Department itself.

Further Education has a capital allocation of £26.3m for the next three financial years. £18.3m of this is committed to projects already delivered or underway in Belfast Metropolitan College – at Titanic Quarter and Springvale. The remaining £8m has not been allocated at this stage but is intended to address minor works and statutory compliance issues within Colleges. Colleges will be asked to bid for this funding in due course.

Higher Education has a capital allocation of £49.5m for the next three years. At the commencement of each budget review period the Department informs the Northern Ireland Higher Education Institutions of the capital budget that is being made available to them. The Higher Education Institutions are invited to submit projects to be considered for this funding.

In addition there is £3.3m of funding available for capital projects within the Department. It is likely that this will be used for IT projects, and minor works to ensure compliance with Health and Safety legislation. Business Areas across the Department will be invited to bid to this fund. This allocation process has not yet been initiated for the three years from 2012-13.

## St Mary's University College, Belfast

**Lord Morrow** asked the Minister for Employment and Learning whether St Mary's University College, Belfast is an equal opportunities employer.

**(AQW 2535/11-15)**

**Dr Farry:** St. Mary's University College is an equal opportunities employer.

I have attached the College's Equal Opportunities Statement at Annex A for your information

## Annex A

### St. Mary's University College Equal Opportunities Statement

- 1 The purpose of this statement is to underline the commitment of the College to equal opportunity for all its staff
- 2 It is the policy of the College that all eligible persons shall have equal opportunity for employment and advancement in the College solely on the basis of their ability, qualifications and aptitude
- 3 The College will not practise discrimination – whether direct or indirect – against any eligible person, whether in recruitment, training, promotion or in any other way i.e. no eligible person will be treated less favourably in such areas as sex, marital status, religion, race or disability
- 4 This policy pursues and builds upon the statutory position in Great Britain and Northern Ireland. Its intention is to comply as much with the spirit as with the letter of the legislation and to establish and pursue an effective policy of promoting equal opportunity
- 5 All existing and newly recruited members of the College staff will receive a copy of this statement and its contents will be reflected as appropriate in training courses, circulars and guidance to all those with responsibility for the recruitment and promotion within the College. It will also be made clear to potential applicants for recruitment to the College through advertisements and relevant documentation that the College is an Equal Opportunity Institution

- 6 Advertisements will not be confined unjustifiably to areas or publications which would exclude or disproportionately reduce the numbers of applicants of a particular group
- 7 Eligibility criteria for employment or promotion will be formulated so as to ensure that they are related to required performance and are not discriminatory. These criteria will be included in the information sent to prospective candidates for employment or promotion
- 8 Selection and promotion decisions and reasons for such decisions will be recorded at each stage of any selection or promotion process
- 9 All staff will be encouraged to take advantage of training opportunities to enhance their prospects of career development and allow them to achieve their full potential
10. A detailed system will be established to provide accurate and up-to-date information on the composition of the College staff, in order to monitor the application of this policy in such areas as recruitment, employment and promotion. The policy and action outlined in this Statement will be regularly reviewed so that progress towards the objective of equality of opportunity can be assessed and effective steps taken to remedy any deficiencies in the programme for equal opportunity which may be identified by this assessment

The above Statement was adopted by the Board of Governors on 22 October 1998

### Teacher Training Students

**Lord Morrow** asked the Minister for Employment and Learning for his assessment of whether Protestant teacher training students from Stranmillis University College are discriminated against due to their religious background as they are restricted to obtaining a post within the controlled sector, as opposed to teacher training students from St Mary's University College who can work in any school.  
(AQW 2673/11-15)

**Dr Farry:** I refer you to my earlier response to AQW 2470/11-15.

### St Mary's University College, Belfast

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 2281/11-15, in what roles the twelve Protestant people who work at St Mary's University College, Belfast are employed.  
(AQW 2728/11-15)

**Dr Farry:** St Mary's University College has advised me that the twelve people from a Protestant background working at the University College are employed in the following roles:

Staff Group	Protestant
Academic	3
Non Academic	9
<b>Total</b>	<b>12</b>

### Student Fees

**Mr Weir** asked the Minister for Employment and Learning for his assessment of the impact that charging students from England, Wales and Scotland, who wish to attend university in Northern Ireland, the same lower rate of fees as students from Northern Ireland would have on the Higher Education system.  
(AQW 2737/11-15)

**Dr Farry:** There is a significant risk that maintaining fee levels in Northern Ireland for students from England, Wales and Scotland at the same rate as for Northern Ireland students, combined with the world class reputation of our universities, would result in a huge increase in the demand for places on undergraduate courses at higher education institutions here.



Such an increase in demand would have the potential to displace Northern Ireland students, particularly those with more marginal grades, who tend to be disproportionately from the lowest income backgrounds. These students may miss the opportunity to enter higher education altogether or they may seek to study in other parts of the United Kingdom, at considerable cost to the Northern Ireland block.

The rationale for students from Great Britain choosing to study in Northern Ireland should be based on the choice of institution, course and related issues, and not solely influenced by cost.

## Education Maintenance Allowance

**Mr Weir** asked the Minister for Employment and Learning what funding options he is considering as part of the reform of the Education Maintenance Allowance.

**(AQW 2738/11-15)**

**Dr Farry:** I am committed to the retention of the Education Maintenance Allowance Scheme. It is clear, however, that the funding needs to be better targeted. Findings from the joint review of the Education Maintenance Allowance scheme in Northern Ireland by my Department and the Department of Education highlighted that the scheme is not as economically efficient as it could be because a majority of Education Maintenance Allowance students indicated that they would have remained in education even if they had not received Education Maintenance Allowance.

I can advise that my Department and the Department of Education have recently established a joint project team which will consider options for the future of the Education Maintenance Allowance scheme.

Following approval by me and my ministerial colleague in the Department of Education, it is intended that options for the future of the Education Maintenance Allowance scheme will be presented to the Executive in the autumn and this will be followed by a public consultation. I am committed to completing this process as soon as practically possible.

Any proposals to change the current provision of the Education Maintenance Allowance scheme in Northern Ireland will also be subject to the appropriate equality considerations.

## Veterinary Medicine

**Mr Elliott** asked the Minister for Employment and Learning how many students from Northern Ireland are currently studying Veterinary Medicine in (i) the rest of the UK; and (ii) the Republic of Ireland.

**(AQW 2777/11-15)**

**Dr Farry:** In the 2009/10 academic year, across all years of study, there were 150 students from Northern Ireland studying Veterinary Science in the rest of the UK and 55 in the Republic of Ireland.

**Source:** Higher Education Statistics Agency (HESA), Higher Education Authority (HEA)

**Notes:**

- (1) Figures have been rounded to the nearest 5.
- (2) The latest available data are for 2009/10.

## Proposed Capital Spend Projects

**Mr McGlone** asked the Minister for Employment and Learning to detail his Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2792/11-15)**

**Dr Farry:** The Department has a capital budget allocation for this financial year of £41.2m. This is relevant to the Further Education Sector, the Higher Education Sector and the Department itself.

The Further Education capital budget for this financial year is £35.7m, all of which is fully committed. £11.7m is for projects at Belfast Metropolitan College's Titanic Quarter and Springvale. The remaining £24m is to fund the South Eastern Regional College's Lisburn and Downpatrick projects.

As part of Budget 2010, the capital budget made available for Higher Education for the financial year 2011/12 is £5.0m. At the commencement of each budget review period the Department informs the Northern Ireland higher education institutions of the capital budget that it is making available to them. The higher education institutions have been invited to submit projects to be considered for funding. The Department is currently processing submissions and, although funding has not as yet been offered to any specific project, it is anticipated that the budget for financial year 2011/12 will be used in full.

In addition there is £0.5m of funding available for capital projects within the Department. The majority of this will be used for infrastructure modifications that are required to transfer the Kiosk Estate to ITAssist, and the CMS Server Upgrade Project.

### **Proposed Merger of Stranmillis University College and Queen's University, Belfast**

**Lord Morrow** asked the Minister for Employment and Learning whether he can give an assurance that the merger of Stranmillis University College and Queen's University, Belfast will be carried out in a transparent manner with input from all stakeholders, and that it will not be rushed through.

**(AQW 2803/11-15)**

**Dr Farry:** I can assure you that I am keen to progress the proposed merger in an open and transparent manner. A public consultation was conducted on the proposal and I have met recently with key stakeholder groups and others to discuss the proposal. If I determine that the merger is to proceed, draft legislation for the discontinuation of the College and its merger with Queen's will be discussed by the Committee for Employment and Learning and will be subject to affirmative resolution by the Assembly. I believe that this will give all members of the Assembly ample opportunity to fully acquaint themselves with the proposals and to debate them.

### **Proposed Merger of Stranmillis University College and Queen's University, Belfast**

**Mr Campbell** asked the Minister for Employment and Learning when he will make an announcement to the Assembly on the proposed merger between Stranmillis University College and Queen's University, Belfast.

**(AQW 2818/11-15)**

**Dr Farry:** Following the public consultation, I have recently met with various key stakeholders on this matter. There are several issues surrounding the merger to which I wish to give full consideration before reaching a decision. I would hope to be in a position to make an announcement in the very near future.

### **Universities: Enrolment**

**Mr Allister** asked the Minister for Employment and Learning to detail the number of students from (i) Great Britain; (ii) the Republic of Ireland; (iii) other EU member states; and (iv) the rest of the world who have enrolled in (a) Queen's University; and (b) the University of Ulster in each of the last five years.

**(AQW 2917/11-15)**

**Dr Farry:** The number of students from Great Britain, the Republic of Ireland, other EU member states and the rest of the world who have enrolled in (a) Queen's University; and (b) the University of Ulster in each of the last five years is detailed below:

**(A) QUEEN'S UNIVERSITY**

Academic year	Great Britain	Republic of Ireland	Other EU	Rest of the World
2005/06	495	965	165	835
2006/07	455	880	195	830
2007/08	560	875	255	900
2008/09	655	930	270	975
2009/10	880	920	260	960

**(B) UNIVERSITY OF ULSTER**

Academic year	Great Britain	Republic of Ireland	Other EU	Rest of the World
2005/06	570	2,650	190	540
2006/07	455	2,220	205	550
2007/08	515	2,340	170	410
2008/09	645	2,250	170	575
2009/10	625	2,810	150	640

**Source:** HESA

**Notes:**

- (1) Figures have been rounded to the nearest 5.
- (2) The latest available data are for 2009/10.
- (3) The figures in the table above are for all years and levels of study.

**Student Loans Company**

**Mr Swann** asked the Minister for Employment and Learning to detail what the repayment terms will be for student loans from the Student Loans Company for students from Northern Ireland and how these compare to the terms for students from elsewhere in the UK who are studying anywhere in the UK.

**(AQW 2949/11-15)**

**Dr Farry:** Student loans encompass loans for tuition fees as well as loans for support with living costs, known as maintenance loans. Student loan borrowers from Northern Ireland entering higher education anywhere in the UK in academic year 2012/13 will commence repayment in the April following completion of the course, if their annual earnings exceed £15,795. The repayment amount will be 9% of the amount which exceeds this threshold. The annual interest rate applied will be the lesser of the Retail Prices Index (RPI) figure in March of each year, or the base rate of a group of high street banks, plus one per cent. Any balance which is outstanding after 25 years will be written off.

By comparison, borrowers from England and Wales, entering higher education anywhere in the UK in academic year 2012/13 will commence repayment in the April following completion of the course, if their annual earnings exceed £21,000. The repayment amount will be 9% of the amount which exceeds this threshold. The annual interest rate will be RPI plus 3% during the period of study and, thereafter, it will range from RPI to RPI plus up to 3% depending on earnings. Any balance which remains outstanding after 30 years will be written off.

The Department for Business, Innovation and Skills intends to introduce early repayment charges for English student loan borrowers, similar to those who pre-pay their mortgages, and is currently

considering consultation responses on the issue. There are currently no plans to introduce this type of charge for borrowers from Northern Ireland.

The arrangements for Scottish student loan borrowers will be the same as those which apply for Northern Ireland students, with the exception of the write off period which will be 35 years.

## Universities: Enrolment

**Mr Allister** asked the Minister for Employment and Learning how many students from (a) a Roman Catholic and (b) a Protestant background have (i) applied for a place at; and (ii) enrolled at (a) Queen's University; (b) the University of Ulster, broken down by each campus; (iii) St Mary's University College; and (iv) Stranmillis University College in each of the last five years.

**(AQW 2962/11-15)**

**Dr Farry:** The Department does not hold information on the religion of applicants to university and nor is it collected by Universities and Colleges Admissions Service (UCAS). The Department does however hold information on the religion of Northern Ireland (NI) domiciled students enrolled at the NI Higher Education Institutions.

Therefore, the number of NI domiciled students from a Catholic and a Protestant background enrolled at Queen's University; the University of Ulster, broken down by each campus; St Mary's University College; and Stranmillis University College in each of the last five years is detailed in the tables below.

### (A) CATHOLIC BACKGROUND

	2005/06	2006/07	2007/08	2008/09	2009/10
The Queen's University of Belfast	8,565	7,920	8,245	8,265	8,710
University of Ulster, Belfast	525	495	545	540	660
University of Ulster, Coleraine	1,950	1,860	1,760	1,570	1,655
University of Ulster, Jordanstown	6,900	6,405	6,105	5,995	6,640
University of Ulster, Magee	2,395	2,230	2,090	1,905	2,115
Stranmillis University College	195	185	160	195	280
St Mary's University College	950	965	910	905	935

### (B) PROTESTANT BACKGROUND

	2005/06	2006/07	2007/08	2008/09	2009/10
The Queen's University of Belfast	7,360	6,510	6,735	6,600	6,740
University of Ulster, Belfast	500	475	450	465	540
University of Ulster, Coleraine	2,200	2,145	2,110	1,940	2,040
University of Ulster, Jordanstown	4,670	4,000	3,685	3,430	3,850
University of Ulster, Magee	590	530	530	475	590
Stranmillis University College	960	915	680	655	645
St Mary's University College	20	15	10	10	5

**Source:** Higher Education Statistics Agency

#### Notes:

1. Figures have been rounded to the nearest 5.

2. The latest available data are for 2009/10.
3. Information on religion is only collected for NI domiciled students studying at NI Higher Education Institutions and therefore the above tables do not include students from outside NI.
4. Religious affiliation is not a mandatory question and therefore can have a high non-response rate.
5. As well as Catholic and Protestant, the religion of students can also be classified as "Other" or "Not known/available". These two categories accounted for between 18-21% of Northern Ireland domiciled students enrolled at NI Higher Education Institutions between 2005/06 and 2009/10.

### University of Ulster: Magee Campus

**Mr Campbell** asked the Minister for Employment and Learning to provide an estimate of the religious background of students enrolled at the Magee Campus of the University of Ulster in each of the last three years.

**(AQW 2981/11-15)**

**Dr Farry:** The religious breakdown of Northern Ireland domiciled students enrolled at the Magee Campus of the University of Ulster for each of the last three years is detailed in the table below:

Academic year	Protestant	Catholic	Other	Not known/ available	Total
2007/08	530	2,090	15	295	2,935
2008/09	475	1,905	40	290	2,705
2009/10	590	2,115	135	230	3,075

**Source:** Higher Education Statistics Agency

**Notes:**

6. Figures have been rounded to the nearest 5 and therefore may not sum to totals.
7. The latest available data are for 2009/10.
8. Information on religion is only collected for NI domiciled students studying at NI HE Institutions and therefore the table above does not include any students studying at the Magee campus from outside NI.
9. Religious affiliation is not a mandatory question and therefore can have a high non-response rate.

## Department of Enterprise, Trade and Investment

### Environmental Damage

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what laws or regulations are in place to protect against environmental damage which could be caused by the fracking process.

**(AQW 2321/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The drilling of an exploration borehole involving hydraulic fracturing will require planning permission under The Planning (Northern Ireland) Order 1991 and the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999, as amended. The latter provides for the environmental effects of the drillsite and all associated activities to be assessed before a decision on planning permission is made. The Northern Ireland Environment Agency (NIEA) will require any company proposing to use a hydraulic fracturing process (Fracking), depending on the exact details of the operation, to apply for a consent to discharge, under the Water (Northern Ireland) Order, and a licence to abstract under the Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006.

Other permissions and assessments may be required from the Department of the Environment depending upon the activities proposed by the company and their exact location in relation to sensitive



environmental receptors and designated sites. The Department of Enterprise, Trade and Investment will require all other permissions to be in place and may also carry out its own environmental assessments of the proposed drilling activities prior to making a decision on permission to drill. The Petroleum Production Regulations (Northern Ireland) 1987 oblige the Licensee to avoid harmful methods of working and give DETI the power to make instructions to that effect.

### Visitors to Golf Courses

**Mr Storey** asked the Minister of Enterprise, Trade and Investment to detail her Department's targets for the next three years for attracting additional visitors to golf courses.

**(AQW 2452/11-15)**

**Mrs Foster:** The draft Tourism Strategy for Northern Ireland to 2020 has set ambitious targets for the development of the tourism industry in Northern Ireland, aiming to double the income we earn from tourism by 2020.

One of the short term market segments that has been identified in the strategy is activity tourism and within that specifically golf. With the recent successes achieved by local golfers, the opportunity to develop golf tourism is even greater. Golf tourists spend more per head than average and NITB will increase its investment in the product to attract more of these high spending visitors.

Tourism targets are set by market rather than by market segment so there are no specific targets for golf visitors. However, NITB has developed a comprehensive programme of activity that I believe will encourage more visitors to enjoy golf in Northern Ireland. This includes:

Development of a golf club quality programme targeting 25 Northern Ireland golf clubs that have greatest tourism potential. The programme aims to ensure that golf clubs deliver a quality experience for golfing visitors;

Providing opportunities for clubs to improve their skills base through the new World Host customer programmes;

The launch of a new golf brand, new golf collateral in both print, graphics, CD's, and online which establishes Northern Ireland's golf product in the international marketplace;

Attendance at specialist golf shows and exhibitions to reinforce Northern Ireland's position as a premier golf destination;

NITB is actively progressing the hosting of professional golf tournaments and events to bring them to Northern Ireland over the next 3-4 years;

Ongoing web development with the creation and development of social networks which provide additional channels of communication and promotion of Northern Ireland golf; and

NITB will host workshops inviting golf tour operators to produce greater exposure of the Northern Ireland product and expand Northern Ireland golf packages and programmes into the key golf markets of GB, USA, Germany and the Nordics.

In addition, NITB will undertake a major piece of research that will identify the size and economic impact of golf and allow us to set more quantifiable targets for the future.

### Infastrata PLC and eCORP Oil and Gas Ltd

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether her Department has given written consent to Infastrata PLC and eCORP Oil and Gas Ltd to carry out work within, or in close proximity to, an Area of Special Scientific Interest; and, if so, to provide further details and to explain the reasons for giving consent.

**(AQW 2460/11-15)**

**Mrs Foster:** My Department has given Infrastrata written consent to carry out seismic surveying along roads that run close to two Area of Special Scientific Interests (ASSIs). These are ASSI285 Sandy Braes and ASSI243 Ballypalady which are both designated for their Earth Science (geological) features. By their nature – rocks - these ASSI features are not sensitive to operations such as seismic surveys on nearby roads and my Department gave the company permission on that basis.

### International Sales Conference in Portstewart

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment for her assessment of the benefits that will be derived by the North West region from the visit of InvestNI representatives to the recent International Sales Conference in Portstewart.

**(AQW 2472/11-15)**

**Mrs Foster:** The primary aim of the event that was held at the Flowerfield Arts Centre on 30 March 2011, was to outline the Coleraine proposition to the Invest NI overseas sales teams. This was a successful event and the overseas teams were able to see first hand the initiatives that the Council has undertaken, including Digital Causeway Ireland.

The visit was part of a wider programme of activities that Invest NI's International Investment Division carried out in the North West region. These included a stakeholder event in Londonderry and a number of visits to businesses in the Coleraine, Londonderry and Strabane areas.

The conference was just one of the ways that Invest NI works with local stakeholders to encourage the development of regional propositions which can help ensure that the offering for their area is maximised to attract visits and investment by potential investors.

Results in terms of investment as a direct result of the conference may take some time to come to fruition. Securing an inward investment project is the end point of an extensive process which may span a considerable period, often 18 to 24 months or even longer.

### Familiarisation Trips

**Mr McKay** asked the Minister of Enterprise, Trade and Investment to outline the programme of activities and events for visitors participating in Familiarisation trips; and to outline the benefits of these visits for the tourism industry.

**(AQW 2476/11-15)**

**Mrs Foster:** Familiarisation trip itineraries are designed for media and overseas travel trade representatives according to their role and areas of interest and to maximise the experience of the Northern Ireland product.

Familiarisation trips to date have included visits to Signature Project areas of Titanic, the Mournes and St Patrick's, the Causeway and the Walled City in Londonderry. They have also included other visitor attractions, music/cultural events, houses and gardens, restaurants, cookery schools, arts and crafts, museums, off-road driving, golf, sea kayaking, bouldering, walking, cycling, clay pigeon shooting, fishing, cruising, accommodation site visits and event venues.

These trips provide the opportunity for overseas travel trade representatives to experience what Northern Ireland has to offer and consider including Northern Ireland in their future programmes and when advising clients on future travel plans and bookings. The media benefit of these trips is also significant in gaining exposure for the Northern Ireland product both locally and worldwide. In 2010/11 NITB hosted 168 media familiarisation visits which it is estimated would have achieved £21m of equivalent advertising value (EAV) in international press coverage.

### Meetings with Stakeholders in East Derry

**Mr Dallat** asked the Minister of Enterprise, Trade and Investment to detail the number of meetings she has had with relevant stakeholders in East Derry in the last twelve months to address (i)

unemployment; (ii) the decline in manufacturing and retailing; and (iii) the absence of a strategic plan or task force to address such issues.

**(AQW 2498/11-15)**

**Mrs Foster:** I have discussed such issues during regular meetings I have had with a wide range of stakeholders throughout the East Londonderry region.

### **Small Businesses**

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what financial support is available to cover the start-up costs for people wishing to start a small business which does not intend to export.

**(AQW 2508/11-15)**

**Mrs Foster:** For those individuals that do not intend to export the support available is primarily the provision of information, guidance and advice to help people to plan and start up successful locally focussed businesses.

Alongside this, the Short Term Employment Scheme (STES) provides business start incentive support. STES encompasses a set of measures to provide assistance over the next four years to 2015, with the aim of increasing employment and improving employability.

The business start incentive support provided is grant support of between £1,000 - £1,500 available to individuals in Neighbourhood Renewal Areas and for individuals not being in employment, education or training (known as NEETS) who complete a business plan and subsequently start a business and trade independently.

Invest NI also provides a range of financial assistance to support the establishment and growth of businesses that sell in markets outside Northern Ireland, are actively pursuing growth plans, and can contribute to increased NI productivity. Financial support is based on the needs of the project and is normally targeted at areas such as Research and Development, Marketing and Employment.

Further Information can be found on Invest NI's Website [www.investni.com](http://www.investni.com)

### **Tamorban Petroleum Licence**

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether she would add a clause to the Tamorban petroleum licence forbidding the use of chemicals in the hydraulic fracturing process, given that the company has claimed that only sand and water will be used in the process of extracting gas from the shale rock in Fermanagh.

**(AQW 2520/11-15)**

**Mrs Foster:** Tamboran Resources Pty Ltd was granted a Petroleum Licence (DETI Ref. No. PL2-10) covering the Lough Allen Basin–North in April 2011 after it was signed and sealed by the company and my Department. It would be inappropriate to add a clause to the contract at this juncture but my Department welcomes the company's statement that they intend to use only a water and sand mixture in their hydraulic fracturing process. The Department expects that any drilling application to be submitted by the company would confirm this commitment not to use chemical additives in their 'frac fluids'.

### **Methane and the Greenhouse Gas Footprint of Natural Gas from Shale Formations**

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment for his assessment of the findings published in the academic paper 'Methane and the Greenhouse-Gas Footprint of Natural Gas from Shale Formations', which states that the greenhouse gas footprint of shale gas is at least 20 percent greater than, and nearly twice as much, as that of coal.

**(AQW 2521/11-15)**

**Mrs Foster:** Any research that provides estimates of the greenhouse gas (GHG) footprints of fossil fuels helps policymakers to understand the potential GHG impacts of their energy mix. The Cornell study is the first to make a comparison between the GHG footprints of shale gas, conventional gas

and coal. The paper's estimates of their relative GHG footprints suggest that even conventional gas has little advantage over coal, in contrast to previous peer-reviewed studies, so their findings need confirmation.

## US Geological Survey

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment (i) whether his Department has considered the research of the US Geological Survey which identified hydraulic fracturing as a cause of earthquakes; and (ii) if so, for his assessment of this research.

**(AQW 2522/11-15)**

**Mrs Foster:** My Department has considered the US Geological Survey research which concluded that small earthquakes may have been induced by water injection in salt water disposal (SWD) wells associated with shale gas production. My officials noted the authors' observations that these earthquakes were small with little or no damage and that they were very rare within the Fort Worth Basin, Texas. Only one or two occurrences of felt seismicity in an area of 12,000 hydraulically fractured wells and over 200 SWD wells. There are no plans for salt water disposal in Northern Ireland but seismic monitoring would be integral to any shale gas project.

## Hydraulic Fracturing

**Ms Lewis** asked the Minister of Enterprise, Trade and Investment how many licences have been issued to companies for the extraction of natural gas by the process of hydraulic fracturing.

**(AQW 2533/11-15)**

**Mrs Foster:** Between 15th February 2011 and 1st April 2011, my Department issued four Petroleum Licences in Northern Ireland. One of these licences, PL2-10, specifies that the Licensee proposes to use hydraulic fracturing to test a shale gas play in Fermanagh. Exploration drilling, including hydraulic fracturing, requires additional DETI approval and is subject to further regulatory controls including planning and environmental impact assessment.

## Air Passenger Duty

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment, in light of the recent announcement by the Chancellor of the Exchequer on Air Passenger Duty, for her assessment of what opportunities and assistance might be available for Northern Ireland's airports to provide additional Trans-Atlantic flights.

**(AQW 2622/11-15)**

**Mrs Foster:** Current European Commission guidelines severely restrict the assistance which can be provided to airports and airlines. However, by reducing the rate of Air Passenger Duty applied to Northern Ireland for long haul flights operating in Band B, we are able to send a positive message to airlines, especially those that offer Trans-Atlantic services, that Northern Ireland is a viable option for long haul business.

My Department will work closely with Belfast International Airport to ensure that we capitalise on the opportunities presented by the Chancellor's announcement on 27 September 2011. I have also asked Tourism Ireland to assist by identifying potential new carriers and routes into Northern Ireland which may be eligible to avail of co-operative marketing assistance.

## Energy Brokering

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether she would consider bringing forward proposals for energy brokering to help reduce domestic energy prices.

**(AQW 2666/11-15)**

**Mrs Foster:** I have no plans to bring forward proposals in relation to energy brokering. However, you will wish to be aware that the Housing Amendment Act (NI) 2011, gave social housing providers the legislative power to broker energy costs for their tenants at a discounted rate.

The Department of Social Development is working with the Housing Executive to bring forward an energy brokering scheme for social housing tenants. The Housing Executive plans to market test the proposal by the end of March 2012.

If such a scheme were brought forward for electricity or gas, the Northern Ireland Authority for Utility Regulation, in its role as both the Regulator and the competition authority for the supply of electricity and gas, would have to examine any such scheme and ensure its compliance with the Energy Order, the licences, and the Competition Act.

## **Food Manufacturing Costs**

**Mr Easton** asked the Minister of Enterprise, Trade and Investment what action her Department intends to take to reduce food manufacturing costs.

**(AQW 2671/11-15)**

**Mrs Foster:** Food manufacturing costs are subject to global pricing pressures which impact on the food chain which comprises of the production, processing, packaging, distribution, transportation, retailing and consumption of food. Key cost drivers include energy and power: electricity, gas, fuel, fertilizer and oil. Trends in energy prices are therefore one of the key drivers of food prices. Farmgate commodity prices also generate upward pressure on manufacturing costs, together with continued price increases for cereals and further uncertainty over exchange rates. These costs are outside the control of my Department and a number of costs outside the control of National Governments.

My Department intends however to continue working with processing companies in the Northern Ireland food processing sector to identify where internal manufacturing costs can be reduced.

This practically includes offering advice and financial support via a range of Invest NI support products including assessing a company's supply chain to identify process and productivity opportunities for improvement. I intend also to continue to offer through Invest NI energy surveys to food manufacturing businesses and audits of water and materials consumption to identify other areas of cost reduction. In the last 3 years some 34 food companies have undertaken an energy audit with a further 11 companies offered energy efficiency advice.

Interest free loans are also available from £3,000 to £100,000 for four years with the size of the loan depending on how much energy can be saved by the company or the amount of carbon savings that can be achieved. A total of £293,000 has been offered to 28 food companies in the last 3 years to implement improvements following energy audits and 126 carbon trust surveys have been completed. Further specialist advice is available to assist food businesses to resolve issues such as high levels of waste, supplier problems and high levels of downtime. Over 60 food companies have also undertaken a waste audit and received a corrective action plan to reduce waste and therefore save cost. My Department through Invest NI will continue to assist food manufacturing companies undertake productivity diagnostics and to draw up cost saving action plans. Workshops, networking events, training and mentoring will also be available on an ongoing basis.

## **ESB Independent Energy**

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 1863/11-15, (i) whether she can offer an assurance to consumers that Electric Ireland is not, and will not, pass on inefficiency costs incurred in the Single Electricity Market by ESB Power generation, ESB International, Bord Gaís, Bord na Móna or any other Irish state owned energy company; and (ii) why there is a renewed divergence between the price of electricity in Northern Ireland compared to the price in Great Britain.

**(AQW 2705/11-15)**



**Mrs Foster:**

- (i) Electric Ireland, part of the ESB Group, has signalled its intention to enter the domestic and small business electricity supply market in Northern Ireland. In order to compete against existing market participants, Electric Ireland will need to offer an appropriate tariff to establish and maintain market share. It is also the case that the company, as part of its current licence to operate in Northern Ireland, is prohibited from giving or receiving any cross-subsidy from any other affiliate business.
- (ii) The electricity market in Northern Ireland is quite different to that in Great Britain, in terms of both operation and scale. My Department will continue to work with the Utility Regulator and the energy industry to support initiatives aimed at putting downward pressure on retail electricity costs. New electricity interconnection which is planned between Northern Ireland and the Republic of Ireland, and between Great Britain and the Republic, should see greater convergence between electricity prices across the regions as greater market integration takes place.

**Land for Industrial Use in the Magherafelt District Council Area**

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment what measures InvestNI is taking to acquire and provide land for industrial use in the Magherafelt District Council area; and to detail the locations involved.

**(AQW 2755/11-15)**

**Mrs Foster:** Within the Magherafelt District Council area Invest NI holds approximately 72 acres across two business parks.

Whilst a significant proportion of this land has been developed and is occupied by businesses, approximately 27 acres remain available to support economic development. It is the view of Invest NI that this will be sufficient to meet the needs of qualifying businesses within the Council area.

The table below provides a breakdown of Invest NI's land holding by business park.

**INVEST NI LAND HOLDING IN THE MAGHERAFELT DISTRICT COUNCIL AREA**

<b>Business Park</b>	<b>Land Holding (Acres)</b>	<b>Land Availability* (Acres)</b>
Creagh	54.2	27.1
Station Road	17.97	0
<b>Total</b>	<b>72.17</b>	<b>27.1</b>

\* Figures are correct as at 30th June 2011

**Jobs: Created and Lost**

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment how many jobs have been (i) created; and (ii) lost in each year since 1998.

**(AQW 2839/11-15)**

**Mrs Foster:** My Department does not hold the information requested.

**Oil and Gas Supplier Regulator**

**Mr Easton** asked the Minister of Enterprise, Trade and Investment what action her Department can take to initiate the establishment of an oil and gas supplier regulator.

**(AQW 2848/11-15)**

**Mrs Foster:** The Member is referred to the written answer in AQW 1447/11-15 provided on the 18 July 2011 in respect of the regulation of the oil industry, which I consider would also apply to the liquefied petroleum gas industry (LPG).

The remit of the NI Authority for Utility Regulation already extends to natural gas.

## Department of the Environment

### Ministerial Programmes and Visits to Brussels

**Mr McElduff** asked the Minister of the Environment to detail (i) the number; and (ii) purpose of the Ministerial programmes and visits to Brussels he, or his predecessors, undertook in (a) the last Assembly mandate; and (b) the current mandate.

**(AQW 2940/11-15)**

**Mr Attwood (The Minister of the Environment):** Neither I nor my predecessors have undertaken any visits to Brussels during the last Assembly mandate or the current mandate.

### Slurry

**Mr Frew** asked the Minister of the Environment, given the 15 October deadline restricting farmers from spreading slurry, the high level of rain fall over the past few weeks and the time it will take for land conditions to improve before spreading can resume (i) for his assessment of this matter; and (ii) what consideration he has given to extending the amount of time given to farmers to spread slurry.

**(AQW 2980/11-15)**

**Mr Attwood:** I very much appreciate the difficulties that are been faced by farmers in a number of places in the North. The decision I have made aims to provide relief to farmers who have reasonable excuse for non compliance with the Nitrates Action Programme when the season for spreading organic manures ends at midnight on 15 October. At the same time, the decision I have made aims to act within the limits of the law and, crucially, protect farmers and the Government from EU penalties which potentially could be severe in relation to the management of the Nitrates Action Programme.

Therefore, having taken into account legal advice from a number of sources, the views of farmers' leadership, advice from DOE and NIEA officials, reviewed Met. Office statistics (etc) I can confirm that under regulation 25(2) of the Nitrates Action Programme Regulations (Northern Ireland) 2010, farmers on a case by case basis can rely on the defence of "reasonable excuse" in relation to spreading of organic manures and non compliance with the closed period. To be able to rely on the defence a farmer should provide a record of evidence showing that they had taken all reasonable steps to manage the situation and had no alternative. Subsequently this record would be important in informing the assessment of the NIEA in relation to compliance issues. I have advised the NIEA that on a case by case basis where a farmer provides a record of evidence, the NIEA must take full account of this evidence. I believe this should result in relief to and protection of farmers in genuine difficulty, in a way that protects the interests of the farmer, the government, economy and environment.

I also confirm that I continue to keep the situation under active review and management given the ongoing poor weather. I acknowledge that my approach has received support from farming representatives. I believe that, at this time, this is a proper intervention and a proportionate response to a difficult situation.

## Department of Finance and Personnel

### Civil Service: Vacant Posts

**Mr Dallat** asked the Minister of Finance and Personnel to detail the (i) number; and (ii) location of vacant posts in the Civil Service at (a) Administrative Assistant; (b) Administrative Officer; (c) Executive Officer II; (d) Executive Officer I; (e) Staff Officer; and (f) Deputy Principal grades in each Department.

**(AQW 2374/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** The information requested is set out in the attached table.

**AQW 2374/11 - LOCATION & NUMBER (FTE)\* OF VACANT POSTS IN THE NICS AT AO, E02, E01, SO & DP - 23/9/11**

	AA	Location	A0	Location	E01I	Location	E01	Location	S0	Location	DP	Location
**DARD	2	1 Enniskillen	1	Stormont	10.5	0.5 Coleraine	3	Stormont	3	2 Stormont	3	Stormont
		5 Stormont				1 Brussels						
	1 Stormont	4 Londonderry	1 Cookstown									
DCAL	0		1	Belfast	0		0		1	Belfast	1	Belfast
DE	0		0.6	Bangor	0		0		2	Bangor	2	Bangor
DEL	0		8	6 Belfast	9	4 Belfast	9	8 Belfast	6.8	Belfast	3	Belfast
						1 Newry		1 Armagh				
						1 Enniskillen						
				1 Strabane								
				1 Banbridge								
				1Newtownabbey								
DETI	0		0		0		0		0		1	Belfast
DFP	1	Belfast	9	Belfast	2	Belfast	4	3 Belfast	2	1 Belfast	4	2 Belfast
								1 Londonderry		1 Rosepark		1 Rosepark
DHSSPS	0		0		0		0		3	Stormont	1	Stormont
DOE	1	Belfast	12	11 Belfast	12	6 Belfast	2	Belfast	1	Belfast	0	
				0.5Downpatrick		2 Coleraine						
				0.5 Enniskillen		4 Derry						

	AA	Location	A0	Location	EOII	Location	E01	Location	S0	Location	DP	Location	Location
DOJ***	1	Stormont	8	5 Belfast	53.83	47.83 Belfast	0		11	2 Belfast	5	2 Belfast	2 Belfast
				2 Stormont		6 Stormont							
				1 Craigavon		2Maghaberry							
				1 Newry		1Carrickfergus							
				1 Dungannon									
				1 Newtownards							3 Stormont		
DRD	0		1	Belfast	2	Belfast	0		0		1	Belfast	
DSD	6	2 Belfast	48	40 Belfast	73	68 Belfast	13	11 Belfast	6	Belfast	6	Belfast	
				2 Portadown		2 Londonderry							
				1 Bangor		1 Omagh							
		1Downpatrick		2 Londonderry									
		1 Kilkeel											
		4 Londonderry		2 Newry		1 Lisburn							
				1 Lurgan									
OFMDFM****	0		0		1	Stormont	0		5	Stormont	5	4 Stormont	4 Stormont
PPS**	0		0		1	Belfast	0		1	Ballymena	0	1 Armagh	
Total	11		88.6		164.3		31		41.8		32		

**Table Notes:**

- \* FTE – Full-time Equivalent
- \*\* - DARD SO Brussels is a secondment opportunity
- \*\*\* - DOJ & PPS Grading Review to determine whether EO posts are EO2 or EO1 level; shown in Table as EO2.
- \*\*\*\* - OFMDFM DP vacancy in Armagh is being filled through elective transfer – the selection has been completed and successful candidate notified.

**Hearing Loss Claims**

**Mr Allister** asked the Minister of Finance and Personnel to detail (i) the cost of hearing loss claims since the devolution of policing and justice; (ii) in relation to meeting these claims, what recourse there has been to the reserve and whether there has been any acquisition of assets from the Executive by the Treasury.

**(AQW 2394/11-15)**

**Mr Wilson:** The total cash cost to the PSNI for hearing loss claims since 1 April 2010 (under machinery of government rules, costs in the year of devolution were accounted for from 1 April) until the end of August 2011 is £36.2m. A total of £11m was claimed from the Reserve during 2010-11. There has been no acquisition of assets from the Executive by the Treasury.

**Civil Service: Staff**

**Mr Campbell** asked the Minister of Finance and Personnel for his assessment of the perceived community background of staff recently recruited to general service grades in the Civil Service.

**(AQW 2550/11-15)**

**Mr Wilson:** A temporary recruitment embargo was introduced at general service grades (Administrative Assistant – Grade 6) in 10 February 2010. This embargo was lifted at grades Administrative Assistant (AA), Administrative Officer (AO), Executive Officer 2 and Grade 7 on 8 July 2011 and subsequently at Deputy Principal level on 15 August 2011. From the period 8 July to 29 September 2011 there have been 78 general service appointments made to posts at AO, AA and Temporary AA levels. 37 of these appointees have a Protestant community background and 41 have a Roman Catholic community background. Given the short period covered (3 months) and the small numbers involved, it is not possible to make an accurate assessment of fair participation.

**Tackling Violence at Home Action Plan**

**Mr McKay** asked the Minister of Finance and Personnel whether his Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if his Department will meet the target implementation date of December 2011.

**(AQW 2609/11-15)**

**Mr Wilson:** My department has responsibility for human resource policies for the Northern Ireland Civil Service. In 2007 DFP implemented a Domestic Violence and Abuse Policy. This policy applies to all departments and includes guidance for line managers in dealing with staff who may be victims of domestic violence as well as information on the help and support available to victims. Corporate Human Resources which is part of DFP maintains this policy and as an internal civil service policy such policies are developed in consultation with the relevant trade unions.

**Proposed Capital Spend Projects**

**Mr McGlone** asked the Minister of Finance and Personnel to detail his Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2759/11-15)**



**Mr Wilson:** My Department's proposed capital spending projects for this financial year, including the projected timescales and the costs for each project are outlined in the table below.

Project	Timescale	£'000
ICT Line of Business	Ongoing	1,900
Maintaining NICS Accommodation	Ongoing	6,618
Enterprise Shared Services(ESS): Migration of the Department of Justice to Account NI	2012-13	3,012
ESS: HR Connect Milestone	2011-12	1,400
ESS: NICS System Maintenance	Ongoing	7,100
Land and Property Services Systems Maintenance and Development	Ongoing	2,122
	<b>Total</b>	<b>22,152</b>

## INTERREG IVA Programme

**Mr Murphy** asked the Minister of Finance and Personnel whether there is a risk to the future calls for applications to INTERREG IVA Programme; and to detail the timescale for such calls.

**(AQW 2765/11-15)**

**Mr Wilson:** The Special EU Programmes Body (SEUPB) is currently processing approximately forty applications for INTERREG IVA funding. It is expected that these will have been fully assessed by early 2012 after which there will be further calls until the remaining Programme budget has been allocated.

Decisions on the value, type, number and timing of these calls will be taken once the current work of assessment is complete.

## Tax-varying Powers

**Ms S Ramsey** asked the Minister of Finance and Personnel if he has commissioned a high level assessment of the cost of the devolution of tax-varying powers.

**(AQO 507/11-15)**

**Mr Wilson:** The government consultation document included their estimates of the costs of devolving corporation tax powers. The total estimated annual cost to devolve and reduce corporation tax to 12.5% here is around £490m per annum. Neither potential administration costs nor compliance costs to business are included in this estimate.

Departmental officials have considered these estimates in detail. They and I consider them to be excessively high on the basis that

- It assumes that Northern Ireland's share of UK tax receipts is 1.5% of UK receipts. Northern Ireland's share of UK tax receipts has varied considerably over the last 5 years but in the most recent year it was just 1.1 % of UK tax receipts.
- Preventative measures can be put in place to stop the costs HMT attribute to profit shifting.
- HMT have not fully recognised the potential benefits and the impact that these will have on income tax and national insurance tax receipts.

We are continuing to challenge these and the Government has recently acknowledged that further work will be needed over the winter to clarify the costs. The Exchequer Secretary has recently announced a joint working group to develop further work in this regard. My department will play its full part in working with Treasury colleagues to ensure that the costs of the devolution of tax-varying powers are clarified.

## Small Business Rate Relief Scheme

**Mr Newton** asked the Minister of Finance and Personnel to outline the benefits that have been realised as a result of the implementation of the Small Business Rate Relief Scheme.

**(AQO 508/11-15)**

**Mr Wilson:** Given that the small business rate relief scheme has only been operational locally since 1 April 2010 it is too early to undertake a formal evaluation. However, evaluations have been undertaken in Scotland and Wales on the schemes operating in those parts of the UK.

The main finding from the Welsh evaluation was that the financial assistance provided through their small business rate relief scheme, which is more closely aligned to our local scheme, is supporting small businesses' economic sustainability in the current economic environment. It also found the scheme to be appropriate in terms of the balance between complexity, fairness and practicality. The Scottish evaluation, while not as extensive as the Welsh study, also concluded that the scheme was worthwhile and relatively well targeted.

However, I don't need an evaluation to tell me that we should provide support to our small businesses and ensure that they benefit from the sort of support with rates that they get in the rest of the UK.

The SBRR scheme was introduced to support the growth and sustainability of small businesses locally, who need help now more than ever. It is for this reason that I am proposing to expand the main scheme – doubling the amount of relief provided – and funding this through charging a levy on the largest retail premises. This would be a three year downturn measure and with the help and support of this Assembly I would like to introduce it in time for next year's rates bills.

Under the main scheme around £6.25m per year is provided to just under 16,000 small business premises, with an average award of around £400 per year. Under the expanded scheme relief could be provided to almost 9,000 additional premises, with an average award of around £730 per year.

## DFP: Revenue Raising

**Mr McCarthy** asked the Minister of Finance and Personnel to outline the new areas that his Department has identified as having revenue raising potential.

**(AQO 509/11-15)**

**Mr Wilson:** As part of the Budget 2010 process my department identified four potential revenue raising options. These were the sale of the NI Civil Service Art collection, the sale of surplus land and buildings, charging District Councils for the maintenance of the valuation list for rating purposes and implementing car parking charges within the NI Civil Service Estate.

## Government: Prompt Payment

**Mr McQuillan** asked the Minister of Finance and Personnel what work has been carried out to promote prompt payment for services received by all Departments.

**(AQO 510/11-15)**

**Mr Wilson:** Departments are committed to the prompt payment of bills for goods and services received which means that, unless otherwise stated in the contract, payment is due within 30 days of the receipt of the goods or services, or on presentation of a valid invoice or similar demand, whichever is the later.

The Account NI website publishes statistics on a monthly basis for all departments and makes available advice and 'helpful hints' on the processing of invoices. Each department is committed to monitoring their own progress and seeking to improve overall performance. In addition each Departmental Board takes an active interest in this area and any issues in the area is escalated to this level where required.

There is an ongoing process of communicating the respective responsibilities for suppliers and Departments. Account NI also continues to focus on improving performance where it is viable to do so

while maintaining the integrity of the checking and approval process and good financial management practice.

As a result of a good deal of effort like this, steady progress has been made in speeding up payment and overall performance across Departments are now consistently at 97% against the 30 days target and over 90% against the 10 days target.

### **Corporation Tax**

**Mr Beggs** asked the Minister of Finance and Personnel for his assessment of the likely cost of administering Corporation Tax if it is devolved.

**(AQO 511/11-15)**

**Mr Wilson:** Unfortunately there is no firm estimate of administration costs in the recent Treasury consultation document and I wrote to David Gauke at the beginning of the summer to call for further work and clarification on this.

The Exchequer Secretary has recently indicated that the Government is committed to working with the Executive to consider these issues further over the winter. My department will play its full part in working with Treasury colleagues to ensure that clarification is provided in relation to the administration costs.

### **DFP: Revenue Raising**

**Mr Hussey** asked the Minister of Finance and Personnel to outline the revenue raising methods he has identified within his Department.

**(AQO 512/11-15)**

**Mr Wilson:** As part of the Budget 2010 process my department identified four potential revenue raising options. These were the sale of the NI Civil Service Art collection, the sale of surplus land and buildings, charging District Councils for the maintenance of the valuation list for rating purposes and implementing car parking charges within the NI Civil Service Estate.

### **Budget 2011-12: Inflation**

**Mr Lyttle** asked the Minister of Finance and Personnel for an update on the impact of price inflation on the 2011/2012 Budget.

**(AQO 513/11-15)**

**Mr Wilson:** The Budget 2011-15 document shows departmental allocations in cash terms. However, the impact of inflation was taken into account when departments were submitting their spending proposals.

The level of savings identified in departmental Savings Delivery Plans is based on the savings required to allow departments to achieve their objectives within their Budget 2011-15 settlement. This will take account the impact of inflation and ensure that the savings delivered will be sufficient to offset this.

The most appropriate measure for calculating the impact of inflation on public expenditure is the Gross Domestic Product (GDP) deflator as

opposed to the Retail Price Index (RPI) or Consumer Price Index (CPI). The latest GDP deflators are available on the HM Treasury website.

### **Small Business Rate Relief Scheme**

**Mr Frew** asked the Minister of Finance and Personnel for an update on the Small Business Rate Relief Scheme.

**(AQO 514/11-15)**

**Mr Wilson:** My Department is consulting on proposals to expand the main scheme. Given constrained public finances the additional help cannot be funded out of public expenditure. It is proposed to fund it through a levy charged on the largest retail premises, requiring new legislation and accelerated passage if the three year downturn package is to be introduced next April.

The consultation process closes on 18 October and it would be my intention to publish the responses, my Department's assessment of those responses and the Executive's agreed way forward by January. I have an open mind and if the consultation identifies better and more acceptable ways of delivering help then I am more than happy to let the business community shape the final policy, providing the approach is a fair and balanced one and most importantly is deliverable. I have already had useful discussions with business groups and companies.

I have heard concerns about the proposals being rather blunt, either helping those that don't need it or penalising those that help our economy. However, we need to keep things proportionate and straightforward. This is a three year package, adjusting rate bills up and down by around 20%. If we try to be too sophisticated we simply add to its cost; for business who then have to apply for it and for government administering it.

Furthermore, there is no point in devising a highly targeted scheme that takes too much time to set up and runs the risk of being challenged through the courts for some unforeseen effect that has caused an unfair competitive advantage to someone.

## **Rates: Empty Homes**

**Mrs Overend** asked the Minister of Finance and Personnel for an update on the implementation of the Rating of Empty Homes.

**(AQO 515/11-15)**

**Mr Wilson:** The Rating of Empty Homes came into effect on 1st October 2011. Subject to any exclusions, owners are now liable to pay rates on empty property. As at 1st October 34,500 owners have been identified and rates assessed for the period October 2011 to March 2012 totaling almost £9.9 million. Bills will be delivered from 10th October 2011.

Land & Property Services will deal with any queries from the public in relation to the new bills. Some owners may be entitled to an exclusion from rates. LPS will process any applications from owners for such an exclusion. Training on Rating of Empty Homes has been delivered to over 400 staff within the Agency.

Work will continue on tracing owners for the remaining domestic properties (approximately 11,200), some of which could now be occupied, or demolished or derelict.

## **Department of Health, Social Services and Public Safety**

### **Transformation of Business Services in Health and Social Care Shared Services**

**Mr Storey** asked the Minister of Health, Social Services and Public Safety when he expects Transformation of Business Services in Health and Social Care Shared Services to bring forward proposals on modernising 'back office' functions as part of the programme.

**(AQW 2454/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The Health & Social Care Business Services Transformation Programme, which aims to modernise 'back office' functions and, in doing so, deliver significant financial savings, is well advanced. The programme is focused on transforming HR, Payroll, Travel, Finance, Procurement and Logistics. It is taking a two-stage approach: first, through the implementation of modern IT systems which will change process and drive efficiencies; and second, through the implementation of Shared Services to further improve performance and capitalise on standardisation and economies of scale. Implementation of the IT

systems will start within the next 12 months. As to Shared Services, I hope to be able to announce specific progress and proposals in the near future.

### Bangor Hospital: Diabetes Clinic

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how many patients attended the diabetes clinic in Bangor Hospital in each of the last three years.

**(AQW 2462/11-15)**

**Mr Poots:** The number of attendances at the diabetes clinic in Bangor Hospital in each of the last three years is presented in the table below.

Financial Year	No. of attendances <sup>1</sup>
2008/09	1,067
2009/10	1,114
2010/11	1,166

**Source:** South Eastern HSC Trust

- 1 The figures shown relate to the number of attendances and as such should not be used to denote individuals, as a person may have more than one attendance in a year or across a number of years.

### Brook Northern Ireland: Funding

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail the level of funding (i) his Department; and (ii) the Health and Social Care Trusts have allocated to Brook Northern Ireland in each of the last five years.

**(AQW 2503/11-15)**

**Mr Poots:** The table below sets out the level of funding allocated to Brook Northern Ireland by my Department, Health and Social Care Trusts, Health and Social Services Boards, and the Public Health Agency in each of the last five years.

	2006/07 £	2007/08 £	2008/09 £	2009/10 £	2010/11 £	Total £
Department Health Social Services& Public Safety <sup>(1)</sup>	39,468	50,287	53,685			143,440
Belfast HSC Trust	-	-	19,036	-	-	19,036
Northern HSC Trust	-	-	-	146	625	771
South Eastern HSC Trust	-	-	96	9,792	3,900	13,788
Western HSC Trust	-	-	-	-	-	-
Southern HSC Trust	-	-	-	-	-	-
NI Ambulance Service	-	-	-	-	-	-
Public Health Agency <sup>(1)</sup>				213,202	299,316	512,518



	<b>2006/07 £</b>	<b>2007/08 £</b>	<b>2008/09 £</b>	<b>2009/10 £</b>	<b>2010/11 £</b>	<b>Total £</b>
Health & Social Care Boards (Legacy) (1)	104,620	159,402	152,325			416,347
<b>Total</b>	<b>£144,088</b>	<b>£209,689</b>	<b>£225,142</b>	<b>£223,140</b>	<b>£303,841</b>	<b>£1,105,900</b>

**Note:**

1. Prior to April 2009, the legacy Health and Social Services Boards provided funding to Brook. With the establishment of the Public Health Agency (PHA) in April 2009, responsibility for providing funding to Brook transferred from the Department and the legacy Boards to the PHA.

**Accident and Emergency Units**

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the number of patients who attended the Accident and Emergency Unit at the (a) Belfast City Hospital; (b) Royal Victoria Hospital; (c) Mater Hospital; (d) Ulster Hospital; (e) Antrim Area Hospital; and (f) Causeway Hospital between 1 January 2010 and 31 August 2011.

**(AQW 2526/11-15)**

**Mr Poots:** The number of new and unplanned review attendances at: (a) Belfast City; (b) Royal Victoria; (c) Mater; (d) Ulster; (e) Antrim Area; and (f) Causeway Accident and Emergency units between 1 January 2010 and 31 August 2011 is presented in the table below:

<b>Accident &amp; Emergency Unit</b>	<b>Total New and Unplanned Review Attendances</b>
Belfast City	72,172
Royal Victoria	121,640
Mater	68,069
Ulster	123,507
Antrim Area	117,621
Causeway	72,932

**Source:** Departmental EC1 Return.

**Tackling Violence at Home Action Plan**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety whether his Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if his Department will meet the target implementation date of December 2011.

**(AQW 2557/11-15)**

**Mr Poots:** This action is being taken forward regionally by the Local Domestic Violence Partnerships (LDVPs) in conjunction with their member organisations. Whilst the exploratory work is on target to be completed by December 2011, work to increase the number of employers' who implement Workplace Policies will be an ongoing part of the LDVPs business. There is a Northern Ireland Civil Service policy to support employees in all Government Departments who are experiencing domestic abuse.

**Suicide Awareness, Mental Health and First Aid Training**

**Mr S Anderson** asked the Minister of Health, Social Services and Public Safety (i) how much his Department spent on training for each Health and Social Care Trust area on (a) suicide awareness; (b)

mental health; and (c) first aid in each of the last five years; and (ii) who delivered this training in each case.

**(AQW 2587/11-15)**

**Mr Poots:** The Department invests annually in a wide range of undergraduate and postgraduate training to all staff at all levels across professions, both clinical and non-clinical. Training is provided both locally by Trusts and, in addition through a range external providers including: Queen's University Belfast, the University of Ulster, the Open University, Beeches Management Centre, the Northern Ireland Medical and Dental Training Agency, the AHP Centre for Multi-disciplinary Education and the Nursing Education and Development Consortium. It is not possible to extract the specific detail in the format requested due to disproportionate cost.

### **Prescribing Formulary for Drugs**

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety what progress has been made in the development of a prescribing formulary for drugs.

**(AQW 2719/11-15)**

**Mr Poots:** Following a consultation on the development and maintenance of a Northern Ireland Joint Formulary for Primary and Secondary care which ended on 2 September 2011, the Health and Social Care Board is currently revising the processes for the implementation, management and review of the Formulary. Guidance covering approximately 60% of prescribed medicines has been drafted and will be issued once the Board has approved the revised process for the implementation and management of the Formulary.

### **Health Service: Planned Redundancies**

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the number of planned redundancies in the Health Service over the current budgetary period; and the posts that will be affected.

**(AQW 2720/11-15)**

**Mr Poots:** Decisions on the size and nature of the Health and Social Care workforce will be taken in light of the future pattern of service provision that may emerge following the HSC Review.

### **Belfast City Hospital's Accident and Emergency Unit**

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail (i) when the consultation process for the proposed changes to Belfast City Hospital's Accident and Emergency Unit will begin and be completed; (ii) who will be consulted; and (iii) the publicity campaign which will be adopted to ensure as wide a consultation as possible.

**(AQW 2721/11-15)**

**Mr Poots:** I have already made clear on a number of occasions that there will be a full and open process of consultation and engagement with stakeholders on the reconfiguration of Accident and Emergency services in the Belfast Trust area.

I hope to make an announcement shortly on the arrangements for consultation.

### **Family Planning Association: Time for Change Campaign**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, given the prominence of the "Time for Change" campaign on the Family Planning Association website, what assurances he has (i) sought; and (ii) received that no money from his Department or from the Health and Social Care sector is used to maintain the website, or produce the campaigning material carried on the website.

**(AQW 2735/11-15)**

**Mr Poots:** I have sought and received assurances from my Department, the Health and Social Care Sector and the Family Planning Association that none of the money received by the organisation from my Department or the Health and Social Care sector is used to maintain its website, or produce the campaigning material carried on the website.

### Registered Blind or Partially Sighted

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety how many (i) adults; and (ii) young people are registered blind or partially sighted in each Health and Social Care Trust area.

**(AQW 2741/11-15)**

**Mr Poots:** Information on the number of people registered as blind or partially sighted is not collected centrally, but is recorded by each Health & Social Care (HSC) Trust. The information provided by the five HSC Trusts is detailed in the table below.

#### NUMBER OF ADULTS AND YOUNG PEOPLE REGISTERED BLIND OR PARTIALLY SIGHTED IN EACH HSC TRUST AT 3 OCTOBER 2011 1

HSC Trust	Persons Registered Blind or Partially Sighted	
	(i) Adults (Aged 19+)	(ii) Young People (Aged 0-18)
Belfast	1,939	19
Northern	1,387	63
South Eastern	1,773	459
Southern	1,440	111
Western	753	51
<b>Northern Ireland</b>	<b>7,292</b>	<b>703</b>

- 1 The information recorded by HSC Trusts is not a register of all blind or partially sighted people as some may refuse to have their names added to relevant HSC Trust records.

### Bangor Hospital: Diabetes Clinic

**Mr Weir** asked the Minister of Health, Social Services and Public Safety (i) whether the closure of Bangor Hospital's Diabetes Clinic is temporary; and (ii) if so, when it will be reopened.

**(AQW 2808/11-15)**

**Mr Poots:** The provision of outpatient clinics is an operational matter for Health and Social Services Trusts. The South Eastern Trust has confirmed that the discontinuation of the weekly diabetes clinic at Bangor Community Hospital is temporary. A date for resuming the clinic has not yet been determined as this is contingent on recruitment of a new consultant.

### Paediatric Orthopaedic Patients

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2491/11-15, how much his Department has spent on sending paediatric orthopaedic patients to independent sector (i) outpatient; and (ii) inpatient clinics in the last 12 months.

**(AQW 2817/11-15)**

**Mr Poots:** Arrangements for the commissioning of paediatric orthopaedic services are led by the HSC Board working in collaboration with HSC Trust.

I have been advised that only the Belfast Trust use the independent sector for paediatric orthopaedic cases.

The Trust has confirmed that £414,481 was spent on outpatient assessment for paediatric orthopaedic patients from Northern Ireland at independent sector clinics during the period September 2010 to August 2011. £243,000 was spent on inpatient and daycase treatment for paediatric orthopaedic patients from Northern Ireland for the same period.

### **World Health Organisation's report: 'Persistent Organic Pollutants: Impact on Child Health'**

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail his Department's position on the World Health Organization's report 'Persistent Organic Pollutants: Impact on Child Health'.

**(AQW 2849/11-15)**

**Mr Poots:** My Department accepts the World Health Organisation's report 'Persistent Organic Pollutants: Impact on Child Health'.

The European Union sets very strict limits for Persistent Organic Pollutants, at the level of detection, while the UK National Control Plan has in place routine surveillance to detect and prevent dangerous levels of Persistent Organic Pollutants entering the food chain.

### **Royal Victoria Hospital: MRI Scanner**

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety whether he has any plans to allocate funding for an MRI scanner for the Royal Victoria Hospital, given that the scanner will cost £2 million and that the current fundraising campaign is dependent on public donations.

**(AQW 2863/11-15)**

**Mr Poots:** The Royal Victoria Hospital has a MRI scanner which is used for the entirety of the site. The Belfast Health and Social Care Trust is developing proposals for a dedicated MRI scanner for the Royal Belfast Hospital for Sick Children. When these proposals are submitted to my Department, I will review the capital and running costs associated with the project including its affordability within my current budgetary allocation before making my decision.

### **Standard Payment Terms**

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety to detail the standard payment terms which (i) the Health and Social Care Trusts; (ii) the Health and Social Care Board; and (iii) his Department seeks to agree with business suppliers.

**(AQW 2868/11-15)**

**Mr Poots:** The Health and Social Care Trusts and the Health and Social Care Board primarily use contracts arranged by the Business Services Organisation (BSO). The BSO standard payment terms state that "payment must be made by the end of the month following the month in which the invoice is received or the goods are delivered, whichever is the later".

Standard practice for all other payments (including those of the Department) is according to suppliers' terms, which is typically 30 days after receipt of a valid invoice, unless otherwise agreed.

### **Supplier Invoices**

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2122/11-15, how many of the 20,539 invoices paid late by the (i) Health and Social Care Trusts; and (ii) Health and Social Care Board, when paid, were for amounts less than the amount originally invoiced.

**(AQW 2869/11-15)**

**Mr Poots:** It is not possible to provide this information, as this would require an extensive manual exercise to review all invoices, which could only be carried out at a disproportionate cost.

## Prescriptions

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, for each of the last five years, to detail (i) how many prescriptions have been issued; and (ii) how many prescriptions have been processed by community pharmacists.

**(AQW 2870/11-15)**

**Mr Poots:**

- (i) The information requested is not available.
- (ii) The number of prescriptions dispensed and presented for payment by community pharmacists within each of the last five financial years are shown in table 1 below. The figures shown are presented by the financial year in which the prescription was paid to the pharmacist; it should be noted that there may be a time lag where prescriptions have been dispensed by the community pharmacist in a particular year but paid the following year. The count includes prescriptions issued by all types of prescribers including doctors, nurses and dentists, and also includes prescriptions issued and dispensed by pharmacists under the minor ailments scheme.

**TABLE 1: THE NUMBER OF PRESCRIPTIONS DISPENSED AND PRESENTED FOR PAYMENT BY COMMUNITY PHARMACISTS WITHIN EACH OF THE LAST FIVE FINANCIAL YEARS.**

Financial Year	Number of prescriptions (millions)
2006/07	16.2
2007/08	17.1
2008/09	17.8
2009/10	19.1
2010/11	20.3

**Source:** FPS, Information and Registration Unit, BSO.

## Physiotherapists

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety, for each of the last five years, (i) to detail the number of (a) available physiotherapist posts, broken down by Health and Social Care Trust; and (b) newly qualified physiotherapists; and (ii) how many of these posts were awarded to newly qualified physiotherapists.

**(AQW 2875/11-15)**

**Mr Poots:**

- (a) The number of Physiotherapist posts and vacancies actively being recruited to, broken down by Health and Social Care Trust are provided in the tables below.



**PHYSIOTHERAPISTS IN POST WITHIN NORTHERN IRELAND HEALTH AND SOCIAL CARE TRUSTS AS AT 31ST MARCH**

<b>Trust</b>	<b>2007</b>		<b>2008</b>		<b>2009</b>		<b>2010</b>		<b>2011</b>	
	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>
Belfast	354	301.19	353	292.83	330	275	336	281.52	321	265.67
Northern	165	138.76	168	141.9	177	149.2	175	144.38	179	147.29
South Eastern	164	132.57	175	141.75	176	139.52	183	148.26	181	146.84
Southern	158	131.83	167	137.74	173	142.74	180	151.37	193	161.54
Western	91	80.62	108	97.2	118	106.4	119	108.26	126	111.95
<b>Total</b>	<b>932</b>	<b>784.97</b>	<b>971</b>	<b>811.42</b>	<b>974</b>	<b>812.86</b>	<b>993</b>	<b>833.79</b>	<b>1,000</b>	<b>833.29</b>

**Source:** Human Resources Management System

**PHYSIOTHERAPIST VACANCIES WITHIN NORTHERN IRELAND HEALTH AND SOCIAL CARE TRUSTS AS AT 31ST MARCH**

<b>Trust</b>	<b>2007</b>		<b>2008</b>		<b>2009</b>		<b>2010</b>		<b>2011</b>	
	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>	<b>HC</b>	<b>WTE</b>
Belfast	13	9.67	8	6.7	10	9.17	0	0	14	11.36
Northern	5	4.5	1	1	0	0	4	3.8	4	4
South Eastern	8	7.48	5	4.5	0	0	0	0	0	0
Southern	6	3.26	4	2.5	15	9.28	7	4.66	1	0.88
Western	6	6	3	3	4	3.5	8	7	2	2
<b>Total</b>	<b>38</b>	<b>30.91</b>	<b>21</b>	<b>17.7</b>	<b>29</b>	<b>21.95</b>	<b>19</b>	<b>15.46</b>	<b>21</b>	<b>18.24</b>

**Source:** Northern Ireland Health and Social Care Vacancy Survey

**Notes:**

1. HC = Headcount, WTE=Whole-time Equivalent
  2. A current vacancy is a post which at 31st March, the organisation was actively trying to fill.
  3. Information on the number of vacancies is collected biannually (as at 31st March and 30th September) by means of a survey of all Northern Health and Social Care Trusts and Organisations.
- (i)
- (b) The number of newly qualified physiotherapists by year is not held within the Department, however the numbers of university student physiotherapy places commissioned by the Department are given in the table below. Attrition rates for Physiotherapy students are extremely low, so it is expected that almost all the students will gain their qualification.

**UNIVERSITY STUDENT PHYSIOTHERAPY PLACES COMMISSIONED BY DHSSPS BY YEAR**

Year	Number of student places commissioned
2007/08	50
2008/09	69
2009/10	69
2010/11	59
2011/12	59

- (ii) Information on the number of posts awarded to newly qualified physiotherapists is not available. Northern Ireland Health and Social Care Trusts do not record year of qualification on their Human Resources Management Systems and therefore would have to carry out a large-scale manual exercise to find the necessary information.

## Myalgic Encephalomyelitis

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety when the next meeting of the Northern Ireland Myalgic Encephalomyelitis Working Group is due to take place; and whether elected representatives can be members of the Group.

**(AQW 2877/11-15)**

**Mr Poots:** Following a recent meeting with a local ME organisation, I wrote to the HSC Board requesting an update in relation to taking forward the work of the NI Myalgic Encephalitis (ME) Working Group. I have received confirmation that the Board's new arrangements for commissioning will incorporate this important work relating to ME services.

Through these new commissioning arrangements work is ongoing to establish the progress made by Trusts in relation to implementation of the NICE guidance on ME/CFS. Such an approach will help to inform discussion at a meeting which the HSC Board intends to hold with those organisations which have an interest in ME services. To this end, it has already made contact with representatives of the NI ME Association and Families fight 4 ME and a meeting with them is currently being arranged, to take place in the next couple of months.

As this work is being led by the HSC Board I would suggest that you contact John Compton, Chief Executive regarding participation of elected representatives at this meeting.

## Myalgic Encephalomyelitis

**Mr McCallister** asked the Minister of Health, Social Services and Public Safety to detail the treatment and support services available for people with Myalgic Encephalomyelitis.

**(AQW 2878/11-15)**

**Mr Poots:** The variability of symptoms in patients with ME means that they will need to access different parts of the health service, depending on their specific symptoms and the severity of their condition. The focus on treatment is therefore centred on close co-operation between patients, carers and the relevant health and social care professionals, which is essential to ensure that sufferers obtain the most suitable treatment for their particular needs.

People suffering from ME in Northern Ireland have access to a wide range of treatment and support services in secondary, primary and community care settings, including neurology services and mental health services. In addition patients may be referred for assessment and treatment to a variety of specialists depending on their assessed individual needs.

## Family Fund

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety when he intends to bring forward proposals to allow applications to the Family Fund to continue.

**(AQW 2888/11-15)**

**Mr Poots:** Families in Northern Ireland continue to be able to apply to the Family Fund for support.

## Victims of Domestic Violence

**Mr Storey** asked the Minister of Health, Social Services and Public Safety what work place policies are in place to assist victims of domestic violence within his Department and its arm's-length bodies.

**(AQW 2894/11-15)**

**Mr Poots:** My Department is fully committed to supporting staff who are victims of domestic violence and endorses the NICS wide policy on Domestic Violence and Abuse which is available to all staff. The Staff Welfare Service plays a key role in providing support to staff who disclose domestic abuse.

There is a Regional Policy on Domestic Violence for all Health and Social Care (HSC) Bodies. This policy complements and ensures the mainstreaming of good practice.

Northern Ireland Fire and Rescue Service (NIFRS) provide assistance for victims of domestic violence through the approval of Special Leave arrangements, referral and counselling services.

## Proposed Capital Spend Projects

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety to detail his Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2910/11-15)**

**Mr Poots:** My approved capital budget for 2011/12 is £200m. Of this £104m is needed for schemes that are contractually committed or which are attached to an approved business case. £93m has been allocated towards a range of fixed annual costs such as NIFRS; NIAS; ICT; maintaining estate and services etc.

A further £3m is earmarked for schemes for which the relevant business case is not yet approved. Details cannot be provided for these schemes until business case approval is confirmed.

The table attached at Annex A provides details of all schemes on which in-year allocations exceed £500k. Projects below this level are generally managed from within Trusts' delegated limits.

**ANNEX A****TABLE 1 - APPROVED PROJECTS**

<b>Project Title</b>	<b>Short Description of Project</b>	<b>In year Allocation</b>	<b>Total Cost</b>	<b>Completion Date</b>
Shankill Health & Care Centre	New Build Health and Care Centre	£1,192,000	£12,428,000	2012
Beechall Health and Care Centre	New Build Health and Care Centre	£2,066,000	£16,121,000	2012
RVH Energy Centre	Initial phase of a replacement Energy Centre for the Royal Hospitals site	£290,000	£5,070,000	2013
Musgrave Park Neurology	New Unit to replace the outdated facility currently located at the Forster Green site	£1,377,000	£4,061,000	2013
Phase 2A IT	ICT Infrastructure to support the extensive redevelopment of the Royal site	£1,500,000	£5,937,000	2015
RVH Critical Care & Maternity Unit	New Critical Care Block to include maternity outpatients and post natal beds	£42,600,000	£151,000,000	2013
A&E Main Build - Antrim	Expansion of A&E Services at Antrim Area Hospital	£1,901,340	£8,367,340	2014
24 bedded Unit at Antrim Hospital	New unit providing additional 24 medical beds to address capacity issues at Antrim Hospital.	£1,434,395	£4,887,340	2013
Ulster Hospital Phase B	Second phase of the re-development of the hospital to include day surgery, A&E, imaging, pharmacy and wards	£8,727,264	£187,408,663	2015
Relocation of GPs from Pound Lane	Relocation of GPs from Pound Lane following a fire	£957,674	£957,674	2012
Downe Hospital ICT Infrastructure	New networking and computer facilities to enable full integration with Trust and regional clinical networks	£337,459	£4,706,247	2013
Craigavon Theatres	Replacement of theatres 1- 4 at Craigavon Area Hospital	£3,200,000	£11,000,000	2014

<b>Project Title</b>	<b>Short Description of Project</b>	<b>In year Allocation</b>	<b>Total Cost</b>	<b>Completion Date</b>
Gransha Mental Health Crisis Services	New build replacement adult Mental Health Unit at Gransha	£6,900,000	£10,677,000	2013
North West Radiotherapy	New regional radiotherapy unit located at Altnagelvin Hospital	£811,726	£60,000,000	2016
Omagh Local Hospital – Enabling	Enabling works for new local hospital	£644,000	£15,000,000	2014
Omagh Local Hospital	Phase 1 of new local hospital in Omagh	£1,356,000	£80,000,000	2015
South West Hospital	New build Acute Hospital	£10,246,521	£270,000,000	2015
Altnagelvin Lifts	New fire lift at the end of the Ward wing to address risk issues associated with patient evacuation in the event of a fire	£1,600,000	£2,183,000	2012
Shared Services Project	Business Services Transformation project to introduce new integrated management systems across Trusts	£7,500,000	£27,000,000	2014
School of Dentistry	Replacement of equipment at the School of Dentistry	£1,393,000	£1,393,000	2012
National Institute for Health and Clinical Excellence -Creutzfeldt-Jakob disease	Project to improve patient safety by reducing the risk of transmission of CJD	£1,138,592	£1,138,592	2012
Altnagelvin Scopes	Upgrade and replacement of decontamination equipment at Altnagelvin hospital	£600,000	£1,849,400	2013
Northern Ireland Fire and Rescue Services	Annual allocation to address estate, fleet, IT and other capital pressures	£4,647,097	£23,295,097	2014
Northern Ireland Ambulance Service	Annual allocation to address estate, fleet, IT and other capital pressures	£3,807,000	£20,807,000	2014



<b>Project Title</b>	<b>Short Description of Project</b>	<b>In year Allocation</b>	<b>Total Cost</b>	<b>Completion Date</b>
General Capital	Capital allocations to Trusts/Board/Agencies to enable them to address urgent pressures within their delegated limits	£27,633,000	£86,633,000	2012
IT – General	A range of ICT schemes and equipment	£5,500,000	£58,300,000	2012
IT - General Medical Services (GMS)	The maintenance and delivery of GMS ICT infrastructure	£3,500,000	£3,500,000	2012
IT – Community Information Systems	Primary Care IT replacement	£1,300,000	£1,300,000	2012
IT – Northern Ireland Single Assessment Tool (NISAT)	Induction and development of single assessment tool	£1,000,000	£1,000,000	2012
IT – Medicines Management	Development and introduction of software for the pharmacy service	£1,000,000	£1,000,000	2012
IT – Trust Infrastructure	Upgrade and maintenance of Trusts' IT Infrastructure to ensure full integration.	£2,500,000	£2,500,000	2012
IT – PCs	PC Replacement programme across health and social care sector	£1,500,000	£1,500,000	2012
Maintaining Existing Services – Small works	Funding to address risk issues that could impact on life or service delivery. Schemes mainly within Trust delegated limits	£20,401,000	£73,401,000	2014
Maintaining Existing Services - Carbon Reduction and Energy Efficiencies	Capital to fund schemes which can generate energy efficiencies and/or impact on carbon reduction	£5,763,000	£5,763,000	2012
Maintaining Existing Services – Capital Efficiencies	Capital to fund schemes which will generate sustainable long term revenue efficiencies	£4,260,180	£4,260,180	2012
Maintaining Existing Services – GP Surgeries	Programme of refurbishment and upgrade of GPs surgeries considered below required standard	£3,865,500	£5,365,500	2013

<b>Project Title</b>	<b>Short Description of Project</b>	<b>In year Allocation</b>	<b>Total Cost</b>	<b>Completion Date</b>
Hospital Modernisation	Mainly equipment purchase to facilitate a programme of hospital modernisation	£870,000	£6,870,000	2014
Pandemic Flu	UK-wide Initiative whereby NI contributes in proportion to the rest of the UK	£1,493,000	£12,000,000	2015
Other Schemes under £500,000	Schemes falling within Trust and/or Board and/or Agency respective delegated limits.	£8,140,459	£65,112,463	2015
	Total for Approved Schemes 2011/12	£195,243,207		

### **Cancer Treatment: Waiting Times**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail (i) the average waiting time in each Health and Social Care Trust area for (a) cancer treatment following an urgent GP referral for suspected cancer; (b) a first assessment with a breast cancer specialist; and (c) treatment of any form of cancer; and (ii) how the current waiting times compare to the waiting times in each of the last five years.

**(AQW 2921/11-15)**

#### **Mr Poots:**

- (i) Information on waiting times for cancer services is measured on the basis of how long patients waited, rather than how long they are currently waiting, for treatment.

Currently, three cancer treatment pathways are monitored by my Department. These relate to patients urgently referred by a GP with suspect cancer; patients urgently referred for an assessment with a breast cancer specialist and patients for whom a decision to treat for cancer is taken. My Department collects and publishes cancer waiting times, reporting on Health and Social Care Trust's performance against the recommended maximum waiting times for each of these three pathways.

The waiting times for cancer services for the month of June 2011, the most recent month for which my Department has validated information, are shown in the tables below.

#### **(A) WAITING TIMES FOR CANCER TREATMENT FOLLOWING AN URGENT GP REFERRAL FOR SUSPECT CANCER: BY HSC TRUST (JUNE 2011)**

<b>HSC Trust</b>	<b>Patients treated for cancer following an urgent GP referral for suspect cancer<sup>1</sup></b>		
	<b>Number treated within 62 days of receipt of referral</b>	<b>Total treated</b>	<b>Percentage (%) treated within 62 days of receipt of referral</b>
Belfast	72.0	94.0	76.6
Northern	31.5	37.0	85.1
Southern	39.0	41.5	94.0

<b>HSC Trust</b>	<b>Patients treated for cancer following an urgent GP referral for suspect cancer<sup>1</sup></b>		
	<b>Number treated within 62 days of receipt of referral</b>	<b>Total treated</b>	<b>Percentage (%) treated within 62 days of receipt of referral</b>
South Eastern	63.5	75.5	84.1
Western	32.0	40.0	80.0
<b>Northern Ireland</b>	<b>238</b>	<b>288</b>	<b>82.6</b>

**Source:** Cancer Patient Pathway System (CaPPS)

- 1 Following an urgent GP referral, a patient may be transferred to another HSC Trust for treatment. In such circumstances, both the transferring and treating HSC Trust will report 0.5 of the patients waiting time i.e. if a patient is referred to the Northern HSC Trust and is transferred to the Belfast HSC Trust for treatment, the patient will be reported 0.5 at Northern and 0.5 at Belfast HSC Trusts.

**(B) WAITING TIMES FOR A FIRST ASSESSMENT WITH A BREAST CANCER SPECIALIST: BY HSC TRUST (JUNE 2011)**

<b>HSC Trust</b>	<b>Patients first seen by a breast cancer specialist following an urgent referral for suspect cancer</b>		
	<b>Number that waited 14 days or less</b>	<b>Total seen</b>	<b>Percentage (%) that waited 14 days or less</b>
Belfast	296	298	99.3
Northern	129	129	100
Southern	131	131	100
South Eastern	117	117	100
Western	185	185	100
<b>Northern Ireland</b>	<b>858</b>	<b>860</b>	<b>99.8</b>

**Source:** Departmental Return SDR2

**(C) WAITING TIMES FOR CANCER TREATMENT FOLLOWING A DECISION TO TREAT FOR CANCER BEING TAKEN: BY HSC TRUST (JUNE 2011)**

<b>HSC Trust</b>	<b>Patients treated for cancer following a decision to treat for cancer being taken</b>		
	<b>Number treated within 31 days of a decision to treat being taken</b>	<b>Total treated</b>	<b>Percentage (%) treated within 31 days of a decision to treat being taken</b>
Belfast	340	354	96.0
Northern	93	94	98.9
Southern	89	89	100.0
South Eastern	151	153	98.7
Western	97	98	99.0
<b>Northern Ireland</b>	<b>770</b>	<b>788</b>	<b>97.7</b>

**Source:** Cancer Patient Pathway System (CaPPS)

- (ii) My Department commenced collection of waiting times for cancer services in March 2008. The tables below provide you with details of waiting times for (a) cancer treatment following an urgent GP referral for suspected cancer (b) a first assessment with a breast cancer specialist and (c) treatment of any form of cancer, for the month of June in each of the last four years.

**(A) WAITING TIMES FOR CANCER TREATMENT FOLLOWING AN URGENT GP REFERRAL FOR SUSPECT CANCER: BY HSC TRUST (JUNE 2008 TO JUNE 2011)**

HSC Trust	Patients treated for cancer following an urgent GP referral for suspect cancer <sup>1</sup>							
	Total treated				Percentage (%) treated < 62 days			
	Jun '08	Jun '09	Jun '10	Jun '11	Jun '08	Jun '09	Jun '10	Jun '11
Belfast	62.0	89.0	79.5	94.0	89.5	84.3	85.5	76.6
Northern	56.0	41.0	41.5	37.0	89.3	86.6	86.7	85.1
Southern	36.0	37.0	25.0	41.5	100.0	93.2	90.0	94.0
South Eastern	38.0	52.0	63.5	75.5	97.4	89.4	85.0	84.1
Western	18.0	20.0	31.5	40.0	86.1	97.5	87.3	80.0
<b>Northern Ireland</b>	<b>210</b>	<b>239</b>	<b>241</b>	<b>288</b>	<b>92.4</b>	<b>88.3</b>	<b>86.3</b>	<b>82.6</b>

**Source:** Cancer Patient Pathway System (CaPPS)

- 1 Following an urgent GP referral, a patient may be transferred to another HSC Trust for treatment. In such circumstances, both the transferring and treating HSC Trust will report 0.5 of the patients waiting time i.e. if a patient is referred to the Northern HSC Trust and is transferred to the Belfast HSC Trust for treatment, the patient will be reported 0.5 at Northern and 0.5 at Belfast HSC Trusts.

**WAITING TIMES FOR A FIRST ASSESSMENT WITH A BREAST CANCER SPECIALIST: BY HSC TRUST (JUNE 2008 TO JUNE 2011)**

HSC Trust	Patients first seen by a breast cancer specialist following an urgent referral for suspect cancer							
	Total seen				Percentage (%) seen < 14 days			
	Jun '08	Jun '09	Jun '10	Jun '11	Jun '08	Jun '09	Jun '10	Jun '11
Belfast	223	244	331	298	91.9	100.0	97.0	99.3
Northern	80	88	131	129	100.0	100.0	100.0	100.0
Southern	130	167	148	131	100.0	100.0	98.0	100.0
South Eastern	85	112	153	117	98.8	100.0	100.0	100.0
Western	79	153	192	185	100.0	96.7	43.2	100.0
<b>Northern Ireland</b>	<b>597</b>	<b>764</b>	<b>955</b>	<b>860</b>	<b>96.8</b>	<b>99.3</b>	<b>87.2</b>	<b>99.8</b>

**Source:** Departmental Return SDR2

**(C) WAITING TIMES FOR CANCER TREATMENT FOLLOWING A DECISION TO TREAT FOR CANCER BEING TAKEN: BY HSC TRUST (JUNE 2008 TO JUNE 2011)**

HSC Trust	Patients treated for cancer following a decision to treat being taken							
	Total treated				Percentage (%) treated < 31 days			
	Jun '08	Jun '09	Jun '10	Jun '11	Jun '08	Jun '09	Jun '10	Jun '11
Belfast	286	315	320	354	96.9	97.5	95.0	96.0
Northern	98	85	94	94	100.0	100.0	98.9	98.9
Southern	87	105	84	89	100.0	99	100.0	100.0
South Eastern	83	119	119	153	100.0	100.0	100.0	98.7
Western	69	75	106	98	95.7	100	99.1	99.0
<b>Northern Ireland</b>	<b>623</b>	<b>699</b>	<b>723</b>	<b>788</b>	<b>98.1</b>	<b>98.7</b>	<b>97.5</b>	<b>97.7</b>

**Source:** Cancer Patient Pathway System (CaPPS)

## Social Work Qualifications

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2417/11-15, whether he would liaise with his counterparts in the Republic of Ireland, England, Scotland and Wales, to discuss the implementation of a mutual recognition agreement between the various bodies governing social workers and CORU on social work qualifications, which would allow social workers to work in both jurisdictions without paying registration fees for both.

**(AQW 2942/11-15)**

**Mr Poots:** I have asked that my officials raise this issue with counterparts in the other 3 countries in UK and in the Republic of Ireland. I will advise of the outcomes of these discussions in due course.

## Pharmacies

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety how many pharmacies have written to the Health and Social Care Board asking to reduce their contracted opening hours.

**(AQW 2975/11-15)**

**Mr Poots:** In the last four months the Health and Social Care Board has received eight applications from pharmacists asking to change their contracted opening hours. Five of the applications are to reduce opening hours and the remaining three applications are to extend their contracted opening hours.

## Podiatry: Services

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the criteria used to assess a patients access to podiatry services.

**(AQW 2977/11-15)**

**Mr Poots:** The Public Health Agency has worked with all Allied Health Professions services to develop regionally consistent service access criteria. Access to podiatry is based on clinical need – factors such as pain, foot and leg pathologies and systemic diseases are considered. Patients are regularly re-assessed to ensure that clinical resources are targeted at patients with evidenced need.



## Podiatry: Services

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety what plans he has to reduce access to podiatry services.

**(AQW 2979/11-15)**

**Mr Poots:** I have no plans to reduce access to podiatry services. The Public Health Agency has worked with all Allied Health Professional services to develop regionally consistent service access criteria. Access to podiatry is based on clinical need – factors such as pain, foot and leg pathologies and systemic diseases are considered. Patients are regularly re-assessed to ensure that clinical resources are targeted at patients with evidenced need.

## Bowel Cancer

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of (a) men; and (b) women, aged between 50 and 74, diagnosed with bowel cancer in each Health and Social Care Trust area; and (ii) whether there has been a change in this figure since the screening exercise commenced.

**(AQW 3093/11-15)**

**Mr Poots:**

- (i) Information on cancer incidence is produced by the NI Cancer Registry. The latest information available relates to 2009 and is presented below. The roll out of the bowel cancer screening programme started in 2010.

### THE NUMBER OF MEN AND WOMEN AGED FROM 50 TO 74 DIAGNOSED WITH BOWEL CANCER (ICD-10\* CODE C18-21) IN NORTHERN IRELAND IN 2009, BROKEN DOWN BY HEALTH AND SOCIAL CARE TRUST AREA

Trust Area	Number of patients**	
	Men	Women
Belfast	71	48
Northern	90	51
South East	62	46
Southern	63	40
Western	52	40

\* For a listing and explanation of ICD-10 codes see International Classification of Diseases for Oncology, 3rd Edition, World Health Organisation, Geneva, 2000. For an explanation of ICD-10 codes see: [http://en.wikipedia.org/wiki/List\\_of\\_ICD-10\\_codes](http://en.wikipedia.org/wiki/List_of_ICD-10_codes).

\*\* 1.05% of patients (n=6) could not be assigned the Health and Social Care Trust Area of their residency

- (ii) It is too early to say what difference the Bowel Cancer Screening Programme has made so far in those Trust areas where the Programme is in place. The Programme was introduced in April 2010 in the Northern and Western HSC Trusts, and in June 2010 in the South-Eastern HSC Trust. It is due to be rolled out in the Belfast and Southern Trusts in the coming months.

## Royal Belfast Hospital for Sick Children: MRI Scanner

**Ms Lo** asked the Minister of Health, Social Services and Public Safety whether he would consider allocating funds for an MRI scanner for the Clark Clinic in The Royal Belfast Hospital for Sick Children, given that it is the only children's hospital in the UK without such a scanner.

**(AQW 3113/11-15)**

**Mr Poots:** The Royal Victoria Hospital has a MRI scanner which is used for the entirety of the site. The Belfast Health and Social Care Trust is developing proposals for a dedicated MRI scanner for the Royal Belfast Hospital for Sick Children. When these proposals are submitted to my Department, I will review the capital and running costs associated with the project including its affordability within my budgetary allocation before making my decision.

### **DHSSPS: Capital Budget**

**Mr Givan** asked the Minister of Health, Social Services and Public Safety for his assessment of his Department's capital budget.

**(AQO 522/11-15)**

**Mr Poots:** My Department has assessed the capital requirement for DHSSPS over the Budget 2010 period as £1.8bn. DHSSPS has received £851m for the four year period ending in March 2015. With contractual commitments of £250m and annual fixed costs of £100m for maintenance of the extensive HSC estate, this leaves £200m available for new investment.

This level of funding is insufficient to meet all the demands being placed on the health service and I am keen to explore whether private capital can be used to supplement public sector investment. Given the extent of the assessed shortfall, it is clear that some very difficult decisions lie ahead as to which projects can be taken forward within the available funding.

### **Caesarean Sections**

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety what action his Department will take to ensure that all women needing a caesarean section will receive the necessary medical care.

**(AQO 523/11-15)**

**Mr Poots:** I can assure you that all women needing a caesarean section on the Health Service will have the necessary clinical care.

Caesarean sections can and do save lives, but it is major surgery and carries a risk for both mother and baby. Consequently it should not be carried out solely for the convenience of a mother or a hospital. Northern Ireland has a higher prevalence of interventions, including caesarean sections, when compared to elsewhere in the UK and Ireland. We need to know why this is the case. The recently launched Maternity Strategy proposes that Trusts benchmark such interventions against comparable maternity units across the UK and Ireland in order to address the causes of this disparity. Maternity care – regardless of whether it is public or private care – should be of a high standard and make best use of available resources.

I would encourage everyone to have their say in this consultation which closes on 23 December 2011.

### **Adoption**

**Mr Dickson** asked the Minister of Health, Social Services and Public Safety whether he has any plans to introduce legislation on adoption during this mandate.

**(AQO 524/11-15)**

**Mr Poots:** I can confirm that it is my intention is to introduce new adoption legislation in the Assembly within the current mandate. However, I intend to await the outcome of an ongoing judicial review of existing adoption legislation before introducing a Bill.

### **Children's Hospital, Belfast**

**Ms J McCann** asked the Minister of Health, Social Services and Public Safety for an update on the building of the new children's hospital.

**(AQO 525/11-15)**

**Mr Poots:** It is not possible to complete the new children's hospital within the current budget period within my capital allocation. However, I am currently exploring alternative funding options to ensure that this worthwhile and much needed project is delivered as quickly and efficiently as possible.

### **Maternity Services: Midwifery-led Units**

**Ms Ritchie** asked the Minister of Health, Social Services and Public Safety, in light of his recent draft Maternity Strategy, what plans he has to increase the number of Midwifery Led Units and the funding available to them.

**(AQO 526/11-15)**

**Mr Poots:** The draft Maternity strategy outlines a number of recommendations which, if implemented, will significantly change the way we deliver maternity services. I want the public to have their say and respond before consultation closes on 23 December 2011.

One of the proposals is that each Trust should establish a Midwife Led Unit (MLU) alongside a Consultant Led Unit. These will be provided as far as possible within existing resources and will utilise the skills that midwives have as well as providing choice for women. Freestanding MLUs will also be established and maintained where there is an assessed need and the service contributes to sustainable maternity care.

Once the final version of the strategy is published in 2012, it will be for the HSC commissioners and providers of services to determine assessed need taking account of other priorities and available resources.

### **Health and Social Care Bill**

**Mr Elliott** asked the Minister of Health, Social Services and Public Safety whether he plans to introduce any changes should the Health and Social Care Bill for England be enacted.

**(AQO 527/11-15)**

**Mr Poots:** There are differences between the two systems of Health and Social Care which means that some changes planned for England are not directly relevant here. In addition, a number of the central aims of the Coalition Government's reforms for health and social care have already been addressed in Northern Ireland as part of our own reforms.

My Department will continue to monitor the progress of the English reforms and there may be implications which we will need to consider in due course. In addition, I have initiated a Review of Health and Social Care services, which is currently underway, and which will identify the changes required to our own system to ensure it is fit for purpose for the future.

### **Miscarriage**

**Mr McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline the policy for dealing with the tragedy of miscarriage and what procedures are in place to treat women at such times.

**(AQO 528/11-15)**

**Mr Poots:** I recognise that a miscarriage is a tragedy for any woman and her family. HSC services do have a role in providing interventions which are sensitive, caring, competent and tailored to individual needs.

In 2004, my Department issued guidance on a careplan for women who experience a miscarriage, stillbirth or neonatal death. This plan aims to provide each patient with the highest possible standard of care.

I also recently launched a draft maternity strategy for public consultation, which complements the above guidance and promotes support for women suffering the loss of a baby. The draft strategy is out for consultation until 23 December; I would encourage everyone with an interest in maternity services to respond to the consultation.

## Alcohol

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety what discussions he will have with the Minister for Social Development to ensure that access to cheap alcohol is limited for young people and vulnerable adults.

**(AQO 529/11-15)**

**Mr Poots:** My Department and the Department for Social Development have been working together for a number of years in relation to liquor licensing. The two Departments recently established a subgroup to look at alcohol pricing and promotions. This led to DSD bringing regulations through the Assembly in relation to irresponsible promotions, and to the publication of a joint consultation on the principle of introducing a minimum unit price for alcohol.

I met with Minister McCausland in June 2011 to discuss this issue further and we agreed that following analysis of consultation responses, an options paper would be developed for our consideration. We will continue to work together on this issue.

## Health and Social Care Centres: Opening Hours

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety whether he would consider issuing guidance instructing Health and Social Care centres to adopt longer opening hours.

**(AQO 530/11-15)**

**Mr Poots:** The services provided in individual Health and Social Care Centres and how they are delivered, including opening hours, are an operational issue. Services are determined by commissioners based on the identification and assessment of local needs.

As a general principle, I am committed to ensuring that health and social care services are responsive to the needs of patients and are available at a time and place convenient for them. The current review of Health and Social Care services will include an assessment of the quality and accessibility of services and the extent to which the needs of patients, clients, carers and communities are currently being met.

## Department of Justice

### Prison Service: Code of Conduct and Discipline

**Lord Morrow** asked the Minister of Justice, given that the Prison Service Code of Conduct and Discipline makes provision for the police to be informed when there is evidence of a prison officer committing a criminal offence, why this provision was not used when prison officers were caught with an indecent image of a child.

**(AQW 2463/11-15)**

**Mr Ford (The Minister of Justice):** In this case a decision was taken by the Northern Ireland Prison Service that internal disciplinary processing was the appropriate course of action. The two officers were subsequently charged with gross misconduct and disciplined under the NIPS Code of Conduct.

At a meeting on 28 September 2011 the PSNI confirmed to NIPS staff that the image was not classed as indecent and therefore no criminal offence had taken place.

### Offending by Children

**Lord Morrow** asked the Minister of Justice if he is aware of any parent or guardian ever being (i) prosecuted; and (ii) convicted for encouraging or assisting a child or children to commit a crime.

**(AQW 2534/11-15)**

**Mr Ford:** If a parent or guardian were found to have intentionally encouraged or assisted an offence believing one would be committed they could be prosecuted for encouraging or assisting crime. In

such circumstances, PSNI would also involve Social Services to facilitate any investigation that may be necessary to protect the child from harm. Data which would identify any such prosecutions are not available, however, as datasets do not record the circumstances in which an offence was committed.

### **Prisoners: Releases**

**Lord Morrow** asked the Minister of Justice how many people have been released from prison under new identities over the last ten years; and how much this has cost in total.

**(AQW 2536/11-15)**

**Mr Ford:** A response as to how many people have been released from prison under new identities is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board, and committed to respecting the operational independence of the Chief Constable and the role of the Policing Board.

You may therefore wish to direct your question to the PSNI.

### **Prisoners: Releases**

**Lord Morrow** asked the Minister of Justice whether prisoners who have completed their sentences are released from prison to specified addresses; and what steps are taken in preparation for their release.

**(AQW 2541/11-15)**

**Mr Ford:** Some prisoners are required to reside at a specified address on release by virtue of them being subject to post release supervision, or where required by a court order. Otherwise, there is no requirement for prisoners to live at a particular address on leaving custody. However, the Northern Ireland Prison Service (NIPS) is committed to supporting prisoners to access appropriate accommodation on release.

In preparation for release, dedicated multi-disciplinary offender management teams are responsible in each prison for ensuring that prisoners are referred, at an appropriate stage, to those interventions best suited to address their risk and needs, and to help them to prepare for release and resettlement in the community. NIPS and the Northern Ireland Housing Executive jointly fund a Housing Advice in Prisons Project providing information, advice and advocacy to those in custody. This work is carried out in partnership with other relevant agencies such as the Probation Board, the Northern Ireland Association for the Care and Resettlement of Offenders, hostels and private landlords

A wide range of programmes and practical support are available to prisoners to help address issues such as accommodation, debt, benefits, health, addictions, education/training, relationships, and children/parenting issues.

### **Woodlands Juvenile Justice Centre and Hydebank Young Offenders Centre**

**Mr Agnew** asked the Minister of Justice what proportion of the young people detained in Woodlands Juvenile Justice Centre and Hydebank Young Offenders Centre in each of the last three years had been through the care system.

**(AQW 2562/11-15)**

**Mr Ford:** The requested information for Woodlands Juvenile Justice Centre is published in Table 4 of the report 'Youth Justice Agency Annual Workload Statistics 2010/11', which is available to download from [www.youthjusticeagency.ni.gov.uk](http://www.youthjusticeagency.ni.gov.uk). The relevant part of Table 4 is also presented below.

Corresponding information in relation to Hydebank Young Offenders Centre is not available.



**TABLE 4: INITIAL ADMISSIONS BY LOOKED AFTER STATUS 2008/09 - 2010/11**

	2008/09		2009/10		2010/11	
	N	%	N	%	N	%
<b>Total</b>	<b>271</b>	<b>100</b>	<b>349</b>	<b>100</b>	<b>411</b>	<b>100</b>
<b>Looked After Status</b>						
Subject to Care Order	73	27	116	33	88	21
Voluntary Accommodated	-	-	10	3	65	16
Not from Care	196	72	221	63	251	61
Unknown	2	1	2	1	7	2

Year-on-year comparisons should be made with caution due to changes in looked after recording categories and improved recording since 2008/09.

### **Woodlands Juvenile Justice Centre and Hydebank Young Offenders Centre**

**Mr Agnew** asked the Minister of Justice to detail the reoffending rates of the young people who have left Woodlands Juvenile Justice Centre and Hydebank Young Offenders Centre in each of the last five years. **(AQW 2563/11-15)**

**Mr Ford:** The information requested is available for the calendar years 2005 to 2008. It is based on young persons discharged from custody who re-offend at least once during a one year follow up period, where the offence results in a conviction at court. The need to build in this follow up period as well as time for a re-offence to be convicted accounts for the lack of more up-to-date statistics beyond 2008 at this time.

Information prior to 2005 uses a different methodology which looks at reconviction rather than re-offending, and is therefore not comparable to the data presented below.

The figures for 2005 and 2006 are downloadable via [www.dojni.gov.uk](http://www.dojni.gov.uk) whilst figures for 2007 and 2008 are available from the Youth Justice Agency website [www.youthjusticeagency.cymni.gov.uk](http://www.youthjusticeagency.cymni.gov.uk). Tables 1 and 2 below provide a summary of the published reports.

#### **WOODLANDS JUVENILE JUSTICE CENTRE(1)**

	2005	2006	2007	2008
Number reoffending within one year	26	24	25	22
Total number in cohort	38	31	33	27
Percentage re-offending in one year	68.4	77.4	75.8	81.5

#### **HYDEBANK WOOD YOUNG OFFENDERS CENTRE(1)(2)**

	2005	2006	2007	2008
Number reoffending within one year	17	5	13	19
Total number in cohort	21	10	20	33
Percentage re-offending in one year	81.0	50.0	65.0	57.6

(1) Percentages should be interpreted with caution due to small numbers in all categories.

(2) Includes young persons discharged from a custody probation order

## Early Years (0-6) Strategy

**Mr Agnew** asked the Minister of Justice what input his Department had into the Early Years (0-6) Strategy.

**(AQW 2564/11-15)**

**Mr Ford:** My Department has had no input into the Department of Education's draft Early Years (0-6) Strategy.

I have acknowledged the importance of early interventions in 'Building Safer, Shared and Confident Communities', the consultation paper on proposals for a new Community Safety Strategy. Further, I have welcomed the recent report on the Review of Youth Justice which emphasises the need for a greater focus on early intervention and investment in the health, education and parenting of children during their early years. Whilst the recommendations contained in the report are currently subject to public consultation, I would endorse the underlying principle and am committed to supporting Executive-wide approaches to early intervention, including the Early Years Strategy.

## Offending by Children

**Mr D McIlveen** asked the Minister of Justice how many children between the ages of 10 and 12 years old have been (i) charged; and (ii) convicted of a crime in each of the last three years.

**(AQW 2584/11-15)**

**Mr Ford:** The table below gives the number of prosecuted and convicted children aged 10 – 12 for the years 2004 -2006. Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

The table covers the calendar years 2004 to 2006, the latest year for which conviction figures are currently available, due to changes in how such data are collected. Information for the period 2007 to mid 2009 will be available in the near future. In the meantime, figures on offending by young people were published in the Review of the Youth Justice System on 25 September 2011. This is available at:

<http://www.dojni.gov.uk/index/publications/publication-categories/pubs-criminal-justice/youth-justice-review.htm>

**TABLE NUMBER OF CHILDREN AGED 10 – 12 PROSECUTED AND CONVICTED, 2004 - 2006**

Year age	Number prosecuted	Number convicted
<b>2004</b>		
10	0	0
11	4	3
12	22	18
<b>Total</b>	<b>26</b>	<b>21</b>

Year age	Number prosecuted	Number convicted
<b>2005</b>		
10	1	0
11	5	3
12	38	25
<b>Total</b>	<b>44</b>	<b>28</b>

Year age	Number prosecuted	Number convicted
<b>2006</b>		
10	1	1
11	4	3
12	22	18
<b>Total</b>	<b>27</b>	<b>22</b>

### Prisoners: Average Cost

**Mr Campbell** asked the Minister of Justice to detail the average cost of a prison place in each of the last three years; and for an estimate of the cost for this year.

**(AQW 2624/11-15)**

**Mr Ford:** The target and actual average costs per prisoner place in each of the last three years and the estimate of the cost for this financial year are set out in the table below:

Year	Target average cost per prisoner place £	Actual average cost per prisoner place £
2008-09	81,500	£81,340
2009-10	78,750	£77,831
2010-11	76,500	£73,762
2011-12	75,200	

The target average cost per prisoner place is based on the opening budget for each year and has been reducing from year to year. The actual average cost has also fallen from year to year and the 2010-11 cost was significantly below target.

### Rural Crime

**Mr Weir** asked the Minister of Justice what specific measures are targeted at combating crimes in rural areas.

**(AQW 2644/11-15)**

**Mr Ford:** At a regional level my Department is represented on both the Interdepartmental Committee on Rural Policy and the Rural White Paper Project Board to ensure that issues around rural crime are reflected in the development work on a Rural White Paper.

At a local level Community Safety Partnerships (CSPs) deliver initiatives in rural areas across Northern Ireland that contribute to the reduction of crime, fear of crime and anti-social behaviour. A number of these CSPs provide specific trailer/farm plant equipment marking schemes tailored to the particular needs of the rural community.

The PSNI together with An Garda Síochána are developing various work streams under the Cross Border Strategy to deal with crime in rural areas and there are a number of Rural Watch schemes across the province which provide local communities with direct contact with local PSNI officers within Neighbourhood Policing Teams. The PSNI are also working on a series of initiatives with the National Farmers Union and Ulster Farmers Union.

In addition, the Department of Justice is currently developing a new Community Safety Strategy and I am considering the views received to the consultation to determine what more needs to be done to tackle rural crime.

## Workplace Charter on Domestic Violence

**Mr McKay** asked the Minister of Justice (i) whether his Department intends to (a) examine the implementation of; and (b) implement the Workplace Charter on domestic violence; and (ii) when the associated work will be open to public competition.

**(AQW 2663/11-15)**

**Mr Ford:** I would refer the Member to the reply I gave to his question of 11 October 2011 (AQW 2478/11-15) which explained how the action on workplace policies is being taken forward. There is a distinction, however, between a workplace policy and the Workplace Charter. The latter is an initiative developed by a Social Economy Enterprise and delivered on a commercial basis. While Local Domestic Violence Partnerships have been made aware of the Workplace Charter, there are currently no plans to seek to progress the issue of workplace policies through a procurement process.

## Domestic Abuse

**Mr McKay** asked the Minister of Justice to detail the number of arrests made for domestic abuse in 2010, and of these, how many led to (i) charges; and (ii) convictions.

**(AQW 2664/11-15)**

**Mr Ford:** During the financial year 2010-11, the PSNI identified 22,685 incidents motivated by domestic abuse. Of these, 9,546 crimes were recorded.

Over the same period police made 4,441 detections for crimes with a domestic abuse motivation.

All cases submitted to the Public Prosecution Service by police are considered by a public prosecutor and an assessment is made (on the basis of the evidence) as to whether the offence(s) were motivated by domestic violence. During 2010 decisions were issued for prosecution, either in the Magistrates' Court or in the Crown Court, in respect of 2,666 persons in domestic violence cases. Decisions for diversion were issued in respect of a further 419 persons.

Police incident/recorded crime data should not be compared directly with PPS prosecutorial decisions owing to differences in the definitions/counting rules applied.

NICTS court conviction and sentencing datasets do not distinguish offences motivated by domestic abuse from other violence against the person, property or other crimes and therefore convictions data is unavailable.

## Tackling Violence at Home Strategy

**Mr McKay** asked the Minister of Justice for his assessment of what actions in the Tackling Violence at Home Strategy are (i) mandatory; and (ii) voluntary.

**(AQW 2665/11-15)**

**Mr Ford:** The Tackling Violence at Home Strategy sets out the commitment of Government and all partner agencies to adopting a consistent and long term approach to the prevention of domestic violence. The Strategy and supporting Action Plans set out actions to tackle domestic violence and abuse with supporting targets. Each of the partner agencies is committed to ensuring the successful delivery of their actions contained within the Strategy. Structures are in place at both regional and local level to ensure that the actions are implemented consistently across Northern Ireland by Government working in conjunction with all the partner agencies and Ministers are apprised of progress.

## Jose Ignacio de Juana Chaos

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 1889/11-15, given that the whereabouts of Jose Ignacio de Juana Chaos are unknown, (i) for his assessment of whether his case against extradition should continue to be funded by Legal Aid in his absence; and (ii) whether a Bench Warrant has been issued for his arrest.

**(AQW 2667/11-15)**

**Mr Ford:** The decision to keep legal aid in place in this case is a matter for the court. The court considered this on 9 September 2011 and concluded that legal aid should continue to be provided.

Any decision to issue a bench warrant in this case is entirely a matter for the judge. I can confirm that as of 5 October 2011 no bench warrant has been issued.

### **Destruction Order: Drugs**

**Lord Morrow** asked the Minister of Justice, in relation to the seizure of Class A, B and C drugs, to detail the amount of drugs that have been destroyed following a Destruction Order after a conviction, in each court division, in each of the last three years.

**(AQW 2675/11-15)**

**Mr Ford:** The seizure and destruction of drugs is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Board.

You may therefore wish to re-direct your question to the PSNI.

### **Offending by Children**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 1696/11-15, when he expects to have data to identify and prosecute parents or guardians who encourage or assist children in committing crime.

**(AQW 2676/11-15)**

**Mr Ford:** The identification and prosecution of parents or guardians who encourage or assist children in committing crime is a matter for the independent investigatory and prosecuting authorities.

To record centrally details of persons encouraged or assisted in the commission of crimes would require significant investment in IT systems which I do not believe would be offset by the information gained.

### **Courts Service**

**Mr Easton** asked the Minister of Justice to outline any potential savings that have been identified by, or within, the Courts Service.

**(AQW 2713/11-15)**

**Mr Ford:** Savings Plans have been developed by the Northern Ireland Courts and Tribunals Service as part of the Budget 2010 spending review. The savings are outlined in the table below:

<b>Savings Plan</b>	<b>2011/12 £m</b>	<b>2012/13 £m</b>	<b>2013/14 £m</b>	<b>2014/15 £m</b>
Reduction in discretionary costs and the prioritisation of expenditure	3.3	3.3	3.4	3.4
Review of administration costs	0.2	1.4	2.9	3.4
Deferred Income	2.0	-	-	-
<b>Total</b>	<b>5.5</b>	<b>4.7</b>	<b>6.3</b>	<b>6.8</b>

Details of the plans will be published shortly on the DOJ website.



## Prisoners

**Mr Easton** asked the Minister of Justice how many people are currently serving sentences in prison.  
(AQW 2716/11-15)

**Mr Ford:** As of 5 October 2011 there were a total of 1133 people serving sentences in prison in Northern Ireland.

## Prison: Spaces

**Mr Easton** asked the Minister of Justice what is the maximum number of people that can be accommodated in prisons; and how many prison spaces are currently available.  
(AQW 2717/11-15)

**Mr Ford:** The prison population in Northern Ireland as of 9 October 2011 was 1765.

The maximum number of people that can be accommodated across the three prison establishments in Northern Ireland is determined by a number of factors including the bed spaces available, the need to keep various categories of prisoners apart, and judgements about what each establishment can hold without serious risk to good order, security and the proper running of the planned regime. There are a total of 2186 bed spaces currently available but this level of occupancy is not achievable owing to the constraints inherent in keeping various categories of prisoners in separate accommodation and the desirability of avoiding cell sharing where possible.

The Northern Ireland Prison Service regularly reviews the use of prisoner accommodation in order to make best use of the number of prisoner places available.

## Prison Service: Staff

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 1634/11-15, to detail the number of internal disciplinary issues and the incidents involved.  
(AQW 2729/11-15)

**Mr Ford:** As of 10 October, there are currently 20 internal disciplinary cases ongoing.

A breakdown of the details is provided in the table below.

Number	Detail
3	Alleged falsification of prisoner documentation
1	Receipt of a suspended prison sentence
2	Alleged refusal to obey an order
1	Drunk in charge
1	Alleged association with an ex-prisoner
1	Alleged misconduct
1	Alleged fraudulent claiming of overtime payments
1	Alleged harassment
2	Alleged absence without authority
2	Alleged neglect of duty
1	Alleged abuse of sick absence procedures
4	Precautionary Suspension

As these disciplinary cases are ongoing it would not be appropriate to comment further at this time.

### Prison Service: Disciplinary Procedures

**Lord Morrow** asked the Minister of Justice whether he intends to alter the current internal disciplinary procedures within the Prison Service so that the PSNI is automatically notified of a potential offence committed by a staff member, and allowing the Public Prosecution Service to decide if a prosecution should follow.

**(AQW 2730/11-15)**

**Mr Ford:** The Code of Conduct and Discipline is currently being reviewed and a revised version, when issued, will include guidance regarding the steps to be followed if a member of staff commits a potential criminal offence.

### Illegal Fuel

**Lord Morrow** asked the Minister of Justice how many convictions have been secured for motorists using red diesel or any other illegal fuel type in each of the last five years, broken down by court division.

**(AQW 2731/11-15)**

**Mr Ford:** Whilst the Customs and Excise Management Act 1979 will allow for aggravated cases to be referred for prosecution, I am advised by HMRC that they combat fuel misuse in private or commercial vehicles using civil powers and the approach must be proportionate to the offence. Therefore there have been no prosecutions and no convictions against motorists using red diesel or any other illegal fuel type. HMRC conduct a policy of seizure and restoration of vehicles on payment of a penalty, though there are occasions when HMRC will not offer restoration of the vehicle. In the case of commercial misuse, HMRC may carry out an audit on the business which may result in a tax assessment being raised.

The table below lists the number of detections of illicit fuel in vehicles in Northern Ireland recorded by HMRC. It is not possible to provide a breakdown of red, green, laundered or other types of fuel.

#### NUMBER OF DETECTIONS OF ILLICIT FUEL IN VEHICLES 2006/07 – 2010/11

	2006/07	2007/08	2008/09	2009/10	2010/11
Total detections	1190	1158	495	603	373
Commercial	546	892	392	328	203
Non commercial	644	266	103	275	170

### Prison Service

**Lord Morrow** asked the Minister of Justice for his assessment of how satisfactory it is for the Prison Service to deal internally with allegations of fraud and assault rather than report the allegations to the PSNI; and whether this practice is still followed.

**(AQW 2732/11-15)**

**Mr Ford:** The NICS Handbook and the Northern Ireland Prison Service Code of Conduct and Discipline make provision for Prison Service staff to inform the PSNI if they are aware that a potential criminal offence has been committed. I am satisfied that Prison Service management will assess instances of potential offences on a case-by-case basis and seek guidance from the PSNI where appropriate.

### Errors in Statements or Answers

**Mr Campbell** asked the Minister of Justice, since May 2010, how many (i) statements he has made to the Assembly; and (ii) of his answers to Members' questions have had to be corrected because of errors in his original statements or answers.

**(AQW 2751/11-15)**

**Mr Ford:** I have made (i) eight oral statements and one written statement to the Assembly since May 2010 (ii) no errors have had to be corrected.

### **Ministerial Special Adviser**

**Mr Allister** asked the Minister of Justice (i) how many candidates were considered for the post of Ministerial Special Adviser; (ii) what account was taken of any potential imbalance in religious background or gender in the pool from which he selected his Special Adviser; (iii) how wide was the trawl for candidates and how did he ensure that it was 'broadly based' as required by the Code of Practice on the Appointment of Special Advisers; and (iv) to publish the job description and person specification drawn up before the Special Adviser was appointed.

**(AQW 2752/11-15)**

**Mr Ford:** Three candidates were considered for the post of Special Adviser to the Minister of Justice. These candidates represented the different perceived religious backgrounds and both genders. In addition, I consulted with a number of people to ensure my consideration of candidates was 'broadly based' as required by the Code of Practice on the Appointment of Special Advisers.

The job description for the Special Advisor is that within paragraph 3 of Schedule 2 of the Code of Practice on the Appointment of Special Advisers.

In addition, each candidate was assessed against the following criteria, those being:

- (a) knowledge of the operation of government and the Assembly;
- (b) knowledge of the justice system;
- (c) broad sympathy with the Alliance party;
- (d) possession of a third level qualification in a relevant field;
- (e) an ability to represent the Minister in dealing with Non Government Organisations (NGOs) and other Special Advisers; and
- (f) effective communication and networking skills.

### **Preliminary Inquiries by Video-link**

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 2091/11-15, for an estimate of the savings which could be made by carrying out Preliminary Inquiries by video-link.

**(AQW 2771/11-15)**

**Mr Ford:** I have combined the answer to both questions as live video-links are central to my plans in both areas.

I will be publishing proposals for consultation to expand live link opportunities with a view to legislation. Those proposals will include preliminary inquiries by video-link as well as other measures to further reduce the need for prisoners to appear in court and to create savings for the justice system as a whole. No specific estimate of savings is currently available but costs and benefits will be dealt with in the forthcoming consultation paper.

A wide range of video-links are already available in courts including preliminary and sentencing hearings in the Magistrates', Crown, and High Court; certain appeal proceedings in the Court of Appeal and County Court; and for the giving of evidence in appropriate circumstances. I recently expanded the availability of live video-links by way of the Justice Act (NI) 2011 to include video-links between courts and mental hospitals

## Prison Service: Staff

**Lord Morrow** asked the Minister of Justice how many prison staff were reported to the PSNI by the Prison Service for criminal offences in each of the last five years; and what were the nature of these alleged offences.

**(AQW 2772/11-15)**

**Mr Ford:** In the last five years, the Prison Service has reported five staff to the PSNI. These are detailed in table A below:

**TABLE A**

Year	Number of staff	Nature of alleged offence
2011	2	Possession of an indecent image
2010	2	Trafficking x1 Assault x1
2009	None	N/A
2008	None	N/A
2007	1	Inappropriate association with a prisoner

## Prisoners

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 2055/11-15, if he will introduce legislation or guidelines to reduce the need for prisoners to appear in court which would result in savings for the Prison Service and legal aid.

**(AQW 2773/11-15)**

**Mr Ford:** I have combined the answer to both questions as live video-links are central to my plans in both areas.

I will be publishing proposals for consultation to expand live link opportunities with a view to legislation. Those proposals will include preliminary inquiries by video-link as well as other measures to further reduce the need for prisoners to appear in court and to create savings for the justice system as a whole. No specific estimate of savings is currently available but costs and benefits will be dealt with in the forthcoming consultation paper.

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## Proposed Capital Spend Projects

Mr McGlone asked Minister of Justice to detail his Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2793/11-15)**

**Mr Ford:** The details requested are set out in the table below. The Department reviews capital expenditure plans on a monthly basis and as part of the in-year monitoring process.

<b>Name of Body</b>	<b>Project</b>	<b>11/12 Forecast Spend £000s</b>	<b>Comments</b>
Core department	Justice Strategy - IT changes to implement Justice Act 2011 in NIPS, PPS & NICTS	550	Project on schedule for 11/12 completion
Core department	Causeway Project	210	Project on schedule for 11/12 completion
Core department	State Pathology - laboratory equipment	14	Project on schedule for 11/12 completion
Core department	State Pathology - IT equipment	2	Project on schedule for 11/12 completion
Core department	ICT infrastructure Refresh	1,000	Project on schedule for 11/12 completion
Core department	ICT infrastructure replacement	800	Project on schedule for 11/12 completion
Core department	Video Conferencing	44	Completed
Core department	Furniture	5	Completed
Compensation Agency	IT - Disaster recovery project	22	Project on schedule for 11/12 completion
Compensation Agency	New accommodation project	133	Project on schedule for 11/12 completion
Compensation Agency	Case Management System	250	Project on schedule for 11/12 completion
Forensic Science NI	New accommodation project	350	New accommodation project with a total budget of £12m. Forecast completion date 2014/15
Forensic Science NI	Accommodation improvements	210	Project on schedule for 11/12 completion
Forensic Science NI	Liquid Chromatography Mass Spectrometre	200	Project on schedule for 11/12 completion
Forensic Science NI	Plant and Equipment	382	Project on schedule for 11/12 completion
NI Courts and Tribunal Service	ICT Services	1,811	Project on schedule for 11/12 completion
NI Courts and Tribunals Service	Relocation and Redevelopment Costs	122	Planned completion date April 2012
NI Courts and Tribunals Service	Disability Discrimination Act Compliance	745	Planned completion date April 2012
NI Courts and Tribunals Service	Courthouse Security Projects	898	Project on schedule for 11/12 completion
NI Courts and Tribunals Service	Integrated Court Operations System (ICOS)	202	Project on schedule for 11/12 completion



<b>Name of Body</b>	<b>Project</b>	<b>11/12 Forecast Spend £000s</b>	<b>Comments</b>
NI Courts and Tribunals Service	Cell Review Project	119	Project on schedule for 11/12 completion
NI Prison Service	Maghaberry accommodation - 120 cell block	14,000	Completion due June 2012, with 12/13 spend of £2,500k
NI Prison Service	Maghaberry - Learning and Skills/Reach	1,511	Project on schedule for 11/12 completion
NI Prison Service	IT & Equipment	652	Project on schedule for 11/12 completion
NI Prison Service	Maghaberry - Security Works	500	Project on schedule for 11/12 completion
NI Prison Service	Visits system refresh	460	Project on schedule for 11/12 completion
NI Prison Service	Estate Re-development - smaller projects	401	Project on schedule for 11/12 completion
NI Prison Service	Causeway project	260	Project on schedule for 11/12 completion
NI Prison Service	Maghaberry Generator replacement	10	Completion due August 2012, with 12/13 spend of £240k
NI Prison Service	Hydebank Replacement Generator	10	Completion due August 2012, with 12/13 spend of £240k
NI Prison Service	Maghaberry - Fire damage	676	Project on schedule for 11/12 completion
NI Prison Service	All Establishments - sustainability programme, monitoring and metering	100	Due for completion by Sept 2012 with 12/13 spend of £400k
NI Prison Service	Prison Record Information System - Additional Functionality	180	Project on schedule for 11/12 completion
NI Prison Service	Prison Record Information System - Criminal Justice Order	100	Project on schedule for 11/12 completion
NI Prison Service	ICT Hardware/Software	100	Project on schedule for 11/12 completion
Youth Justice Agency	IT / office and security equipment / vehicles	100	Project on schedule for 11/12 completion

## Maghaberry Prison: Disturbance at Roe House

**Lord Morrow** asked the Minister of Justice whether a disturbance occurred at Roe House, Maghaberry Prison on 6 May 2011; and if so, (i) to outline the nature of the incident; (ii) whether any prison staff were injured; (iii) how many prisoners were involved; (iv) how much damaged was caused; and (v) how many prisoners were charged as a result.

**(AQW 2825/11-15)**

**Mr Ford:** On Friday 6 May at approximately 10.00pm a number of republican prisoners housed on Roe three and four landings damaged the contents of their cells. The damage extended to breaking the sanitary ware and pulling water pipes from the walls. Significant damage was caused to the cells and consequently the landings on Roe three and four were flooded.

- (ii) No prison staff were injured during this incident.
- (iii) Ten prisoners were involved in the incident.
- (iv) Ten cells were rendered beyond use. The lower landing (Roe four) suffered significant flooding from the damaged water pipes.
- (v) The matter was referred by the Governor to the PSNI and the ten prisoners involved have been charged with criminal damage.

## Contempt of Court

**Lord Morrow** asked the Minister of Justice whether the wilful refusal of a defendant to stand in court whilst being formally charged or arraigned constitutes contempt of court.

**(AQW 2826/11-15)**

**Mr Ford:** Whether or not the wilful refusal of a defendant to stand in court whilst being formally charged or arraigned constitutes contempt of court is a matter for the judge dealing with the case.

## Crown Court

**Lord Morrow** asked the Minister of Justice, in each of the last five years, how many crown court cases have been abandoned as a result of a defendant changing their plea to guilty after a jury has been selected and sworn in, broken down by court division.

**(AQW 2827/11-15)**

**Mr Ford:** The following Table sets out the number of defendants who pleaded not guilty to one or more charges at the outset of the proceedings and at any point thereafter changed their plea to guilty.

Court Division	2007-08	2008-09	2009-10	2010-11
Belfast	93	111	120	95
Londonderry	14	36	29	37
Antrim	44	60	42	54
Fermanagh & Tyrone	31	28	52	53
Armagh & South Down	12	38	26	29
Ards	69	64	47	50
Craigavon	61	27	15	29
<b>Total</b>	<b>324</b>	<b>364</b>	<b>331</b>	<b>347</b>
<b>Total Crown Court Defendants Dealt With</b>	<b>1789</b>	<b>1735</b>	<b>1603</b>	<b>1609</b>

**Table Notes:**

Information is only available from 2007/8 when the NICTS IT system became fully operational.

Legacy cases migrated onto the IT system may not have full history captured, which may influence the figures for 2007/08 in particular. Figures for 10/11 are provisional and subject to validation.

Information in the form requested is not readily available and could only be provided at disproportionate cost.

**Republican Separated Prisoners**

**Lord Morrow** asked the Minister of Justice how many Republican separated prisoners are refusing to conform to prison rules or the terms of the required compact because of alleged grievances.

**(AQW 2828/11-15)**

**Mr Ford:** There are currently 28 separated republican prisoners refusing to conform to prison rules or the terms of the required compact.

**Prison Service**

**Mr Irwin** asked the Minister of Justice to outline any procedural changes which have been implemented in relation to how employment tribunals involving the Prison Service are conducted since the devolution of policing and justice powers.

**(AQW 2829/11-15)**

**Mr Ford:** Since 12 April 2010 the provision of legal services transferred from the Crown Solicitor's Office to the Departmental Solicitor's Office. There have been no other changes.

**Victims of Domestic Violence**

**Mr Storey** asked the Minister of Justice what work place policies are in place to assist victims of domestic violence within his Department and its arm's-length bodies.

**(AQW 2834/11-15)**

**Mr Ford:** The Department of Justice adheres to the NICS policy on domestic violence and abuse. In support of this policy, staff affected by domestic violence are advised of Departments' employee assistance programmes provided by Carecall, welfare and Occupational Health.

Many of the Departments arms-length bodies also adhere to the NICS policy. PSNI and Probation Board for Northern Ireland (PBNI) have separate policies.

**Double Yellow Lines on East Bridge Street, Enniskillen**

**Mr Flanagan** asked the Minister of Justice (i) what level of consultation took place between his Department and (a) the Courts Service; (b) Roads Service; and (c) landlords and tenants in the area, regarding the recent addition of double yellow lines on East Bridge Street in Enniskillen; (ii) for his assessment of the impact these traffic calming measures will have on that area, given that there is already a lack of parking spaces; and (iii) why these measures were introduced.

**(AQW 2911/11-15)**

**Mr Ford:** The Northern Ireland Courts & Tribunals Service (NICTS) initiated a review of security at Enniskillen courthouse. The addition of parking restrictions in East Bridge Street was one of a number of recommendations which emerged from that review.

NICTS officials consulted Roads Service and a number of local traders in advance of the measures being implemented, and further discussions are continuing.

While the introduction of double yellow lines in the immediate vicinity of Enniskillen Courthouse will reduce the number of on street parking places available to members of the public, these measures were considered necessary in order to enhance the security of the courthouse.

## Brendan Lillis

**Mr Givan** asked the Minister of Justice, pursuant to AQW 2516/11-15, what challenge his Department made to the medical report by Dr Sean O Domhnaill on Brendan Lillis, given that Dr O Domhnaill had not been given permission to visit Mr Lillis in a professional capacity.

**(AQW 2932/11-15)**

**Mr Ford:** The position remains that this is wholly a matter for the Parole Commissioners for Northern Ireland who are statutorily independent of my Department. I am committed to respecting their statutory and operational independence.

## Brendan Lillis

**Mr Givan** asked the Minister of Justice, pursuant to AQW 2573/11-15, whether he will review his response to AQW 1749/11-15 and confirm if it still stands.

**(AQW 2939/11-15)**

**Mr Ford:** I can confirm that the answer I gave to AQW/1749/11-15 on 23 September 2011 stands.

## Crown Court

**Lord Morrow** asked the Minister of Justice how many Crown Court trials have resulted in any charges being left on the court books in each of the last three years, broken down by court division.

**(AQW 2955/11-15)**

**Mr Ford:** The information sought is only recorded against individual defendants. The table below sets out the number of defendants who had at least one charge 'left on the books' after the commencement of a trial.

### NO. OF DEFENDANTS WHO HAD AT LEAST ONE CHARGE 'LEFT ON THE BOOKS' AFTER THE COMMENCEMENT OF A TRIAL

Division	2008	2009	2010
Belfast	22	19	16
Londonderry	13	3	10
Antrim	13	16	17
Fermanagh and Tyrone	8	6	10
Armagh and South Down	15	4	5
Ards	8	6	6
Craigavon	9	3	8
<b>Total</b>	<b>88</b>	<b>57</b>	<b>72</b>

## DOJ: Document Security

**Mrs D Kelly** asked the Minister of Justice what measures he intends to take to ensure that documents kept by his Department are stored securely.

**(AQO 531/11-15)**

**Mr Ford:** The Department of Justice has, since its inception, had policies, standards and guidance in place in relation to the secure handling, storage and disposal of documents.

By way of illustration of its approach, I can advise the Member that the Department has put in place a Senior Information Risk Owner at Board level. He is supported by Senior Information Asset Owners

in each business area. The Asset Owners are responsible for information security, assurance and management in their areas.

The Department also has arrangements to raise awareness of the required approach including a section on its internal intranet.

## Knife Crime

**Mr S Anderson** asked the Minister of Justice how many people have been convicted of possession of a knife or crimes in which a knife was used since May 2010.

**(AQO 540/11-15)**

**Mr Ford:** Information on convictions for knife crime is not available in the format requested, as conviction data sets do not contain background information on offences committed. It is possible only to provide conviction statistics for those offences which, in their definition, refer to an “offensive weapon” or “article with a blade or point”. These are:

- armed with offensive weapon with intent to commit offence;
- possessing offensive weapon in public place;
- possessing article with blade or point in public place;
- possessing article with blade or point on school premises;
- possessing offensive weapon on school premises.

“Offensive weapon” offences are included as data suggests that a substantial proportion involves knives.

The number of convictions during 2007 was 261 and 2008 was 260. These data use a different source from those previously published up to 2006 and are provisional as a verification exercise is currently underway.

For completeness I should add that incidents involving knives are monitored separately from prosecutions and convictions. PSNI figures on incidents involving knives or sharp instruments stood at 925 in 2007/8; 908 in 2008/9; 959 in 2009/10; and 842 in 2010/11.

## PSNI: Ombudsman’s Reports

**Mr Lynch** asked the Minister of Justice under what legal authority the PSNI Chief Constable can dismiss or set aside the findings in an investigative report by the Office of the Police Ombudsman.

**(AQO 541/11-15)**

**Mr Ford:** There is no legal requirement for the Chief Constable to accept the findings of a Police Ombudsman investigative report.

However the Police Ombudsman can direct the Chief Constable under Section 59(5) of the Police (Northern Ireland) Act 1998 to bring disciplinary proceedings against a police officer following an OPONI investigation.

## Fuel Laundering

**Mr Irwin** asked the Minister of Justice for his assessment of the level of incidences of fuel laundering and what action he is taking to assist in combating the activity.

**(AQO 542/11-15)**

**Mr Ford:** As stated during the recent Assembly debate there is considerable joint action being taken by agencies in Northern Ireland working with their counterparts in the Republic of Ireland to combat all types of fuel fraud including laundering.



It is difficult to assess precisely the amount of fuel fraud but recent HMRC calculations would suggest that the revenue lost to the UK Exchequer was about £70 m in 2009/10 down from £150 m in 2008/09. (These figures include legitimate cross border shopping as well as illegitimate activity) .

While this is good news we are not in any way complacent and will, through the OCTF, continue to bear down on the fraudsters to bring them before the Courts and to seize their criminally obtained assets.

## Police Ombudsman: Investigations and Reports

**Mr McKay** asked the Minister of Justice to outline the legal advice he received prior to the decision by the Police Ombudsman to suspend retrospective investigations and the publication of several outstanding reports.

**(AQO 543/11-15)**

**Mr Ford:** I neither sought or received legal advice prior to the Police Ombudsman's decision to suspend historic investigations following the Criminal Justice Inspection Northern Ireland (CJINI) recommendation.

## Police Ombudsman

**Mr Ó hÓisín** asked the Minister of Justice for his assessment of the serious irregularities in the criteria for appointment and security vetting of the Police Ombudsman revealed in the report by the Committee on the Administration of Justice which was published in June 2011.

**(AQO 545/11-15)**

**Mr Ford:** The appointment process and security vetting arrangements for the current Police Ombudsman were a matter for the then Secretary of State and as such I do not intend to comment further.

## Department for Regional Development

### Accidents Caused by Uneven Road Surfaces

**Mr McQuillan** asked the Minister for Regional Development how many claims were made against his Department because of accidents caused by uneven road surfaces in East Londonderry in each of the last three years; and how much compensation was paid out.

**(AQW 2438/11-15)**

**Mr Kennedy (The Minister for Regional Development):** My Department's Roads Service has advised that it does not record information on claims for compensation on a constituency basis. However, information on numbers of claims and the amount of compensation paid due to uneven road surfaces in the Coleraine and Limavady Section Office, which largely mirrors the Coleraine and Limavady District Council areas, in each of the last three financial years, is provided in the table below:

### COMPENSATION PAID TO CLAIMANTS, DUE TO UNEVEN ROAD SURFACES IN THE COLERAINE AND LIMAVADY SECTION OFFICE AREAS

Year	Claims Received	Compensation
2008/2009	51	£22,173.61
2009/2010	53	£2,319.10
2010/2011	42	£15,029.07

It should be noted that the amount of compensation paid in any specific financial year may not necessarily relate to claims received in that year, as the time delay from the date a claim has been received, to when it has been settled, may span a number of years.

## Cycle Lanes

**Mr I McCrea** asked the Minister for Regional Development to detail the cycle lanes which currently exist in the (i) Magherafelt District Council area; and (ii) Cookstown District Council area.

**(AQW 2440/11-15)**

**Mr Kennedy:** Details of cycle lanes provided by my Department's Roads Service within Magherafelt District Council and Cookstown District Council are as follows:

### Magherafelt District Council

- South eastern footway of Moneymore Road, Route A31 Magherafelt, from its north-eastern junction with Lester Gardens to a point 1,390 metres south-west of that junction; and
- Eastern footway of Moneysharavan Road, Route A29, Swatragh, from a point 15 metres south of its junction with Drumbane Road to a point 115 metres north-west of that junction.

### Cookstown District Council Area

- Eastern footway of Chapel Street, Cookstown, from Loy Street to its junction with Fountain Road;
- Western footway of Chapel Street, Cookstown, from Convent Road to a point 139 meters south of that junction;
- Western footway of Chapel Street, Cookstown, from a point 139 meters south of Convent Road to its junction with Cemetery Road;
- Southern footway of Drum Road, Route A505, Cookstown, from its junction with Sandholes Road, Route C622, to a point 39 metres west of that junction;
- Eastern footway of Loy Street, from its junction with Chapel Street to a point 18 metres north of that junction;
- Eastern footway of Loy Street from a point 18 metres north of its junction with Chapel Street to its junction with James Street;
- Western footway of Loy Street from its junction with Convent Road to a point 18 metres north of that junction;
- Western footway of Loy Street from a point 18 metres north of Convent Road to a point 24 metres north of that junction;
- Western footway of Loy Street, from a point 24 metres north of its junction with Convent Road, to its junction with Fairhill Road;
- Northern footway of Sandholes Road, Route C622, Cookstown, from a point 155 metres south-west of its southern junction with Strife Hill Road to its junction with Loughrey Roundabout, Route A29; and
- Western footway of Sandholes Road, Route C622, Cookstown, from its junction with Drum Road, Route A505, to a point 250 metres south-west of its northern junction with Strife Hill Road.

## Ards Peninsula: Road Network

**Mr Weir** asked the Minister for Regional Development what capital projects are planned for the road network in the Ards Peninsula in each of the next three years.

**(AQW 2447/11-15)**

**Mr Kennedy:** I should explain that funding for road improvements and maintenance work is allocated on an annual basis and therefore assumptions are made about future years' funding when preparing programmes of work.

As such, my Department's Roads Service has advised that road improvement projects planned in the Ards Peninsula include:

- a scheme to improve visibility at Rowreagh Road, Gransha Road which has just been completed;
- a similar scheme is proposed later this financial year at the Rowreagh Road junction with Rubane Road;
- further improvement works are planned for the Ballyvester Road and Warren Road junction in Donaghadee;
- new traffic signals at New Street/Upper Greenwell Street, Newtownards; and
- a new pedestrian crossing at New Street/The Parade, Donaghadee.

In addition, some resurfacing work was recently completed in the Newtownards, Kircubbin and Ardkeen areas. Resurfacing works on the C255 Abbey Road, Millisle comprising of approximately 850m of carriageway in Stone Mastic Asphalt, as well as the installation of additional drainage, have recently commenced. There are also plans for some street lighting works at Johnston Park, Carrowdore.

At present, there are no major road improvements planned for the Ards Peninsula during this four year budget period.

I would remind the Member that information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drndi.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drndi.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

## **Tackling Violence at Home Action Plan**

**Mr McKay** asked the Minister for Regional Development whether his Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if his Department will meet the target implementation date of December 2011.

**(AQW 2479/11-15)**

**Mr Kennedy:** My Department was not involved in delivering or implementing the Tackling Violence at Home Strategy. The strategy was launched jointly by DHSSPS and NIO. However a NICS wide Workplace Policy for Domestic Violence and Abuse is in existence which covers employees in all Government Departments including DRD.

## **Road Closures**

**Mr Hilditch** asked the Minister for Regional Development for an update on the progress of the proposed legislation which will give local councils the authority to close roads for local events.

**(AQW 2502/11-15)**

**Mr Kennedy:** I can advise the Member that the primary legislation that enables district councils to close roads for special events is in place, but a commencement order still needs to be made before the relevant provisions come into operation.

My Department will not, however, be making this commencement order until related guidance, for use by Councils and promoters when organising events, is ready. Roads Service is currently working in partnership with the Society of Local Authority Chief Executives and Senior Managers to draft the guidance. Once this is ready, the commencement order will be made and responsibility for road closures for special events will then rest with Councils.

## Car Parks: Quay Lane South, Enniskillen

**Mr Flanagan** asked the Minister for Regional Development to detail (i) the income generated in parking charges from the Quay Lane South car park, Enniskillen for (a) each day in August 2011; and (b) each day in September 2011 so far; and (ii) the number of tickets that were purchased on each day.

**(AQW 2506/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it does not maintain details of income from parking charges and the number of tickets purchased on a daily basis and therefore the information requested is not available. However, details of income from parking charges and the number of tickets purchased at Quay Lane South car park, Enniskillen during the seven week period from 1 August 2011 to 12 September 2011 are provided in the table below:-

Week Commencing	Income	Tickets Purchased
1 August 2011	£606.67	956
8 August 2011	£637.23	1,043
15 August 2011	£674.73	1,065
22 August 2011	£621.01	1,008
29 August 2011	£739.11	1,057
5 September 2011	£508.45	585
12 September 2011	£437.25	507

**Note:** VAT is payable on income from parking charges.

## Junction for Brookeborough and the Ran Road on the A4

**Mr Lynch** asked the Minister for Regional Development, in light of the recent fatalities, when a right turn lane will be installed at the junction for Brookeborough and the Ran Road on the A4.

**(AQW 2509/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that right turn lanes are normally delivered within its Local Transport & Safety Measures (LT&SM) programmes. All proposed right turn lanes are assessed and prioritised, taking into account such factors as accident history, traffic volumes and cost.

Roads Service has carried out an assessment of the right turning lane proposals at the locations identified by the Member, but regrettably the results have shown that none achieved a sufficiently high priority score to be included in a LT&SM programme, as stand alone schemes.

However, Roads Service is currently proposing a resurfacing scheme on the A4 at Brookborough in the 2012/13 financial year, which includes a right turning lane. Delivery of the resurfacing scheme will, however, be dependent upon sufficient funding being made available next year.

Provision of a right turning lane at the Raw Road junction will also be dependent upon future resurfacing work taking place within the vicinity of that junction.

## Car Parks

**Mr Campbell** asked the Minister for Regional Development to outline the legal position in relation to a motorist, who on leaving a Pay and Display Car park with display ticket time remaining, offers the ticket to an incoming motorist for no recompense.

**(AQW 2537/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised me that the legislative requirements in relation to drivers using its Pay and Display car parks are set out in the Off-Street Parking Order (NI) 2007.

While the Order makes no stipulations in relation to a motorist who is exiting a car park and who has a Pay and Display ticket with time remaining, it does stipulate that the driver of a vehicle using the car-park during charging hours, shall pay the appropriate tariff set out in Schedule 2 of the Order and that, for Pay and Display car parks, payment shall be made by purchasing a ticket from a Pay and Display machine.

## Car Parks

**Mr Campbell** asked the Minister for Regional Development for an estimate of the additional revenue that will be raised in the next financial year as a result of the recently increased tariffs for departmental car parks.

**(AQW 2538/11-15)**

**Mr Kennedy:** My Department's Roads Service has forecast that recently increased tariffs and the introduction of a further 25 charged off-street car parks will deliver the year one target of the Savings Delivery Plan. The current published DRD Savings Delivery target is to provide £2m additional revenue from car parking in the 2011-12 financial year.

## Grit Boxes: North Down Area

**Mr Easton** asked the Minister for Regional Development to detail the locations of new grit boxes in the North Down area in preparation for this coming winter.

**(AQW 2543/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that in addition to the 176 salt boxes currently available for use on a self help basis in the North Down area, one additional new salt box is to be provided for this coming winter period. This salt box is anticipated to be located opposite No. 10 Ravenswood, Bangor.

## Pedestrian Crossings

**Mr Easton** asked the Minister for Regional Development for an update on any proposed new pedestrian crossings planned for the North Down area.

**(AQW 2603/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 1815/11-15.

## Cyclists

**Lord Morrow** asked the Minister for Regional Development whether cyclists are bound by the same laws as motorists, particularly in relation to traffic lights; and whether they can be fined or prosecuted for breaching these laws.

**(AQW 2605/11-15)**

**Mr Kennedy:** Rule 50 of The Highway Code for Northern Ireland clearly states that cyclists 'must obey all traffic signs and traffic light signals'. This Rule is a legal requirement under the Road Traffic (NI) Order 1995 - Article 50 and the Traffic Signs Regulations (NI) 1997 - Regulation 8. Therefore, a cyclist disobeying this rule would be committing a criminal offence. Prosecution of such an offence, is a matter for the police.

## Car Parks

**Mr Weir** asked the Minister for Regional Development for an estimate of the additional income that will be generated as a result of the introduction of parking charges in some departmental car parks.

**(AQW 2641/11-15)**

**Mr Kennedy:** My Department's Roads Service is currently working towards the introduction of charges to 25 free off-street car parks during the current financial year. It is expected that these charges will



not be fully operational until the 2012/13 financial year. Roads Service has estimated that additional income of £180,000 will be generated from these charges in the 2012/13 financial year.

## Car Parks

**Mr Weir** asked the Minister for Regional Development under his Department's car park charging proposals which departmental car parks will remain free of charge.

**(AQW 2642/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that the car parks listed below will remain free of charge following the completion of the most recent review of off-street car parking charges:

Car Park Location	City/Town
Burn Road	Cookstown
Union Place	Cookstown
Main Street	Ballinamallard
Main Street	Carrickmore
Castledawson Road	Castledawson
Hillhead Road	Castledawson
Albert Street	Castleberg
Meetinghouse Lane	Castleberg
Priests Lane	Castleberg
William Street	Castleberg
Market Yard	Claudy
Main Street	Clogher
Cornmill	Coalisland
Lineside	Coalisland
Loy Street	Cookstown
Orritor Street	Cookstown
Drumquin Road	Dromore
Main Street	Dromore
Anne Street	Dungannon
Perry Street	Dungannon
Scotch Street South	Dungannon
258a Berryhill Road	Dunnamanagh
Castle Park	Enniskillen
Derrychara Road	Enniskillen
Hollyhill Link	Enniskillen
Queen Street	Enniskillen
Wellington Place	Enniskillen

<b>Car Park Location</b>	<b>City/Town</b>
Main Street	Fintona
Town Centre	Fintona
Enfield Road	Fivemiletown
The Commons	Fivemiletown
Kesh Road	Irvinestown
Pound Street	Irvinestown
Railway Street	Kesh
Fair Green	Lisnaskea
New bridge Road	Lisnaskea
Old Quarry	Lisnaskea
Fairhill	Maghera
St. Lurach`s Road	Maghera
King Street	Magherafelt
Union Road	Magherafelt
Tattinderry Road	Maguiresbridge
Townhall Street West	Newtownstewart
Brook Street	Omagh
Campsie Road	Omagh
Castle Street	Omagh
Church Street North	Omagh
Church Street South	Omagh
Cunningham Terrace	Omagh
Curr Road	Omagh
Old Mountfield Road	Omagh
Bowling Green	Strabane
Canal Basin, (30 Dock Street)	Strabane
Canal Basin, (North)	Strabane
Mill Street	Strabane
Upper Main Street	Strabane
The Diamond	Tempo
Andersonstown Road	Belfast
Dundela Crescent	Belfast
Grampian Avenue	Belfast
Madison Avenue	Belfast

<b>Car Park Location</b>	<b>City/Town</b>
Northumberland Street	Belfast
Parkgate Avenue	Belfast
Ravenscroft Avenue	Belfast
Sandown Road	Belfast
Wandsworth Road	Belfast
Westminster Avenue, West	Belfast
Westminster Avenue, East	Belfast
Westminster Avenue, North	Belfast
Whitla Street	Belfast
Balmoral Avenue	Whitehead
Glenburn Road	Dunmurry
Benson Street	Lisburn
Quay Street	Lisburn
Saintfield Road Roundabout	Lisburn
Union Bridge	Lisburn
Main Street	Moirá
Beverley Road	Carnmoney
Farmley Road	Glengormley
Shore Road, (487-489)	Whiteabbey
Newtownards Road/Church Street	Bangor
Springwell Drive	Groomsport
Quay Street	Ardglass
Portavogie Road	Ballyhalbert
Harbour Road	Ballyhalbert
Lisburn Street	Ballynahinch
Antrim Road	Ballynahinch
Springvale Road	Ballywalter
Clough Roundabout	Clough
Main Road	Cloughey
Killinchy Street	Comber
Castle\Bridge Street	Comber
Newtownards, Road, (Copeland Rd)	Comber
Glen Link	Comber
The Square	Crossgar

<b>Car Park Location</b>	<b>City/Town</b>
Railway Street	Donaghadee
Templepatrick Carpark	Donaghadee
Market Street	Downpatrick
Mount Crescent	Downpatrick
Meadowlands	Downpatrick
Greencastle Street	Kilkeel
Bridge Street	Kilkeel
Ben Crom Place	Kilkeel
Newry Street	Kilkeel
Harbour Road	Kilkeel
Shore Road	Kircubbin
The Green	Kircubbin
Ballywalter Road	Millisle
Ballywhiskin	Millisle
Moss Road	Millisle
Causeway Road	Newcastle
Shimna Road	Newcastle
Railway Avenue	Newry
Bridge Street	Newry
Canal Bank	Newry
Downshire Road	Newry
Edward Street	Newry
Kilmorey Street East	Newry
River Street	Newry
Mill Street Gasworks, South	Newtownards
Talbot Street	Newtownards
Meeting House Street	Portaferry
The Square	Portaferry
The Square 1 and 2	Rostrevor
Downpatrick Street	Saintfield
East Street	Warrenpoint
Kings Lane	Warrenpoint
Mary Street	Warrenpoint
Newry Street	Warrenpoint

<b>Car Park Location</b>	<b>City/Town</b>
The Square	Warrenpoint
Friary Road, West	Armagh
Court House	Armagh
Church Square	Banbridge
Downshire Road	Banbridge
Cross Lane 1 & 2	Dromore
Gallows Street	Dromore
Meeting Street	Dromore
Castle Hill	Gilford
Cow Fair	Keady
Glen Road	Keady
Kinelowen Street	Keady
Alexander Square 1 & 2	Lurgan
Blacks Court	Lurgan
Foster Place	Lurgan
High Street	Lurgan
Lough Road	Lurgan
Robert Street	Lurgan
Wesley Place	Lurgan
Castle Street	Portadown
Fair Green	Portadown
Foundry Street	Portadown
River Bank	Portadown
Wilson Street	Portadown
Downpatrick Street	Rathfriland
Sinton Park	Tandragee
Broughshane Street	Ballymena
Mount Street 1	Ballymena
Mount Street 2	Ballymena
Ballee Park and Ride	Ballymena
Ahoghill	Ballymena
Galgorm	Ballymena
Castle Street	Antrim
Dublin Road	Antrim



<b>Car Park Location</b>	<b>City/Town</b>
John Street,	Randalstown
Portglenone Road	Randalstown
Dunsilly Park and Ride	Antrim
Ballygroobey Park and Ride	Antrim
Templepatrick Park and Ride	Templepatrick
Toome Park and Ride	Toome
Bridge Street,	Larne
Circular Road East	Larne
Exchange Road	Larne
High Street	Larne
Inver	Larne
Ramp	Larne
Riverdale (part)	Larne
Cockpit Brae East	Ballymoney
Cockpit Brae West	Ballymoney
Dervock Road	Ballymoney
Gate End	Ballymoney
Townhead Street North	Ballymoney
Townhead Street South	Ballymoney
Seymour Street	Ballymoney
Millburn Road	Coleraine
Terrace Row	Coleraine
Dunluce Avenue	Portrush
Harbour Road	Portrush
Lansdowne Crescent	Portrush
Convention Avenue	Portstewart
The Diamond,	Portstewart
Lever Road, Portstewart	Portstewart
Bridge Street	Garvagh
Bridge Street	Kilrea
Limavady Borough Council	Limavady
Protestant Street	Limavady
Ballyclose Street	Limavady
Bus Station	Limavady

<b>Car Park Location</b>	<b>City/Town</b>
Rathmore Road	Limavady
Limavady By-Pass	Limavady
Glenhead Road	Ballykelly
Main Street	Ballykelly
Castle Street	Ballycastle
Fairhill Street	Ballycastle
Main Street	Bushmills
Railway Yard Car Park	Londonderry
Railway Station Car Park	Londonderry
Simpsons Brae Car Park	Londonderry
Alfred Street Car Park	Londonderry
Claudy Car Park	Londonderry

While there are no plans to introduce charges to these car parks in the 2011/12 financial year, the tariffs will be subject to yearly reviews and it is possible that charges may be introduced in certain car parks in future years.

## **Car Parks**

**Mr Weir** asked the Minister for Regional Development which departmental car parks, which were previously free of charge, will charge for parking under his Department's car park proposals; and how these car parks were selected.

**(AQW 2643/11-15)**

**Mr Kennedy:** My Department's Roads Service is in the process of implementing an increase in car parking tariffs in charged car parks that was formally approved in July 2010. The review of tariffs also includes the proposal to introduce charging to 28 previously free car parks. A list of these 28 car parks has been placed in the Assembly Library.

I would advise the Member that my Department's Roads Service carries out an annual car park tariff review which considers the operation of each car park. In doing so, Roads Service will consider a number of the key factors to assist in determining if a car park should become charged, or have its tariff altered, including:

- the need to influence where drivers park, allowing for higher turnover of short stay spaces, and therefore increasing the availability of short stay parking in support of the commercial viability of the town centre;
- the need to make efficient use of the existing car park provision;
- the need for charges to reflect increased costs. For example, rates bills, which are a major component of the cost of operating a pay car park; and
- the need to fully recover the cost of providing the car park services. This is in line with Department of Finance and Personnel guidance in Managing Public Money in Northern Ireland.

Other local circumstances, such as traffic control, local opinion, urban regeneration and the availability of private free car parking were considered when completing the tariff review and in identifying the car parks where charging has been proposed.

## Jordanstown Road

**Mr Dickson** asked the Minister for Regional Development, given the delay in the reopening of the Jordanstown Road, what action his Department is taking to ensure that similar delays are avoided in the future.

**(AQW 2645/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that the Jordanstown Road was programmed to re-open to traffic by 31 August 2011. Unfortunately, a utility company was unable to complete its service alterations to its agreed programme, which prevented Roads Service's contractor from completing the road works. This issue has now been resolved, and the road was re-opened on Sunday 2 October.

My Department's Roads Service has confirmed that a full and detailed Post Project Evaluation is completed after every scheme of this nature, in accordance with Roads Service policy. I can advise the Member that the evaluation of this scheme will include a review of the project management arrangements for service alterations by utility companies as part of improvements of this type, in order to identify potential improvements for future projects so that any risk of delays is minimised.

I am disappointed that the extension of this road closure caused considerable inconvenience, particularly to local schools and residents.

## NI Water

**Mr Beggs** asked the Minister for Regional Development to detail (i) the actual or estimated additional VAT charges imposed by HMRC on NI Water and the Executive in each year following the reclassification of NI Water as a Non-Departmental Public Body; and (ii) the implications these charges may have for the future.

**(AQW 2646/11-15)**

**Mr Kennedy:** Existing agreements with HMRC allow NIW to recover VAT on the basis that the subsidy currently paid on behalf of domestic customers represents third party consideration. There have been no additional VAT charges imposed by HMRC on NIW as a result of the classification of NIW as an NDPB for public expenditure purposes.

Existing VAT arrangements could be affected by decisions about how NIW is funded. If NIW's ability to recover VAT was reduced, the financial implications could be significant.

## NI Water

**Mr Beggs** asked the Minister for Regional Development how the recategorisation of NI Water as a Non-Departmental Public Body and the subsequent loss of end-year flexibility has affected (i) its planned capital build programme; (ii) the speed at which improvements to the sewerage infrastructure are made; and (iii) the ability of NI Water to meet the EU environmental health standards.

**(AQW 2647/11-15)**

**Mr Kennedy:**

1. The governance arrangement for NIW means that it is a regulated utility in law but, under national rules, is treated as a Non-Departmental Public Body (NDPB) for public expenditure purposes. This categorisation does cause some anomalies. One is that while NIW's capital programme is determined over a number of years through the Utility Regulator's Price Control (PC) process, it then has to be managed on an annual basis to comply with public expenditure requirements.
2. This removes the flexibility, normally available to regulated utilities, to invest over a three to five year programme. It is generally acknowledged that delivery of major capital programmes is not best managed by rigid annual allocations, and so imposing such a regime does have an impact on the elements you have identified, although the scale is hard to quantify.

## NI Water

**Mr Beggs** asked the Minister for Regional Development to detail the actual or estimated annual capital charge imposed by the Treasury on NI Water and the Executive in each year following the reclassification of NI Water as a Non-Departmental Public Body.

**(AQW 2651/11-15)**

**Mr Kennedy:** NI Water was reclassified as a Non-Departmental Public Body for Public Expenditure purposes in the financial year 2008-09. Details of the relevant annual capital charges imposed by the Treasury under the Annually Managed Expenditure Budget (AME) are contained in the table below.

Year	Cost of Capital AME Charge (£'000)
2008/09	38,321
2009/10	44,338

HM Treasury removed the application of cost of capital charges from financial year 2010/11 onwards under the Clear Line of Sight Project.

## North Down Area: Traffic Lights

**Mr Easton** asked the Minister for Regional Development what plans he has for erecting new traffic lights in the North Down area.

**(AQW 2669/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 1815/11-15.

## New Cycle Lanes

**Mr Easton** asked the Minister for Regional Development what plans his Department has to introduce new cycle lanes.

**(AQW 2672/11-15)**

**Mr Kennedy:** My Department is committed to provide safer roads for all road users, particularly vulnerable road users such as pedestrians and cyclists. It remains my Department's intention to continue to implement, in so far as available resources permit, the cycling infrastructure as set out in the Belfast Metropolitan Transport Plan (BMTP) and the Regional Transport Strategy. This will complement the existing National Cycle Network.

However, given the current financial climate, my Department is faced with the difficult task of having to allocate finite resources to its numerous competing demands and therefore, it is not possible to continue to fund all of our functions at the same levels as in previous years.

## A5: Aughnacloy to Newbuildings

**Mr Buchanan** asked the Minister for Regional Development when he will make a statement on the proposed A5 road from Aughnacloy to Newbuildings.

**(AQW 2718/11-15)**

**Mr Kennedy:** The Public Inquiry hearings associated with the proposed A5 Western Transport Corridor dualling scheme ended on 1 July 2011. It is expected that the Independent Inspector's report will be provided to my Department's Roads Service before the end of 2011. I will then consider the comments and recommendations arising out of the report, as well as the impact of Budget 2010, before making decisions in relation to the A5 dualling project and the wider strategic roads programme. I expect to make a statement on this issue in early 2012.

## **A5: Ballygawley to Londonderry**

**Mr Buchanan** asked the Minister for Regional Development if he will carry out an economic appraisal on the upgrading of the existing A5 road from Ballygawley to Londonderry.

**(AQW 2770/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that you wrote to my predecessor in April 2010, regarding upgrading the existing A5. A detailed response dated 29 April 2010 described the difficulties associated with an upgrading proposal. This proposal was also discussed at length at the A5WTC Public Inquiry hearings held in May & June 2011, when my Department's Roads Service reiterated its view that online upgrading of the existing A5 is not considered to be a more cost effective solution.

I await the independent Inspector's report, which is expected towards the end of this year, and will then give careful consideration to the issues and recommendations contained within the report before deciding on the way forward for the A5 project.

## **Park-and-ride Facilities**

**Mr McKay** asked the Minister for Regional Development what plans he has to develop and build park and ride facilities over the next four years.

**(AQW 2775/11-15)**

**Mr Kennedy:** In recognition of the importance of Park and Ride in promoting sustainable transport, my Department recently published a Strategic review of Park and Ride. The Review sets out a number of conclusions and recommendations, and identifies those Park and Ride sites which the Department will aim to prioritise as available funding permits. While funding has been secured, it will not be possible to deliver all schemes in the current budgetary period given funding constraints. Recognising this, officials from my Department, Roads Service and Translink are finalising details of those schemes to be delivered up to 2015.

## **Trees: Approach Road to Bangor Castle**

**Mr Easton** asked the Minister for Regional Development when the trees which were removed during repair work on the approach road to Bangor Castle will be replaced.

**(AQW 2784/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it has no plans to carry out replanting of trees along Castle Park Avenue, Bangor.

The original trees were removed for the following reasons:

- To enhance pedestrian safety by improving the visibility of pedestrians, especially school children, who use this road;
- To enable the safe passage of Heavy Goods Vehicles and Double Decker buses that have recently been introduced by Translink into the North Down Area;
- To remove the tripping hazards caused by the exposed root systems of the trees; and
- To assist with the installation of a new kerb line in association with the resurfacing of the carriageway on Castle Park Avenue.

I am advised that Roads Service has offered to replace these trees, at another suitable location, at no cost to North Down Borough Council.

## **Parking: On-street Charges**

**Mr Givan** asked the Minister for Regional Development what plans he has to change the times during the day when on-street parking charges are applicable in Lisburn.

**(AQW 2790/11-15)**



**Mr Kennedy:** My Department's Roads Service has advised that it currently has no plans to change the hours of operation for charged on-street parking in Lisburn.

### **Double Yellow Lines on East Bridge Street, Enniskillen**

**Mr Flanagan** asked the Minister for Regional Development (i) what level of consultation took place between his Department, or any of its arm's-length bodies, and (a) the Courts Service; and (b) landlords and tenants in the area, regarding the recent addition of double yellow lines on East Bridge Street in Enniskillen; (ii) for his assessment of the impact these traffic calming measures will have on that area, given that there is already a lack of parking spaces; and (iii) why these measures were introduced.

**(AQW 2830/11-15)**

**Mr Kennedy:** My Department's Roads Service met with the Northern Ireland Court Service in March 2011 and advised that double yellow lines were required as a security measure for the courthouse at East Bridge Street, Enniskillen.

On 12 April 2011, the Court Service undertook a hand delivered mail drop advising frontagers, directly affected by the scheme, of the details of the proposed waiting restrictions.

No traffic calming measures have been introduced at East Bridge Street, Enniskillen, and I can advise that the waiting restrictions extend for 60 metres on the northern side and 70 metres on the southern side of East Bridge Street, thereby removing 23 'one hour in any two hour' limited waiting parking spaces.

### **Dropped Kerb Schemes**

**Mr Easton** asked the Minister for Regional Development what dropped kerb schemes are planned for the Hollywood area for the next two financial years.

**(AQW 2846/11-15)**

**Mr Kennedy:** I would remind the Member that information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

I can advise that the detailed budget for subsequent years has not yet been finalised and it is therefore not possible to provide details of future works programmes at this time.

## **Department for Social Development**

### **Housing Executive: Properties**

**Mr Easton** asked the Minister for Social Development to list all the planned maintenance schemes for Housing Executive properties including their level of importance.

**(AQW 2433/11-15)**

**Mr McCausland (The Minister for Social Development):** Table 1 sets out the Housing Executive's planned maintenance programme for 2011/12 by area, in priority order. The second table details the draft 2012/13 programme which will not be prioritised until later in the financial year when funding decisions have been made.

**TABLE 1: PLANNED MAINTENANCE 2011/2012**

<b>Region</b>	<b>Scheme</b>	<b>Dwgs</b>	<b>Programmed</b>	<b>Work Group</b>
Belfast	Glencairn Windows/Ins Lap	150	06-Jun-11	Ext Cyclic Maint
Belfast	Albertbridge Road/Tower Street	188	27-Jun-11	Ext Cyclic Maint
Belfast	Highfield Windows	203	27-Jun-11	Ext Cyclic Maint
Belfast	Bruslee/Pinkerton	135	27-Jun-11	Revenue Replacement
Belfast	Erskine St/Chamberlain St	64	30-May-11	Revenue Replacement
Belfast	Summerhill/Ardcarn	153	05-Oct-11	Ext Cyclic Maint
Belfast	White City Ph 2 Windows	225	12-Sep-11	Ext Cyclic Maint
Belfast	Shankill & South Therm Comfort	49	02-Sep-11	Heating Installation
Belfast	West Belfast Thermal Comfort	25	25-Jul-11	Heating Installation
Belfast	East Belfast Thermal Comfort	82	25-Jul-11	Heating Installation
Belfast	Belfast One-Off's 2011/12	100	08-Jul-11	Heating Installation
Belfast	Huss/Ashmore	77	09-Aug-11	Revenue Replacement
Belfast	Mid Shankill Phase 1 (Part 1)	71	01-Jan-12	Revenue Replacement
Belfast	Roden Street Area (West)Part 1	102	01-Nov-11	Revenue Replacement
Belfast	Lower Ormeau (Ias Schemes)	101	01-Jan-12	Revenue Replacement
Belfast	Lwr Beersbridge/Mount Windows	270	01-Nov-11	Ext Cyclic Maint
Belfast	Willowfield/Upp Castlereagh	56	30-Aug-11	Revenue Replacement
Belfast	Rinalea/Lower Lenadoon	224	01-Jan-12	Ext Cyclic Maint
Belfast	Lower Shankill	145	01-Jan-12	Revenue Replacement
Belfast	Suffolk Windows	216	12-Sep-11	Ext Cyclic Maint
Belfast	St Leonards Street	68	01-Nov-11	Revenue Replacement
Belfast	Low Rise Flats Economy7 (West)	142	01-Nov-11	Heating Installation
Belfast	Low Rise Flats Ec7 (North)	201	01-Nov-11	Heating Installation
Belfast	North Belfast Economy 7 (B&H)	47	01-Oct-11	Heating Installation
Belfast	South Belfast Economy 7 (B&H)	46	01-Oct-11	Heating Installation
Belfast	East Belfast Economy 7 (B&H)	39	02-Oct-11	Heating Installation
Belfast	North Belfast Thermal Comfort	35	19-Sep-11	Heating Installation

Region	Scheme	Dwgs	Programmed	Work Group
Belfast	Mid Springfield	99	12-Sep-11	Revenue Replacement
Belfast	Lower Ormeau Windows	130	01-Nov-11	Ext Cyclic Maint
Belfast	Village Imp Area Window Ph 1	139	01-Mar-12	Ext Cyclic Maint
Belfast	Queen Victoria Garden Flats	36	01-Oct-11	Ext Cyclic Maint
Belfast	Liverpool Houses (Panels)	117	01-Oct-11	Ext Cyclic Maint
Belfast	West Belfast Economy 7 (B&H)	33	01-Sep-11	Heating Installation
Belfast	Shankill Belfast Economy 7 B&H	119	01-Sep-11	Heating Installation
Belfast	Island Street	37	01-Mar-12	Revenue Replacement
Belfast	Silverstream/Ballysillan	196	01-Mar-12	Revenue Replacement
Belfast	Tyndale/Silverstream	184	01-Mar-12	Revenue Replacement
Belfast	The Village Imp Kitchens Ph1	139	01-Mar-12	Revenue Replacement
Belfast	Low Rise Flats Ec7 (Shankill)	98	01-Nov-11	Heating Installation
Belfast	Low Rise Flats (South)	147	01-Nov-11	Heating Installation
Belfast	Donegall Rd/St James Windows	120	01-Mar-12	Ext Cyclic Maint
Belfast	Springmadden/Ballymurphy	40	01-Mar-12	Revenue Replacement
Belfast	Low Rise Flats Economy 7 (East	215	01-Nov-11	Heating Installation
Belfast	Ballyhackamore Windows	21	01-Mar-12	Ext Cyclic Maint
Belfast	Queen Vic/Fairyknowe Windows	48	01-Mar-12	Ext Cyclic Maint
Belfast	Woodvale/Twaddell Windows	139	01-Mar-12	Ext Cyclic Maint
Belfast	Greencastle Close	26	01-Mar-12	Heating Installation
North East	New Mossley Upper	54	20-Jun-11	Revenue Replacement
North East	Ferris Park	62	23-May-11	Heating Installation
North East	West Rathcoole Ph 1 Kitchens	94	04-Apr-11	Revenue Replacement
North East	Longfield/Carrick Town	68	13-Jun-11	Heating Installation
North East	Dervock,Clintyfinnan,Rasharkin	388	16-May-11	Ext Cyclic Maint
North East	Area One Offs 2011/12	55	04-Apr-11	Heating Installation
North East	Newtownabbey 2 Heating	129	20-Jun-11	Heating Installation
North East	Springfarm/Stiles	44	04-Apr-11	Heating Installation
North East	Milburn	76	25-Jul-11	Heating Installation

Region	Scheme	Dwgs	Programmed	Work Group
North East	Ballyclare/Doagh	92	01-Aug-11	Heating Installation
North East	Monkstown/Kelburn	90	18-Jul-11	Revenue Replacement
North East	1A-F Grange Drive, Ballyclare	5	25-Jul-11	Heating Installation
North East	Antrim Town	357	19-Oct-11	Ext Cyclic Maint
North East	Killane Pk/Chichester East	121	03-Oct-11	Revenue Replacement
North East	Carrickfergus	161	19-Oct-11	Ext Cyclic Maint
North East	Glenarm/Carnlough(Windo/Paint)	94	24-Oct-11	Ext Cyclic Maint
North East	Harpurs Hill	47	29-Aug-11	Heating Installation
North East	Lantarra/Lettercreeve	101	21-Nov-11	Heating Installation
North East	Cushendall/Cushendun	37	25-Jul-11	Heating Installation
North East	Ballee	363	02-Aug-11	Ext Cyclic Maint
North East	Ballysally Area 1 Ph2	128	28-Nov-11	Revenue Replacement
North East	Toome/Coolsythe	75	06-Oct-11	Revenue Replacement
North East	Carnanny	66	07-Nov-11	Heating Installation
North East	Ballymena North	87	04-Feb-12	Heating Installation
North East	Rathcoole Zone 2A Ph1	162	07-Nov-11	Ext Cyclic Maint
North East	Glenarm/Sallagh	67	28-Nov-11	Revenue Replacement
North East	Ballymena South	79	09-Jan-12	Heating Installation
North East	Castlemara/Longfield/Ederney	80	07-Jan-12	Revenue Replacement
North East	Springfarm Ph3	123	10-Jan-12	Revenue Replacement
North East	Dublin Road/Townparks	108	05-Jan-12	Heating Installation
North East	Ballymena Town	169	10-Oct-11	Heating Installation
North East	Rathcoole Zone E	99	01-Feb-12	Ext Cyclic Maint
North East	Glebeside Ph1	167	05-Jan-12	Ext Cyclic Maint
North East	Ballintoy/Liscolman	18	23-Jan-12	Revenue Replacement
North East	Ballintoy/Liscolman(Wind/Paint)	18	23-Jan-12	Ext Cyclic Maint
North East	Abbotscoole House Windows	57	20-Feb-12	Ext Cyclic Maint
North East	Ballykeel 2 Ph1	87	03-Mar-12	Revenue Replacement

Region	Scheme	Dwgs	Programmed	Work Group
North East	Monkscoole House Windows	71	24-Nov-11	Ext Cyclic Maint
North East	Carncoole House Windows	57	30-Mar-12	Ext Cyclic Maint
South	Armagh Road Newry Kitchens	103	02-May-11	Revenue Replacement
South	Armagh District Windows (Laps)	85	20-Jun-11	Ext Cyclic Maint
South	Redmanville	112	27-Jun-11	Heating Installation
South	Gather Up 11	50	04-Apr-11	Heating Installation
South	Hospital Estate	192	26-Sep-11	Ext Cyclic Maint
South	Drumgullion/Meadows/Violet Hil	371	02-Aug-11	Ext Cyclic Maint
South	Cornagrade Kitchens	105	02-Aug-11	Revenue Replacement
South	Enniskeen Kitchens	115	29-Aug-11	Revenue Replacement
South	Wood Pellet Boilers South Area	20	25-Jul-11	Heating Installation
South	Springdale/Fairfield Etc	106	16-Jan-12	Revenue Replacement
South	Lawrencetown/Loughbrickland	245	19-Dec-11	Ext Cyclic Maint
South	Newry Windows Scheme (Laps)	116	09-Jan-12	Ext Cyclic Maint
South	Annaghmore/Keady/Armagh	75	20-Dec-11	Revenue Replacement
South	Corcraín	106	10-Oct-11	Heating Installation
South	Banbridge Windows (Laps)	108	25-Oct-11	Ext Cyclic Maint
South	Lisnagall/Milltown/Carland Rd	303	20-Dec-11	Ext Cyclic Maint
South	Carrowshee/Hudson Heights	116	26-Sep-11	Ext Cyclic Maint
South	Avenue Road/ Bleary Kitchens	92	30-Jan-12	Revenue Replacement
South	Irvinestown/Lisbellaw Kits	96	07-Nov-11	Revenue Replacement
South	Hillview/Kilmacormick	45	14-Nov-11	Heating Installation
South	Cornagrade	88	28-Nov-11	Heating Installation
South	Dobbins Grove/ Killuney	64	19-Sep-11	Heating Installation
South	Gilford/Scarva/Loughbrickland	40	20-Jan-12	Heating Installation
South	Kenlis/Mountview/Meganlis	42	17-Oct-11	Heating Installation
South	Callan St/Drumarg	101	01-Jan-12	Heating Installation
South	D'gannon/Donaghmore Rd/ Drumcoo	85	11-Nov-11	Heating Installation
South	Coalisland	190	05-Mar-12	Ext Cyclic Maint



Region	Scheme	Dwgs	Programmed	Work Group
South	Coolhill/C'caufield/Donaghmore	65	05-Mar-12	Heating Installation
South	P'side/Ormonde/Union St/Clouna	127	13-Feb-12	Heating Installation
South	Drumbawn/Derrin Pk/Ferney Rise	219	31-Mar-12	Ext Cyclic Maint
South	Primrose Gardens Kits	74	30-Jan-12	Revenue Replacement
South East	C'burn/G'port/L'breem	80	04-Apr-11	Heating Installation
South East	Se Area One Off Heating 11/12	30	01-Apr-11	Heating Installation
South East	Castlerobin,Belvoir	331	11-Apr-11	Ext Cyclic Maint
South East	Rushmore/Knockburn(K'a Hostel)	132	04-Apr-11	Ext Cyclic Maint
South East	Scrabo Kitchens	161	11-Apr-11	Revenue Replacement
South East	Belvoir/Grays Pk/Carryduff Rht	18	05-Sep-11	Heating Installation
South East	Belvoir Kitchens	29	23-Aug-11	Revenue Replacement
South East	Lap Lisburn As Windows/Insulat	296	03-Oct-11	Ext Cyclic Maint
South East	Hollywood Rh/Of	101	25-Jul-11	Heating Installation
South East	Milltown Ave Kitchens	86	23-Aug-11	Revenue Replacement
South East	Thermal Comfort Ballynahinch	66	05-Sep-11	Heating Installation
South East	B'been Enler/K'berry/K'muir	61	02-Jan-12	Revenue Replacement
South East	Lap Glen/Comber Windows/Insula	116	02-Jan-12	Ext Cyclic Maint
South East	Doon Pk,C'duff/N'bre (86/9/90)	78	03-Oct-11	Revenue Replacement
South East	Comber Heating	27	13-Feb-12	Heating Installation
South East	Lap C'reagh District Phase 1	134	06-Feb-12	Ext Cyclic Maint
South East	Portaferry/Portavogie/Kircubn	104	05-Dec-11	Revenue Replacement
South East	Churchill/Gport Kits	41	13-Feb-12	Revenue Replacement
South East	148A-158A Longstone St.Kit/Hea	6	10-Oct-11	Revenue Replacement
South East	Ardkeel/B'beg/Mourne (91 Mei)	55	02-Jan-12	Revenue Replacement
South East	Hilden/Low Road Kitchens Ph 1	86	01-Oct-11	Revenue Replacement
South East	Tullycarnet Rhr	49	03-Oct-11	Heating Installation

Region	Scheme	Dwgs	Programmed	Work Group
South East	Greenwood/Moira Kitchens	46	26-Sep-11	Revenue Replacement
South East	Ardcaoin 1992 Kits Phase 1	75	06-Feb-12	Revenue Replacement
South East	Lap Glenbawn Est Windows/Insul	193	07-Nov-11	Ext Cyclic Maint
South East	Killyleagh Heating Phase 1	45	03-Oct-11	Heating Installation
South East	D'patrick/S'ford Of 1994/5/6)	91	10-Oct-11	Heating Installation
South East	Thermal Comfort Bowtown Rhtrs	109	06-Feb-12	Heating Installation
South East	Lap Bangor Dist Windows/Insula	286	02-Jan-12	Ext Cyclic Maint
South East	Burrendale Kits	93	09-Jan-12	Revenue Replacement
South East	Milltown Derriaghy & Areema	72	07-Nov-11	Heating Installation
South East	Thermal Comfort Low Road E7s	80	09-Jan-12	Heating Installation
South East	P'ferry/P'vogie/Cotton Heating	75	16-Jan-12	Heating Installation
South East	New Meadow Row Lpg Heating	20	05-Dec-11	Heating Installation
South East	Coronation Pk/Moatview E7 & Rh	55	07-Nov-11	Heating Installation
South East	Ballywalter/Kircubbin Heating	95	05-Dec-11	Heating Installation
South East	Millisle (93/94Rh)	25	07-Nov-11	Heating Installation
South East	Glen Est Roofs Spec Revenue	120	03-Jan-12	Ext Cyclic Maint
South East	Lap Dpk Dist Windows/Insulatio	341	01-Mar-12	Ext Cyclic Maint
South East	Ardcaoin 1992 Kits Phase 2	44	31-Mar-12	Revenue Replacement
South East	Hollywood Kitchens (See 2370258	57	31-Mar-12	Revenue Replacement
South East	Lap C'reagh District Phase 2	137	31-Mar-12	Ext Cyclic Maint
South East	Cappagh Gdns Flats Spec Revenu	48	05-Mar-12	Ext Cyclic Maint
West	Virginia/Campion/Mimosa Court	117	30-May-11	Revenue Replacement
West	Emergency Scheme 2011/12	40	01-Apr-11	Heating Installation
West	The Fountain Electrics	33	20-Jun-11	Heating Installation
West	Beechway	29	13-Jun-11	Heating Installation
West	Glenfada Remainder Electrics	34	04-Apr-11	Heating Installation
West	Cashelhill/Brookdale Cr Rem El	27	04-Apr-11	Heating Installation
West	Sunnyside/Park View Rem Electr	13	09-May-11	Heating Installation
West	Brown Dr/Edmund Ct/Ohara Rd Et	76	23-May-11	Revenue Replacement
West	Lap-Sandy Braes/Hunters Window	89	09-May-11	Ext Cyclic Maint

Region	Scheme	Dwgs	Programmed	Work Group
West	Glenvale Rd, Glenbank Rd, Glensi	112	15-Aug-11	Heating Installation
West	Lilac Av/B'boigh/Rushie Pk Etc	48	08-Aug-11	Heating Installation
West	Ardnabrocky/Gobnascale/Primity	113	19-Sep-11	Heating Installation
West	Lap-Coolessan/Woodland Windows	104	10-Oct-11	Ext Cyclic Maint
West	Lap-Castlederg/Sion Windows	56	15-Aug-11	Ext Cyclic Maint
West	Beechway/Ratheen Ave Ecm	211	12-Sep-11	Ext Cyclic Maint
West	Faughan View Pk Claudy Etc	41	09-Jan-12	Heating Installation
West	Lap -Westway/Iniscarn Windows	118	07-Nov-11	Ext Cyclic Maint
West	Lap-Beechwood/Dunaff/Central D	70	05-Sep-11	Ext Cyclic Maint
West	Drumleck Drive / Gardens (Kits	127	07-Nov-11	Revenue Replacement
West	Edenmore Pk/Connell/Hawthorn P	52	09-Jan-12	Heating Installation
West	Lap Blackhill/Riverside Dr Win	59	05-Dec-11	Ext Cyclic Maint
West	Earhart/Amelia/Capall Ct	89	03-Oct-11	Heating Installation
West	Meadow/Denamona/Duncan (Ecm)	113	05-Dec-11	Ext Cyclic Maint
West	Glebe Gdns/Glebe Ulster Sion	58	27-Sep-11	Revenue Replacement
West	Culmore/Duncan/Denamona (T.C.)	74	05-Dec-11	Heating Installation
West	Bishop Street Kitchens	138	12-Dec-11	Revenue Replacement
West	Knockalla/Glengalliagh	42	30-Jan-12	Heating Installation
West	Loughrey Tce/Woodview Cres Etc	61	09-Jan-12	Heating Installation
West	Dundrean/Leafair/Grainan	53	30-Jan-12	Heating Installation
West	Strabane/Donemana/Magheramason	52	26-Sep-11	Heating Installation
West	Crawfordsburn/Mcmasters (T.C.)	64	03-Oct-11	Heating Installation
West	Greystone Pk/Anderson Crescent	59	09-Jan-12	Revenue Replacement
West	Hospital Lane Phase 1	40	09-Jan-12	Revenue Replacement
West	Alexander Rd/Church/Connell St	114	12-Dec-11	Ext Cyclic Maint
West	Altcar Park	71	12-Dec-11	Ext Cyclic Maint
West	Killymoon St/Cr/Orritor St/Cr	59	12-Dec-11	Revenue Replacement

**NB:** Revenue Replacement denotes Kitchens

LAP – Local Area Priority

**TABLE 2: PLANNED MAINTENANCE 2012/2013**

<b>Region</b>	<b>Scheme</b>	<b>Dwellings</b>	<b>Programmed</b>	<b>Work Group</b>
Belfast	Northumberland/Millfield	289	01-Oct-12	Ext Cyclic Maint
Belfast	Village Imp Area Window Lap 2	119	01-Jan-13	Ext Cyclic Maint
Belfast	Lower Woodstock Windows Ph2	100	01-Mar-13	Ext Cyclic Maint
Belfast	Cliftonville/Pinkerton Windows	278	01-Oct-12	Ext Cyclic Maint
Belfast	Lower Falls/Grosvenor Phase 1	209	01-Jun-12	Ext Cyclic Maint
Belfast	Silverstream/Benview Windows	252	01-Jun-12	Ext Cyclic Maint
Belfast	Ardoyne Windows	0	01-Feb-13	Ext Cyclic Maint
Belfast	Moveen/Moylena Windows	136	01-Feb-13	Ext Cyclic Maint
Belfast	Avoniel/Bloomfield	266	01-Feb-13	Ext Cyclic Maint
Belfast	Carnet House Window Replacemen	71	01-Apr-12	Ext Cyclic Maint
Belfast	Ainsworth/Canmore	148	01-Feb-13	Ext Cyclic Maint
Belfast	Clarawood Windows	298	01-Oct-12	Ext Cyclic Maint
Belfast	Ashmount Windows	90	01-Jun-12	Ext Cyclic Maint
Belfast	Glencairn Phases 3 & 5	226	01-Jun-12	Ext Cyclic Maint
Belfast	Bearnagh/Bingnian	174	01-Oct-12	Ext Cyclic Maint
Belfast	Glencolin/Hamill Gve & Glen	168	01-Feb-13	Ext Cyclic Maint
Belfast	Lower Shankill Windows	188	01-Apr-12	Ext Cyclic Maint
Belfast	Havanna/Mervue/Limestone	137	01-Apr-12	Heating Installation
Belfast	Hallidays/North Queen Street	138	01-Apr-12	Heating Installation
Belfast	Cranbrook/Lisvarna Phase 10	125	01-Apr-12	Heating Installation
Belfast	Carlisle Multis Ec 7 Upgrade	190	01-Apr-12	Heating Installation
Belfast	Jamaica/Ashfield/S'steam	194	01-Apr-12	Heating Installation
Belfast	Queen Victoria Gdn Flats	80	01-Apr-12	Heating Installation
Belfast	Carlisle Multis E7 Phase 2	176	01-Apr-12	Heating Installation
Belfast	Velsheda/Mount Vernon	139	01-Apr-12	Heating Installation
Belfast	Lenadoon Flats (Ec7)	172	01-Apr-12	Heating Installation
Belfast	Ardcarn Flats Economy 7	43	01-Apr-12	Heating Installation

Region	Scheme	Dwellings	Programmed	Work Group
Belfast	Mount Vernon House	65	01-Apr-12	Heating Installation
Belfast	Moveen/Moylena	82	01-Apr-12	Heating Installation
Belfast	Clarawood H/R & Flats Ec7	71	01-Apr-12	Heating Installation
Belfast	Divis Tower	93	01-Apr-12	Heating Installation
Belfast	Claraway Maisonettes Economy 7	27	01-Apr-12	Heating Installation
Belfast	Mid Shankill Phase 2	78	01-Jun-12	Revenue Replacement
Belfast	Coolfin/Donegall Pass Kitchens	135	01-Jun-12	Revenue Replacement
Belfast	Brucevale/Vicinage/Downview	122	01-Oct-12	Revenue Replacement
Belfast	Twaddell/Woodvale	135	01-Feb-13	Revenue Replacement
Belfast	Constance/Edith Streets	59	01-Feb-13	Revenue Replacement
Belfast	Carrigart/Corrib	152	01-Jun-12	Revenue Replacement
Belfast	Mid Shankill Phase 3	211	01-Oct-12	Revenue Replacement
Belfast	Bearnagh/Bingnian/Commedagh	120	01-Feb-13	Revenue Replacement
Belfast	Ravensdale/Clara	29	01-Oct-12	Revenue Replacement
Belfast	Woodstock 4	74	01-May-12	Revenue Replacement
Belfast	Ulsterville Kitchens	87	01-Oct-12	Revenue Replacement
Belfast	Shore Crescent	93	01-Jun-12	Revenue Replacement
Belfast	Mid Shankill Phase 1(Part 2)	70	01-Apr-12	Revenue Replacement
Belfast	Finaghy 1 Kitchens	136	01-Feb-13	Revenue Replacement
Belfast	White City	175	01-Feb-13	Revenue Replacement
Belfast	Templemore/Avoniel	176	01-Jun-12	Revenue Replacement



Region	Scheme	Dwellings	Programmed	Work Group
Belfast	Moyard	138	01-Oct-12	Revenue Replacement
North East	Grange/Riverwalk	138	05-Sep-12	Ext Cyclic Maint
North East	Dublin Road	116	02-Mar-13	Ext Cyclic Maint
North East	Ahoghill/Portglenone	158	08-Jan-13	Ext Cyclic Maint
North East	Toome/Caulside	60	02-Aug-12	Ext Cyclic Maint
North East	Grange/N.Mossley/Monkstown	130	05-Apr-12	Ext Cyclic Maint
North East	Kinbayne	90	03-Feb-13	Ext Cyclic Maint
North East	Coleraine Rurals	228	03-Sep-12	Ext Cyclic Maint
North East	Ballysally Ph1	285	04-Apr-12	Ext Cyclic Maint
North East	Glebeside Ph2	163	04-Oct-12	Ext Cyclic Maint
North East	Ballykeel 1/Killane Pk	130	03-May-12	Ext Cyclic Maint
North East	Larne Town/Riverdale/Meadow Pk	114	04-Nov-12	Ext Cyclic Maint
North East	Castlemarra/Longfield/Ederney	104	03-May-12	Ext Cyclic Maint
North East	Ballycastle Town	22	01-Nov-12	Ext Cyclic Maint
North East	Area One-Offs	50	12-Apr-12	Heating Installation
North East	Ballyclare Flats E7	153	01-Jan-13	Heating Installation
North East	Heights	155	04-Jun-12	Heating Installation
North East	Larne Bbu Replacement	31	05-May-12	Heating Installation
North East	Latharna House E7	90	15-Apr-12	Heating Installation
North East	Carrickfergus E7	65	10-May-12	Heating Installation
North East	Whitehead	71	05-Jan-13	Heating Installation
North East	Carrickfergus Bbu Replacement	62	05-May-12	Heating Installation
North East	Ballee Ph 2	80	08-Aug-12	Heating Installation
North East	N'abbey 2 Bbu Replacement	54	04-Apr-12	Heating Installation
North East	N'abbey 1 Bbu Replacement	119	01-Apr-12	Heating Installation
North East	Milburn	112	25-Jun-12	Revenue Replacement

Region	Scheme	Dwellings	Programmed	Work Group
North East	Firfield/Dublin Road	87	19-Nov-12	Revenue Replacement
North East	Enterprise Parade/Moneydig	19	03-Sep-12	Revenue Replacement
North East	Ballycastle Town	94	30-Nov-12	Revenue Replacement
North East	Dhu Varren	180	19-Nov-12	Revenue Replacement
North East	Rathcoole Zone E	99	14-Apr-12	Revenue Replacement
North East	Parkhall 2 Kitchens	55	11-Jun-12	Revenue Replacement
North East	Larne Town	58	29-Aug-12	Revenue Replacement
South	Fivemiletown/Augher	276	16-Sep-12	Ext Cyclic Maint
South	N'hamilton/C'hanna/Jfk/Cloughr	236	26-Jul-12	Ext Cyclic Maint
South	Enniskillen/Irvinestown/Kesh	224	05-Nov-12	Ext Cyclic Maint
South	Dunavon Park/Dunlea Vale	191	26-Apr-12	Ext Cyclic Maint
South	Bleary Area	87	24-Nov-12	Ext Cyclic Maint
South	Enniskeen/Rural	156	25-May-12	Ext Cyclic Maint
South	Corcrair	166	16-May-12	Ext Cyclic Maint
South	Portadown Central	220	25-May-12	Ext Cyclic Maint
South	Garvaghy/Rural	78	03-Sep-12	Ext Cyclic Maint
South	Hillview/Drumbeg/Garrison	141	30-Jun-12	Ext Cyclic Maint
South	Poyntzpass/Tandragee	112	06-May-12	Heating Installation
South	North St/Shandon/The Commons	145	21-Sep-12	Heating Installation
South	Warrenpoint	119	05-Apr-12	Heating Installation
South	Hilltown/Mayobridge/Bessbrook	86	06-Apr-12	Heating Installation
South	Rooneys Meadows	86	30-Sep-12	Heating Installation
South	Dukes Grove/Longstone	48	07-May-12	Heating Installation
South	Alexander Estate/Victoria Gve	37	01-Apr-12	Heating Installation
South	Larkfield Square	19	01-Jan-13	Heating Installation

Region	Scheme	Dwellings	Programmed	Work Group
South	Taghnevan Flats	121	01-Jun-12	Heating Installation
South	Ardmore/Banbrook/Orangefield	86	06-May-12	Heating Installation
South	Meadows Phase 1 Kitchens	89	03-Apr-12	Revenue Replacement
South	Ballyoran Park (Kit Replac)	114	02-Apr-12	Revenue Replacement
South	Woodside	57	27-Aug-12	Revenue Replacement
South	Westland Road/Hartfield Etc	74	29-Jun-12	Revenue Replacement
South	Burnside/Drumbeg South	85	29-Jun-12	Revenue Replacement
South	Clarendon/Cambrai Etc	87	14-Dec-12	Revenue Replacement
South	Colban Cresc/Ardboe Dr/Russell	77	11-Apr-12	Revenue Replacement
South	Tandragee	36	27-Sep-12	Revenue Replacement
South	Rostrevor/ Warrenpoint Kitchen	97	10-Apr-12	Revenue Replacement
South	Bessbrook/Drumintee/Forhill	91	08-Oct-12	Revenue Replacement
South	Cowan/Carnagh/Innisfree	54	14-Dec-12	Revenue Replacement
South	Reilly Pk/Pl/St & Locard Pk	39	04-May-12	Revenue Replacement
South East	H'hall Bung/Tonagh Fl Spv Ecm	75	01-Apr-12	Ext Cyclic Maint
South East	Westwinds Flats Spv Ecm	202	01-Apr-12	Ext Cyclic Maint
South East	Moyle / Kilwarlin Spv Ecm	36	01-Apr-12	Ext Cyclic Maint
South East	Bbu Rep Woodside Poleglass	122	01-Jul-12	Heating Installation
South East	Dundrum/Annsboro/S'ford/Clough	29	03-Apr-12	Heating Installation
South East	Bbu Rep Laurelbank Poleglass	96	01-May-12	Heating Installation
South East	Greenwood Est Heat Replacement	48	01-Jul-12	Heating Installation
South East	B'reagh/C'wellan/K'coo Of/Rh91	53	01-Aug-12	Heating Installation

Region	Scheme	Dwellings	Programmed	Work Group
South East	Newcastle/C'wellan E7'S	43	01-Apr-12	Heating Installation
South East	Rathgill/Jubilee Spv Heating	42	01-Apr-12	Heating Installation
South East	Ww Flats Ph2 Spv (6&7) Heat	102	01-Apr-12	Heating Installation
South East	Ww Flats Ph1 Spv Heat 4A&4B&Vb	56	01-Apr-12	Heating Installation
South East	Moyle Wk/Kilwarlin Wk Spv Heat	25	01-Apr-12	Heating Installation
South East	Ballymacoss 1995 Rhtr & E7	121	01-Jun-12	Heating Installation
South East	Saintfield Open Fires (94 +)	30	20-Apr-12	Heating Installation
South East	H'hall/G'more/Tonagh Spv Heat	44	01-Apr-12	Heating Installation
South East	Bbu Rep Dundrod/Glenmore Las	27	01-Jun-12	Heating Installation
South East	Lambeg E7'S	25	01-Aug-12	Heating Installation
South East	Annahilt/Culcavey/Dromara Heat	28	01-May-12	Heating Installation
South East	Aghalee/B'derry Open Fires	58	01-May-12	Heating Installation
South East	Old Warren Heat Replacement	31	01-Aug-12	Heating Installation
South East	Maze & Meghaberry Heating	33	30-Apr-12	Heating Installation
South East	Ballybeen 1992 li	141	01-Jul-12	Revenue Replacement
South East	Belvoir 1992 Kits	65	01-Oct-12	Revenue Replacement
South East	Dpk/D'drum/K'leagh Kitchens	42	01-May-12	Revenue Replacement
South East	Hillhall Gdns/Pk 1993 Kits	85	22-Apr-12	Revenue Replacement
South East	Braniel (90/92) Kitchens	88	20-Jun-12	Revenue Replacement
South East	Glen Kits Phase 2	122	01-Jan-13	Revenue Replacement
South East	Hilden/Low Rd Kitchens Ph 2	75	01-Jun-12	Revenue Replacement

Region	Scheme	Dwellings	Programmed	Work Group
South East	Cloughey/Greyabbey Kitchens	60	15-Apr-12	Revenue Replacement
South East	Tonagh 3 & Craig Gdns Spv Kit	44	01-Apr-12	Revenue Replacement
South East	Lambeg/Glenmore 1992 Kits	74	15-May-12	Revenue Replacement
South East	B'walter/Don'aghee/Millisle Ki	110	01-Aug-12	Revenue Replacement
South East	Ashmount 1992 Kits	87	01-Apr-12	Revenue Replacement
South East	Bowtown & Scrabo Kitchens	76	01-Oct-12	Revenue Replacement
South East	Glen Kits Phase 1	125	27-Apr-12	Revenue Replacement
South East	Scrabo/Killinchy Kitchens	74	01-Feb-13	Revenue Replacement
South East	Old Warren Kitchens	16	03-May-12	Revenue Replacement
South East	Comber Kitchens	155	04-May-12	Revenue Replacement
South East	A'boro,Ardglass & K'lough 1991	28	01-May-12	Revenue Replacement
South East	Moir/S.Hill/H'borough Kitchen	62	01-Jun-12	Revenue Replacement
South East	Moynes Kits/Rewire	111	01-Oct-12	Revenue Replacement
West	Lap-Brigade/Desmond Av Windows	75	04-Jun-12	Ext Cyclic Maint
West	Greysteel/B'boigh/Feeny(Ph2048	145	27-Aug-12	Ext Cyclic Maint
West	Ashgrove/Greenvale Remainder	162	02-Apr-12	Ext Cyclic Maint
West	The Fountain/Bishop St/Barrack	158	23-Apr-12	Ext Cyclic Maint
West	Riverside C'dawson/Killowen Dr	163	07-Jan-13	Ext Cyclic Maint
West	Ashfield Ecm(Lammy Excluded)	60	03-Nov-12	Ext Cyclic Maint
West	Gonascale/Fallowlea Pk/Emerson	205	28-May-12	Ext Cyclic Maint
West	Brown D/Mullagh P/Glenone Vill	59	06-Aug-12	Heating Installation
West	Artigarvan/Donemana	45	20-Aug-12	Heating Installation
West	Mourne Park/Walk Electrics	12	07-Jan-13	Heating Installation



Region	Scheme	Dwellings	Programmed	Work Group
West	Loughmacrory/Maryville	27	01-Oct-12	Heating Installation
West	Milburn/Princess/Queens	74	15-Oct-12	Heating Installation
West	Cromore Grds,Westway,Leenan	86	02-Apr-12	Heating Installation
West	Riverside Dr/Windsor Cr/Edinbu	53	11-Mar-13	Heating Installation
West	Highfield/Glenburn Pk/Place	25	04-Feb-13	Heating Installation
West	Gallows Hill Etc Omagh	69	04-Feb-13	Heating Installation
West	Collon Terrace 2012	90	04-Mar-13	Heating Installation
West	Parkview /Eglis Close Etc	38	07-May-12	Heating Installation
West	Emergency Scheme 2012/13	40	15-Apr-12	Heating Installation
West	Circular Rd,Lislane D,Iniscarn	108	07-Jan-13	Heating Installation
West	Waterside Heating	90	04-Jun-12	Heating Installation
West	Waterside Heating 2012	75	04-Feb-13	Heating Installation
West	Hospital Lane(Thermal Comfort)	115	02-Jul-12	Heating Installation
West	Collon Tce Heating	75	03-Sep-12	Heating Installation
West	Kings Lane /Tartnakilly Rd Etc	37	03-Dec-12	Heating Installation
West	Kennaught / Rathbrady Etc	62	04-Mar-13	Heating Installation
West	Newtownstewart Kit 2009/2010	91	27-Aug-12	Revenue Replacement
West	Castledawson/Draperstown	45	23-Jul-12	Revenue Replacement
West	Glenone Villas/Hunters Pk Etc	49	02-Apr-12	Revenue Replacement
West	Kit-Cable St/Meenan/Crawford C	74	26-Jun-12	Revenue Replacement
West	Bawnmore/Clonmeen/Stradown	133	22-Oct-12	Revenue Replacement

Region	Scheme	Dwellings	Programmed	Work Group
West	Ardnamoyle/Liscloon Etc	113	22-May-12	Revenue Replacement
West	Meadow/Mitchel/Abbey Etc	105	28-Jan-13	Revenue Replacement
West	Blackhill/Riverside Dr/S'town	57	24-Sep-12	Revenue Replacement
West	Ardnalee/O'nolan/St Marys PI	49	28-Jan-13	Revenue Replacement

**NB:** Revenue Replacement denotes Kitchens

LAP – Local Area Priority

### Houses in Multiple Occupation

**Mr Weir** asked the Minister for Social Development (i) how many inspections of Houses in Multiple Occupation have been carried out in the North Down constituency in the last 12 months; and (ii) what percentage of properties failed to meet the criteria.

**(AQW 2495/11-15)**

**Mr McCausland:** The Housing Executive carried out 12 Houses in Multiple Occupation (HMO) inspections in the North Down constituency from September 2010 to September 2011. Eight of the properties (67%) inspected failed to meet the HMO standards. Appropriate action has been taken on these cases by the serving of Statutory Notices.

### Housing Executive: Properties

**Mr Swann** asked the Minister for Social Development how many Housing Executive properties cannot be fitted with double glazing because there is insufficient depth of rebate in the window structure.

**(AQW 2547/11-15)**

**Mr McCausland:** The Housing Executive has advised that it has not fitted single glazed windows in the last two decades and therefore the rebates of any old single glazed windows are unlikely in most instances to be of sufficient depth to accept modern double glazed units. Double glazing is most likely to be best delivered by replacement of old single glazed windows which are nearing the end of their useful life with new purpose made units.

### Tackling Violence at Home Action Plan

**Mr McKay** asked the Minister for Social Development whether his Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if his Department will meet the target implementation date of December 2011.

**(AQW 2558/11-15)**

**Mr McCausland:** The responsibility for taking forward the action in the Tackling Violence at Home Action Plan falls to 5 Local Domestic Violence Partnerships (LDVPs). The Department for Social Development (DSD) contributes to the Action Plan through the NI Housing Executive (NIHE), whose representatives sit on the LDVPs. The exploratory strand of the action point will be completed by the target date, but the work of the LDVPs in promoting the uptake of domestic policies with employers in their area will continue.

In relation to the Department's own staff, the NICS wide Workplace Policy for Domestic Violence and Abuse has been in existence since 2007 and is readily accessible for any member of staff who has

suffered domestic violence. DSD staff also have access to a range of services through the NICS Welfare Support Service and Carecall, who provide a confidential counselling service.

## Areas at Risk

**Mr Easton** asked the Minister for Social Development to detail the criteria used to assess whether a community might become an Area at Risk.

**(AQW 2576/11-15)**

**Mr McCausland:** The 'Areas at Risk Pilot Programme' was launched in 2006 and to date 26 areas have benefitted from inclusion. The programme is targeted at areas which lie outside of the most disadvantaged 10% on the Northern Ireland Multiple Deprivation Measure (NIMDM) but that are at risk of decline.

Potential areas for inclusion in the programme are sought from the permanent partners of a strategic partnership, established by the Department, who must provide an evidential basis for inclusion. Permanent representation on the strategic partnership comprises officials from the Department for Social Development and from the Northern Ireland Housing Executive. Other statutory bodies are invited to join on an ad hoc basis as and when their expertise would lend significance to the programme. Other evidence may be referenced from local councillors and MLAs.

Each nominated area is referred to the DSD Minister for consideration and approval. Criteria for inclusion in the programme include;

1. Area is 'in transition' moving out of the top 10% but considered in need of continuing support for a period of time.
2. Area is outside of the top 10% but within the top 20% most deprived communities as defined by NIMDM that are in decline as indicated by a move towards the top 10%.
3. Area is moving into the top 20% as defined by the NIMDM.
4. 'Interface' area that lies outside of Neighbourhood Renewal Areas.
5. Area is 'descending into instability and crisis'. Area in which the decline in community cohesion threatens peace and stability.
6. Area is in economic decline.
7. Area where the loss of the service provided by organisations would have a significant negative impact on the local community.
8. Changes in the lived environment. New social housing developments that are completed between reviews of the NIMDM index, but where indicators suggest they would fall within the top 20% of the index.

## Lighthouse Hostel, Ballymena

**Mr Allister** asked the Minister for Social Development, for each of the last three years, to detail (i) the average number of (a) staff; and (b) residents at the Lighthouse Hostel, Ballymena; (ii) how the hostel is funded; and (iii) the level of funding allocated.

**(AQW 2597/11-15)**

**Mr McCausland:** Living Rivers Ministries is a faith based organisation which provides 20 units of supported accommodation for single homeless men between 18 and 65 years of age at the Lighthouse Hostel in Ballymena.

There are a total no. of 14 staff providing 24/7 cover on a 12hr shift basis.

Funding provided through the DSD Supporting People scheme is as follows;

2009/10	£340k
2010/11	£340k
2011/12	£340K

Service users as follows;

2009/10	105
2010/11	125
2011 – to present	76

## Fuel Prices

**Mr Campbell** asked the Minister for Social Development, when examining ways of helping people cope with rising fuel prices, whether he will consider proposals such as those implemented by Sheffield City Council which has begun making plans for all homes to have high grade insulation fitted.

**(AQW 2617/11-15)**

**Mr McCausland:** The Sheffield City Council Scheme is being funded jointly by the Council and Carbon Emission Reduction Target (CERT). CERT is an obligation placed by Government on gas and electricity suppliers to deliver a reduction in household carbon emissions across England, Scotland and Wales. CERT was due to expire in March 2011 but was extended to December 2012. CERT could not have been replicated in Northern Ireland as until recently we only had one electricity supplier.

I have asked officials to examine how best we can deliver energy efficiency improvements in the future. This will include examining how an area based approach could be delivered and what role local councils could play.

## Housing Executive: Properties

**Ms S Ramsey** asked the Minister for Social Development, pursuant to AQW 1934/11-15, to list the 216 properties included in the Suffolk Road Window Replacement Scheme.

**(AQW 2656/11-15)**

**Mr McCausland:** The Housing Executive has advised that the 216 properties included in the Suffolk window replacement scheme are as listed in the table below. The windows in these properties will be replaced subject to the tenant's agreement.

Suffolk Windows Scheme	Address
Blacks Road 27 dwellings	1, 8, 9, 13, 16, 18A, 18B, 25, 27, 29, 31, 32A, 32B, 33A, 33B, 35A, 35B, 37A, 37B, 39A, 39B, 41A, 41B, 43A, 43B, 57, 59
Carnanmore Gardens 2 dwellings	1, 2
Carnanmore Park 36 dwellings	3, 9A, 9B, 11A, 11B, 13A, 13B, 15A, 15B, 17A, 17B, 19A, 19B, 20, 21A, 21B, 22A, 22B, 23A, 23B, 24A, 24B, 28, 30, 40, 42, 44, 48, 50, 52, 54, 56, 58A, 58B, 60A, 60B

<b>Suffolk Windows Scheme</b>	<b>Address</b>
Donegore Gardens 16 dwellings	5, 6, 8A, 8B, 8C, 8D, 11, 12, 13, 14, 16, 19, 21, 23, 25, 27
Erris Grove 7 dwellings	1A, 1B, 7, 8A, 8B, 9A, 9B
Kells Avenue 14 dwellings	3, 5, 11, 15, 23, 27A, 27B, 29, 33A, 33B, 35A, 35B, 39, 41
Oranmore Drive 7 dwellings	5, 8, 9, 14, 16, 17A, 17B
Ringford Crescent 24 dwellings	1A, 1B, 2A, 2B, 4, 7, 11, 13, 14A, 14B, 15, 16A, 16B, 20, 22, 23, 27, 30A, 30B, 31, 33, 35, 37A, 37B
Ringford Park 3 dwellings	3, 6, 7
Suffolk Road 24 dwellings	51A, 51B, 51C, 51D, 51E, 51F, 53A, 53B, 53C, 53D, 53E, 53F, 55A, 55B, 55C, 55D, 55E, 55F, 57A, 57B, 57C, 57D, 57E, 57F
Tildarg Avenue 56 dwellings	3, 6, 7, 8, 9, 12, 13, 14, 19, 25, 26, 27, 28, 29, 30, 36, 37, 37A, 37B, 37C, 37D, 37E, 37F, 37G, 37H, 37J, 37K, 37L, 37M, 39, 40, 41, 42, 44, 45, 47, 48, 49A, 49B, 51A, 51B, 53, 54, 57, 58, 66, 68, 80, 82, 90A, 90B, 92A, 92B, 96, 98, 100

## Disability Living Allowance

**Mr Campbell** asked the Minister for Social Development, given the up-rating of Disability Living Allowance over the past two years, what is the likely amount payable for this year.

**(AQW 2699/11-15)**

**Mr McCausland:** The weekly amounts of Disability Living Allowance which will be payable from April 2012 have not yet been determined. The level of the up-rating in any year is calculated using the increase in the Consumer Prices Index for the 12 months ending in the preceding September. The September 2011 figures, on which the 2012 up-rating will be based, are not due to be published by the Office for National Statistics until mid October and the rates of benefits payable from April 2012 will be announced in late November or early December.

## Boiler Replacement Scheme

**Mr McCartney** asked the Minister for Social Development to detail the number of unsuccessful applications for the Boiler Replacement Scheme to date.

**(AQW 2712/11-15)**

**Mr McCausland:** There have been a total of 709 unsuccessful applications for the Boiler Replacement Scheme.

The Boiler Replacement Scheme is a pilot scheme targeted at owner occupiers or private tenants on low income who miss out on other Government energy efficiency improvement schemes such as the Warm Homes Scheme which is available to people who receive Housing Benefit. All potential Boiler Replacement Scheme beneficiaries have been identified and have been contacted by leaflet and this has resulted in almost 400 successful applications.



I have now extended the pilot scheme to lone householders aged 70 and over who receive Lone Pensioner Allowance and have a boiler aged 15 years or older. Therefore, some householders who were unsuccessful in their applications may now have the opportunity to reapply for assistance.

## Pension Credit

**Mr Weir** asked the Minister for Social Development what plans he has to increase the uptake of Pension Credit.

**(AQW 2740/11-15)**

**Mr McCausland:** I am committed to improving benefit uptake and my Department, through the Social Security Agency, provides a range of services to make people aware of their benefit entitlement. These services include outreach services, an online Benefits Adviser Service, general assistance with advice and information through our network of local and centralised offices and participation in local promotional activity. Additionally, the Agency produces benefit specific publications, some in minority ethnic languages, and provides detailed information on the websites of the Department for Social Development and Northern Ireland Housing Executive.

In respect of State Pension Credit, an enhanced tele-claims system is in operation which results in around 90% of claims being taken by telephone, without the need for customers to complete paper application forms. When a customer calls to make a claim to State Pension, they are asked if they would like to find out more about State Pension Credit and, if interested, the customer is transferred to a dedicated State Pension Credit claim line.

The Agency has issued around 90,000 invitations to older people since 2005 offering a full benefit assessment through the independent advice sector. This assessment considers eligibility for all social security benefits as well as a range of other allowances and services. In addition, 145,000 mail shots have been issued to older people to raise awareness of State Pension Credit. The 2011/12 Benefit Uptake Programme will provide over 16,000 older people the opportunity of a benefit assessment. In the coming months a province-wide advertising campaign, using a mix of relevant media to include television and radio will be undertaken with the aim of increasing claims and improve the uptake of all older people's benefits.

We are continuing with an Outreach to Older People approach which has been used since November 2009 designed to reach older people through promotional materials and informal talks delivered in trusted settings such as community groups, specific older peoples groups, faith based organisations, GP surgeries and pharmacies.

The Benefit Uptake Programme has generated total additional annual benefits and arrears of approximately £37m to date, of which £15m relates to over 4,900 additional awards of State Pension Credit.

## Errors in Statements or Answers

**Mr Campbell** asked the Minister for Social Development, since coming to office, how many (i) statements he has made to the Assembly; and (ii) of his answers to Members' questions have had to be corrected because of errors in his original statements or answers.

**(AQW 2750/11-15)**

**Mr McCausland:** Since coming into office in May 2011, I have not yet made a statement to the Assembly.

## Housing Executive Staff

**Mr Easton** asked the Minister for Social Development to detail the religious background of staff employed by the Housing Executive.

**(AQW 2778/11-15)**

**Mr McCausland:** The Housing Executive has advised that the table below details the religious background of its staff. These figures are at September 2011 and include permanent and temporary staff.

Religion	Number	%
Protestant	1392	44.5
Catholic	1678	53.7
Not Known	56	1.8
<b>Total</b>	<b>3126</b>	<b>100</b>

## Housing Waiting List

**Mr Easton** asked the Minister for Social Development to detail the range of points available for people applying for a place on the housing waiting list.

**(AQW 2779/11-15)**

**Mr McCausland:** There are four sections whereby applicants applying for a place on the housing waiting list may be awarded points: -

- (1) Intimidation
- (2) Insecurity of Tenure
- (3) Housing Conditions
- (4) Health/Social Well Being Assessment

Applicants are considered under each Section of this Part of the Scheme and points will be awarded on a cumulative basis unless otherwise stated. See Points Schedule below:-.

		Points
<b>Section 1</b>	<b>Intimidation</b>	<b>200</b>
<b>Section 2</b>	<b>Insecurity of Tenure</b>	
	Homeless/ Threatened with Homelessness-Full Duty Applicant (FDA)	70
	Other Homeless	50
	Interim Accommodation	20
<b>Section 3</b>	<b>Housing Conditions</b>	
	Sharing	
	1) An Applicant with dependent children	10
	Sharing kitchen	10
	Sharing Living Room	10
	Sharing Toilet	10
	Sharing Bath/ Shower	
	2) An Applicant aged 18 years and over without dependent children	5
	Sharing kitchen	5
	Sharing Living Room	5
	Sharing Toilet	5
	Sharing Bath/ Shower	

		<b>Points</b>
	3) An Applicant aged 16 -18 years without dependent children	
	Sharing Kitchen	5
	Sharing Living Room	5
	Sharing Toilet	5
	Sharing Bath/ Shower	5
	Overcrowding	10
	Each bedroom short of criteria	
	Lack of Amenities and Disrepair	
	1) The Applicant's current accommodation is not free from serious disrepair.	10
	2) The Applicant's current accommodation is not free from dampness which is prejudicial to the health of the occupants.	10
	3) The Applicant's current accommodation does not have adequate provision for lighting, heating and ventilation.	10
	4) The Applicant's current accommodation does not have an adequate supply of wholesome water.	10
	5) The Applicant's current accommodation does not have satisfactory facilities for the preparation and cooking of food, including a sink with a satisfactory supply of hot and cold water.	10
	6) The Applicant's current accommodation does not have a suitably located water closet (w.c.) for the exclusive use of the occupants.	10
	7) The Applicant's current accommodation does not have, for the exclusive use of the occupants a suitably located fixed bath or shower, each of which is provided with a satisfactory supply of hot and cold water.	10
	8) The Applicant's current accommodation does not have an electricity supply.	10
	Time in Housing Need (Only awarded to Applicants with points on the Waiting List. 2 points per year (for a maximum of five years) after two years on the Waiting List)	Max 10

		Points
<b>Section 4</b>	<b>Health and Social Well Being</b>	
	Functional Matrix	Max 32
	Unsuitable Accommodation	10
	Support/ Care Needs Matrix (only applicable to those applying for Sheltered/ Supported Housing)	Max 16
	Home Management	Max 14
	Self Care	
	Each Primary Social Needs Factor (capped at 2 factors i.e. 2x 20 points)	20
	Each Other Social Needs Factor (capped at 4 factors i.e. 4x10 points)	10
	Complex Needs (General Needs Housing)	20

### Social Security Offices: Newtownards and Ballynahinch

**Mr Hamilton** asked the Minister for Social Development what plans his Department has to improve the Social Security Offices in (i) Newtownards; and (ii) Ballynahinch, given that the proposal for a combined Jobs and Benefits Office has been abandoned.

**(AQW 2781/11-15)**

**Mr McCausland:** My Department on an on-going basis continues to review office accommodation in all remaining Social Security Offices, including Newtownards and Ballynahinch, to ensure that staff and customers have a safe and comfortable office environment. Currently, the Department of Finance and Personnel's Properties Division is carrying out a programme of condition surveys on all Northern Ireland Civil Service estate with a view to identifying essential improvement work required. The survey for Newtownards is due to be completed at the end of November 2011 while the survey of the Ballynahinch office will take place during 2012.

### Alley Gating Schemes

**Mr Weir** asked the Minister for Social Development what is the current level of grant available to local Councils for alley gating schemes.

**(AQW 2807/11-15)**

**Mr McCausland:** My Department does not provide any grants to local Councils for alley gating schemes. My Department has supported alley gate schemes in the past, from the Neighbourhood Renewal Investment Fund, as a result of the identification and prioritisation of such measures by a Neighbourhood Partnership.

### Small Pockets of Deprivation Areas

**Mr Easton** asked the Minister for Social Development what plans he has for the funding of Small Pockets of Deprivation areas.

**(AQW 2851/11-15)**

**Mr McCausland:** I am committed to the funding of the Small Pockets of Deprivation (SPOD) areas up to 31 March 2015. Funding for this programme has been agreed at £415,000 per annum. A review is currently underway which involves working with local communities that avail of SPOD funding to

determine how they can achieve the best outcomes for their local community from the available funding.

### Intimidation from Paramilitary Organisations

**Mr Easton** asked the Minister for Social Development how many people have been forced to move from their homes due to intimidation from paramilitary organisations in each of the last three years.

**(AQW 2853/11-15)**

**Mr McCausland:** The Housing Executive has advised that the number of people forced to leave their homes due to intimidation from paramilitary organisations in each of the last three years is as follows:

2008/09	218
2009/10	271
2010/11	261

### Boiler Replacement Scheme

**Mrs D Kelly** asked the Minister for Social Development (i) how many applications have been made to the Boiler Replacement Scheme by each Housing Executive District Office in the Upper Bann area; and (ii) of these, how many were (a) successful; and (b) unsuccessful.

**(AQW 2859/11-15)**

**Mr McCausland:** The pilot Boiler Replacement Scheme is being managed by the Housing Executive. The Housing Executive does not record applications for the pilot scheme by Parliamentary Constituency. Upper Bann is part of the area covered by South Area Grants Office which covers the District Council areas of Armagh, Craigavon, Banbridge and Newry and Mourne.

Up to 30 September 2011 the South Area Grants Office received 392 application forms. Of these 392 applications 238 have been deemed to be ineligible and 34 approvals to start work in the South Area have been issued. All potential Boiler Replacement Scheme beneficiaries have been identified and have been contacted by leaflet and this has resulted in almost 400 successful applications throughout Northern Ireland.

I recently amended the eligibility criteria to include those householders who receive Lone Pensioner Allowance but do not receive Housing Benefit. Therefore, some householders who were unsuccessful in their applications may now have the opportunity to reapply for assistance.

### Boiler Replacement Scheme

**Mrs D Kelly** asked the Minister for Social Development to detail the main reasons for applications to the Boiler Replacement Scheme being rejected.

**(AQW 2860/11-15)**

**Mr McCausland:** The main reason that applications are not accepted is because they do not meet the eligibility criteria. The Boiler Replacement Scheme is a pilot scheme targeted at owner occupiers or private tenants on low income who miss out on other Government energy efficiency improvement schemes such as the Warm Homes Scheme which is available to people who receive Housing Benefit. All potential Boiler Replacement Scheme beneficiaries have been identified and have been contacted by leaflet and this has resulted in almost 400 successful applications.

I have now extended the pilot scheme to lone householders aged 70 and over who receive Lone Pensioner Allowance and have a boiler aged 15 years or older. Therefore, some householders who were unsuccessful in their applications may now have the opportunity to reapply for assistance.



## Boiler Replacement Scheme

**Mrs D Kelly** asked the Minister for Social Development whether he has any plans to review the criteria used to assess applications to the Boiler Replacement Scheme.

**(AQW 2861/11-15)**

**Mr McCausland:** I have recently extended the pilot scheme to lone householders aged 70 and over who receive Lone Pensioner Allowance and have a boiler aged 15 years or older. The pilot Boiler Replacement Scheme will be fully evaluated when the scheme is completed. £2 million has been set aside within the 2011/2012 fuel poverty budget for the pilot scheme.

## Housing Executive: Properties

**Mr Hilditch** asked the Minister for Social Development, pursuant to AQW 1812/11-15, how many houses in the Carrickfergus area have been boarded up for six months or longer.

**(AQW 2889/11-15)**

**Mr McCausland:** I have been advised that there are currently no Housing Executive or Housing Association properties in Carrickfergus which have been boarded up for six months or longer.

## Victims of Domestic Violence

**Mr Storey** asked the Minister for Social Development what work place policies are in place to assist victims of domestic violence within his Department and its arm's-length bodies.

**(AQW 2895/11-15)**

**Mr McCausland:** In relation to the Department's own staff, the NICS wide Workplace Policy for Domestic Violence and Abuse has been in existence since 2007 and is readily accessible for any member of staff who has suffered domestic violence. The Department's staff have also access to a range of services through the NICS Welfare Support Service and Carecall that provides a confidential counselling service.

In relation to the Department's arm's-length bodies, the NI Housing Executive has a workplace Policy Statement on Domestic Violence in place since 2007 that relates to their staff. Ilex do not have any specific work policies for victims of domestic violence, but in the event of a domestic case being brought to their attention, they would assess the implications for the victim and for the company to develop a flexible working environment if necessary. In addition, they subscribe to Carecall and offer this facility to staff. The Charities Commission for NI (CCNI) do not have any specific policy assisting victims of domestic violence. They are, however, registered with Carecall and all employees are aware of the range and availability of their services.

## Housing Executive: Stock

**Mr Easton** asked the Minister for Social Development for his assessment of the benefits of transferring Housing Executive stock to Housing Associations.

**(AQW 2919/11-15)**

**Mr McCausland:** Whilst stock transfer has been used extensively elsewhere in Great Britain, it is still a relatively new concept in Northern Ireland.

We are about to finalise a pilot in the Creggan Estate, Londonderry that will see 55 existing Northern Ireland Housing Executive homes transfer to Apex Housing Association.

As part of the transfer arrangements, the Housing Association will privately fund the significant work necessary to improve the transferring homes. They will also take over responsibility for the future management and maintenance of that stock. This is expected to save the public purse £1.8m now with a further saving of £750k anticipated over the next 25 years.

Given the large number of homes in need of a similar level of improvement and the lack of funding available to deliver this work, the potential benefits of stock transfer, both for tenants and the public purse are significant.

I have already established a team from within my Department and the Housing Executive to look at further opportunities to build on our work in Rinmore. There remain a relatively small number of homes that are in urgent need of improvement and I am determined to explore the potential of stock transfer in having that work undertaken, subject of course to the agreement of tenants at all times.

## **Welfare Reform Bill**

**Mrs D Kelly** asked the Minister for Social Development, given the progress of the Welfare Reform Bill, what discussions he has had with his Executive colleagues in relation to an economic and job creation strategy.

**(AQW 2929/11-15)**

**Mr McCausland:** I recently attended a meeting of the Executive sub-committee on the economy where I had the opportunity to discuss the implications of the Welfare Reform Bill with a number of Executive colleagues in the context of the draft economic strategy. I have also had a series of meetings with relevant Ministers on a range of key issues relating to the labour market and employment and it is my intention shortly to invite a wider discussion at the Executive on specific aspects of Welfare Reform.

## **Energy Brokering Report: People Power Feasibility Study**

**Mr Agnew** asked the Minister for Social Development what progress has been made since the publication of his Department's 'Energy Brokering Report: People Power Feasibility Study'.

**(AQW 2992/11-15)**

**Mr McCausland:** My department is working closely with the Housing Executive to bring forward an Energy Brokering Scheme for social tenants. If successful, the scheme may assist in obtaining discounted energy for social housing tenants. The Housing Executive plans to market test the proposal by the end of March 2012.

# **Northern Ireland Assembly Commission**

## **Members' Salaries**

**Mr Allister** asked the Assembly Commission to detail (i) the arrangements that are in place to facilitate the claim of some Members that they draw only the average industrial wage; (ii) how many Members are paid less than the statutory salary; (iii) what is the current amount which is taken to represent the average industrial wage; and (iv) what happens to balance monies if Members draw only the average industrial wage.

**(AQW 2698/11-15)**

**Mr Weir (The Representative of the Assembly Commission):** The detail is as follows;

- (i) The Assembly Commission has no arrangements in place to facilitate a claim by a Member that he or she draws only the average industrial wage,
- (ii) No Members are paid less than the salary of £43,101 per annum (apart from those Members who do not receive a salary by virtue of their receipt of a salary as a Member of Parliament),
- (iii) The Assembly Commission does not monitor the average industrial wage and
- (iv) As per item (ii), above, this situation does not persist.

## Assembly Salary Bill

**Mr Allister** asked the Assembly Commission (i) what is the current gross salary bill for the Assembly; and (ii) how much of this is for MLA's salaries.

**(AQW 2700/11-15)**

**Mr Weir (The Representative of the Assembly Commission):** The gross salary bill for the Assembly for the 2011/12 financial year is forecast to be £23,348k – this is split as per Table 1, below. The estimate of the split of Members' gross salaries between MLAs and Office Holders is shown in Table 2.

**TABLE 1 – GROSS SALARY COSTS (£'000)**

	Members	Staff	TOTAL
Basic Salaries	£5,327	£12,808	£18,135
Employers' National Insurance	£511	£980	£1,491
Pension Contributions	£1,212	£2,510	£3,722
	<b>£7,050</b>	<b>£16,298</b>	<b>£23,348</b>

**TABLE 2 – MEMBERS SALARY SPLIT (£'000)**

	MLA	Office Holders	TOTAL
Salaries	£4,433	£894	£5,327
Employers' National Insurance	£425	£86	£511
Pension Contributions	£1,007	£205	£1,212
	<b>£5,865</b>	<b>£1,185</b>	<b>£7,050</b>

## Deputy First Minister: Salary

**Mr Elliott** asked the Assembly Commission (i) whether the deputy First Minister will continue to receive his MLA and Ministerial salary whilst running in the Republic of Ireland's Presidential Campaign; and (ii) to detail the total amount he will receive during this period.

**(AQW 2805/11-15)**

**Mr Weir (The Representative of the Assembly Commission):** The Northern Ireland Assembly (Members' Salaries) Determination 2000 provides for the payment of Members' and Office Holders' salaries. The Determination makes no provision for the reduction or removal of salary in the circumstances set out in the question. However, the deputy First Minister notified the Assembly Commission that he did not wish to receive his Member or Office Holder salary from 20 September 2011 until further notice. Consequently, no salary is presently in payment to the deputy First Minister.



# Northern Ireland Assembly

Friday 21 October 2011

## Written Answers to Questions

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

#### Ministerial Subcommittee for Children and Young People

**Mr Storey** asked the First Minister and deputy First Minister why the sub-group on early years of the Ministerial Subcommittee for Children and Young People has not met since 2008.

**(AQW 1777/11-15)**

**Mr P Robinson and Mr O'Dowd (The First Minister and Acting deputy First Minister):** The sub-group on early years is led by the Department of Education.

As required by the Ministerial Sub-Committee, the sub-group produced an action plan to monitor progress on early years which identified the key departments as DE and DHSSPS. The action plan was agreed by the Executive in March 2010 and continues to be updated on a regular basis for consideration by the Ministerial Sub-Committee. The relevant departments meet with OFMDFM officials on a regular basis to update and review this work.

In addition, DE and DHSSPS regularly meet under the Inter-Departmental Sub-Committee on Early Years and Childcare where a range of early years issues are considered.

Junior Ministers are currently working with officials to examine the best structures to progress the work on children and young people. We want to better align the existing structures to deliver on the Ten Year Strategy and, most importantly, to increase cross-departmental support, co-operation and ownership in relation to delivery.

#### Children's Services

**Mr Agnew** asked the First Minister and deputy First Minister whether they intend to introduce a statutory duty to ensure that Departments co-operate in the planning and delivery of children's services.

**(AQW 2194/11-15)**

**Mr P Robinson and Mr O'Dowd:** This is a matter for the Minister of Health, Social Services and Public Safety as planning and delivery of children's services is a DHSSPS responsibility.

#### Draft Cohesion, Sharing and Integration Strategy

**Mr Lyttle** asked the First Minister and deputy First Minister why the consultation responses for the draft Cohesion, Sharing and Integration Strategy have still not been published.

**(AQW 2270/11-15)**

**Mr P Robinson and Mr O'Dowd:** The 288 written responses that were received during the consultation period on the draft Programme for Cohesion, Sharing and Integration, along with an independent and departmental analysis of the consultation responses, were passed to the OFMDFM Committee for scrutiny on 27 September 2011. Publication of the responses on the departmental website is imminent.



The priority now, is to establish a political consensus on how best to take forward the Programme for Cohesion, Sharing and Integration. To that end, a cross-party working group has now been convened and will meet on a weekly basis, initially, to agree the next steps for the programme. The consultation responses and analysis have also been shared with this group.

We expect that the final programme and an associated action plan will be published soon.

## A5 Project

**Mr Allister** asked the First Minister and deputy First Minister whether the Minister for Regional Development has the uninhibited right and authority to make a decision on the future of the A5 project.  
**(AQW 2802/11-15)**

**Mr P Robinson and Mr O'Dowd:** We refer the Member to Assembly Standing Order 19 (2) (f).

## EU Funding

**Mr Lyttle** asked the First Minister and deputy First Minister how they intend to meet the target of a 20 percent increase in the uptake of EU funding by 2015.  
**(AQW 2959/11-15)**

**Mr P Robinson and Mr O'Dowd:** The Barroso Task Force Working Group (BTWG), chaired by Junior Ministers and comprising Deputy Secretaries from each department, spearheads our European engagement. BTWG has established four thematic sub-groups to take forward work on the Executive's 2011-12 European Priorities. To provide dedicated support for these inter-departmental sub-groups; four "Thematic Desk Officer" posts are being created in the Executive's Brussels Office.

These officers will facilitate departments in their delivery of the Executive's European Priorities, including the 20% increase in the drawdown of EU funding. Applications for these posts have just closed and it is expected that the desk officers will take up post in early 2012.

In the 'Draft Budget 2011-12', the Finance Minister proposed the creation of a small and dedicated unit to bring about a 20% increase in the drawdown of EU funding by 2015. This will play an important role in the successful delivery of the target.

## Supplementary Brief on Recruiting People with Conflict-related Convictions

**Mr Allister** asked the First Minister and deputy First Minister, pursuant to AQW 1712/11-15 (i) who signed off the supplementary brief on Recruiting People with Conflict-Related Convictions; and (ii) if they will review the Ministerial oversight of the Community Relations Unit to ensure that there is Ministerial approval for such documentation.  
**(AQW 3020/11-15)**

**Mr P Robinson and Mr O'Dowd:** Pursuant to AQW 1712/11-15, we would like to refer you to our previous answer in relation to this issue. The supplementary brief on Recruiting People with Conflict-Related Convictions was produced in 2008 in response to feedback from the business community and by way of summarising the core principles of the Employers' Guidance. As the substantive Employers' Guidance on Recruiting People with Conflict-Related Convictions had been approved by the then Minister of State, David Hanson MP, prior to its issue by OFMDFM in May 2007, the view was taken by officials that the subsequent supplementary brief did not require additional Ministerial approval.

Given the Employers' Guidance had been a product of the working arrangements developed through the Ex-Prisoners' Working Group, the supplementary brief was approved by the then chair of the Ex-Prisoners Working Group. The supplementary brief also received approval from the other parties to the Employers' Guidance - Trade Unions and the Business Community.

## EU: Infraction Fines

**Mr Agnew** asked the First Minister and deputy First Minister to detail the EU infraction fines imposed in each of the last 10 years.

**(AQW 3164/11-15)**

**Mr P Robinson and Mr O'Dowd:** Northern Ireland has never received a fine in relation to infraction proceedings.

## Department of Agriculture and Rural Development

### Proposed Capital Spend Projects

**Mr McGlone** asked the Minister of Agriculture and Rural Development to detail her Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2757/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** My Department proposes to spend on a number of capital projects during the current financial year. The current position in respect of proposed capital projects, including the projected timescales and the costs for projects with a value over £100k is shown in Table 1, attached.

Additional capital projects may be funded in the future; however, at this stage, commitments have not yet been confirmed.

**TABLE 1 £'000'S**

#### CAPITAL PROJECTS WITH A VALUE OVER £100K

Business Area	Project Description	Timescale		Cost
		Start	Finish	
Central Policy Group; Agri Food Bioscience Institute	IT Resilience Project.	Apr 2011	Jan 2012	162
	Electron Microscope.		Mar 2012	400
	Roofing repairs		Mar 2012	300
Central Services Group; Estate Branch Information Services Branch	Repairs across the Departmental estate.		Mar 2012	250
	Animal Public Health Information System		Mar 2012	400
	IT infrastructure		Feb 2012	300
	Fisheries Enhancement Projects		Jan 2012	110

Business Area	Project Description	Timescale		Cost
		Start	Finish	
Rivers Agency;	Lower Bann Portna	Oct 2010	Sep 2012	400
	Coleraine Lodge Burn	Jan 2011	Mar 2012	1,600
	East Belfast Greenway	Nov 2010	Nov 2013	500
	Magherafelt Drainage	Oct 2010	Oct 2011	210
	Flood Risk Management Urban & Rural Modelling	Oct 2010	Dec 2013	390
	Plant, Vehicles and Machinery		Mar 2012	363
Forest Service	Plant Vehicles and Machinery and forest roads		Mar 2012	293
Service Delivery Group;	Dairy Unit		Mar 2013	250
Greenmount Campus	Silos		Mar 2012	400
Enniskillen Campus	Classrooms		Mar 2012	200
Land Parcel Identification Systems	Corporate Geographical Information Systems		Apr 2012	300

### Chairperson or Chief Executive: Arm's-length Bodies

**Mr Beggs** asked the Minister of Agriculture and Rural Development to detail the daily rate paid by her Department to each Chairperson or Chief Executive of each of its arm's-length bodies; and how this rate was determined and approved.

**(AQW 2795/11-15)**

**Mrs O'Neill:** The current daily rate paid to the Chair of the Agricultural Wages Board is £259. This is the rate specified by the Department of Finance and Personnel.

Remuneration for the Chair of the Agri-Food and Biosciences Institute (AFBI) is specified on a per annum basis and is currently £24,970. This is uplifted each year in line with the recommendations of the Senior Salaries Review Body. When AFBI was established in 2006, the remuneration level for the Chair was benchmarked against that of other NDPB's and set by the Department of Agriculture and Rural Development. The remuneration of the AFBI Chair requires the approval of the Department of Finance and Personnel. Remuneration details for the Chair are published each year in the Institute's Annual Report. The latest Report can be viewed at:- <http://www.afbini.gov.uk/index/publications/corporate-publications/publications-annual-reports/publications-annual-report-2009-2010.htm>

The Chair of the Livestock and Meat Commission for NI is paid £17,315 annually, entirely from LMC resources. The remuneration level was determined by the Department, in line with DFP guidance and taking account of the level of experience and expertise required to fulfil these duties. Remuneration details for the Chair are published in the LMC's Annual Report. The latest Report can be viewed at: <http://www.lmcni.com/corporate/publications/AnnualReports/Annual%20Report%200910.pdf>

The remuneration of the NI Fishery Harbour Authority Chair is £6,280 set by the Pay and Grading Unit of DFP under the Remuneration of Chairmen and Members of Public Bodies and Other Fee Rates. Remuneration details for this post are published in the Annual Reports, the latest being 2010 available at:

<http://www.nifha.co.uk/Annual%20Report%20and%20Accounts.html>

The remuneration level of the Loughs Agency Chair was £8,570 for 2011 and was determined by North South Ministerial Council with the approval of Finance Ministers. Remuneration details for this post are published in the Annual Reports, the latest being 2009 available at:

<http://www.loughs-agency.org/archive/publications/Loughs%20Agency%20Annual%20Report%202009%20Final.pdf>

The post of Chair of the Drainage Council for NI is not remunerated.

## Rural Community Network

**Mr Frew** asked the Minister of Agriculture and Rural Development what support the Rural Community Network has given to the Local Action Groups since the current Rural Development Programme began. **(AQW 2813/11-15)**

**Mrs O'Neill:** The Rural Community Network (RCN), working with the Rural Support Networks (RSN's) and the NI Rural Women's Network has been formally providing support to the Local Action Groups (LAG's) since September 2010. However prior to this, the RSN's have had close links with the Local Action Groups, with the RSN's represented on most LAG's and these links have been in place since the beginning of the Northern Ireland Rural Development Programme (NIRDP). The Rural Development Consortium (comprising of the RCN, 9 Rural Support Networks and the NI Rural Women's Network) currently has a contract with my Department until 31 March 2012. A large focus of this contract is on the contribution made to the community development elements of the NIRDP, ensuring that rural community needs are addressed through the Axis 3 (LAG's) and that full utilisation is made by groups of 'Quality of Life' measures. 'Key Performance Indicators' have been directly linked to each LAG's strategies, with clear outputs expected.

## Rural Community Network and the Rural Support Network

**Mr Frew** asked the Minister of Agriculture and Rural Development to outline the rationale behind the establishment of the (i) Rural Community Network; and (ii) the Rural Support Network and the specific tasks that they are charged with performing.

**(AQW 2814/11-15)**

**Mrs O'Neill:** The Rural Community Network (RCN) was established in 1991 to articulate the voice of rural communities on issues relating to poverty, disadvantage and equality. The RCN, working with the Rural Support Networks and the NI Rural Women's Network, has provided and continues to provide, a vital support structure to rural community groups throughout the north. My Department has been pleased to support this work, which provided important input to the development of the Rural White Paper and Rural Proofing and has recently ensured that programmes like the Rural Anti-Poverty and Social Inclusion Framework has been targeted at those most in need. At present, the focus of the service is on the contribution made to the community development elements of the NI Rural Development Programme.

## Rural Community Network

**Mr Frew** asked the Minister of Agriculture and Rural Development how many staff are currently employed in the Rural Community Network; and to outline their roles and responsibilities.

**(AQW 2815/11-15)**

**Mrs O'Neill:** The Rural Community Network (RCN) is an independent membership organisation that was established in 1991 by community groups to provide a community voice.

DARD purchases a service from the RCN - purely on a contractual basis - and how they provide the staff to deliver that service is a decision for the management of the RCN.

## Rural Support Networks

**Mr Frew** asked the Minister of Agriculture and Rural Development how many Rural Support Networks have closed in each of the last four years; and to detail their location and the reasons for their closure. (AQW 2816/11-15)

**Mrs O'Neill:** I can advise that three Rural Support Networks (RSN's) are no longer in receipt of funding via DARD and these are: Regeneration of Mourne Area Limited (ROMAL); Oakleaf Rural Community Network (Oakleaf RCN); and Regeneration of South Armagh (RoSA). ROMAL notified the Department in February 2009 that it was being wound up; and Oakleaf's current status with Companies House shows that there is a proposal to 'strike-off' the company. The Department has not funded RoSA since November 2008 and does not have any information on its current status.

## Rural Community Network and the Rural Support Network

**Mr Frew** asked the Minister of Agriculture and Rural Development what relationship exists between the Rural Community Network and the Rural Support Network; and how much funding each organisation has received from her Department in each of the last three years. (AQW 2862/11-15)

**Mrs O'Neill:** The Rural Community Network (RCN) is the lead partner in a consortium with 9 Rural Support Networks (RSN's) and the NI Women's Rural Network (NIRWN). The consortium has contracted with DARD to deliver a number of outputs covering both policy and delivery requirements. The RCN mainly takes the lead on policy, with the RSN's/NIRWN leading on delivery. Since funding from EU Structural Funds ended in November 2008, DARD has paid the consortium £315,421 in 2008/2009; £1,083,252 in 2009/2010; £1,146,270 in 2010/2011. It is anticipated that the consortium will be paid £1.2m in the current financial year. This funding is provided from the Department's Anti-Poverty and Social Inclusion budget.

## Agricultural Wages Board

**Mr Allister** asked the Minister of Agriculture and Rural Development, in view of the existence of the minimum wage and other protections, such as the Working Time Directive, and given the removal of the equivalent body in Great Britain, whether she will abolish the Agricultural Wages Board for Northern Ireland. (AQW 2915/11-15)

**Mrs O'Neill:** The Agricultural Wages Board is a valuable forum for wage negotiations and, importantly, is used as a benchmark for the wider Agri-food industry and other rural occupations. It ensures that agricultural workers have at least a minimum basic wage and reasonable minimum terms and conditions of employment; provides a statutory level of protection for agricultural workers which goes beyond that provided by general employment law; and provides a pay-bargaining structure for employers and workers.

I do, however, intend to complete a review of the Agricultural Wages Board in the coming months. Following the review, I will consider the views expressed and options available and make a decision on the way forward.

## Notifiable Weeds

**Mr Swann** asked the Minister of Agriculture and Rural Development what procedures are followed by her Department when notifiable weeds are identified on land belonging to another Department or its agencies. (AQW 2948/11-15)

**Mrs O'Neill:** There are two classes of weeds which are subject to legal control. The Wildlife (NI) Order 1985 regulates the introduction of non-native weed species and is the responsibility of the DOE. The Noxious Weeds (NI) Order 1977 is designed to protect agricultural land and requires that landowners



control ragwort, thistle, dock and wild oat before they have had a chance to seed and spread. The enforcement of this Order is DARD's responsibility.

Every spring DARD contacts all public landowners such as District Councils, Road Service and Hospitals reminding them of their responsibility to control noxious weeds.

Complaints regarding weeds classified as noxious under the legislation can be made by any person to a DARD Direct Office.

Complaints concerning other Government Departments or Agencies are usually investigated by inspectors from DARD's Quality Assurance Branch. The Department/Agency involved will receive a letter detailing the substance of the complaint and highlighting the legal responsibility of landowners to control noxious weeds. This letter is followed up by a visit to ensure that the weeds are controlled. If there has been no control and farm land is at risk from the spread of weeds a further letter is issued warning of possible legal action if no control is implemented.

Inspectors will make contact with those responsible in the offending Department to ensure that control measures are implemented. In most instances government Departments and Agencies will control weeds on land they occupy when approached by my Department.

## Rural White Paper

**Mr Flanagan** asked the Minister of Agriculture and Rural Development whether the retention of townlands in Co Fermanagh has featured in any discussions around her Department's Rural White Paper.

**(AQW 2987/11-15)**

**Mrs O'Neill:** The retention of townlands in Fermanagh has not featured in any of the discussions on the Rural White Paper. The Department hosted a series of public events as part of the public consultation on the Rural White Paper including an event in Enniskillen. While a wide range of rural issues were discussed at this event, the retention of townlands in Fermanagh was not raised with the Department.

I very much recognise and value the historic, cultural and linguistic importance of townland names, particularly to the rural community. They are a significant part of our shared local heritage and I am therefore keen to support their promotion and preservation.

My Department moved to include townland names within the addresses of all DARD offices last year

## Dangerous Dogs

**Mr A Maskey** asked the Minister of Agriculture and Rural Development for her assessment of whether the new legislation on Dogs and Welfare of Animals will reduce the number of attacks by dangerous dogs.

**(AQO 582/11-15)**

**Mrs O'Neill:** The focus of the Dogs (Amendment) Act 2011 is public safety and the promotion of responsible ownership. The Act allows council dog wardens to protect the public from problem dogs by attaching one or more control conditions to the dog licence where owners have failed to keep a dog under proper control. The availability of these control conditions means that dog wardens have more powers to prevent, and therefore reduce, the number of attacks by dangerous dogs. The requirement to microchip, which will come into force next year, will also make it easier for enforcers to identify owners of problem dogs.

As well as protecting the public from dangerous dogs the new Act also protects other animals. Under the Dogs Order 1983 it is an offence to set a dog on, or urge it to attack, livestock. The Dogs (Amendment) Act extends these provisions to also make it an offence to set a dog on, or allow it to attack and injure, another animal. In addition, irresponsible owners face the deterrent of stiffer penalties while a better-resourced dog warden service will be more likely to detect infringements.

Taken in their entirety, I believe that the new measures introduced by the Act represent the strongest dog control legislation in these islands.

## Fishing: Cod Catch

**Mr McNarry** asked the Minister of Agriculture and Rural Development for her assessment of the recent proposals from the European Commission for a zero catch of cod in the Irish Sea for 2012.

**(AQO 580/11-15)**

**Mrs O'Neill:** I am concerned by the proposal for a zero Total Allowable Catch for Irish Sea Cod. However, we cannot escape the fact that all available scientific indicators are telling us that the stock remains in a very poor state and this TAC has been cut successively for several years. In 2000 our share of the EU Irish Sea cod TAC was 605 tonnes but by last year it had fallen to just 146 tonnes. Last year three vessels targeted white fish full time with nine other vessels targeting white fish for only part of the year. If we cannot negotiate a TAC it is likely that two of the remaining full time white fish vessels will have to move their fishing grounds or target prawns, or Nephrops to give them their scientific name, The vessels that target white fish part – time will probably switch to prawns full time. Our data suggests that prawn vessels will be able to live within the by-catch limits but more work is needed on fishing gear design to reduce the impact of the prawn fishery on non-target species coupled with more scientific monitoring of by-catches and discard levels. Officials have already met with industry and we are talking to them and our scientists to see what options are available to alter this proposal or to mitigate its effects.

## EU: Welfare of Laying Hens Directive

**Mr Gardiner** asked the Minister of Agriculture and Rural Development for her assessment of the capability of egg producers to meet the European Union's Welfare of Laying Hens Directive.

**(AQO 581/11-15)**

**Mrs O'Neill:** I take the welfare of animals very seriously and fully support the ban on the use of conventional cages for laying hens that will be introduced by EU Law here from 1 January 2012.

I am very pleased that well over 80% of producers here are already in a position to comply with the ban. I understand that the majority of the remaining producers have indicated that they will replace their conventional cages with compliant systems by 1 January 2012, while others have opted to cease production.

We need to remember that the changes were brought in as a result of public concern over the use of battery cages. Our existing Welfare Code, published in March 2005, clearly states that from 1 January 2012 no person shall keep laying hens in conventional cages. We have met the industry on several occasions and issued press releases since 2009 to remind producers of their obligation to be compliant come January 2012.

I believe that a consistent application of the ban across all Member States from 1 January 2012 is essential. I do not support a derogation to allow an extension to the deadline. That would be unfair to those who have already converted out of conventional cages and may have already secured finance to do so, which might place them at a commercial disadvantage.

## Agrifood

**Mr McLaughlin** asked the Minister of Agriculture and Rural Development what action her Department is taking to promote the use of Research and Development in the Agri-food sector.

**(AQO 583/11-15)**

**Mrs O'Neill:** The agri-food sector is a key part of the local economy and has been remarkably resilient during the current economic downturn. The challenge we face in the future is to develop new food production models based on the principle of sustainable intensification i.e. producing more for less. We need to develop farming systems that increase output whilst achieving a range of environmental and economic goals. This type of multidisciplinary research does not attract high levels of private investment. Indeed our local agri-food businesses invest relatively little on R&D. This reflects the relatively small size of the typical rural business – most are owner run - and the perception that R&D is risky.

We also know that collaboration can increase levels of innovation and it is innovative businesses that are most likely to succeed in the current economic climate.

R&D and innovation are inextricably linked – so if we encourage one, we also create suitable conditions for the other. This is why my Department is pleased to announce that it will be launching a second tranche of its Research Challenge fund towards the end of this month. This fund is designed to “pump-prime” rural businesses’ interest and involvement in R&D and will provide £0.8 million of grant aid for industry-led, collaborative R&D projects in 2012.

This investment will be match-funded by industry partners from the primary production sector.

I also welcome the increased support for research, innovation and knowledge transfer in the CAP Reform proposals, released recently by the Commission. Over the coming months, we will consider how we can make the most of this opportunity in developing the next Rural Development Programme.

### **Broadband: Rural Access**

**Mr McElduff** asked the Minister of Agriculture and Rural Development what plans she has to address the gaps in rural broadband coverage.

**(AQO 584/11-15)**

**Mrs O'Neill:** As you know I have made access to rural broadband one of my key priorities. It is my view that no rural dweller should be disadvantaged because of lack of access to broadband. Access to high speed broadband services is vital if rural businesses are to compete successfully both locally and in global markets and I will continue to press for greater access broadband in rural areas and work proactively to ensure this. So far my Department has already invested £2.5 million of funding in broadband under the Rural Development Programme and the Anti Poverty Programme. These funds were delivered through the DETI Next Generation Broadband programme.

However there are gaps in broadband coverage and the speed of broadband in rural areas is also an issue. I met recently with DETI Minister Foster and we discussed how we can provide more effective assistance. We agreed that our Departments would continue to work together to identify fully the gaps in broadband coverage and quality and assess quickly what opportunities exist to address these gaps under our funding programmes to provide the most viable options for access to broadband within these areas. Work has commenced to identify the gaps in broadband take up and quality.

I have over the past months met with both BT and Ofcom to better appraise myself of the issues around rural broadband and what in particular as Minister I can do to help address these.

Ofcom in their role as the communications regulator have an important role to play and have offered what assistance they can with developing a gap analysis.

### **Deer Culling: Randalstown Forest**

**Mr T Clarke** asked the Minister of Agriculture and Rural Development to outline the methods used by Forest Service to cull deer in Randalstown Forest.

**(AQO 585/11-15)**

**Mrs O'Neill:** The culling of the deer population within Randalstown Forest is carried out by Forest Service wildlife wardens. These wardens are highly qualified in deer management. They monitor deer populations and carry out culling as part of their wider wildlife management responsibilities.

Culling targets are set after a process of monitoring population numbers in conjunction with an adjoining privately owned estate. Based on these estimates, separate targets are set for male and female deer to maintain a satisfactory population density. To aid this process of monitoring and control, a number of deer management areas are maintained.

Deer are culled using full bore rifles. The operation takes place in line with best practice after a process of risk assessment. These risk assessments ensure the health and safety of the wildlife

warden and any others who may be affected by the culling. As Randalstown forest is flat, culling takes place from high seats so that spent rounds hit the ground, thus providing a safe backstop.

## **Poultry Housing**

**Mr Moutray** asked the Minister of Agriculture and Rural Development for her assessment of the adequacy of the current provision of poultry housing to meet the needs of producers.

**(AQO 586/11-15)**

**Mrs O'Neill:** With an estimated turnover of almost £629m and more than 5,500 full- and part-time jobs, the poultry sector plays a very important part in the North's economy.

Through the Farm Modernisation Programme (FMP) my Department has provided funding over recent years to poultry producers to modernise their units through financial support towards the purchase of modernising items of plant, machinery and equipment. Eligible items specifically relating to the poultry sector have included nipple drinking lines, dry pluckers, auto poultry weighers and egg packers. Under the FMP the poultry sector has also availed of financial support for other more general agricultural items including CCTV cameras, generators, and bulk feed bins. Under the first two tranches of the FMP, the poultry sector has been allocated some £300,000 of financial support.

Over the years my Department has worked closely with the Broiler and Laying Hens sectors to introduce the EU welfare requirements in a way that meets the needs of the industry. For example, on Broilers we were able to allow the highest stocking density possible in broiler houses here up to a maximum of 42kg per metre square. With regard to Laying Hens I am working to ensure that local egg producers who have invested in compliant systems are not disadvantaged in any way and to press that the European Commission takes all the necessary action to address any non-compliance with the Directive in other Member States as a matter of urgency. My Department will continue to look to support the poultry sector where it can.

## **Flooding: Fermanagh**

**Mr Flanagan** asked the Minister of Agriculture and Rural Development what progress has been made on the recommendations of the Fermanagh Flooding Task Force.

**(AQO 587/11-15)**

**Mrs O'Neill:** My Department is responsible for two key recommendations of the Fermanagh Flooding Task Force.

The first of these is in relation to the "Management of the Erne system." My Rivers Agency are working with the Electricity Supply Board to examine options for improvement to the operational regime which will reduce flood risk. This detailed work is due for completion in the next financial year. If changes to the operating regime are recommended there will be a need for consultation to ensure that all stakeholders have the opportunity to influence any changes.

The second key recommendation relates to the consideration of options for a flood alleviation scheme at Derrychara Link. Having considered the situation the Roads Service and my Rivers Agency have co-operated closely to provide a pumped system at Derrychara Link in the event of high lough levels. My Rivers Agency has also completed works on the Killynure Lough drain to further help contain flows.

In addition to these 2 key recommendations, my Rivers Agency also assisted with the production of a leaflet for the Lough Erne System providing information on preparing for a flood.

My Rivers Agency is progressing these recommendations as part of a Multi Agency Working Group established by Fermanagh District Council to coordinate progression of all recommendations from the Fermanagh Flooding Taskforce and enable more efficient sharing of information and consequently an effective approach to the reduction of future flooding in the Erne system. The Multi Agency Working Group produced a report in April 2011 identifying progress against all recommendations of the taskforce.

## Woodland

**Mr Dickson** asked the Minister of Agriculture and Rural Development whether her Department would consider the development of a woodland inventory.

**(AQO 588/11-15)**

**Mrs O'Neill:** Yes, my Department's Forest Service is already compiling a woodland inventory from existing data sources. These include data held by DARD, DoE's Environment Agency and Land and Property Services.

We started this work last year and found a modest increase in woodland area, however, there are issues to be resolved about the quality of some of the mapping data. Further analysis is being carried out this year, taking account of new data, based on a combination of satellite imagery and digital cartography, to validate the woodland data set.

At the end of this business year, Forest Service will publish improved baseline information of woodland area in the north of Ireland.

## Department of Culture, Arts and Leisure

### Museums Policy

**Mr D McIlveen** asked the Minister of Culture, Arts and Leisure for her assessment of how her Department's Museums Policy is progressing; and whether she plans to give consideration to the recent strategy adopted by the Scottish Government which has a more developed mechanism and clearer 'next steps' guidelines.

**(AQW 2907/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Work to implement the NI Museums Policy is being taken forward by a working group comprising officials from my Department, National Museums NI and the NI Museums Council.

This group has reviewed similar museums policy work currently being undertaken in both Scotland and Wales. In Scotland the 'National Strategy' is at the consultation stage, so further work on this is to be expected. However, Wales has finalised its 'Museums Strategy for Wales' and is therefore at a more advanced stage. Section 6 of the Welsh report provides a 'Route Map' for the implementation of their Strategy and areas of similarity have been identified.

### Sport: Funding

**Mr Allister** asked the Minister of Culture, Arts and Leisure how much funding has been allocated to (i) the Gaelic Athletic Association; (ii) the Irish Football Association; (iii) the Irish Rugby Football Union; and (iv) other sports in each of the last five years.

**(AQW 2961/11-15)**

**Ms Ní Chuilín:** Sport NI is the lead development agency for sport in the north of Ireland with responsibility for the distribution of Exchequer and Lottery funding. In the last five financial years, Sport NI has allocated a total of £89,748,837 to the Gaelic Athletic Association, the Irish Football Association, the Irish Rugby Football Union and other sports. A breakdown of this figure is provided in the table below:



Date	GAA		IFA		IRFU		Other Sports	
	Exchequer	Lottery	Exchequer	Lottery	Exchequer	Lottery	Exchequer	Lottery
2006/07	£180,342	-	£1,838,450	-	£150,346	-	£4,364,791	£1,908,194
2007/08	£1,197,268	-	£1,604,875	-	£3,038	-	£6,433,793	£3,591,444
2008/09	£1,633,704	-	£1,071,932	-	£2,566,128	-	£15,671,233	£14,066,504
2009/10	£11,010	-	£41,260	£25,000	£1,250	-	£21,204,246	£4,633,046
2010/11	£40,381	-	£203,131	-	£65,678	-	£5,715,656	£1,526,137
<b>Sub total</b>	<b>£3,062,705</b>	<b>-</b>	<b>£4,759,648</b>	<b>£25,000</b>	<b>£2,786,440</b>	<b>-</b>	<b>£53,389,719</b>	<b>£25,725,325</b>
<b>Total</b>		<b>£3,062,705</b>		<b>£4,784,648</b>		<b>£2,786,440</b>		<b>£79,115,044</b>

**NB.** The above does not include funding to clubs affiliated to the Gaelic Athletic Association, Irish Football Association or the Irish Rugby Football Union.

## Townlands

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure, given the rich and diverse cultural background associated with townlands, (i) for her Department's position on the retention of townlands as the principal address format in Co Fermanagh; and (ii) what action her Department intends to take to support people who wish to retain their townland address.

**(AQW 2986/11-15)**

**Ms Ní Chuilín:** Townland names are an important part of the rich fabric of our shared cultural heritage. Place names provide historical links with the past as well as a sense of place and as such are a valuable link to heritage and culture.

There is no formal Executive policy on townland names and my department does not have lead responsibility in terms of legislation, strategy development or promotion of this issue.

## Lough Neagh: Illegal Fishing

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure what action she is taking to stop illegal fishing on Lough Neagh; and to list the instances in which wardens prevented or stopped illegal fishing on the Lough in each of the last two years.

**(AQW 3032/11-15)**

**Ms Ní Chuilín:** My Department has established an enforcement team of 3 Fisheries Protection Officers (FPO's) to cover the Lough Neagh operational area, working under the direction of a Senior Fisheries Officer. The Lough Neagh operational area also covers the land south of the Lough extending to south Armagh and including the Upper Bann and the Blackwater.

These officers are regularly supported by other officers, including those based at Castlewellan, who are equipped with a 6.8m inflatable Rib (Rigid Inflatable Boat) which can be transported and launched quickly from various locations around Lough Neagh.

DCAL Fisheries Protection staff undertake regular patrols on land and water. They also carry out intelligence led operations to detect, disrupt and deter those involved in illegal fishing activities.

DCAL enforcement activity is collated on a quarterly basis, the data for the period July to September 2011 is not yet available. My Department took over the responsibility for the enforcement of fisheries legislation from the former Fisheries Conservancy Board (FCB) in June 2009.

The table below details the number of instances of the Lough Neagh enforcement team preventing illegal fishing activities:

	<b>1/6/09 – 31/3/10</b>	<b>1/4/10 – 31/3/11</b>
Persons detected	48	60
Unmarked nets seized	16	26
Illegal long lines seized	1	1

The above information does not include detections and seizures made by Lough Neagh team members outside the Lough Neagh operational area. It does not include any detections and seizures carried out by team members from other operational areas operating in the Lough Neagh area.

## Lough Neagh

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure to outline the responsibilities and roles of the departmental personnel with responsibility for Lough Neagh; and for a summary of their activity over the last twelve months.

**(AQW 3035/11-15)**

**Ms Ní Chuilín:** My Department is responsible for the enforcement of fisheries protection legislation within its jurisdiction, which includes Lough Neagh. My Department has established an enforcement team of 3 Fisheries Protection Officers (FPOs) to cover the Lough, working under the direction of a Senior Fisheries Officer. The Lough Neagh operational area also covers the land south of Lough Neagh extending to south Armagh and including the Upper Bann and the Blackwater.

The enforcement team carries out regular patrols on land and water throughout the Lough Neagh operational area. FPOs monitor and check angling and commercial fishing activity to ensure that those engaged comply fully with the Fisheries Act (NI) 1966 as amended and Fisheries Byelaws. Regular inspections are carried out at commercial dealers, fish retail outlets, hotels and restaurants to ensure that all salmon and freshwater fish being sold have been legally caught.

All breaches of the Fisheries Act and Byelaws are recorded as detections, all illegal fishing gear/catches are seized and any persons acting illegally are reported with a view to prosecution.

DCAL enforcement activity is collated on a quarterly basis, the data for the period July to September is not yet available. The Lough Neagh team enforcement activity for the period 1 July 2010 to 30 June 2011:

Number of DCAL Angling Licences Checked = 170

Number of DCAL Permits Checked = 133

Number of Detections = 47

Number of Boat Patrols = 97

Number of Nets Seized = 29

Length of Nets Seized = 24572m

Number of Long lines Seized = 4

Number of Commercial Dealer visits = 17

The above information does not include enforcement activities carried out by Lough Neagh team members outside the Lough Neagh operational area, training days and any other duties associated with the maintenance and servicing of boats and equipment. It does not include any enforcement activities carried out by team members from other operational areas operating in the Lough Neagh area.

DCAL Inland Waterways Branch has a statutory remit to dredge the mouth of the Sixmilewater River and as a public service maintains 47 navigation markers on Lough Neagh.

## Libraries

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure for her assessment of whether library branches which are open 30 hours per week or less could ever achieve the 80,000 tasks per annum limit.

**(AQW 3054/11-15)**

**Ms Ní Chuilín:** The total activity level of 80,000 is not an indication of a library's viability. Currently there are a number of sustainable libraries open for 18 hours per week. These include Broughshane, Cloughfern, Cushendall, Garvagh, Kilrea and Portglenone. These libraries are not expected to attain an activity level of 80,000 tasks per annum.

Libraries with a total activity level below 80,000 tasks per annum (based on 2010/11 figures), have been assigned to Band 4 (opening hours of 18 hours per week) in the proposed review of opening hours.

Libraries NI is content that the consultation documentation provides a sufficiently comprehensive and informed picture of library use upon which it can consult with the public.

## **Libraries: Opening Hours**

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure for her assessment of the accuracy of the library visitor count used in the consultation on the Review of Library Opening Hours, given that electronic gate counters in libraries can count the same visitor more than once during a single visit.  
**(AQW 3055/11-15)**

**Ms Ní Chuilín:** Visitor figures for Libraries across the North of Ireland are produced using what is known as the Chartered Institute of Public Finance and Accountancy (CIPFA) methodology.

Every year, CIPFA produces and publishes library visitor figures for all libraries across the North.

The methodology for libraries where electronic counters are in place is designed to avoid double counting.

## **Libraries: Opening Hours**

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure why the visitor count for the consultation on the Review of Library Opening Hours was not conducted over a longer period of time; and why a more accurate means of assessment was not used.  
**(AQW 3056/11-15)**

**Ms Ní Chuilín:** As detailed in AQW 3055/11-15, visitor figures are produced using what is known as the Chartered Institute of Public Finance and Accountancy (CIPFA) methodology.

Every year, CIPFA produces and publishes library visitor figures for all libraries across the North.

For the majority of libraries which have electronic people counters it is a full year count. For the minority of libraries which do not, the sample period, in line with the CIPFA methodology, is one week.

CIPFA provides guidance on the use of sampling and Libraries NI has followed that guidance in establishing its visitor figures.

## **Libraries**

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure why information on the number of Public Access Terminals installed in each branch library and the maximum annual possible use of these Terminals is not disclosed in the Libraries NI consultation on the Review of Library Opening Hours.  
**(AQW 3059/11-15)**

**Ms Ní Chuilín:** Libraries NI has confirmed to me that the annual use of Public Access Terminals (PATs) is measured by the number of customer uses which are described as sessions. The length of a PAT session is determined by the customer therefore varies in length. Consequently it is not possible to specify the annual number of user sessions available in a library.

However, in the interests of clarity, Libraries NI will publish the number of Public Access Terminals in each library on their website.

Libraries NI is content that the key indicators set out in the consultation documentation are representative of overall library activity and that, in total, they provide a sufficiently comprehensive and informed picture upon which it can consult with the public.

## **Odyssey Trust Company Limited**

**Mr Allister** asked the Minister of Culture, Arts and Leisure, in light of the Odyssey Trust Company's healthy financial surplus, for her assessment of whether admission charges for the Science Centre and Arena and ancillary public amenity areas exceed the level necessary to meet the costs of operating, maintaining and repairing these areas.  
**(AQW 3062/11-15)**

**Ms Ní Chuilín:** Administration charges for the Science Centre are a matter for the Board of W5, a company limited by guarantee and wholly owned by National Museums NI.

Income generated from admission fees does not cover the cost of operating, maintaining and repairing the area occupied by W5. Any reduction in these fees is likely to further increase the need for financial support from other sources.

The level of admission fees charged for entrants to the Arena and ancillary public amenity areas is a matter for the Trustees of the OTC.

These Trustees have to consider the ongoing and expected significant maintenance costs for the whole Odyssey Complex.

### **Libraries: Opening Hours**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure whether each library branch which will have its opening hours reduced as a result of the Review of Library Opening Hours, will have at least two members of staff on duty at all times during the new opening hours.

**(AQW 3082/11-15)**

**Ms Ní Chuilín:** Levels of staffing in libraries is an operational matter for the Board of Libraries NI. It has informed me that the number of staff required in each library relates to the level of use, size and layout of the library, amongst other factors.

A number of libraries are currently single staffed for some or all of the time. Libraries NI operate a lone working policy which accords a very high priority to staff safety.

Consequently the staffing of each library will be determined individually, by the Libraries NI Board.

### **Libraries: Opening Hours**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure why Libraries NI decided on a limit of 80,000 tasks per library per annum in its consultation on the Review of Library Opening Hours; and why these tasks are limited to issues, visits, Public Access Terminal use and active borrowers during the 2010/11 period.

**(AQW 3084/11-15)**

**Ms Ní Chuilín:** The proposed banding of libraries is based on levels of use. The key indicators of use are visits, public access terminal use and active members.

The figure of 80,000 annual activities was chosen as it would allow Libraries NI to achieve the financial savings which it is required to make.

Libraries NI is content that the key indicators set out in the consultation documentation are representative of overall library activity and that, in total, they provide a sufficiently comprehensive and informed picture upon which it can consult with the public.

### **Libraries: Opening Hours**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure for her assessment of whether the annual public desk staffing hours, current opening hours per annum and the annual issues of a library are important in determining the sustainability of a library; and why this information was not made available in the consultation document on the Review of Library Opening Hours.

**(AQW 3086/11-15)**

**Ms Ní Chuilín:** These matters are operationally the responsibility of Libraries NI.

Libraries NI have informed me that its proposed 'banding' of libraries is based on levels of use. The key indicators of use are visits, public access terminal use and active members.



The annual issues and current opening hours figures are available in the consultation documents.

Libraries NI is content that the key indicators set out in the consultation documentation are representative of overall library activity and that, in total, they provide a sufficiently comprehensive and informed picture upon which it can consult with the public.

### **Libraries: Opening Hours**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure for her assessment of whether the reduced opening hours of smaller libraries will make them unsustainable.

**(AQW 3088/11-15)**

**Ms Ní Chuilín:** The minimum number of opening hours proposed for any library is 18 hours per week. This allows for a spread of morning, afternoon, evening and weekend opening.

Currently there are a number of sustainable libraries open for 18 hours per week. These include Broughshane, Cloughfern, Cushendall, Garvagh, Kilrea and Portglenone.

### **Libraries: Opening Hours**

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure for her assessment of whether a contribution to the community, such as class visits, pre-school activities, culture and heritage activities contribute towards the sustainability of a library; and how these activities are measured in the consultation on the Review of Library Opening Hours.

**(AQW 3089/11-15)**

**Ms Ní Chuilín:** Libraries NI is content that the key indicators set out in the consultation documentation are representative of overall library activity and that, in total, they provide a sufficiently comprehensive and informed picture upon which it can consult with the public.

The Review of Library opening hours categorised all libraries into four bands based on levels of use drawing on four key indicators: stock issues, visits, active members and use of the public access computer terminals.

The activities identified in your question are important and contribute to the sustainability of a library. They also contribute to these key indicators.

### **Libraries: Newry and Armagh Constituency**

**Mr Murphy** asked the Minister of Culture, Arts and Leisure to detail (i) the user numbers; (ii) the opening hours; and (iii) the services provided, in each of the last four years by each library in the Newry and Armagh constituency.

**(AQW 3090/11-15)**

**Ms Ní Chuilín:** Libraries NI have provided me with the following information:

## (i) User Numbers

Library	2010/2011		2009/2010		2008/2009 <sup>1</sup>		2007/2008 <sup>1</sup>	
	Active Members <sup>2</sup>	Visits	Active Members	Visits	Active Members	Visits	Active Members	Visits
Armagh	4882	98200	5768	101400	5266	83512	3998	107588
Armagh ILS	28	3300	39	4650	30	10088	22	3900
Bessbrook	1582	22200	1353	18450	1335	21840	917	17940
Crossmaglen	1112	18000	1217	22750	1125	20436	853	21944
Keady <sup>3</sup>	1424	23100	1313	12050	1395	23036	961	37752
Newry <sup>2</sup>	5714	169600	7579	199050	7281	161304	5014	165360
Richhill	917	10350	1037	13850	970	22516	757	6292
Tandragee	1475	22900	1336	24100	1331	24284	988	27352

<sup>1</sup> 2007/2008 and 2008/2009 data was collected by SELB using a slightly different methodology

<sup>2</sup> Note that active members include book borrowers and IT users.

<sup>3</sup> Keady Library was closed for refurbishment from January 2010 to May 2010.

<sup>4</sup> Newry Library was closed for refurbishment from 4 January 2011 to 9 May 2011.

## (ii) Opening Hours

Opening Hours have remained unchanged in the last four years:

Library	Mon	Tues	Wed	Thurs	Fri	Sat	Total
Armagh	9:30–5:30	9:30–8:00	9:30–5:30	9:30–8:00	9:30–5:30	9:30–5:00	52.5
Armagh ILS	9:30–1:00 2:00–5:00	9:30–1:00 2:00–5:00	2:00–5:00	9:30–1:00 2:00–8:00	9:30–1:00 2:00–5:00	9:30–1:00 2:00–5:00	38.5
Bessbrook	CLOSED	2:00–8:00	10:00–5:00	CLOSED	10:00–5:00	11:00–3:30	24.5
Crossmaglen	CLOSED	10:00–5:30	2:00–8:00	CLOSED	10:00–5:30	10:00–4:30	27.5
Keady	10:00–6:00	CLOSED	10:00–8:00	CLOSED	10:00–6:00	10:00–5:00	33
Newry	9:30–8:00	9:30–8:00	9:30–5:00	9:30–8:00	9:30–6:00	9:30–5:00	55
Richhill	CLOSED	10:00–1:00 2:00–5.30	2:00–8:00	10:00–1:00 2:00–5.30	10:00–1:00 2:00–5.30	10:00–1:00	28.5
Tandragee	2:00–8:00	CLOSED	10:00–1:00 1:30–5:30	2:00–5:30	10:00–1:00 1:30–5:30	9:30–1:00	27

## (iii) The Services Provided

The services provided by each Library in the Newry and Armagh constituency are outlined in Annex A.

**Ulster-Scots Agency**

**Mr McGlone** asked the Minister of Culture, Arts and Leisure what criteria were used in the appointment of the Chief Executive of the Ulster-Scots Agency.

**(AQW 3101/11-15)**

**Ms Ní Chuilín:** Price Waterhouse Cooper were commissioned to run the recruitment competition for the Chief Executive's post. The post was advertised and applicants were shortlisted against the criteria which were determined by the interview panel.

The criteria required applicants to demonstrate their suitability against the following:-

1. a degree qualification or equivalent third level qualification **and** a minimum of 3 years experience at **senior management level** of successfully building and effectively leading, managing and motivating staff within an organisation;

OR

a minimum of 5 years experience at **senior management level** of successfully building and effectively leading, managing and motivating staff within an organisation.

Proven experience of:

2. Leading and managing an organization in the development of strategy successfully delivering the aims and objectives of the organization at **senior management level**;
3. Effectively managing challenging budgetary requirements within an organization at **senior management level**;
4. Operating within a corporate governance framework at **senior management level**; and
5. Representing an organisation at senior management level to internal and external audiences for example, the public, senior civil servants, politicians, voluntary organizations, professional bodies, trade unions, the media and the business community.

Candidates were also required to demonstrate their competency in a number of key areas:-

- Leadership and managing people;
- Strategic thinking and planning;
- Financial management, internal control and accountability;
- Decision making and problem solving;
- Communication and building co-operation.

Two desirable criteria were also applied:-

1. Knowledge of the Ulster-Scots sector and traditions; and
2. Evidence of community engagement with the Ulster-Scots sector.

### **Ulster-Scots Agency**

**Mr McGlone** asked the Minister of Culture, Arts and Leisure to detail the projects funded by the Ulster-Scots Agency in each of the last three years.

**(AQW 3103/11-15)**

**Ms Ní Chuilín:** The projects funded by the Ulster-Scots Agency over the last three years are listed on the Agency's website @ [www.ulsterscotsagency.com](http://www.ulsterscotsagency.com). A list of these projects is attached at Annex A.

The Agency is happy to tailor any specific request in relation to any projects it has funded.

**ANNEX A**

Heart of Down Highland Dancers	Highland Dance Competition	24 April 2010	£460.00	31 March 2010
Cairncastle LOL 692 Community & Cultural Group	Ulster-Scots Soiree	26 May 2010-23 February 2011	£2,520	29 March 2010
Ballybofey and Stranorlar Integrated Community Company	Ulster-Scots Festival	04 – 07 June 2010	£ 3,305.50	18 March 2010
Garryduff Flute Band	Ulster-Scots Festival	24 – 26 June 2010	£ 1,400.00	16 March 2010
Hillsborough Working Together	Ulster-Scots Festival	19 March – 12 July 2010	£ 5,575.000	16 March 2010
South Down Defenders Flute Band	Ulster-Scots Festival	17 June – 10 July 2010	£ 3,450.00	16 March 2010
Bushmills Ulster Scots Heritage Group	Ulster-Scots Festival	13 March 2010	£1,054.00	12 March 2010
Drumlough Cultural Society	Ulster-Scots Festival	10 – 18 June 2010	£ 2,920.00	12 March 2010
Pride of Ballinran	Ulster-Scots Festival	31 May – 05 June 2010	£ 2,600.00	12 March 2010
Ballygarvey Arts & Cultural Society	Burns Night/Event	1 day	£90	17 February 2010
Redrock Development Partnership	Burns Night/Event	1 day	£250	12 January 2010
Finnard Rural Development Association	Ulster-Scots Concert	1 day	£250	23 November 2009
Brookmount Cultural & Education Society	Burns Night/Event	1 day	£250	18 November 2009
Dollingstown Ulster-Scots Society	Burns Night/Event	1 day	£250	18 November 2009
Donaghmore Development Association	Burns Night/Event	1 day	£250	18 November 2009
Dungonnell Ulster-Scots Society	Burns Night/Event	1 day	£250	18 November 2009
Kilmegan & Aghlisnafin Rural Community Group	Burns Night/Event	1 day	£250	18 November 2009
Kirknarra School of Dance	Burns Night/Event	1 day	£250	18 November 2009
Lisnamulligan Rural Association	Burns Night/Event	1 day	£250	18 November 2009



Loughries Historical Society	Burns Night/Event	1 day	£250	18 November 2009
Brookmount Cultural & Education Society	Hogmanay Celebration	1 day	£250	17 November 2009
Cairncastle LOL 692 Community & Cultural Group	Burns Night/Event	1 day	£250	17 November 2009
Dollingstown Ulster-Scots Society	Hogmanay Celebration	1 day	£250	17 November 2009
Dunloy Accordion Band	Ulster-Scots Concert	1 day	£250	17 November 2009
Finnis Rural Development Association	Burns Night/Event	1 day	£250	17 November 2009
Naggy Burn Ulster-Scots & Schomberg Orange Culture Society	Burns Night/Event	1 day	£250	17 November 2009
Bushmills Ulster-Scots Heritage	Music and Dance Tuition	7 weeks	£840	05 October 2009
Girtaclare Pipe Band	Music Tuition - Pipe	4 weeks	£400	01 October 2009
Heart of Down Highland Dancers	Dance Tuition	2 weeks	£208	01 October 2009
Burnside Ulster-Scots Society	Hogmanay Celebration	1 day	£250	30 September 2009
Burnside Ulster-Scots Society	St. Andrew's Celebration	1 day	£250	30 September 2009
European Bureau for Lesser-Used Languages		Not specified	£4,000	25 September 2009
Hunter Moore Memorial Flute Band	Music Tuition - Flute & Drum	5 months	£4,050	18 September 2009
Burren Rural Association	Music Tuition - Lambeg and Fife	8 weeks	£728	15 September 2009
Craiganeer Accordion Band	Music Tuition - Accordion and Drum	6 weeks	£693	15 September 2009
Shugnal Nifty	Cultural and Awareness Event	1 week	£1,280	15 September 2009
Ardinariff Historical and Cultural Society	Music Tuition - Lambeg Drum	7 weeks	£525	11 September 2009
Ardinariff Historical and Cultural Society	Music Tuition - Lambeg Drum	7 weeks	£525	11 September 2009

Johnston and Madden Memorial Orange Hall Committee	Ulster-Scots Concert	1 day	£250	11 September 2009
Kirknarra School of Dance	Dance Tuition	3 weeks	£322.50	11 September 2009
Cahard Flute Band	Music Tuition - Flute & Drum	6 months	£1,787.50	04 September 2009
Crown Defenders Flute Band	Music Tuition - Flute	5 weeks	£720	04 September 2009
Mullabrack Accordion Band	Music Tuition - Accordion and Drum	4 months	£405	04 September 2009
Tannagh Hill Rural Development Association	Dance Tuition	2 months	£300	04 September 2009
Ballycarry Community Association	Ulster-Scots Festival	5 days	£7,677.50	28 August 2009
Cairncastle LOL 692 Community and Cultural Group	Dance Tuition	6 months	£1,851	28 August 2009
Kinnego Community Development Association	Music Tuition - Flute & Drum	6 months	£1,507.50	28 August 2009
Kinnego Community Development Association	Music Tuition - Drum	6 months	£1,170	28 August 2009
LaganVillage Drum & Fife School	Music Tuition - Lambeg Drum	3 months	£2,480	28 August 2009
Thiepval Memorial Pipe Band	Music Tuition - Drum	5 months	£720	28 August 2009
Tullyvallen Silver Band	Music and Dance Tuition	4 months	£1,120	28 August 2009
Shetland and Riding Pony Club	Language/Education Project	5 months	£750	20 August 2009
Ballylone Concert Flute Band	Music Tuition - Flute & Drum	5 months	£2,080	19 August 2009
Ardinariff Historical and Cultural Society	Dance Tuition	8 months	£1,447.50	11 August 2009
Cranny Cultural and Community Group	Music Tuition - Pipe and Drum	6 months	£1,410	11 August 2009
Downshire Ulster-Scots Society	Music Tuition - Lambeg Drum	6 months	£1,240	11 August 2009
John Hunter Accordion Band	Music Tuition - Accordion and Drum	4 weeks	£1,440	11 August 2009

The Blue Thistle Highland Dancers	Dance Tuition	4 weeks	£780	11 August 2009
Ballymageough Rural Development Association	Music Tuition - Flute & Drum	6 months	£1,950	10 August 2009
Magherafelt Highland and Country Dancing	Dance Tuition	5 months	£1,816.10	10 August 2009
Altnaveigh House School of Dance	Dance Tuition	10 weeks	£2,175	04 August 2009
Altnaveigh House Ltd	Exhibition/Conference	2 months	£5,250	03 August 2009
Closkelt Highland Dancers	Dance Tuition	10 months	£675	03 August 2009
Sir George White Memorial Flute Band	Music Tuition - Flute & Drum	5 months	£2,250	28 July 2009
Skeogh Flute Band	Music Tuition - Flute & Drum	4 months	£2,600	27 July 2009
Greyabbey Junior Drumming School	Dance Tuition	6 months	£1,440	26 July 2009
Cairncastle LOL 692 Community and Cultural Group	Summer School	5 days	£2,149.50	24 July 2009
Aughnagurgan Scottish Dance Association	Dance Tuition	9 months	£1,647.75	23 July 2009
Finnard Rural Development Association	Dance Tuition	5 months	£1,441.20	23 July 2009
Queensway Flute Band	Music Tuition - Flute & Drum	6 months	£1,575	23 July 2009
East Donegal Ulster-Scots Association	Summer School	5 days	£2,916.38	22 July 2009
Magheragall Pipe Band	Music Tuition - Pipe and Drum	5 months	£2,400	22 July 2009
Pride of Ballinran Flute Band	Music Tuition - Flute	6 months	£2,080	22 July 2009
Pride of Ballinran Flute Band	Music Tuition - Flute & Drum	6 months	£2,080	22 July 2009
Steeple Cultural and Heritage Society	Music Tuition - Flute & Drum	3 months	£1,875	22 July 2009
Ballymoney Fife and Lambeg Drumming Club	Music Tuition - Fife and Drum	5 months	£2,600	21 July 2009
Ballymoney Junior Drumming Club	Music Tuition - Fife and Drum	5 months	£2,600	21 July 2009

Altnaveigh House School of Dance	Highland Dance Competition	1 day	£832	20 July 2009
Gig n the Bann	Ulster-Scots Festival	4 days	£2,337.50	20 July 2009
Greyabbey Junior Drumming School	Music Tuition - Lambeg Drum	6 months	£180	20 July 2009
Broughshane Ulster-Scots Society	Ulster-Scots Concert	1 day	£250	15 July 2009
Donaghmore Accordion Band	Cultural and Awareness Event	4 months	£1,950	10 July 2009
Lord Londonderrys own CLB Flute Band	Music Tuition - Flute & Drum	6 months	£2,100	06 July 2009
Cookstown North Community Group	Summer School	5 days	£2,348.40	03 July 2009
South East Fermanagh Foundation	Summer School	5 days	£3,273.60	03 July 2009
Newry Heritage and Development Association Youth Group	Summer School	5 days	£2,350.88	02 July 2009
Newry Heritage and Development Association Youth Group	Summer School	5 days	£2,350.88	02 July 2009
CAW/Nelson Drive Action Group	Summer School	5 days	£2,133.15	01 July 2009
Donegal Pass Community Centre	Summer School	5 days	£1,293.75	01 July 2009
Cathedral Youth Club	Ulster-Scots Festival	1 day	£1,482.50	29 June 2009
Loughries Historical Society	Summer School	5 days	£2,782.50	23 June 2009
Taughmonagh Community Forum	Summer School	5 days	£1,235.10	22 June 2009
Greyabbey Junior Drumming School	Music Tuition - Tin Whistle	2 months	£300	19 June 2009
Bannside Community Safety Group	Summer School	5 days	£3,500	17 June 2009
Moneyslane Cultural and Rural Development Association	Cultural and Awareness Event	1 day	£250	17 June 2009
Star of The Roe Flute Band	Music Tuition - Flute & Drum	4 months	£1,575	17 June 2009
Ballyhalbert Flute Band	Music Tuition - Flute & Drum	5 months	£2,475	16 June 2009

Hanover Cultural and Development Association	Ulster-Scots Showcase	1 week	£500	15 June 2009
Iveagh Cultural Association	Music Tuition - Lambeg and Fife	5 months	£2,118.75	15 June 2009
Moneyslane Cultural and Rural Development Association	Music Tuition - Flute & Drum	5 months	£1,950	15 June 2009
Moyasset Heritage and Cultural Society	Music Tuition - Lambeg Drum	2 months	£926.25	15 June 2009
Portadown Scottish Country Dance Society	Dance Tuition	4 months	£894.80	15 June 2009
Tyrone's Ditches Pipe Band	Music Tuition - Pipe and Drum	5 months	£2,850	15 June 2009
Knocknagoney Community Centre	Summer School	5 days	£1,755	10 June 2009
Aughlisnafin Accordion Band	Music Tuition - Accordion and Drum	5 months	£2,512.50	08 June 2009
Dromara Local History Group	Language/Education Project	1 day	£200	08 June 2009
The Geoghegan Memorial Pipe Band	Music Tuition - Pipe and Drum	6 months	£3,632.25	08 June 2009
Ulster-Scots Cultural Development Trust	Summer School	5 days	£2,512.50	07 June 2009
Ballinran Summer Scheme	Summer School	5 days	£2,864	05 June 2009
Border Minority Group	Summer School	5 days	£1,419.75	03 June 2009
Kilrea and District Ulster-Scots Society	Summer School	5 days	£1,906.20	03 June 2009
Old Warren Youth Initiative	Summer School	5 days	£1,736.81	03 June 2009
REACT	Summer School	5 days	£1,624.50	03 June 2009
Redburn Youth Group	Summer School	5 days	£2,634.90	03 June 2009
Redburn Youth Group	Summer School	5 days	£2,402.70	03 June 2009
Redburn Youth Group	Summer School	5 days	£2,020.20	03 June 2009
Sollus School of Highland Dance	Summer School	5 days	£2,257.20	02 June 2009
Drumlough Pipe Band	Summer School	5 days	£2,202.75	28 May 2009
Drummond Centre Project Ltd	Summer School	5 days	£2,052.75	27 May 2009
5th Portadown Boys Brigade	Summer School	5 days	£2,146.35	26 May 2009



Ardinarriff Historical and Cultural Society	Summer School	5 days	£2,141.25	26 May 2009
Ballinran Summer Scheme	Summer School	5 days	£2,810.80	26 May 2009
Ballyroney Rural Development Group	Summer School	5 days	£2,652	26 May 2009
Cathedral Youth Club	Summer School	5 days	£1,681.50	26 May 2009
Gillygooley Youth and Community Development Association	Summer School	5 days	£2,154.75	26 May 2009
Hollywood Family Trust	Summer School	5 days	£2,616	26 May 2009
Kilcooley Community Action Group	Summer School	5 days	£1,470	26 May 2009
Kilcronaghan Community Association	Summer School	5 days	£1,993.86	26 May 2009
McClintock Childrens Centre	Summer School	5 days	£1,243.95	26 May 2009
Mountfield Ulster-Scots Association	Summer School	5 days	£2,190	26 May 2009
Mourne Valley Cultural Association	Summer School	5 days	£2,938.50	26 May 2009
Newbuildings Community and Environmental Association	Summer School	5 days	£2,064.30	26 May 2009
Seymour Hill and Conway Community Network	Summer School	5 days	£1,364.25	26 May 2009
Union Street Walking and Fitness Club	Summer School	5 days	£1,850.25	26 May 2009
The Royal Scottish Pipe Band Association NI Branch	Cultural and Awareness Event	1 year	£25,500	25 May 2009
Ullans Speaker Association	Language/Education Project	1 year	£48,208	21 May 2009
Annalong Cultural Education Society	Cultural and Awareness Event	3 days	£250	11 May 2009
Broomhedge Ulster-Scots Society	Midsummer Night Event	1 day	£250	11 May 2009
Cairncastle LOL 692 Community and Cultural Group	Ulster-Scots Soiree	10 months	£2,500	11 May 2009

European and Ulster Highland Dance Championships Festival	Highland Dance Competition	1 day	£1,488	11 May 2009
Gertrude Star Flute Band	Cultural and Awareness Event	5 months	£3,600	11 May 2009
Killyfargue Pipe Band	Music Tuition - Pipe and Drum	4 months	£3,000	11 May 2009
Conlig Rural Partnership for Cultural Development	Ulster-Scots Showcase	1 day	£250	06 May 2009
Drumnaleg Community Association	Cultural and Awareness Event	1 day	£250	05 May 2009
Aughafatten Coronation Accordion Band	Music Tuition - Accordion and Drum	5 months	£2,250	29 April 2009
Dungiven Flute Band	Music Tuition - Flute & Drum	5 months	£2,100	29 April 2009
Flutes of Mourne	Music Tuition - Flute	8 weeks	£2,175	29 April 2009
Lisburn Fusiliers Flute Band	Music Tuition - Flute & Drum	5 months	£2,496.20	29 April 2009
W F Marshall Education Centre	Language / Education Project	2 days	£1,904.80	29 April 2009
Ballymacconnelly Ulster-Scots Group	Music Tuition - Flute & Drum	6 months	£1,500	27 April 2009
Magheraboy Flute Band	Music Tuition - Flute & Drum	7 months	£1,125	27 April 2009
Edentiloan and District Ulster-Scots Association	Cultural and Awareness Event	1 day	£250	24 April 2009
Ballymoney Fife and Lambeg Drumming Club	Ulster-Scots Showcase	1 day	£2,400.25	20 April 2009
Drum Accordion Band	Ulster-Scots Festival	2 weeks	£1,080	20 April 2009
Howard Memorial Pipe Band	Music Tuition - Pipe and Drum	5 months	£2,625	20 April 2009
Pride of the Park Flute Band	Music Tuition - Flute & Drum	5 months	£1,200	20 April 2009
South Down Defenders Flute Band	Music Tuition - Flute & Drum	4 weeks	£1,650	20 April 2009
Vow Accordion Band	Music Tuition - Accordion and Drum	5 months	£1,800	20 April 2009
Fermanagh Arts Festival	Ulster-Scots Festival	10 days	£5,150	10 April 2009

Banbridge Orange Hall Committee	Ulster-Scots Festival	3 weeks	£6,300	09 April 2009
Cairncastle LOL 692 Community and Cultural Group	Ulster-Scots Festival	2 weeks	£19,695	09 April 2009
Cup of Tae Festival	Ulster-Scots Festival	4 days	£1,250	09 April 2009
Lagan Valley Arts and Cultural Society	Ulster-Scots Festival	3 weeks	£2,330	09 April 2009
Lisnaskea Lambeg Drumming Club	Ulster-Scots Festival	2 days	£1,876	09 April 2009
Portavogie Heritage Society	Ulster-Scots Festival	5 days	£11,000	09 April 2009
Upper Crossgare Pipe Band	Music Tuition - Pipe Band	9 months	£3,078.60	09 April 2009
Cullybackey Fife and Drumming Club	Music Tuition - Fife and Drum	4 months	£1,080	07 April 2009
Broughshane Ulster-Scots Society	Music Tuition - Lambeg and Fife	6 months	£1,500	06 April 2009
Cahard Flute Band	Music Tuition - Flute & Drum	6 months	£3,220	06 April 2009
Castlegore Amateur Flute Band	Music Tuition - Flute	4 months	£2,100	06 April 2009
Clontibret Pipe Band	Music Tuition - Pipe and Drum	6 months	£3,000	06 April 2009
Commons Silver Band	Music Tuition - Drum	5 months	£1,425	06 April 2009
Donaghadee Flute Band	Music Tuition - Flute & Drum	4 months	£2,100	06 April 2009
Drumnaleg Community Association	Music Tuition - Lambeg Drum	8 weeks	£952	06 April 2009
Hillstown Rural Community Group	Music Tuition - Lambeg and Fife	5 months	£1,800	06 April 2009
Kilkeel Silver Band	Music Tuition - Drum	5 months	£1,800	06 April 2009
Kirknarra School of Dance	Dance Tuition	6 months	£1,800	06 April 2009
Lisnaward Rural Association		6 months	£1,800	06 April 2009
Newtownards Road Historical Society	Music Tuition - Flute & Drum	6 months	£3,600	06 April 2009
Redrock Development Partnership	Music Tuition - Lambeg Drum	2 months	£1,640	06 April 2009
Drumadonald Rural Development Association	Development Grant	1 year	£2,764	26 March 2009

Katesbridge Community Association	Development Grant	1 year	£3,000	24 March 2009
Heart of Down Highland Dancers	Highland Dance Competition	1 day	£634	18 March 2009
Mourne Young Defenders Flute Band	Music Tuition - Flute & Drum	5 months	£3,840	18 March 2009
Dollingstown Ulster-Scots Cultural and Heritage Society	Development Grant	1 year	£3,000	10 March 2009
Moyasset Heritage and Cultural Society	Cultural and Awareness Event	1 day	£250	10 March 2009
Naggy Burn Ulster-Scots and Schomberg Orange Cultural Society	Cultural and Awareness Event	1 day	£2,750	10 March 2009
Sir Edward Carson True Blues Flute Band	Ulster-Scots Festival	12 days	£3,000	09 March 2009
Altnaveigh House Ltd	Ulster-Scots Festival	5 days	£4,350	06 March 2009
Ballymageough Rural Development Association	Ulster-Scots Festival	5 days	£3,210	06 March 2009
Ballymave Educational and Cultural Society	Ulster-Scots Festival	4 days	£2,300	06 March 2009
Bannside Community Safety Group	Ulster-Scots Festival	3 weeks	£5,410	06 March 2009
Burnside Accordion Band	Ulster-Scots Festival	3 days	£2,355	06 March 2009
Church Street Community Association	Cultural and Awareness Event	5 days	£1,460	06 March 2009
Coleraine Festival Committee	Ulster-Scots Festival	8 days	£11,860	06 March 2009
Community Safety Group (NI) Broughshane Branch	Ulster-Scots Festival	2 days	£4,516.76	06 March 2009
Cranny Cultural and Community Group	Ulster-Scots Festival	4 days	£3,200	06 March 2009
Culleybackey District LOL No 20	Ulster-Scots Festival	9 days	£2,390	06 March 2009
Donegall Pass Community Forum	Ulster-Scots Festival	4 days	£2,970	06 March 2009
Drumadonald Rural Development Association	Burns Night / Event	1 week	£2,480	06 March 2009

Drumlough Cultural Society	Ulster-Scots Festival	8 days	£2,575	06 March 2009
Dunloy Accordion Band	Ulster-Scots Festival	3 days	£2,390	06 March 2009
East Belfast Titanic Festival	Ulster-Scots Festival	2 weeks	£24,820	06 March 2009
Hartford Community Development and Cultural Association	Ulster-Scots Showcase	8 days	£5,550	06 March 2009
Kilrea Culture Community Group	Ulster-Scots Festival	2 days	£1,490	06 March 2009
Kingdom of Dalriada Ulster-Scots Society	Ulster-Scots Festival	2 days	£2,200	06 March 2009
Larne District LOL No.1 Educational and Cultural Group	Ulster-Scots Festival	3 weeks	£9,100	06 March 2009
Maiden City Festival	Ulster-Scots Festival	9 days	£10,050	06 March 2009
Marlagh Educational and Cultural Group	Music Tuition - Lambeg and Fife	5 months	£3,675	06 March 2009
Marlagh Educational and Cultural Group	Ulster-Scots Festival	2 days	£1,390	06 March 2009
Portstewart Community Association	Ulster-Scots Festival	1 week	£2,982	06 March 2009
Schomberg Festival Committee	Ulster-Scots Festival	1 week	£6,044.88	06 March 2009
South Down Defenders Flute Band	Ulster-Scots Festival	1 month	£3,590	06 March 2009
Stranocum Ulster-Scots Cultural and Heritage Society	Ulster-Scots Festival	6 days	£1,820	06 March 2009
The Maine Event Festival Committee	Ulster-Scots Festival	3 days	£6,212	06 March 2009
Tyrone Orange Vision	Ulster-Scots Festival	1 week	£6,450	06 March 2009
York Island Arts and Heritage Association	Ulster-Scots Festival	2 days	£5,225	06 March 2009
Aughlish Ulster-Scots Group	Development Grant	1 year	£2,320	03 March 2009
Cranfield Cultural Society	Development Grant	1 year	£2,400	02 March 2009
Kilmacrew and District Rural Community Group	Development Grant	1 year	£1,307.20	02 March 2009



Brookmount Cultural and Education Society	Ulster-Scots Soiree	1 day	£250	25 February 2009
Knockavannon Rural Community Development Association	Dance Tuition	1 month	£412.50	25 February 2009
Lisnagaver Flute Band	Cultural and Awareness Event	3 days	£1,252	25 February 2009
Markethill District LOL No 10	Ulster-Scots Concert	1 day	£250	25 February 2009
Sir George White Memorial Flute Band	Music Tuition - Flute & Drum	5 months	£2,250	25 February 2009
Stranocum Ulster-Scots Cultural and Heritage Society	Ulster-Scots Soiree	1 day	£250	25 February 2009
Ballykeel Loyal Sons of Ulster Flute Band	Music Tuition - Flute & Drum	6 months	£1,600	23 February 2009
Ballywillan Flute Band	Music Tuition - Flute & Drum	5 months	£2,250	23 February 2009
Dunloy Accordion Band	Music Tuition - Accordion and Percussion	4 months	£2,250	23 February 2009
Freeman Flute Band	Music Tuition - Flute	4 months	£3,600	23 February 2009
Kinnego Community Development Association	Music Tuition - Drum	4 months	£960	23 February 2009
Moorcroft Rural Community Cultural and Educational Society	Music Tuition - Pipe and Drum	6 months	£3,000	23 February 2009
Victoria Historical and Cultural Society	Music Tuition - Flute & Drum	5 months	£3,600	20 February 2009
Belfast Nashville Songwriters Festival	Ulster-Scots Festival	5 days	£5,000	13 February 2009
Feis Fhear Manach/ Fermanagh Forgaither	Highland Dance Competition	1 day	£1,130.94	09 February 2009
Sir Edward Carson True Blues Flute Band	Music Tuition - Flute	5 months	£1,080	03 February 2009
Ulster-Scots Cultural Development Trust	Burns Night / Event	1 week	£1,500	28 January 2009
Skeogh Flute Band	Music Tuition - Flute & Drum	5 months	£2,400	23 January 2009
Burnside Accordion Band	Music Tuition - Accordion and Drum	5 months	£1,800	21 January 2009

Drumlough Pipe Band	Music Tuition - Pipe and Drum	5 months	£3,855	21 January 2009
East Antrim (killyglen) Accordion Orchestra	Music Tuition - Accordion and Drum	6 months	£2,722	21 January 2009
Garryduff Flute Band	Music Tuition - Flute & Drum	4 months	£1,200	21 January 2009
The Warren Cultural and Educational Society	Music Tuition - Lambeg Drum	5 months	£840	21 January 2009
The Warren Cultural and Educational Society	Cultural and Awareness Event	1 day	£250	20 January 2009
Curley Rural Community Association	Music Tuition - Accordion and Drum	4 months	£1,830	19 January 2009
Curlough Accordion Band	Music Tuition - Accordion and Drum	4 months	£2,025	19 January 2009
Marlacoo Pipe Band	Music Tuition - Pipe and Drum	10 months	£2,940	19 January 2009
SeaPatrick Flute Band	Music Tuition - Flute & Drum	5 months	£1,063.36	19 January 2009
Cairncastle LOL 692 Community and Cultural Group	Dance Tuition	6 months	£1,874.25	14 January 2009
Magheragall Pipe Band	Music Tuition - Pipe and Drum	6 months	£2,250	14 January 2009
Markethill Presbyterian Church		1 day	£300	13 January 2009
Dollingstown Ulster-Scots Cultural and Heritage Society	Ulster-Scots Showcase	1 day	£250	09 January 2009
Anahilt Rural Association	Burns Night/Event	1 day	£250	07 January 2009
Brunswick Accordion Band	Music Tuition - Accordion and Percussion	5 months	£2,100	22 December 2008
Desertmartin Accordion Band	Music Tuition - Accordion and Drum	4 months	£1,200	22 December 2008
Reformed Presbyterian Church Committee on History	Exhibition/Conference	6 months	£2,500	19 December 2008
Churchill Flute Band	Music Tuition - Flute & Drum	5 months	£1,500	16 December 2008
Dollingstown Star of the North Flute Band	Music Tuition - Flute & Drum	4 months	£3,030	16 December 2008

Eden Accordion Band	Music Tuition - Accordion and Drum	5 months	£1,600	16 December 2008
Drumquin Pipe Band	Music Tuition - Pipe and Drum	6 months	£1,512	15 December 2008
Dunaghy Flute Band	Music Tuition - Flute	8 weeks	£1,920	15 December 2008
Dungonnell Ulster- Scots and Cultural Society	Burns Night/Event	1 day	£250	15 December 2008
Finnard Rural Development Association	Dance Tuition	4 months	£1,800	15 December 2008
Heart of Down Highland Dancers	Dance Tuition	6 months	£2,520	15 December 2008
Hillborough Working Together	Burns Night / Event	1 day	£250	15 December 2008
Sollus School of Highland Dance	Dance Tuition	8 months	£9,056.25	15 December 2008
William Kerr Memorial Pipe Band	Music Tuition - Pipe and Drum	5 months	£1,500	15 December 2008
Garvagh and District Development Association	Dance Tuition	9 months	£1,732.50	12 December 2008
Simpson-Grant Association	Music Tuition - Accordion and Drum	3 months	£1,368.75	05 December 2008
Cranfield Cultural Society	Music Tuition - Flute & Drum	6 months	£1,750	02 December 2008
Drumderg Flute Band Keady	Music Tuition - Flute & Drum	5 months	£2,850	02 December 2008
Cullybackey Pipe Band	Music Tuition - Pipe and Drum	4 months	£3,710	26 November 2008
Hunter Moore Memorial Flute Band	Music Tuition - Fife and Drum	5 months	£3,750	26 November 2008
Belfast Burns Association	Burns Night/Event	1 day	£2,000	24 November 2008
Ulster-Scots Folk Orchestra	Language/Education Project	9 months	£29,900	24 November 2008
The Villages Together	Ulster-Scots Festival	1 month	£2,737.50	21 November 2008
Trinity College Dublin	Exhibition/Conference	1 month	£2,128	20 November 2008
Ardinariff Historical and Cultural Society	Music Tuition - Flute & Drum	5 months	£1,500	19 November 2008

Loughries Historical Society	Music Tuition - Fife and Drum	5 months	£2,700	19 November 2008
Rush Ulster-Scots Heritage	Music and Dance Tuition	5 months	£2,100	18 November 2008
Ulster-Scots Dance Academy	Dance Tuition	8 months	£3,150	03 November 2008
Mid-Armagh Community Network	Music and Dance Tuition	1 year	£18,545	31 October 2008
Ballydonaghy Pipe Band	Music Tuition - Pipe and Drum	5 months	£1,600	28 October 2008
Ballyrea Boyne Defenders Flute Band	Music Tuition - Flute & Drum	6 months	£800	28 October 2008
Crossgar Young Defenders	Music Tuition - Fife and Drum	5 months	£3,037.50	28 October 2008
Lisnamulligan Pipe Band	Music Tuition - Pipe and Drum	5 months	£3,022.50	28 October 2008
Maghera Sons of William Flute Band	Music Tuition - Flute & Drum	5 months	£1,200	28 October 2008
North West Tongues/Tones and Tappin	Redevelopment Programme	5 months	£4,080	28 October 2008
Ailsa - Evaluation of KS3 Education Materials	Language/Education Project	9 months	£4,200	27 October 2008
Ballymoughan Flute Band	Music Tuition - Flute & Drum	5 months	£1,200	27 October 2008
Schomberg Fife and Drum	Music Tuition - Fife and Drum	5 months	£850	27 October 2008
Tobermore Loyal Flute Band	Music Tuition - Flute & Drum	4 months	£1,400	27 October 2008
Lack Pipe Band	Music Tuition - Pipe and Drum	6 months	£1,500	23 October 2008
Hasleys Town Cultural Society		1 day	£250	22 October 2008
Roden Accordion Band	Music Tuition - Accordion and Drum	6 months	£2,100	13 October 2008
Newtownards Melody Flute Band	Music Tuition - Flute	5 months	£2,100	12 October 2008
Burren Rural Association	Music Tuition - Lambeg and Fife	7 months	£2,100	10 October 2008
Sterritt Memorial Ulster-Scots Society and Drumming Club	Music Tuition - Lambeg Drum	3 months	£600	09 October 2008

Curran Flute Band	Music Tuition - Flute & Drum	6 months	£1,600	07 October 2008
Lisnamulligan Rural Association	Burns Night/Event	1 day	£250	05 October 2008
Trinity College Dublin	Exhibition/Conference	1 year	£27,264	02 October 2008
Schomberg Folk Orchestra	Music Tuition - Accordion and Percussion	5 months	£2,400	30 September 2008
Pound Bridge and District Community Association	Music Tuition - Flute & Drum	5 months	£2,400	29 September 2008
Tannagh Hill Rural Development Association	Dance Tuition	6 months	£770	29 September 2008
The Relatives Association	Cultural and Awareness Event	1 month	£2,350	29 September 2008
Mountfield Ulster-Scots Association	Music Tuition - Pipe and Drum	6 months	£1,890	25 September 2008
Kilrea and District Ulster-Scots Society	Dance Tuition	5 months	£1,600	18 September 2008
Mountfield Ulster-Scots Association	Dance Tuition	8 months	£2,010	18 September 2008
Village Maids Highland Dance Committee	Dance Tuition	9 months	£4,123	12 September 2008
Edentiloan and District Ulster-Scots Association	Dance Tuition	8 months	£2,505	10 September 2008
Northern Light Review	Cultural and Awareness Event	1 day	£2,500	03 September 2008
Ulster-Scots Cultural Development Trust	Ulster-Scots Festival	2 weeks	£3,292	28 August 2008
Kilmacrew and District Rural Community Group	Music Tuition - Fife and Drum	5 months	£1,537.50	27 August 2008
Ballysillan Highland Dancers	Dance Tuition	9 months	£2,700	21 August 2008
Greyabbey Junior Drumming School	Music Tuition - Lambeg Drum	6 months	£580	19 August 2008
Greyabbey Junior Drumming School	Dance Tuition	8 months	£3,480	18 August 2008
Closkelt Highland Dancers	Dance Tuition	9 months	£1,950	14 August 2008



Sandholes Accordion Band	Music Tuition - Accordion and Drum	4 months	£1,672.50	12 August 2008
Bright Lights	Dance Tuition	8 months	£4,998	11 August 2008
Moorcroft Rural Community Cultural and Educational Society	Music Tuition - Pipe and Drum	5 months	£2,080	11 August 2008
Altnaveigh House School of Dance	Dance Tuition	9 months	£6,000	08 August 2008
Magherafelt Highland and Country Dancing	Dance Tuition	8 months	£3,715.50	06 August 2008
The Blue Thistle Highland Dancers	Dance Tuition	9 months	£2,075	06 August 2008
Newbuildings Community and Environmental Association	Ulster-Scots Festival	1 week	£19,535.50	31 July 2008
The Thompson Primary School Summer Scheme	Summer School	5 days	£820	21 July 2008
Aughnagurgan Scottish Dance Association	Dance Tuition	9 months	£3,363.75	10 July 2008
Ballymageough Rural Development Association	Music Tuition - Flute & Drum	6 months	£2,700	04 July 2008
Portaferry Accordion Band	Music Tuition - Accordion and Drum	5 months	£2,100	04 July 2008
Bready Ulster-Scots Pipe Band	Music Tuition - Pipe and Drum	7 months	£1,800	24 June 2008
Wm Strain and Wm Lightbody Memorial Flute Band	Music Tuition - Flute	6 months	£2,100	23 June 2008
Pioneer Flute Band	Music Tuition - Pipe and Drum	4 months	£1,800	11 February 2008
Roden Accordion Band	Ulster-Scots Showcase	1 day	£250	13 January 2008

### Odyssey Trust Company Limited

**Mr Allister** asked the Minister of Culture, Arts and Leisure, in light of the £40 million being held by the Odyssey Trust Company (OTC) and the urgent expenditure needs elsewhere, if he has examined whether opportunities exist within the provisions of the Funding Agreement with OTC to the effect that when its reserve fund exceeds £10 million for a period of three months, the Department of Culture, Arts and Leisure can direct expenditure of any such excess.

**(AQW 3120/11-15)**

**Ms Ní Chuilín:** The Odyssey Trust Company's audited Financial Statements indicate that its Reserve Fund (which is not to be confused with cash balances held) is considerably below the £10 million threshold as detailed in Clause 9.3 of the Agreement, which states:

*"If at the expiry of any period of three consecutive months the sums standing to the credit of the Reserve Fund exceed £10 million, and have exceeded £10 million for such three months period (or such other amount as may be notified in writing by the Department to the Company after consultation with the Company,) the Company shall if the Department so decides having first committed the Company and the co-funder within such time as has been specified by the Department pay to the Department such proportion of the excess (not exceeding the Actual Grant Funded Percentage) as may be determined by the Department."*

Were the OTC's Reserve funds in excess of the stipulated £10 million to become available for distribution, my Department would only be entitled to 18.55% of this excess amount.

## Twelfth of July Celebrations in Belfast

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure for her assessment of whether more funding should be allocated to the organisers of the Twelfth of July Celebrations in Belfast.

**(AQW 3174/11-15)**

**Ms Ní Chuilín:** My Department does not directly fund events such as the Twelfth of July celebrations. DCAL funding is mainly disbursed through its Arms Length Bodies.

Today's economic climate presents a very challenging climate for all cultural events, with many organisations competing for funding. Organisers are free to apply to any relevant competitive funding streams, and funding may be made available provided the organisation and event are eligible, the event/proposal fits the criteria of the given programme and the application scores well in what are generally highly competitive funding rounds.

## Northern Ireland Events Company

**Lord Morrow** asked the Minister of Culture, Arts and Leisure for a detailed update on the winding-up of the Northern Ireland Events Company and the conclusions of any investigations or forensic audits.

**(AQW 3199/11-15)**

**Ms Ní Chuilín:** The Executive agreed to meet the current liabilities of the Northern Ireland Events Company (NIEC), as presented to it on 22 November 2007, subject to verification by an Independent Financial Adviser, with a view to the company being wound up at the earliest opportunity.

KPMG were engaged by DCAL to carry out (inter alia) a comprehensive and authoritative audit of the financial affairs of the Company, and to carry out a comprehensive review of all the circumstances surrounding the deficit accumulated by NIEC. KPMG reported to DCAL in May 2008

A number of claims against the company have not, in the view of NIEC Solicitors, satisfactorily established their respective cases and cannot therefore be said to be verified creditors of the company.

Primary responsibility for the winding up of NIEC rests with the Board of Directors. The Executive's decision requires an orderly run down of the company's affairs to facilitate its liquidation, and that all outstanding creditors' claims are dealt with. Actual closure of the company is legally a matter for the Directors.

Company Inspectors were appointed by DETI on 17th November 2008 under Article 425 (2) of the Companies (Northern Ireland) Order 1986. DETI has advised that nothing in relation to the Inspectors' ongoing investigation can be disclosed and it will give full consideration to the report's findings when it is received.

DETI has indicated that they expect the investigation to be completed in June 2012.

## October Monitoring Round

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail any financial pressures that have been identified by her Department as part of the October Monitoring Round.

**(AQW 3200/11-15)**

**Ms Ní Chuilín:** During October monitoring my Department did not identify any pressures, above the De Minimis level, which would warrant a formal bid to DFP for increased resources.

## Libraries

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure, in relation to the percentage usage of Public Access Terminals (PAT), how respondents to the Review of Library Opening Hours can accurately judge which band branch libraries should be placed in when the number of PATs installed in each branch library and their maximum annual usage are not disclosed.

**(AQW 3250/11-15)**

**Ms Ní Chuilín:** I refer you to AQW 3059/11-15 which noted that Libraries NI have committed to publishing the number of Public Access Terminals (PATs) in each library on their website.

Libraries NI is content that the key indicators set out in the consultation documentation are representative of overall library activity and that, in total, they provide a sufficiently comprehensive and informed picture upon which it can consult with the public.

## October Monitoring Round

**Mr Weir** asked the Minister of Culture, Arts and Leisure to detail any easements that have been identified by her Department in the October Monitoring Round.

**(AQW 3314/11-15)**

**Ms Ní Chuilín:** During October monitoring my Department did not identify any easements, above the De Minimis level, which would require a notification to DFP of a reduced requirement for resources.

## Community Arts

**Ms S Ramsey** asked the Minister of Culture, Arts and Leisure for her assessment of the funding allocated by the Arts Council to community arts projects.

**(AQO 594/11-15)**

**Ms Ní Chuilín:** A recent evaluation of the Arts Council's main funding programme, Annual Support of Organisations Programme (ASOP) indicates that the share to Community Arts in 2010/11 was substantial at about one quarter of the ASOP total of £10,296,097.

One of my Departmental priorities is to continue to promote social interventions including community based arts and community festivals.

## Libraries: Rural Areas

**Mr Boylan** asked the Minister of Culture, Arts and Leisure whether the review of rural libraries will be rural proofed by Libraries NI and her Department.

**(AQO 598/11-15)**

**Ms Ní Chuilín:** Library services in rural communities are being considered within Libraries NI's ongoing Review of the libraries estate. This Review is an operational matter for Libraries NI, the Board of which includes councillors from the DUP, the SDLP, my own party and the UUP.

I am meeting with its Chief Executive tomorrow to receive a briefing on the proposals. At that meeting I will seek a final confirmation that any proposed closure decisions align with all relevant cross departmental policies and priorities - including Rural Impact Assessment.

The Rural Impact Assessment will be published as an appendix to the final Libraries NI report on the consultation process.

### **Libraries: Opening Hours**

**Mrs McKevitt** asked the Minister of Culture, Arts and Leisure how local communities will be involved in the consultation process on the review of opening hours for libraries.

**(AQO 599/11-15)**

**Ms Ní Chuilín:** In light of the recent budget settlement and the level of savings that are required the Board of Libraries NI determined, reluctantly, that it was preferable to reduce opening hours across the library network. This was a better alternative than closing a substantial number of libraries. This approach seeks to protect the network of sustainable libraries into the future and decisions could be reversed if additional funding becomes available.

The Public consultation began on 12 September with the issue of:

- a background paper,
- questionnaire, and
- draft Equality and Rural Impact Assessments

These documents are available from the Libraries NI website and are also in all libraries. A separate questionnaire is available for children.

The consultation has been widely publicised through local and regional press and radio, social media and in libraries. It has been brought to the attention of a wide range of stakeholders including those with a particular interest in issues of equality or rurality.

The consultation will end on 2 December 2011.

Once the opening hours have been agreed by Libraries NI there will be further engagement with customers in each library to establish the pattern which best meets their need.

As the consultation is currently underway and its purpose is to determine the impact of changing existing Library opening hours, it would be inappropriate for me to speculate in advance about its findings or conclusions.

I would encourage everyone to participate in the consultation.

### **World Police and Fire Games 2013**

**Mr Hussey** asked the Minister of Culture, Arts and Leisure what venues are being considered for the shooting competitions in the World Police and Fire Games in 2013.

**(AQO 592/11-15)**

**Ms Ní Chuilín:** Between 2 July 2010 and 29 July 2010 Sport NI completed an 'expression of interest' exercise (on behalf of the Stakeholder Group - the lead body prior to the formal establishment of 2013 World Police and Fire Games Limited on 28 February 2011) to identify potential venues to host the sports events for the 2013 Games.

Five applications were received from shooting facilities, two of which met the required standards for shooting competitions and have been selected as provisional venues. They are Ballykinler Training Centre and Carnview Farms.

### **Sports Stadia**

**Mr F McCann** asked the Minister of Culture, Arts and Leisure for an update on the developments at Casement Park, Windsor Park and Ravenhill.

**(AQO 597/11-15)**

**Ms Ní Chuilín:** Regional Stadium Development is the key capital development priority for my Department. In taking forward this major programme of capital work, DCAL has established programme and project management structures to oversee the wider strategic implementation of the Stadium Build Programme.

Sport NI has been tasked with delivering all three stadiums in conjunction with the 3 Governing Bodies. All three Governing Bodies have established Project Boards and with assistance from Sport NI, are establishing the necessary structures and securing key management and technical personnel.

The Governing Bodies have recently submitted detailed Business Plans for each of three Projects. The Business plans will confirm the timelines and milestones for completion of the Projects.

They provide information for each Project on the management arrangements during the construction phase and more critically ongoing management arrangements post construction.

Therefore good progress is being made and all three projects are on track to utilise the full public funding available within the current CSR period.

### **Libraries: Opening Hours**

**Miss M McIlveen** asked the Minister of Culture, Arts and Leisure for her assessment of the impact that the proposed reduction in library opening hours will have on service delivery.

**(AQO 600/11-15)**

**Ms Ní Chuilín:** In light of the recent budget settlement and the level of savings that are required the Board of Libraries NI determined, reluctantly, that it was preferable to reduce opening hours across the library network. This was a better alternative than closing a substantial number of libraries. This approach seeks to protect the network of sustainable libraries into the future and decisions could be reversed if additional funding becomes available.

The Public consultation began on 12 September with the issue of:

- a background paper,
- questionnaire, and
- draft Equality and Rural Impact Assessments

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The consultation has been widely publicised through local and regional press and radio, social media and in libraries. It has been brought to the attention of a wide range of stakeholders including those with a particular interest in issues of equality or rurality.

The consultation will end on 2 December 2011.

Once the opening hours have been agreed by Libraries NI there will be further engagement with customers in each library to establish the pattern which best meets their need.

As the consultation is currently underway and its purpose is to determine the impact of changing existing Library opening hours, it would be inappropriate for me to speculate in advance about its findings or conclusions.

I would encourage everyone to participate in the consultation.

### **2012 Olympics: Torch Relay**

**Mr Gardiner** asked the Minister of Culture, Arts and Leisure which venues are being considered as alternatives should the Olympic Torch run not go to Dublin.

**(AQO 602/11-15)**



**Ms Ní Chuilín:** The London Organising Committee of the Olympic and Paralympic Games (LOCOG) is responsible for making decisions on details of the Torch Relay, and my officials have been providing assistance with arrangements. LOCOG is undertaking discussions with relevant parties to look at the feasibility of taking the Olympic Flame on a short visit to Dublin. This would occur during a period which was originally allocated as rest time for the crew. Therefore, LOCOG is not considering an alternative venue should the visit not go ahead. If it does happen, this will similarly have no detrimental impact on the time the Torch Relay will spend in the North.

## Sports Stadia

**Mr McNarry** asked the Minister of Culture, Arts and Leisure for her assessment of the impact that the reduction of £567,000 in the regional stadia budget will have on the success of the regional stadia project.

**(AQO 603/11-15)**

**Ms Ní Chuilín:** The figure of £567k does not represent a reduction in the Stadiums Development Programme and will have no impact on the progress of the projects. My Department has re-profiled £567k of the £1000K allocated to Regional Stadium Development from 2011/12, to 2014/15. My Department plans to manage this from as yet unallocated Departmental Capital of £3.625m 2014/15. The £110m budget for CSR 2010 is therefore still required.

## Department of Education

### Ministerial Drivers

**Mr Hussey** asked the Minister of Education (i) when his Ministerial Driver first took up employment as a driver for Executive Ministers; (ii) the total amount of expenses and other related payments claimed by his driver since May 2011; and (iii) whether his driver was a civil service appointment or a political party appointment.

**(AQW 2406/11-15)**

**Mr O'Dowd (The Minister of Education):**

- (i) My Department has no involvement with the employment arrangements for the Driver.
- (ii) The Driver has not submitted any claims for expenses or other related payments to the Department; and
- (iii) The Driver is not a civil service employee.

### Council for Catholic Maintained Schools

**Mr McClarty** asked the Minister of Education to detail the current (i) annual salary costs; and (ii) length of contract for the Post-Primary Review Team in the Council for Catholic Maintained Schools.

**(AQW 2413/11-15)**

**Mr O'Dowd:** The annual salary costs of the Post Primary Review Team in the Council for Catholic Maintained Schools (CCMS) was £464,000 in 2010/11.

The original contracts were fixed from April 2005 – March 2008. Thereafter they were extended annually, due to ESA.

### Schools Estate

**Mr McNarry** asked the Minister of Education to detail (i) the total value of the Schools Estate, broken down by (a) sector; and (b) Education and Library Board area.

**(AQW 2901/11-15)**

**Mr O'Dowd:**

- (i) It has not been possible within the timeframe or within reasonable cost to secure all the information requested as it would have had to be sourced from individual schools in the non controlled sectors. Information is available for the controlled estate and this is set out in the table below.

Education and Library Board	Value of the estate (£k)
SEELB	441,664
SELB	283,792
NEELB	446,137
WELB	206,179
BELB	319,168
<b>Total</b>	<b>1,696,940</b>

Please note that the most recent figures relate only to the school buildings and land for which the controlled estate is responsible.

- (ii) Information on the controlled estate for the total value of school property (i) in use; and (ii) not in use is set out below.

Education and Library Board	Value of school property – in use (£k)	Value of school property – not in use (£k)
SEELB	425,738	15,926
SELB	283,045	747
NEELB	442,945	3,192
WELB	204,636	1,543
BELB	311,931	7,237
<b>Total</b>	<b>1,668,295</b>	<b>28,645</b>

The most recent assessment of the value of the school buildings for the controlled estate is set out in the table below.

Education and Library Board	Value of the school buildings (£k)
SEELB	222,843
SELB	158,699
NEELB	210,650
WELB	123,059
BELB	178,853
<b>Total</b>	<b>894,104</b>

### Primary Schools: Languages

**Mr Weir** asked the Minister of Education what steps he is taking to increase teaching foreign languages in primary schools.

**(AQW 2935/11-15)**

**Mr O'Dowd:** Modern languages are not a compulsory part of the statutory curriculum at primary level. Schools are however encouraged to offer a wider range of modern languages and the revised

curriculum provides them with greater flexibility to do so, with the Council for the Curriculum, Examinations and Assessment providing support and resources for primary schools that wish to introduce an additional language.

To support primary schools wishing to deliver language learning the Primary Languages Programme was introduced in 2007 to give pupils at Foundation Stage/Key Stage 1 the opportunity to learn an additional language in school. The programme offers primary schools the opportunity to work with peripatetic language tutors to deliver Irish, Spanish and Polish and has been very successful. As at 30 June 2011, 416 schools were participating in the programme involving over 27,000 pupils each week.

My department has also commissioned an Irish language primary pilot programme for pupils in Key Stage 2 which aims to build upon and complement the provision made available via the Primary Languages Programme. The programme is scheduled to run for 4 years and commenced in 10 primary schools in the Derry/North west area in October 2011.

## Schools

**Mr McNarry** asked the Minister of Education to detail the total value of school property (i) in use; and (ii) not in use.

**(AQW 2941/11-15)**

**Mr O'Dowd:**

- (ii) It has not been possible within the timeframe or within reasonable cost to secure all the information requested as it would have had to be sourced from individual schools in the non controlled sectors. Information is available for the controlled estate and this is set out in the table below.

Education and Library Board	Value of the estate (£k)
SEELB	441,664
SELB	283,792
NEELB	446,137
WELB	206,179
BELB	319,168
<b>Total</b>	<b>1,696,940</b>

Please note that the most recent figures relate only to the school buildings and land for which the controlled estate is responsible.

- (iv) Information on the controlled estate for the total value of school property (i) in use; and (ii) not in use is set out below.

Education and Library Board	Value of school property – in use (£k)	Value of school property – not in use (£k)
SEELB	425,738	15,926
SELB	283,045	747
NEELB	442,945	3,192
WELB	204,636	1,543
BELB	311,931	7,237
<b>Total</b>	<b>1,668,295</b>	<b>28,645</b>

- (v) The most recent assessment of the value of the school buildings for the controlled estate is set out in the table below.

Education and Library Board	Value of the school buildings (£k)
SEELB	222,843
SELB	158,699
NEELB	210,650
WELB	123,059
BELB	178,853
<b>Total</b>	<b>894,104</b>

## Schools

**Mr McNarry** asked the Minister of Education for his assessment of the value of school buildings.  
(AQW 3001/11-15)

**Mr O'Dowd:**

- (iii) It has not been possible within the timeframe or within reasonable cost to secure all the information requested as it would have had to be sourced from individual schools in the non controlled sectors. Information is available for the controlled estate and this is set out in the table below.

Education and Library Board	Value of the estate (£k)
SEELB	441,664
SELB	283,792
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Please note that the most recent figures relate only to the school buildings and land for which the controlled estate is responsible.

- (vi) Information on the controlled estate for the total value of school property (i) in use; and (ii) not in use is set out below.

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<b>Total</b>	<b>1,668,295</b>	<b>28,645</b>

- (vii) The most recent assessment of the value of the school buildings for the controlled estate is set out in the table below.

Education and Library Board	Value of the school buildings (£k)
SEELB	222,843
SELB	158,699
NEELB	210,650
WELB	123,059
BELB	178,853
<b>Total</b>	<b>894,104</b>

## School Inspections

**Mr D McIlveen** asked the Minister of Education (i) what consideration his Department has given to the recent announcement by Ofsted that school inspectors will put more emphasis on reading standards and that the inspectorate's new regime for primary and secondary schools will introduce a more 'proportionate' approach to inspection; and (ii) in light of potential school closures, for his assessment of whether this approach should be implemented.

**(AQW 3004/11-15)**

**Mr O'Dowd:**

- (i) All inspections in our schools are conducted by the Education and Training Inspectorate (ETI) and all inspection reports include an evaluation of standards in literacy and numeracy. The inspection approach employed in the majority of inspections in the primary sector already involves a detailed consideration of the teaching of reading at each key stage.

- (ii) In his report for 2008-2010, the then Chief Inspector stated that ETI would:

'increasingly move to a proportionate and risk-based strategy which recognises the increasing capacity of organisations to evaluate and to improve the quality of their provision'.

I endorse this approach with its emphasis on empowering schools and am content that it takes due account of my policy for Sustainable Schools.

## Ofsted Report on Federated Schools

**Mr D McIlveen** asked the Minister of Education, given the importance of good leadership in schools (i) what consideration he has given to the recent Ofsted report on federated schools; and (ii) for his assessment of (a) whether the approach outlined in the report could be implemented here; and (b) whether it could be adapted to promote an integrated approach.

**(AQW 3007/11-15)**

**Mr O'Dowd:** My Department has noted with interest the results of the recent Ofsted survey of schools in England which operate a federation system whereby school leadership arrangements are shared. Ofsted notes that school leaders gave three main reasons for forming federations. Some had been approached by their local authority to help a school that was struggling. Others were small schools in danger of closure or unable to recruit high quality staff. A further group was seeking to strengthen the overall education of pupils in their community. In short, the report provides further evidence of the central importance of strong and effective leadership in making every school a good school.

Following my statement to the Assembly on 26 September I have commissioned the Education and Library Boards, working with CCMS, to conduct an immediate audit of all our schools to ensure they are viable financially and educationally. I have also asked them to undertake a larger piece of work to set out plans for a sustainable pattern of schools across each Board area. I look forward to receiving the



results of these exercises and I will consider carefully any options that are put to me. My concern is for the quality of education provided to our young people rather than for the preservation of unsustainable schools.

### Redburn Primary School, Hollywood

**Mr Easton** asked the Minister of Education to detail the number of school places currently filled at Redburn Primary School, Hollywood.

**(AQW 3063/11-15)**

**Mr O'Dowd:** There were 76 pupils at Redburn Primary School at the time of the 2010/11 school census. Figures for 2011/12 are currently being collected from schools and validated enrolment figures should be available in December 2011.

### School Closures

**Mr Easton** asked the Minister of Education which schools in the North Down area are currently under consideration for closure by the South Eastern Education and Library Board.

**(AQW 3064/11-15)**

**Mr O'Dowd:** There are currently no development proposals with the Department for the closure of schools in the North Down area however the South Eastern Education and Library Board has indicated that it is currently assessing the future status of Redburn Primary School.

### Religious Breakdown of Children Attending Statutory Nurseries

**Mr McClarty** asked the Minister of Education to provide the religious breakdown of children attending all statutory nurseries.

**(AQW 3072/11-15)**

**Mr O'Dowd:** The information requested is detailed in the table below.

#### RELIGIOUS BREAKDOWN OF PUPILS IN STATUTORY NURSERY SCHOOLS AND UNITS, 2010/11

Year	Protestant	Catholic	Others	Total enrolment
Nursery schools	2,231	2,703	972	5,906
Nursery units in primary schools	2,542	4,210	1,750	8,502
<b>Total</b>	<b>4,773</b>	<b>6,913</b>	<b>2,722</b>	<b>14,408</b>

**Source:** NI school census.

**Note:** 'Others' includes 'other Christian', 'non-Christian' and 'no religion/religion not known'.

### Statutory Integrated Nursery Units

**Mr McKay** asked the Minister of Education to detail (i) the number of statutory integrated nursery units; and (ii) the figure as a percentage of all integrated pre-school provision.

**(AQW 3076/11-15)**

**Mr O'Dowd:** There were 17 nursery units in controlled integrated and grant maintained integrated primary schools in 2010/11, with some 498 pupils attending these units. There were no controlled integrated or grant maintained integrated nursery schools.

Voluntary and private preschool centres are not classified under management type in the same way as primary or nursery schools. Their management type classifies them only as 'voluntary', 'private' or 'other' preschool centres, though they may be attended by children from across the community. It

is therefore not possible to quantify the percentage of statutory integrated nursery units against all integrated pre-school provision.

### Connor House Preparatory School

**Mr Cree** asked the Minister of Education to detail the cost of relocating former Connor House Preparatory School pupils to other schools in the Bangor area.

**(AQW 3078/11-15)**

**Mr O'Dowd:** In July 2011, I approved a development proposal to close Connor House Preparatory School from 31 August 2011. Enrolments at the school had declined to 85 pupils in September 2010 and further declined throughout the academic year to 21 pupils by June 2011.

Of the 85 pupils attending Connor House in September 2010, 19 Year 7 pupils have transferred to post-primary education in September 2011. As it is for parents/guardians to decide which school they wished to send their child to, it is not possible to detail the total cost of transferring the remaining 66 pupils from Connor House to other primary schools. Some parents/guardians may have chosen to send their child to a primary school, whilst others may have chosen another preparatory department. The level of funding, and therefore cost, is not the same in each case and to source this information would incur disproportionate costs.

### Nursery Places: North Down Borough Council Area

**Mr Cree** asked the Minister of Education to detail the number of nursery places in the North Down Borough Council area compared to other council areas.

**(AQW 3079/11-15)**

**Mr O'Dowd:** The information requested is as follows.

#### APPROVED PLACES IN NURSERY SCHOOLS AND UNITS BY LOCAL GOVERNMENT DISTRICT 2011/12

Local Government District	Full-time places	Part-time places	Total places
Antrim	26	442	468
Ards	156	286	442
Armagh	260	130	390
Ballymena	78	338	416
Ballymoney	52	172	224
Banbridge	260	52	312
Belfast	2,678	156	2,834
Carrickfergus	78	234	312
Castlereagh	286	312	598
Coleraine	130	182	312
Cookstown	182	0	182
Craigavon	988	78	1,066
Derry	962	338	1,300
Down	182	234	416
Dungannon	286	0	286
Fermanagh	78	286	364

Local Government District	Full-time places	Part-time places	Total places
Larne	104	130	234
Limavady	78	104	182
Lisburn	624	416	1,040
Magherafelt	26	182	208
Moyle	52	104	156
Newry & Mourne	494	260	754
Newtownabbey	286	468	754
North Down	104	364	468
Omagh	104	286	390
Strabane	234	130	364
Ni Total	8,788	5,684	14,472

## Relationship and Sexuality Education Strategy

**Ms Lo** asked the Minister of Education what consideration his Department has given to introducing a standardised relationship and sexuality education strategy for all schools to ensure that all pupils have equal access to support materials on relationships and sexuality.

**(AQW 3115/11-15)**

**Mr O'Dowd:** The Department of Education's Circular 2001/15 requires each school to have in place its own policy on how it will address the delivery of Relationship and Sexuality Education (RSE). This policy should be subject to consultation with parents and should be endorsed by its Board of Governors.

The Department does not, however, prescribe the resources or programmes that schools should use in their delivery of RSE or any other any element of the curriculum – it leaves it to individual schools to choose those that best match their needs, ethos and values, and are appropriate to the maturity and level of understanding of their pupils. In the case of RSE, schools are assisted by guidance from CCEA which lists the resources available. This is in keeping with the increased flexibility provided by the introduction of the Revised Curriculum.

## Funding

**Mr Lunn** asked the Minister of Education how much funding has been allocated to (i) the Northern Ireland Commission for Catholic Education; (ii) the Education and Library Boards; (iii) the Northern Ireland Council for Integrated Education; and (iv) Comhairle na Gaelscolaíochta in each of the last four years.

**(AQW 3146/11-15)**

**Mr O'Dowd:**

- (i) Funding allocated to the Commission for Catholic Education (NICCE) for each of the last four years:

To date, my Department has not provided any funding to the NICCE

- (ii) Funding allocated to the Education and Library Boards for each of the last four years is as follows:

	<b>2007/08 £000's</b>	<b>2008/09 £000's</b>	<b>2009/10 £000's</b>	<b>2010/11 £000s</b>
Recurrent Funding (Schools & Youth)	1,390,522	1,423,645	1,453,300	1,522,103
Capital Funding (Schools & Youth)	79,736	105,573	150,780	106,203
Total Funding	1,470,258	1,529,218	1,604,080	1,628,306

(iii) Funding allocated to the Council for Integrated Education (NICIE) is as follows:

	<b>2007/08 £000's</b>	<b>2008/09 £000's</b>	<b>2009/10 £000's</b>	<b>2010/11 £000s</b>
NICIE Recurrent	597	614	649	770
NICIE Capital	0	1,700	5,500	1,100
Total Funding	597	2,314	6,149	1,870

(iv) Funding allocated to Comhairle na Gaelscolaíochta for each of the last four years is as follows:

	<b>2007/2008 £000's</b>	<b>2008/2009 £000's</b>	<b>2009/2010 £000's</b>	<b>2010/2011 £000's</b>
CnaG Recurrent	591	635	631	655

## Home-to-school Transport

**Mrs Dobson** asked the Minister of Education to detail the number of (i) private bus companies; and (ii) private hire taxis contracted as part of the Home to School Transport Policy which are no longer used by his Department as a result of (a) targeted; and (b) random inspections.

**(AQW 3148/11-15)**

**Mr O'Dowd:** The numbers of private bus companies and private hire taxis no longer used by the Education and Library Boards as a result of random and targeted checks, for the period 2008/09-2010/11, are detailed in the following table.

	<b>Private Bus</b>	<b>Private Bus</b>	<b>Private taxi</b>	<b>Private taxi</b>
<b>Board</b>	<b>Random</b>	<b>Targeted</b>	<b>Random</b>	<b>Targeted</b>
Belfast	0	0	0	0
North Eastern	0	0	1	0
South Eastern	0	0	0	0
Southern	1	1	2	3
Western	0	0	0	0

## Western Education and Library Board: Staff

**Mr Allister** asked the Minister of Education, pursuant to AQW 2505/11-15, to provide a breakdown of the religious background of the combined staff complement in the Legal Section, Development Section and the Drawing Office in the Western Education and Library Board.

**(AQW 3159/11-15)**

**Mr O'Dowd:** The Department is unable to provide the information requested as the combined number of staff in the Legal Section, Development Section and Drawing Office is relatively small. Given this fact, release of the information requested may lead to an individual being identified which would constitute a breach of the Data Protection Act 1998.

### **Springhill Primary School and Glenwood Primary School**

**Mr Humphrey** asked the Minister of Education when a decision will be made on the new builds for Springhill Primary School and Glenwood Primary School, Belfast.

**(AQW 3177/11-15)**

**Mr O'Dowd:** I have commissioned the 5 Education and Library Boards, working in close conjunction with the Council for Catholic Maintained Schools (CCMS) and the other sectors, to undertake viability audits of all schools focusing on sustainable enrolment levels, delivery of the quality of education and financial viability. I have also commissioned the Boards working with CCMS and the other sectors, to co-ordinate a strategic exercise based on each Board area to shape the future pattern of education delivery. The viability audits will support the development of a detailed area profile based on current and relevant educational information which will be an essential part of the area planning process.

In any area potential projects, such as those for Springhill Primary School and Glenwood Primary School, will be critically assessed as part of the area planning process, to determine how they will contribute to the overall infrastructure needed. No school building project will be looked at in isolation but must be considered in the context of the wider area.

Until this work is completed and the outcomes determined I will not make decisions regarding specific projects.

### **Scout Association, Boy's Brigade, Girl's Brigade and Guiding Ulster**

**Mr Humphrey** asked the Minister of Education for his assessment of whether his Department could give greater recognition and resources to the Scout Association, Boy's Brigade, Girl's Brigade and Guiding Ulster, given that they continue to provide an excellent service to young people.

**(AQW 3178/11-15)**

**Mr O'Dowd:** Uniformed youth organisations such as the Scout Association, Boys' Brigade, Girls' Brigade and Guiding Ulster are recognised for the valuable youth work they undertake, and are represented on the DE Priorities for Youth Stakeholder group.

My Department does not directly fund youth service organisations. Funding for Regional Voluntary Headquarter Youth Organisations including the uniformed sector is a matter for the Youth Council, while Education and Library Boards provide funding for eligible individual units and clubs at a local level. Decisions on the level of funding are based on an assessment of need, the availability of resources and the criteria in published funding schemes.

The four organisations mentioned currently receive local and regional Youth Service funding. In addition, Education and Library Boards provide registered youth groups with resources and assistance in the form of access to premises, equipment, training, advice and support, divisional transport and subsidised access to outdoor centres.

### **Schools: Evening Classes**

**Mrs Dobson** asked the Minister of Education to detail the number of (i) primary schools; and (ii) post-primary schools that have hosted evening classes on their premises with (a) Further Education Colleges and Higher Education institutes; and (b) private education providers in each of the last three years, broken down by Education and Library Board area.

**(AQW 3180/11-15)**

**Mr O'Dowd:** The information requested is not held by my Department, and could only be obtained at disproportionate cost.



## Schools: Evening Classes

**Mrs Dobson** asked the Minister of Education to provide a breakdown of the (i) care-taking (ii) heating; and (iii) electricity costs that have been charged by primary and post-primary schools to education providers for hosting evening classes on their premises in each of the last three years.

**(AQW 3181/11-15)**

**Mr O'Dowd:** The information requested is not held by my Department, and could only be obtained at disproportionate cost.

## October Monitoring Round

**Mr Weir** asked the Minister of Education to detail any financial pressures that have been identified by his Department in the October Monitoring Round.

**(AQW 3185/11-15)**

**Mr O'Dowd:** The October Monitoring Round has identified pressures for my Department's resource budget totalling £21.7 million, comprising £16.3 million for Schools Maintenance, £3.7 million arising as a result of increasing utility costs across the education sector and £1.7 million relating to the Integrated Services for Children and Young People project. I have submitted bids for these amounts to the Department of Finance and Personnel in the October Monitoring Round.

## iPads

**Lord Morrow** asked the Minister of Education to detail the (i) number; and (ii) names of post-primary schools that have encouraged parents to contract lease iPads, at a cost of £170 per year for three years, to assist their children with their school work.

**(AQW 3186/11-15)**

**Mr O'Dowd:** The Department does not require or record information on the number of schools utilising systems outside of the C2k service. Schools can supplement the service provided by C2k and how they do so is a matter for each school.

C2k provides a managed ICT service to all grant-aided schools in the north of Ireland. The managed service provides schools with:

- Local Area Networking (LAN), including PCs and laptops, in every school.
- Wide Area Networking (WAN) which provides e-mail and secure access to the Internet, to which schools have a broadband connection.
- Licensing of curricular and management software in schools and on the WAN (inc SIMS, Microsoft licences).
- Data warehousing services (eSchools).

Schools that make use of ICT systems outside the C2k service have a responsibility to ensure that appropriate measures are in place to ensure the safety of their pupils. A school's policies in relation to internet safety and the use of systems outside the C2k service should be approved by the school's Board of Governors, who should take account of all relevant guidance, including that relating to internet safety and safeguarding. The Department's Circular 2011/22, issued to all schools last month, provides schools with guidance on the safe use of the internet and digital technologies in schools.

## Schools: Unfilled Places

**Mr McDevitt** asked the Minister of Education to detail the number of unfilled school places in each sector, broken down by (i) primary school; and (ii) post-primary school.

**(AQW 3198/11-15)**

**Mr O'Dowd:** The number of unfilled places in schools is derived from the difference between a school's approved enrolment number and the number of pupils enrolled at the school. In relation to this question, this calculation is made using data from the 2010/11 academic year, the latest year

for which enrolment statistics are presently available. Figures for the 2011/12 academic year will be derived from the 2011/12 school census data which will not be available until December 2011. According to this calculation and using this data, there were 66,705 unfilled places in primary schools and 17,781 in post-primary schools distributed across sectors as follows:-

<b>2010-11</b>	<b>Controlled (Note a)</b>	<b>Maintained</b>	<b>Irish Medium</b>	<b>Vol Grammar</b>	<b>Integrated (Note b)</b>
Primary Unfilled Places	30,735	33,354	797	N/A	1,819
Post-Primary Unfilled Places	7,363	8,960	48	635	775
<b>TOTAL Unfilled Places</b>	<b>38,098</b>	<b>42,314</b>	<b>845</b>	<b>635</b>	<b>2,594</b>

**Notes:**

- (a) Controlled post-primary numbers include controlled grammar schools
- (b) Integrated schools numbers include controlled integrated schools

Pupils in primary and post-primary schools who are in receipt of a statement of special educational needs, or who were (in the last year) admitted on appeal by the Education and Library Board appeal tribunals or by direction of the independent Exceptional Circumstances Body, are “supernumerary”. In the context of the data above this means they are not counted within the number of occupied places within a school. In 2010/11 there were 4,409 pupils in mainstream primary and 5,090 in mainstream post-primary schools with a statement of special educational needs, and 119 further supernumerary pupils (7 primary and 112 post-primary) who were admitted on appeal by the Education and Library Board appeal tribunals or (post-primary schools only) by direction of the independent Exceptional Circumstances Body.

## **Invest to Save Initiative**

**Mr McDevitt** asked the Minister of Education to detail the level of funding set aside for the Invest to Save initiative in the (i) 2011/12; (ii) 2012/13; and (iii) 2013/14 financial years.

**(AQW 3204/11-15)**

**Mr O'Dowd:** The outcome of Budget 2011-15 has resulted in the following funds being allocated to the Department of Education under the Invest to Save initiative:-

- (i) 2011/12 - £10 million
- (ii) 2012/13 - £10 million
- (iii) 2013/14 - £0

## **Education and Library Boards**

**Mr McDevitt** asked the Minister of Education to detail the level of funding allocated for the enhanced redundancy package for each Education and Library Board in the (i) 2011/12; (ii) 2012/13; and (iii) 2013/14 financial years.

**(AQW 3207/11-15)**

**Mr O'Dowd:** In order to deliver the efficiencies identified in my Savings Delivery Plan, £49.9 million has been set aside to support the Voluntary Severance Programme in 2011/12. This will facilitate a further streamlining of the central management and administrative cohort in the Arms Length Bodies as well as any proposals regarding teaching and non teaching staff based in schools. Further resources have been set aside for future years – the indicative allocations over the years 2012/13 to 2014/15 are £55.4/£50.6/£61.3 million however these are subject to change.

The severance terms that will be available to staff will be in accordance with existing contractual entitlements, the organisation's current schemes and the relevant pension schemes.

No funding has been allocated to date to the Education and Library Boards for this process.

### **Department of Education: Staff**

**Mr McDevitt** asked the Minister of Education whether his Department keeps a register of interests for its staff, and if so, whether it is available to the public.

**(AQW 3208/11-15)**

**Mr O'Dowd:** The Department of Education keeps a register of interests for members of its Departmental Board and Audit and Risk Management Committee. The register is on the Department's website and can be viewed via the following link:

<http://www.deni.gov.uk/index/85-about-the-dept/85-foi-information-pg/85-foi-register-of-interests.htm>

The Department also keeps a register of interests for staff involved in paying teachers' pay and pensions, in order to safeguard payment processing. This register is not available to the public.

### **Bunscoil Bheann Mhadagáin, Belfast**

**Mr Humphrey** asked the Minister of Education how much capital spend has been allocated for repairs at Bunscoil Bheann Mhadagáin, Belfast, in each of the last three years.

**(AQW 3230/11-15)**

**Mr O'Dowd:** In the last three financial years the Department has approved one scheme, in 2010-11, to carry out urgent health and safety works at a cost of £60,000. I am informed that in relation to the school there remain a number of priority works proposals and that these are currently under consideration.

### **Bunscoil Bheann Mhadagáin, Belfast**

**Mr Humphrey** asked the Minister of Education whether he has plans for further capital spend at Bunscoil Bheann Mhadagáin, Belfast.

**(AQW 3231/11-15)**

**Mr O'Dowd:** I have been informed that a number of applications for minor works at Bunscoil Bheann Mhadagáin are currently being assessed. These will be considered alongside other applications and within the financial resources available at this time.

### **Schools: Year 8 Places**

**Mr Girvan** asked the Minister of Education to detail the number of unfilled Year 8 school places, this term, in the South Antrim area, broken down by each sector.

**(AQW 3232/11-15)**

**Mr O'Dowd:** The information sought will be derived in part from the 2011/12 school census data which is not currently available. The 2011/12 census data is currently being collected and validated and should be available in December 2011.

### **Schools: Expulsions in South Antrim Area**

**Mr Girvan** asked the Minister of Education how many pupils have been expelled from schools in the South Antrim area in each of the last five years.

**(AQW 3233/11-15)**

**Mr O'Dowd:** The Department does not hold the information requested.

The Department collects information on pupil expulsions from each of the Education and Library Boards annually. The data collected is broken down by Board area, school management type, gender, ethnicity, special educational needs stage and whether or not the pupil is registered as disabled. It is therefore not possible to identify pupils from the South Antrim area.

The available data on pupil expulsions broken down by Education and Library Board area is provided in the table below:

Education and Library Board Area	Number of pupils expelled by School Year				
	2005/06	2006/07	2007/08	2008/09	2009/10
Belfast	7	6	*	5	6
North Eastern	16	15	*	14	*
South Eastern	7	5	9	*	*
Southern	16	7	6	#	*
Western	8	12	*	7	*
Total	54	45	25	36	22

**Notes:**

Figures include pupils undertaking Key Stage 1-4 in primary and post-primary schools.

\* denotes figures less than 5.

# denotes a figure which has been treated to prevent disclosure of small numbers elsewhere.

It is expected that the data for the 2010/11 school year may be published by the end of October.

## Schools: Vacant Places

**Mr Girvan** asked the Minister of Education to detail the number of unfilled school places at present in each primary school in the South Antrim area.

**(AQW 3234/11-15)**

**Mr O'Dowd:** The information sought will be derived in part from the 2011/12 school census data which is not currently available. The 2011/12 census data is currently being collected and validated and should be available in December 2011.

## South Eastern Education and Library Board

**Mr Craig** asked the Minister of Education (i) what discussions he has had with the South Eastern Education and Library Board since taking office; and (ii) whether the Board has informed him about decisions to close schools within the area.

**(AQW 3237/11-15)**

**Mr O'Dowd:** Since taking up office I have had one meeting with the South Eastern Education and Library Board.

Any significant change proposed to a school is subject to the statutory Development Proposal process. I can confirm that my Department has not received any recent formal Development Proposals from the South Eastern Education and Library Board regarding potential school closures within its area.

## Equality Impact Assessments

**Mr Easton** asked the Minister of Education what the cost to his Department was in the 2010/11 financial year for carrying out Equality Impact Assessments.

**(AQW 3260/11-15)**

**Mr O'Dowd:** Once a policy is screened and screening has identified that an Equality Impact Assessment (EQIA) is necessary it is carried out in accordance with Equality Commission guidance.

The Department does not hold information on the costs of EQIAs, and could not readily disaggregate them.

## iPads

**Lord Morrow** asked the Minister of Education for his assessment of whether the (i) use; or (ii) non-use of iPads at post-primary schools will impact on GCSE courses.

**(AQW 3267/11-15)**

**Mr O'Dowd:** C2k provides a managed ICT service to all grant-aided schools in the north of Ireland. Schools can supplement the service provided by C2k and how they do so is a matter for each school.

Individual post-primary schools determine how pupils are prepared for GCSE and other relevant examinations. As part of this preparation, schools are free to decide on the relevance of using iPads or any other resource (electronic or otherwise).

## Sentinus Programme

**Mr McDevitt** asked the Minister of Education to detail (i) the number of children with special educational needs who were successful in securing a place on the Sentinus Programme in the Belfast Education and Library Board area; and (ii) his Department's guidelines for teachers engaged in selecting candidates for the programme, including what consideration was given to applicants with special educational needs.

**(AQW 3271/11-15)**

**Mr O'Dowd:** The Department does not hold details of the number of children with special educational needs who were successful in securing places on Sentinus Programmes in the Belfast Education and Library Board area. The Department has no involvement in this process and the selection of pupils to represent participating schools is entirely a matter for schools to determine.

## Every School A Good School: The Way Forward for Special Educational Needs and Inclusion

**Mr Allister** asked the Minister of Education (i) how budget cuts will affect the achievements of targets set out in the policy proposals 'Every School A Good School: The Way Forward for Special Educational Needs and Inclusion'; and (ii) what account will be taken of this impact.

**(AQW 3278/11-15)**

**Mr O'Dowd:** The consultation document 'Every School a Good School: The Way Forward for Special Educational Needs and Inclusion' outlined a number of policy proposals for consideration, and as such, no specific targets were set. Additional funding has been secured to develop the proposals during the course of the review and to provide for capacity building in all schools and pre-school settings.

One of the aims of the review is to enable schools and the education and library boards to make more efficient use of the special educational needs annual budget of some £205 million. It is envisaged that policy changes emanating from the review will help to maintain and improve provision within the budget available.

## Schools: Year 1 Places

**Mr Girvan** asked the Minister of Education to detail the number of unfilled Year 1 school places, this term, in the South Antrim area, broken down by sector.

**(AQW 3289/11-15)**

**Mr O'Dowd:** The information sought will be derived in part from the 2011/12 school census data which is not currently available. The 2011/12 census data is currently being collected and validated and should be available in December 2011.



## Computer Science

**Mrs Cochrane** asked the Minister of Education for his Department's assessment of whether Computer Science cannot be taught by non-specialist teacher.

**(AQW 3308/11-15)**

**Mr O'Dowd:** A teacher holding a recognised teaching qualification and who is registered with the General Teaching Council is eligible to teach in any grant-aided school here. The responsibility for the deployment of teachers rests with the Boards of Governors of individual schools. However, my Department has advised schools that they should ensure that all teachers are suitably trained for the required phase and subject to be taught.

The Department does not decide on the pedagogy or the delivery of any particular subject in the curriculum. The revised curriculum is less prescriptive than before which gives schools the flexibility to deliver the curriculum in the best way that meets the needs of their pupils.

## Computer Science

**Mrs Cochrane** asked the Minister of Education for his Department's assessment of whether Computer Science subject experts should be included in decisions on the subject's delivery.

**(AQW 3309/11-15)**

**Mr O'Dowd:** The revised curriculum, which was recently introduced in all grant aided schools here, is less prescriptive than before which gives teachers and schools the flexibility to deliver the curriculum in the best way that meets the needs of the pupils in their classroom. The Department does not decide on the pedagogy or the delivery of any particular subject in the curriculum. Rather schools/teachers use their professional judgement to decide what resources, materials and text books they use and receive training and support in this by the Education and Library Boards' Curriculum Advisory Support Service (CASS) and the Education and Training Inspectorate (ETI).

## Software and Systems Development Subject

**Mrs Cochrane** asked the Minister of Education what consideration his Department has given to offering a comparable GCSE to the 'A' Level Software and Systems Development subject.

**(AQW 3311/11-15)**

**Mr O'Dowd:** Using funding provided by my Department, CCEA is currently in the process of enhancing its suite of Applied Qualifications in order to help schools meet the assessment needs of the Entitlement Framework.

Following a desktop research exercise and subsequent consultation 11 new qualifications were selected for development. The qualifications include 5 A Levels, 2 GCSEs and 4 Vocational qualifications. An A Level in Software and Systems Development is currently being developed for first teaching in September 2013.

The research and consultation phase of this project did not indicate a requirement for a GCSE in Software and Systems Development.

## October Monitoring Round

**Mr Weir** asked the Minister of Education to detail any easements that have been identified by his Department in the October Monitoring Round.

**(AQW 3323/11-15)**

**Mr O'Dowd:** My Department have identified no easements in the October Monitoring Round.

## Strategy Framework for the Education of School-age Mothers (1997)

**Mr Agnew** asked the Minister of Education to detail the funding that has been allocated to achieving the objective of providing support to pregnant or parenting teenagers of compulsory school age, and to actioning the eight action points outlined in the Strategy Framework for the Education of School Age Mothers (1997).

**(AQW 3340/11-15)**

**Mr O'Dowd:** Funding is provided to the School Age Mothers (SAM) programme to support pregnant or parenting teenagers of compulsory school age to complete their education. The amount of funding each year varies depending upon the number of young women requiring support and the type of support they need. During 2010-11 funding for the School Age Mothers Programme was £771,000 and in 2011-12 £822,000 has been earmarked for this purpose.

An Education Welfare Officer acting in the role of local co-ordinator has a remit for SAM provision in each Education and Library Board area and oversight and regional co-ordination is provided by the Deputy Chief Education Welfare Officers.

The action points of the strategy framework have been built into the current SAM programme. Guidance documentation for the young women, schools and child care providers is currently being updated and shall shortly be made available on the DE website.

## Computer Science

**Mrs Cochrane** asked the Minister of Education whether he intends to meet with representatives of Computing at School to discuss concerns about the teaching of Computer Science.

**(AQW 3344/11-15)**

**Mr O'Dowd:** Currently I have not received any request to meet with representatives of Computing at School. Should they wish to write to me with any concerns about the teaching of Computer Science, I will consider their request in line with other competing diary commitments.

## C2K

**Ms Lo** asked the Minister of Education how many schools that are currently using the C2K internet system allow access to Amber listed websites.

**(AQW 3353/11-15)**

**Mr O'Dowd:** It is a matter for trained Authorised Users in Post-Primary Schools to decide whether to make Amber listed websites available to a group of users within the school to support the delivery of the curriculum.

Based on information provided by C2k, all Post Primary Schools, (including Special Schools), have allowed access to one or more Amber listed categories.

Such access is not available to Primary Schools.

## C2K

**Ms Lo** asked the Minister of Education for his assessment of whether C2K internet filters prohibit young people who wish to access information and advice on sexual health issues; and whether this disadvantages lesbian, gay and bi-sexual young people.

**(AQW 3354/11-15)**

**Mr O'Dowd:** Schools are provided with access to the Internet as part of the managed ICT service provided by C2k, and are responsible for the use made of on-line resources by their pupils. This access is fully monitored to keep pupils safe when on-line and websites are categorised in accordance with C2k's filtering policy. Websites relating to content such as sex education, abortion, pro-life, gay, lesbian,

bisexual are categorised as 'Sex Education' and as such fall into the 'Amber' group within C2k's filtering policy.

In the case of websites categorised as Amber, it is a matter for trained Authorised Users in post-primary schools to decide whether to make these available to a group of users within the school to support the delivery of the curriculum.

Each school should have in place its own written policy on how it will deliver Relationships and Sexuality Education (RSE). A school's policy should be subject to consultation with parents, be endorsed by its Board of Governors, and reflect the ethos of the school. As with all aspects of the revised curriculum, delivery of RSE is a matter for individual schools, taking account of the maturity and level of understanding of their pupils. It is for schools to decide on the materials, including online resources, they wish to use to support the delivery of RSE, in accordance with their RSE policies.

### **Hollywood Primary School**

**Mr Easton** asked the Minister of Education what is the estimated cost of all the maintenance repairs required at Hollywood Primary School.

**(AQW 3389/11-15)**

**Mr O'Dowd:** The current maintenance backlog figure for Hollywood Primary School drawn from the Schools' Estate Management System on 18 October 2011 is estimated at £232,269.

### **Schools: East Derry**

**Mr Dallat** asked the Minister of Education to detail (i) the primary schools in the East Derry area which currently have an enrolment number of less than 105 pupils; and (ii) the opportunities available for these schools to avoid closure.

**(AQW 3402/11-15)**

**Mr O'Dowd:** There are nineteen primary schools in the East Derry area that currently have an enrolment of less than 105 pupils.

As you are aware I have commissioned a viability audit of all schools to be completed by December 2011. The purpose of this audit is not just to arrive at a list of schools that fall short of the enrolment criteria for sustainable schools but to ensure that every school is looked at closely – looking initially at the enrolments, the quality of education provided and the financial viability projected over a number of years. The focus is therefore not just numbers.

I have also commissioned the Education and Library Boards, working in close conjunction with CCMS and actively engaging the other sectors to commence a process of collective area planning. Its focus will be to determine the future needs of an area across all sectors and then to compare what is needed with what already exists to identify gaps and over provision.

Once the need is determined the school managing authorities will consider how best to meet that need. The emphasis must be on a network of sustainable schools and maximise the use of the existing estate.

Until this work is complete I will not comment on any individual school or area.

### **Recycling Facilities**

**Mr Agnew** asked the Minister of Education to provide examples of schools which do not have comprehensive recycling facilities and the reasons why.

**(AQW 3426/11-15)**

**Mr O'Dowd:** Pursuant to my answer of 17 October 2011 to AQW 2764/11-15, the management and recycling of waste is a delegated responsibility within the decision making power of the Principal and Board of Governors of each school. Facilities for waste recycling should align with services provided in

general by Local Councils and these vary across the 26 Councils as previously detailed. It is a matter for school management how best to avail of the recycling facilities offered by their Local Council. My Department and its Education & Library Boards do not centrally monitor the uptake by schools.

There are a number of reasons why school management may decide not to avail of the recycling facilities offered by Local Councils, such as a lack of space for additional waste containers, reduced hours for caretaking staff or lack of management time for supervision. Councils that operate financial penalties for waste going to landfill and have chip and pin technology, have a significantly greater recycling uptake by schools.

### **Redburn Primary School, Holywood**

**Mr Easton** asked the Minister of Education to detail the estimated cost of all the maintenance repairs for Redburn Primary School, Holywood.

**(AQW 3486/11-15)**

Mr O'Dowd: The current maintenance backlog figure for Redburn Primary School drawn from the Schools' Estate Management System on 19 October 2011 is estimated at £604,405.

## **Department for Employment and Learning**

### **Meetings Between the Northern Regional College, the University of Ulster and Representatives of Industry and Commerce in the Coleraine Area**

**Mr Dallat** asked the Minister for Employment and Learning how many meetings have been held in the past twelve months involving the Northern Regional College, the University of Ulster and representatives of industry and commerce in the Coleraine area.

**(AQW 2583/11-15)**

**Dr Farry (The Minister for Employment and Learning):** During the twelve months from 1 October 2010 to 30 September 2011, there has been one Ministerial meeting with Northern Regional College, six with the University of Ulster, and three involving representatives of industry and commerce in the Coleraine area. In addition, there have been a further two meetings between the Minister and MLA colleagues specifically to discuss Northern Regional College and Magee College respectively.

It is not feasible to enumerate relevant meetings with officials due to the high number of such meetings which happen every week at a wide variety of levels within the Department.

### **Chairperson or Chief Executive: Arm's-length Bodies**

**Mr Beggs** asked the Minister for Employment and Learning to detail the daily rate paid by his Department to each Chairperson or Chief Executive of each of its arm's-length bodies; and how this rate was determined and approved.

**(AQW 2796/11-15)**

**Dr Farry:** The information requested is set out below. Where a daily rate is not available, information is provided on the salary attracted by a position. DFP has approved all remuneration listed.

Labour Relations Agency: the Chairman attracts a salary of £23,480 per annum in respect of two days per week. This salary is allied to Grade 5 in the NICS as a measure of the responsibility associated with the work. In setting the salary, reference is made to Cabinet Office guidance, informed by the outcome of deliberations by the Senior Salaries Review Body. The LRA Chief Executive receives a salary within the band £75-80k, also allied to Grade 5 in the NICS as a measure of the responsibility associated with the work. In setting the salary, reference is made to Cabinet Office guidance, informed by the outcome of deliberations by the Senior Salaries Review Body.

CITB-ConstructionSkills NI: the Chair is paid £18,662 per annum and the time commitment required is estimated at approximately 6 days per month. This rate was approved by the DEL Minister. The Chief Executive salary is within the band £60-65K. This rate was approved by DEL and DFP through the usual pay remit procedure.

Ulster Supported Employment Ltd: the daily rate paid by the Department to the Chairman of the USEL Board is £270. This rate was determined in 2010 following a review of the previous rate, implemented in 2000. This review included analysis of the level of responsibility for the role, comparison against other ALBs, and also took account of inflation rates in the intervening years. The Chief Executive salary receives an annual salary of £69,711.

Certification Officer for Northern Ireland: this postholder receives a salary of £20,318 per annum in respect of two days per week. The Certification Officer is a quasi-judicial public appointee remunerated at a pro rata amount based on the maximum of the NICS Grade 7 scale. In determining remuneration, account has been taken of the breadth, depth and complexity of the determinations that the CO has to make, as well as of the high level of individual accountability to which the CO is exposed on a personal level.

Industrial Tribunals and the Fair Employment Tribunal: the President is paid as a member of group 6.1 on the judicial pay scale, i.e. £128,296 per annum. This is set in light of recommendations of the Senior Salaries Review Body.

Industrial Court: the Court Chairman receives a daily rate of £468. The work is comparable to that carried out by a Deputy Chairman of the Central Arbitration Committee in Great Britain, the daily rate for which is set by reference to rates established by the Senior Salaries Review Body. Parity arrangements have been operated in Northern Ireland since the reconstitution of the Industrial Court in 2001.

## South Eastern Regional College

**Mr Easton** asked the Minister for Employment and Learning how many course places were not filled last term in the South Eastern Regional College.

**(AQW 2945/11-15)**

**Dr Farry:** The number of unfilled places would be determined by a range of factors including maximum class size, which could vary according to the type of course being provided, and the number of learners enrolled on those courses.

However, my Department does not hold this type of data, and so is not in a position to provide the information you have requested.

## St Mary's University College, Belfast

**Lord Morrow** asked the Minister for Employment and Learning to detail (i) the number students from a non-Catholic maintained grammar school who applied to St Mary's University College in each of the last four years, and (ii) of these, how many were accepted.

**(AQW 2953/11-15)**

**Dr Farry:** St. Mary's University College has provided the requested information as detailed in the attached annex.

## ANNEX A

### ST MARY'S UNIVERSITY COLLEGE - APPLICATIONS 2008-2011

Year of entry	No. of Applicants from non-Catholic Grammar Schools	Did not present for Interview/ Practical test	Offers Made	Offers Accepted by Applicants
(Sept) 2008	15	2	9	4

<b>Year of entry</b>	<b>No. of Applicants from non-Catholic Grammar Schools</b>	<b>Did not present for Interview/ Practical test</b>	<b>Offers Made</b>	<b>Offers Accepted by Applicants</b>
(Sept) 2009	25	2	12	3
(Sept) 2010	23	1	4	0
(Sept) 2011	30	5	8	3

## European Social Fund

**Mr Lyttle** asked the Minister for Employment and Learning (i) whether his Department is on target to access 165.7 million euros from the European Social Fund by 2013; and (ii) how he intends to allocate this funding.

**(AQW 2958/11-15)**

**Dr Farry:** I can confirm that my Department is on track to meet its spending targets for the €165.7 million, allocated to the NIESF Programme across three priorities as set out in the Operational Programme for the 2007-2013 as follows:

<b>Programme priorities</b>	<b>ESF allocation</b>
Priority 1: Helping people into employment	€ 95,597,174
Priority 2: Improving workforce skills	€67,280,121
Priority 3: Technical assistance	€2,900,005
<b>Total</b>	<b>€165,777,300</b>

To date the following draw downs of funds from Europe have been made across the three priorities:

Priority 1: Helping people into employment	€18,732,513
Priority 2: Improving workforce skills	€14,512,718
Priority 3: Technical assistance	€ 63,965

In addition the Department has received €12,433,298 from the EU Commission as programme advances. In total €45,742,494 ESF has been drawn down from the Commission with a further draw down scheduled for later this year. It should also be noted that whilst the NIESF Programme period runs from 2007-2013 the eligibility period for ESF spending runs until 31/12/2015 and subsequent draw downs from the EU Commission runs until the 31/3/2017. Spending targets are set out in the operational programme which has been agreed by the Commission.

## Teaching and Non-teaching Staff

**Mr Allister** asked the Minister for Employment and Learning to provide a breakdown of the religious background of current (i) teaching staff; and (ii) non-teaching staff at (a) Queen's University; (b) the University of Ulster, broken down by each campus; (c) St Mary's University College; and (d) Stranmillis University College.

**(AQW 2963/11-15)**

**Dr Farry:** The Higher Education Institutions have provided the information attached at Annex A.



**ANNEX A****QUEEN'S UNIVERSITY BELFAST****TEACHING STAFF**

<b>Religious Background</b>	<b>Number of Staff</b>	<b>Percentage</b>	<b>Percentage Excluding Non-Determined</b>
Protestant	376	35.9	[52.4]
Catholic	342	32.7	[47.6]
Non-Determined	329	31.4	-
<b>Total</b>	<b>1047</b>		

**NON-TEACHING STAFF**

<b>Religious Background</b>	<b>Number of Staff</b>	<b>Percentage</b>	<b>Percentage Excluding Non-Determined</b>
Protestant	1071	45.4	[52.3]
Catholic	975	41.4	[47.7]
Non-Determined	311	13.2	-
<b>Total</b>	<b>2357</b>		

\* Please note that it is not mandatory for staff to declare their community background when taking up employment at the University.

**STRANMILLIS UNIVERSITY COLLEGE****TEACHING STAFF**

<b>Religious Background</b>	<b>Number of Staff</b>	<b>Percentage</b>	<b>Percentage Excluding Non-Determined</b>
Protestant	37	66.1	[69.8]
Catholic	16	28.6	[30.2]
Non-Determined	3	5.4	-
<b>Total</b>	<b>56</b>		

**NON-TEACHING STAFF**

<b>Religious Background</b>	<b>Number of Staff</b>	<b>Percentage</b>	<b>Percentage Excluding Non-Determined</b>
Protestant	97	62.6	[67.4]
Catholic	47	30.3	[32.6]
Non-Determined	11	7.1	-
<b>Total</b>	<b>155</b>		

\*Staffing figures as at 10 October 2011 (Please note casual staff are also included in these figures).

**UNIVERSITY OF ULSTER****ACADEMIC\* STAFF EMPLOYED AT UNIVERSITY OF ULSTER ON 30 SEPTEMBER 2011**

Campus	Buddhist	Christian	Hindu	Jewish	Muslim	Other	None	Missing data	Info. Refused	Total
Belfast	0	67 60.4%	0	2 1.8%	0	6 5.4%	29 26.1%	6 5.4%	1 0.9%	111
Coleraine	0	178 58.6%	1 0.3%	2 0.7%	5 1.6%	4 1.3%	82 27.0%	32 10.5%	0	304
Jordanstown	4 0.8%	352 71.4%	5 1.0%	2 0.4%	4 0.8%	8 1.6%	89 18.1%	29 5.9%	0	493
Magee	1 0.6%	125 70.2%	3 1.7%	0	1 0.6%	1 0.6%	33 18.5%	14 7.8%	0	178
Total	5 0.4%	722 66.5%	9 0.8%	6 0.6%	10 0.9%	19 1.7%	233 21.5%	81 7.5%	1 0.1%	1086

\*Academic staff includes all teaching staff and Part-time Lecturers, Heads of School, Deans, PVCs and VC.

**NON-ACADEMIC STAFF EMPLOYED AT UNIVERSITY OF ULSTER ON 30 SEPTEMBER 2011**

Campus	Buddhist	Christian	Hindu	Jewish	Muslim	Other	None	Missing data	Info. Refused	Total
Belfast	0	96 70.6%	1 0.7%	0	0	0	22 16.2%	17 12.5%	0	136
Coleraine	3 0.4%	564 75.8%	1 0.1%	0	2 0.3%	3 0.4%	114 15.3%	56 7.5%	1 0.1%	744
Jordanstown	1 0.1%	627 75.9%	5 0.6%	0	0	2 0.2%	122 14.8%	69 8.4%	0	826
Magee	1 0.3%	233 77.7%	4 1.3%	0	3 1.0%	3 1.0%	32 10.7%	24 8.0%	0	300
Total	5 0.2%	1520 75.8%	11 0.5%	0	5 0.2%	8 0.4%	290 14.5%	166 8.3%	1 0.1%	2006

**OVERALL WORKFORCE AT UNIVERSITY OF ULSTER ON 30 SEPTEMBER 2011**

<b>Campus</b>	<b>Buddhist</b>	<b>Christian</b>	<b>Hindu</b>	<b>Jewish</b>	<b>Muslim</b>	<b>Other</b>	<b>None</b>	<b>Missing data</b>	<b>Info. Refused</b>	<b>Total</b>
Belfast	0	163 66.0%	1 0.4%	2 0.8%	0	6 2.4%	51 20.7%	23 9.3%	1 0.4%	247
Coleraine	3 0.3%	742 70.8%	2 0.2%	2 0.2%	7 0.7%	7 0.7%	196 18.7%	88 8.4%	1 0.1%	1048
Jordanstown	5 0.4%	979 74.2%	10 0.8%	2 0.1%	4 0.3%	10 0.8%	211 16.0%	98 7.4%	0	1319
Magee	2 0.4%	358 74.9%	7 1.5%	0	4 0.8%	4 0.8%	65 13.6%	38 8.0%	0	478
<b>Total</b>	<b>10 0.3%</b>	<b>2242 72.5%</b>	<b>20 0.6%</b>	<b>6 0.2%</b>	<b>15 0.5%</b>	<b>27 0.9%</b>	<b>523 16.9%</b>	<b>247 8.0%</b>	<b>2 0.1%</b>	<b>3092</b>

**ST. MARY'S UNIVERSITY COLLEGE**

<b>Staff Group</b>	<b>Catholic</b>	<b>Protestant</b>	<b>Neither Catholic or Protestant</b>
Academic	48	3	4
Non-Academic	78	9	2
Total	126	12	6
Percentage	87.5%	8.3%	4.2%

**Proposed Merger of Queen's University and Stranmillis University College**

**Mr Easton** asked the Minister for Employment and Learning to detail the costs incurred to date by (i) his Department; (ii) Queen's University, Belfast; and (iii) Stranmillis University College, Belfast in relation to the proposed merger of Queen's University and Stranmillis University College.

**(AQW 2998/11-15)**

**Dr Farry:**

- (i) To date, my Department has incurred costs of £4,066 in relation to the proposed merger of Queen's University and Stranmillis University College.
- (ii) Queen's University Belfast has advised that, to date, it has incurred costs of £154,568 in relation to the proposed merger.
- (iii) Stranmillis University College has advised that, to date, it has incurred costs of £178,620 in relation to the proposed merger.

**Boards of Governors**

**Mr Easton** asked the Minister for Employment and Learning what plans he has to allow members of the clergy to sit on the Boards of Governors for universities or regional colleges .

**(AQW 2999/11-15)**

**Dr Farry:** Both Northern Ireland universities are autonomous bodies established by Royal Charter. The make up of their governing bodies is set out in the universities' Statutes as approved by the Privy Council. I have no role in the appointment of members to the governing body of either university.

Members of the clergy are currently eligible to apply for membership of a further education college governing body through open public competition. They may also be appointed through co-option by the governing body or nomination by an Education and Library Board.

**St Mary's University College, Belfast**

**Lord Morrow** asked the Minister for Employment and Learning, pursuant to AQW 2281/11-15 and in light of the funding provided by his Department, for his assessment of whether Protestants are appropriately represented in the workforce of St Mary's University College, Belfast.

**(AQW 3006/11-15)**

**Dr Farry:** St. Mary's University College is an Equal Opportunities Employer and recognises that those with a Protestant background are underrepresented amongst its staff. The College has a Religious Affirmative Action Plan in place that is reviewed on a three-yearly basis in collaboration with the Equality Commission.

The College also actively promotes the recruitment of Protestant staff. In the employment opportunities section of its website, St Mary's declares that it "is an Equal Opportunities Employer and welcomes applications from all sections of the community.

As Protestants are currently underrepresented among the staff, applications from this section of the community would be particularly welcome.”

### **Stranmillis University College: Staff**

**Lord Morrow** asked the Minister for Employment and Learning how many Catholics are currently employed at Stranmillis University College, Belfast; and what proportion of the workforce this represents.

**(AQW 3042/11-15)**

**Dr Farry:** Stranmillis University College has advised that it currently employs 63 staff with a Catholic background, which represents 29.9% of the workforce.

### **Queens University, Belfast**

**Lord Morrow** asked the Minister for Employment and Learning how many staff from (i) a Catholic background; and (ii) a Protestant background are currently employed at Queens University, Belfast; and what each figure represents as a proportion of the workforce.

**(AQW 3044/11-15)**

**Dr Farry:** Queen's University Belfast has advised that it is not mandatory for staff to declare their community background when taking up employment at the University. For those that have declared their religious background, Queen's University has stated that it currently employs (i) 1317 staff from a Catholic background and (ii) 1447 staff from a Protestant background. This is in addition to 640 non-determined staff, giving a total of 3404 staff employed. Therefore, those that have declared a Catholic background represent 38.7% of the total workforce and those that have declared a Protestant background represent 42.5%, with the remaining 18.8% of the workforce being non-determined staff.

## **Department of Enterprise, Trade and Investment**

### **Fuel Costs**

**Mr Easton** asked the Minister of Enterprise, Trade and Investment what her Department can do to help reduce fuel costs for users.

**(AQW 2714/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** My Department does not have a direct role in the setting of electricity and gas tariffs. The recent energy price increases by Power NI, Phoenix Supply in Greater Belfast, and firmus energy in their “10 Towns” gas licensed area outside Belfast, have been subject to rigorous review by the Utility Regulator and are largely due to cost increases in wholesale energy markets.

However, my Department does work with the Utility Regulator to create market conditions which operate to put downward pressure on energy prices, through promoting effective competition, enhancing interconnection, and improving market integration with other regions.

To help reduce their energy bills, consumers should avail of discounts offered by energy companies for different payment options, and consider if pre-payment meters can help with budgeting for their energy needs. In addition, consumers can obtain energy efficiency advice to reduce their energy costs from a range of sources, including the Energy Saving Trust (for domestic and small business customers), Invest NI (for larger businesses), and the respective energy supply companies.

I recently launched a new sustainable energy campaign - “Energy Wise” which includes television adverts to highlight changes which consumers can make to save money on energy costs such as insulating lofts, using energy saving light bulbs, and switching off appliances when not in use.

Coal, home heating oil, liquefied petroleum gas (LPG), and road fuels all operate within a more mature and competitive market and are not subject to formal regulation. The recent Office of Fair Trading (OFT) market study into the supply of energy to consumers across the UK who are not connected to the main gas grid has reviewed if the market is working competitively for energy products including heating oil, LPG and renewable sources. I will be considering the outcome of the review when it is published shortly.

### **Invest NI: North Antrim**

**Mr Allister** asked the Minister of Enterprise, Trade and Investment what urgent steps she intends to take to redress the failure of InvestNI to secure visits to North Antrim by potential foreign investors, given that from 2006-2010 there were no visits and only two visits in 2010-11 out of a total of 181 visits across Northern Ireland.

**(AQW 2733/11-15)**

**Mrs Foster:** The absolute imperative of any visit programme is that it must help to demonstrate how locating in Northern Ireland can assist the visiting company to grow its business. Invest NI works closely with the company to develop a programme that showcases the Northern Ireland proposition in relation to the specific potential project.

The visiting company will generally wish to visit: existing investors in the same business sector; universities and colleges that offer courses relating to that sector; and suitable, available property. In addition, potential investors are often drawn to population centres that they consider will provide the appropriate number of suitably skilled potential employees.

An inward visit is an important part of the sales process and to enhance Northern Ireland's chances of securing the investment, Invest NI feature locations which are suitable to the company's needs.

This may mean that Parliamentary Constituency Areas (PCAs) in which these desired features do not exist are unlikely to be the focus of inward investment visits.

However, my Department, including Invest NI, works closely with councils and other stakeholders to review the features and benefits of each local area in order to maximise opportunities for economic growth.

For example, Invest NI's North Eastern Regional Office (which covers North Antrim PCA), in conjunction with colleagues in International Investment Division is currently delivering a series of presentations to each Council in the region aimed at providing information as to the types of projects that are currently considered internationally mobile, the sectors Invest NI is targeting and what possible investors are looking for in a location.

A presentation was delivered to representatives of Ballymena Borough Council and Ballymena Chamber of Commerce on 15 June 2011, while preliminary contact has been made with Ballymoney Council, and other councils in the region, to gauge interest in such a presentation.

### **Visits by Potential Foreign Investors**

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 1803/11-15, for her assessment of the balance across Northern Ireland of visits by potential foreign investors between 2006 and 2011; and what steps she intends to take to ensure equality of promotion and treatment.

**(AQW 2734/11-15)**

**Mrs Foster:** Inward investment plays a large part in the economic growth of Northern Ireland and Invest NI has a very successful track record of attracting high quality investment which will benefit the whole of the region. Invest NI is building on this success by working closely with local stakeholders to maximise investment and employment opportunities in all areas.

The objective of an inward investor visit, as part of the overall sales process, is to demonstrate to the visiting company how locating in Northern Ireland will help its business to grow and thrive. Invest NI



works closely with the company to develop a programme which is driven by the specific requirements of the company and the potential project.

Whilst Invest NI does offer guidance, it must be stressed that it is the potential inward investor's decision on what it would like to see on its inward visit programme itinerary. This may be based upon a number of factors, some of which are outside my Department's immediate control, including population size and availability of skills and workforce, transport links, availability of property and the presence of existing sectoral clusters within Northern Ireland.

It should be noted that Invest NI sells Northern Ireland as a region capable of meeting the needs of a potential inward investor. It competes for FDI in a crowded marketplace and its competitors are generally larger countries. Competing at a sub-regional level would be challenging and this approach would potentially dilute the Northern Ireland proposition.

This is not to say that my Department, including Invest NI, is unaware of the challenges facing local areas in Northern Ireland and we will continue to work with local stakeholders to maximise economic growth for all areas.

### Errors in Statements or Answers

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment, since May 2010, how many (i) statements she has made to the Assembly; and (ii) of her answers to Members' questions have had to be corrected because of errors in her original statements or answers.

**(AQW 2748/11-15)**

**Mrs Foster:**

- (i) Six.
- (ii) None.

### Invest NI: Job Creation

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 1803/11-15, how many of the 24,612 jobs which were promoted by Invest NI between 2006 and 2011 were created, broken down by constituency; and of the jobs created, how many still exist.

**(AQW 2786/11-15)**

**Mrs Foster:** The information requested is not readily accessible and could only be provided at disproportionate cost.

### Invest NI: Job Creation

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 1803/11-15, given that it was expected that 680 jobs would be created in North Antrim as a result of InvestNI's assistance for potential investors between 2006 and 2011, (i) how many jobs have been created; (ii) how many still exist; (iii) what assistance was offered to investors in the creation of the 680 jobs; (iv) how many potential projects were involved in the creation of the jobs; and (v) of those projects how many proceeded.

**(AQW 2788/11-15)**

**Mrs Foster:** The information requested is not readily accessible and could only be provided at disproportionate cost.

### Proposed Capital Spend Projects

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment to detail her Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2794/11-15)**

**Mrs Foster:** My department's proposed capital spending projects for this financial year, including the projected timescales and the 2011/12 costs are outlined in the table below.

Project	Timescale	2011/12 Budget £m
Invest NI Property Services	Ongoing	10.1
Invest NI ICT Line of Business	Ongoing	1.0
DETI ICT Line of Business	Ongoing	0.1

### Chairperson or Chief Executive: Arm's-length Bodies

**Mr Beggs** asked the Minister of Enterprise, Trade and Investment to detail the daily rate paid by her Department to each Chairperson or Chief Executive of each of its arm's-length bodies; and how this rate was determined and approved.

**(AQW 2798/11-15)**

**Mrs Foster:** Chairpersons and Chief Executives of DETI's four Arms Length Bodies (ALBs), ie, Invest NI, Northern Ireland Tourist Board (NITB), Health & Safety Executive for Northern Ireland (HSENI) and the Consumer Council for Northern Ireland (CCNI) are not paid a daily rate.

The four Chief Executives are full time employees whereas the four Chairpersons are part-time.

The latest remuneration figures for both Chairpersons and Chief Executives and how they are set, are reported in each of the ALBs respective Annual Reports.

### Victims of Domestic Violence

**Mr Storey** asked the Minister of Enterprise, Trade and Investment what work place policies are in place to assist victims of domestic violence within her Department and its arm's-length bodies.

**(AQW 2833/11-15)**

**Mrs Foster:** The Department of Enterprise Trade and Investment adheres to the Domestic Violence and Abuse Policy contained in the NICS Staff Handbook. This policy provides details on help and support for individuals experiencing domestic violence, and particularly the role of line management and the Welfare Service. The Department's NDPBs generally mirror all terms and conditions contained in the staff handbook and ensure staff have access to similar support mechanisms.

### Rowan Tree Centre, Pomeroy

**Mr Allister** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 2158/11-15, whether a condition of funding in her Department's letter of offer contains an obligation for the tenant to hold an extant planning permission for the business which the Department is proposing to fund; and, if not, why this is not the case.

**(AQW 2916/11-15)**

**Mrs Foster:** The Department's Letter of Offer was issued for the construction of the Rowan Tree facility. It contained a pre-commencement condition which required planning approval to be obtained. This condition was met.

### Invest NI: Job Creation

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of new jobs created from first time international investors supported by InvestNI during 2010/11 in each constituency; and what this represents as a percentage of all the new jobs created by first time international investors during that period.

**(AQW 2924/11-15)**

**Mrs Foster:** The information sought is set out at Table 1 below. The number of new jobs expected to be created are described as 'Jobs Promoted'.

It should however be noted that, Invest NI does not allocate budgets by geographic areas such as Parliamentary Constituency. Assistance patterns are demand-led by those businesses which have come forward with projects suitable for Invest NI assistance.

**TABLE 1 - JOBS PROMOTED BY FIRST-TIME INWARD INVESTORS IN 2010-11 BY PARLIAMENTARY CONSTITUENCY AREA**

<b>Parliamentary Constituency Area (PCA)</b>	<b>New Jobs</b>	<b>% of total</b>
Belfast East	136	9.5%
Belfast North	45	3.1%
Belfast South	227	15.9%
East Antrim	109	7.6%
Fermanagh and South Tyrone	1	0.1%
Foyle	297	20.8%
Upper Bann	37	2.6%
West Tyrone	33	2.3%
Not Yet Located	545	38.1%
Grand Total	1,430	100.0%

**Notes:**

- 1 New Jobs represent the number of jobs expected to be created by the project.
- 2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- 3 There were 545 new inward investment jobs promoted during 2010-11 for which the location has not yet been determined.

**Invest NI: Job Creation**

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment (i) to detail the number of new jobs created from inward investment projects supported by InvestNI during 2010/11 in each constituency; (ii) what this represents as a percentage of all the new jobs created by inward investment projects during that period.

**(AQW 2925/11-15)**

**Mrs Foster:** The information sought is set out at Table 1 below. The number of new jobs expected to be created are described as 'Jobs Promoted'.

It should however be noted that, Invest NI does not allocate budgets by geographic areas such as Parliamentary Constituency. Assistance patterns are demand-led by those businesses which have come forward with projects suitable for Invest NI assistance.

**TABLE 1 NEW JOBS PROMOTED THROUGH INWARD INVESTMENT PROJECTS IN 2010-11 BY PARLIAMENTARY CONSTITUENCY AREA**

<b>Parliamentary Constituency Area (PCA)</b>	<b>New jobs promoted by inward-investment</b>	<b>% of total</b>
Belfast East	759	27.0%
Belfast North	48	1.7%
Belfast South	624	22.2%
Belfast West	0	0.0%
East Antrim	197	7.0%
East Londonderry	2	0.1%
Fermanagh and South Tyrone	2	0.1%
Foyle	297	10.5%
Lagan Valley	131	4.7%
Mid Ulster	1	0.0%
Newry and Armagh	4	0.1%
North Down	0	0.0%
South Antrim	130	4.6%
South Down	0	0.0%
Strangford	4	0.1%
Upper Bann	37	1.3%
West Tyrone	35	1.2%
Not Yet Located	545	19.4%
<b>Grand Total</b>	<b>2,816</b>	<b>100.0%</b>

**Notes:**

- 1 New Jobs represent the number of jobs expected to be created by the project.
- 2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- 3 There were 545 inward investment jobs promoted during 2010-11 for which the location has not yet been determined.

**Invest NI: Financial Assistance**

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the financial assistance provided by InvestNI to companies during the 2010/11 financial year, broken down by constituency; and what these amounts represent as a percentage of all the financial assistance provided by InvestNI during this period.

**(AQW 2928/11-15)**

**Mrs Foster:** The information sought is set out in Table 1 below.

It should however be noted, that Invest NI does not allocate budgets by geographic areas such as Parliamentary Constituency. Assistance patterns are demand-led by those businesses which have come forward with projects suitable for Invest NI assistance.

**TABLE 1 INVEST NI ASSISTANCE OFFERED 2010-11 BY PARLIAMENTARY CONSTITUENCY AREA**

<b>Parliamentary Constituency Area (PCA)</b>	<b>Total Assistance (£m)</b>	<b>% of Total</b>
Belfast East	28.09	26.1%
Belfast North	1.70	1.6%
Belfast South	15.70	14.6%
Belfast West	0.36	0.3%
East Antrim	4.70	4.4%
East Londonderry	1.54	1.4%
Fermanagh and South Tyrone	2.99	2.8%
Foyle	2.58	2.4%
Lagan Valley	5.17	4.8%
Mid Ulster	4.04	3.7%
Newry and Armagh	6.78	6.3%
North Antrim	6.22	5.8%
North Down	0.50	0.5%
South Antrim	12.06	11.2%
South Down	1.14	1.1%
Strangford	0.81	0.7%
Upper Bann	6.34	5.9%
West Tyrone	0.83	0.8%
Not Yet Located	6.27	5.8%
<b>Grand Total</b>	<b>107.82</b>	<b>100.0%</b>

**Notes:**

- 1 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- 2 There was £6.27m of assistance offered to clients who have not yet decided where to locate.

**Business and Employment in the Ballymoney Area**

**Mr Frew** asked the Minister of Enterprise, Trade and Investment what her Department has done in the last three years to stimulate business and employment in the Ballymoney area.

**(AQW 2930/11-15)**

**Mrs Foster:** Invest NI works with a wide range of businesses in Ballymoney to help them start, develop and grow internationally. Support for new business starts is available in three key areas; business start up advice; business start-up finance for those new businesses that intend to export their goods or services outside Northern Ireland, and; specialist support for those new high-technology companies that have the potential for rapid growth and substantial sales outside Northern Ireland. Between 2008 and 2011, Invest NI helped almost 120 new businesses start in the borough.

For established small businesses, Invest NI has structured its support around a number of key areas including strategy development, finance, people and skills, energy efficiency, product development,

research and development and selling outside Northern Ireland. In the last three years, 86 offers of support were issued to locally-owned companies in Ballymoney such as KBB Doors, JMF Ltd and Woodland Kitchens and Furniture. This assistance will generate total investment in the borough of almost £3 million.

Invest NI continues to work with potential investors and encourages them to consider a variety of potential locations within Northern Ireland including Ballymoney however, it is important to emphasise that it is the investor's decision to select a business location. This is based on a number of factors, including availability of skills and workforce, transport links and availability of suitable property.

### Invest NI: Job Creation

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment how many of the jobs created by InvestNI during 2010/11 pay (i) above, but less than 25 percent above; and (ii) 25 percent or more, above the average private sector wage, expressed as a number and a percentage of all the new jobs created by inward investment projects during this period.

**(AQW 2933/11-15)**

**Mrs Foster:** The information sought is set out in Table 1 below. The number of jobs expected to be created by inward investment are described as 'Jobs Promoted'.

**TABLE 1 INWARD INVESTMENT JOBS PROMOTED 2010-11**

		Part (i)		Part (ii)	
Fin Year	New Jobs promoted	New jobs promoted above but less than 25% above NIPSM	% of New jobs promoted above but less than 25% above NIPSM	New jobs promoted 25% or more above NI PSM	% of new jobs promoted 25% or more above NIPSM
2010-11	2,816	851	30%	1,428	51%

**Notes:**

- 1 New Jobs represent the number of jobs expected to be created by the project.
- 2 Invest NI revises performance data on a regular basis to ensure that it reflects implemented projects; therefore, the data above may differ to previously published information.
- 3 The NIPSM (Northern Ireland Private Sector Median) in 2010 = £18,283

### Invest NI: Unspent Funding

**Ms Ritchie** asked the Minister of Enterprise, Trade and Investment to detail (i) under what circumstances InvestNI returned unspent funding to the Department of Finance and Personnel; (ii) how much was returned ; (iii) how much of this funding was diverted to the tourism budget; and (iv) whether she intends to allocate it to the St Patrick's and Mourne Signature Projects.

**(AQW 2966/11-15)**

**Mrs Foster:** The main factors that meant that funding was available for reallocation by the Northern Ireland Executive in the October Monitoring Round were:

- a) Additional receipts were raised by Invest NI thereby generating additional funds for the Executive, and
- b) Current market circumstances and the slower than expected economic recovery have impacted on company investment decisions. Companies across Northern Ireland have faced a continued deterioration in market conditions. This has worsened since the beginning of this financial year. Companies are not recruiting or investing to the levels and timescales that were originally planned.



- (ii) Additional receipts of £6.25m, and £14.2m of Programme budget mean that £20.5m is available to the Executive for allocation.
- (iii) Of the £20.5m, £3m was provided to the Northern Ireland Tourist Board by way of a linked bid and reduced requirement. DETI has also provided £4.7m of funding to Tourism Ireland Limited through an internal reallocation.
- (iv) No. These projects are already progressing with support from DETI.

## Electricity and Gas Usage

**Mrs D Kelly** asked the Minister of Enterprise, Trade and Investment to detail (i) the five biggest users of (a) electricity; and (b) gas, including their annual consumption in the last 12 months; and (ii) what percentage of the total demand this represents.

**(AQW 2970/11-15)**

**Mrs Foster:** The Department does not hold the information requested. In addition, such information would be a confidential matter between the individual large energy user and its supplier.

## Renewable Obligations Certificates

**Mr D McIlveen** asked the Minister of Enterprise, Trade and Investment whether she plans to extend the Renewable Obligations Certificates beyond the current review date of March 2013.

**(AQW 2995/11-15)**

**Mrs Foster:** The Renewables Obligation Order (Northern Ireland) 2009 includes a requirement to review Renewables Obligation Certificate (ROC) levels every four years to take account of changes in technology costs and deployment levels. A public consultation will launch shortly on proposed ROC levels for the period 2013 to 2017.

A formal consultation response will be published and draft legislation laid before the Assembly as soon as possible after the consultation ends. Subject to Assembly and state aids approval, the new bands will come into effect on 1 April 2013 as planned (1 April 2014 for offshore wind).

## Go for It Programme

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment (i) why a decision on the award of the Go For It programme contract was announced only ten days before the contract was due to begin; (ii) how much money is currently being spent advertising the programme, in circumstances in which it cannot be delivered because the award of the contract is subject to a legal challenge; and (iii) what measures her Department has put in place to ensure that people and organisations who would benefit from the programme are not missing out due to the gap in service provision during this legal challenge.

**(AQW 3005/11-15)**

**Mrs Foster:**

- (i) The decision to award the new Business Start Programme was announced on 6th September 2011 almost four weeks before the scheduled launch date of 3rd October 2011. The launch of the programme has been delayed due to the legal challenge against the award decision.
- (ii) Invest NI will not be advertising a specific Programme in the short-term but will continue to advertise to stimulate the public interest in starting a business. Invest NI will respond directly to all enquiries generated. The next adverts are scheduled for late October 2011 and November 2011 and the cost of this advertising will be £64,308.
- (iii) Invest NI has put in place appropriate arrangements to respond to enquiries and to ensure that those individuals with an interest in establishing their own business are able to access relevant advice and guidance during the period of delay as a result of the legal challenge. Please see below.

### **For individuals currently on Invest NI's database**

Invest NI has contacted all of these individuals directly either by e-mail or letter and followed up with telephone calls, giving them the relevant individual contacts in each of Invest NI's regional offices who will be able to provide advice and support. A series of business clinics and one to one meetings have been arranged and will continue to be provided by Invest NI.

### **New Enquiries**

People interested in starting a business can still call the Go For It helpline and enquiries will be directed to the relevant Invest NI regional office. General enquiries around business start support to Invest NI's 0800 number (0800 181 4422) and website will also be directed to the most appropriate Invest NI regional office.

### **Broadband: Business Usage in Causeway Area**

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment what is the percentage of small and medium sized enterprises in the Causeway area which use broadband as an essential part of their business; and how this compares with the Northern Ireland percentage.

**(AQW 3017/11-15)**

**Mrs Foster:** My Department does not hold the information requested.

### **Fáilte Ireland: The Gathering**

**Mr McKay** asked the Minister of Enterprise, Trade and Investment whether the Tourist Board will be jointly promoting The Gathering with Fáilte Ireland to attract ex-patriots and the Irish diaspora back to Ireland in 2013.

**(AQW 3045/11-15)**

**Mrs Foster:** The Northern Ireland Tourist Board is not responsible for promoting Northern Ireland overseas.

### **Energy Regulatory Framework**

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment for her assessment of whether the energy regulatory framework is working effectively and is producing the best possible price for consumers.

**(AQW 3091/11-15)**

**Mrs Foster:** The Energy (Northern Ireland) Order 2003 and the Electricity (Single Wholesale Market) (NI) Order 2007 establish the regulatory framework within which the Utility Regulator carries out his duties in respect of the electricity and natural gas industries in Northern Ireland.

In line with these arrangements, the Regulator has responsibility for approving tariffs proposed by the dominant electricity and gas companies. The Regulator's tariff review process involves a rigorous scrutiny of tariff proposals and engagement with the energy companies, the Consumer Council, and my Department, before any tariff decisions are finalised.

I am content that this regulatory framework is effective.

### **Energy Regulatory Framework**

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment whether her Department has any plans to carry out a review of the energy regulatory framework to assess its effectiveness.

**(AQW 3092/11-15)**

**Mrs Foster:** I have no plans to carry out a review of the current regulatory framework within which the Utility Regulator carries out his statutory duties in respect of the electricity and natural gas industries in Northern Ireland.

I am content there is an effective regulatory framework in place within Northern Ireland and that the Utility Regulator, in liaison with my Department, works to deliver effective market conditions which include the protection of electricity and natural gas consumers with regard to price and quality of service.

## Department of the Environment

### **Planning: Major Applications of Economic Significance**

**Mr Gardiner** asked the Minister of the Environment (i) what protections are in place for major planning applications of economic significance; and (ii) for his assessment of whether these protections are sufficient to fast track these applications, especially those involving major job creation.

**(AQW 1730/11-15)**

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

(i) what protections are in place for major planning applications of economic significance?

The range of protections that exist or should exist are extensive. A number of the protections will be outlined in this answer but the list will not be exhaustive:

First, two Strategic Project teams within the Strategic Projects Division (SPD) manage planning applications across NI for all large scale investment proposals including all applications designated under Article 31 of the Planning (NI) Order 1991. They also process other economically significant applications, which, while not classified by Article 31, are nevertheless important to the NI economy.

Second, economic and resource factors have always been key related material considerations to be considered in the determination of a planning application and they continue to be so.

Third, guidance on consistency in decision making with particular emphasis on economic considerations issued to planning staff in May 2011. The purpose was to ensure a consistent approach in the consideration of the economic merits of planning applications by the Department so that local communities are treated equally and not disadvantaged.

Fourth, further guidance for prioritising planning applications in Local Planning Division issued in May 2011 stating clearly the types of applications that should be considered for prioritising. These include applications with employment implications, social/community benefit or a public interest dimension and applications which are grant funded.

The Executive's ongoing priority to create a vibrant economy facilitating increased employment, economic recovery and improved future wealth is set out in this guidance and it is stressed that the planning system has a key role to play in achieving this high level government objective.

Fifth, as Minister, I plan to leave no stone unturned in identifying all and any measures to ensure proper and quick planning industry: revision of the HR plan; active management of Article 31 applications; new regulations around planning appeals; tighter timelines for decisions; proper flexibilities around PPS 21 decisions; appropriate interventions to assist renewable energy applications etc; ensuring that environmental and traffic issues are properly assessed, based on good evidence and not raised late in the application process on a piecemeal basis.

(ii) for his assessment of whether these protections are sufficient to fast track these applications, especially those involving major job creation

I will build on the existing initiatives and take a twin track approach to achieve a more favourable environment for the proper, timely and positive management of applications, particularly ones with major economic impact. This involves a balanced approach which addresses economic, social and environmental considerations together and fresh interventions as detailed above to enhance management of Article 31 and other significant applications.

## Road Safety Grants

**Mr Weir** asked the Minister of the Environment why the administration of road safety grants for community groups is carried out by a company based in England, rather than his Department or its agencies.

**(AQW 2065/11-15)**

**Mr Attwood:** In 2009 officials were tasked with reviewing Department policy with a view to engaging more fully on road safety issues with the voluntary and community sector while reducing administration costs. The outcome of that review was the decision to appoint an Intermediary Funding Body (IFB) to manage and deliver DOE funding to road safety projects proposed by the voluntary & community sector.

The option for the Department to administer a road safety grants scheme was one of the options considered. While there were many advantages to the Department administering the scheme, risks were identified associated with administration costs. As you are aware when dealing with the tax payers money it is imperative that we are mindful of value for money; therefore, this was not considered to be a viable option.

The Department appointed an IFB in April 2010 following public competition directed by Central Procurement Division, DFP. This programme was contracted to run for a period of one year with an option to extend for a period of two further years. However, notwithstanding a successful evaluation of its first year in operation, in March 2011 the Board of the IFB concluded that the DOE programme was not compatible with its new five year strategy and declined the option to extend the contract. A new competition directed by CPD was immediately initiated to appoint a new IFB.

On 14 July 2011 the contract was awarded to Community Transport Association (CTA) to act as the Department's Intermediary Funding Body (IFB). CTA (UK) is a charitable company registered in England, with a director and staff team operating as CTA (NI). CTA (NI) is the regional office of the CTA (UK). The Northern Ireland team has responsibility for delivering the Northern Ireland specific work programme and contracts. CTA (NI) is responsible for its own budget, business plan and operations. The NI Director is part of the CTA (UK) Senior Management Team.

The DOE road safety grant programme is being promoted, managed, delivered and monitored entirely by the team in Northern Ireland, the exception to this is that the banking service which is being managed from England.

## Household Recycling Rates

**Mr Lyttle** asked the Minister of the Environment (i) for his assessment of the research carried out by the Royal Institute of Chartered Surveyors which found that municipal and household recycling fell from 6 percent in 2004/05 to 1.5 percent in 2009/10; (ii) whether he expects to incur an infraction fine; and (iii) how he plans to increase recycling rates to 60 percent.

**(AQW 2226/11-15)**

**Mr Attwood:**

- (i) My assessment of the research carried out by the Royal Chartered Surveyors which found that municipal and household recycling fell from 6 percent in 2004/05 to 1.5 percent in 2009/10.

The statistics, underlying the research referred to in the question, are publicly available at:

[http://www.doeni.gov.uk/northern\\_ireland\\_municipal\\_waste\\_management\\_statistics\\_\\_annual\\_report\\_2009-10r.pdf](http://www.doeni.gov.uk/northern_ireland_municipal_waste_management_statistics__annual_report_2009-10r.pdf)

From this report it can be seen that the annual rate of increase in municipal waste has decreased from 6% to 1.5% over the period 2004/05 to 2009/10. Whilst this means that the year-on-year change in the percentage of municipal waste recycled has decreased, in absolute terms the municipal recycling rate has in fact increased. Over the same period the municipal recycling rate has risen from 18.2% to 33.1%.

A similar trend can also be observed in the household recycling rate, that is, a decrease in the annual (year-on-year) rate of increase from 6.4% to 1.2% over the period 2004/05 to 2009/10. Overall there has however been an increase in the household recycling rate from 18.9% to 35.6%.

Consequently as of 31 March 2010 the current Northern Ireland 2006 -2020 Waste Management Strategy target to increase household recycling rates to at least 35% by 2010 has been achieved.

(ii) Whether I expect to incur an infraction fine.

The revised Waste Framework Directive has set a 50% target on the recycling of waste from households by 2020. EU Infraction fines are a possibility where Member States fail to meet the requirements of a Directive. However I am confident that Northern Ireland will meet this target.

(iii) My plans to increase recycling rates to 60 percent.

My department has consulted on the potential for Northern Ireland to achieve municipal recycling rates in the region of 60% over the next 10 years – assuming that the 50% household recycling target for 2020 is met. Responses to the consultation have been received and I will be considering these shortly.

My view is that we must set challenging targets – not ones which are manageable.

I am committed to improving resource efficiency, of which achieving high recycling rates is one component. In this context I have asked officials to investigate the possibility of introducing landfill bans for certain waste streams and developing a comprehensive regime of incentives and sanctions in respect of waste management.

The Department has also introduced a range of incentives under the Rethink Waste Programme to increase levels of recycling. These range from the provision of financial assistance to technical advice.

The Rethink Waste (Capital) Fund helps increase levels of recycling by providing funding to local councils to cover the capital costs of improving or extending their existing waste collection, reuse and recycling infrastructure.

Councils and the Community & Voluntary Sector can also apply for funding under the Rethink Waste (Revenue) Fund. I have recently launched an additional funding of £400,000 for 2011-12.

The Department also funds WRAP to provide technical advisory support to local councils to improve the quality and efficiency of collection and recycling services offered to households and businesses, resulting in increases in the collection of quality materials for reuse and recycling.

The Department is also working closely with a variety of stakeholders to raise awareness of waste prevention and recycling through the Rethink Waste Communications Action Plan. Fully funded Love Food Hate Waste and composting demonstration packages have been offered to local councils to assist in reducing waste to landfill through waste prevention and reuse.

## **Planning: Golf Resort Near Bushmills**

**Mr Swann** asked the Minister of the Environment what actions were taken by his predecessors to reduce the delay in determining the application for a golf resort near Bushmills.

**(AQW 2341/11-15)**

**Mr Attwood:** Following earlier consideration of the proposals by Direct Rule Ministers, a new application was submitted in February 2007.

Since then each of my predecessors has taken an interest in the application for a golf resort on this site. I am advised that my immediate predecessor met the applicant's representatives and officials on a number of occasions, the latest on 17 January 2011, in order to bring the application to a decision.

The procedural steps required to progress this application to a conclusion were agreed at this meeting. Further environmental information and revised layout plans were subsequently submitted in February 2011. This information was the subject of advertisement and consultation under the EIA Regulations.

I understand that following consideration of this information the need for further environmental information was identified.

This additional Environmental Information was submitted on 27 September 2011 and was advertised in the week beginning 3 October 2011. Four weeks is allowed under the Regulations for further representations to be made. My officials have been instructed to monitor closely the progress of the application in order to ensure that a recommendation is brought to me before the end of November 2011 for my decision on the proposals.

It is my view that all issues around this application have been or are being exhaustively interrogated. I believe it is time to make a decision and I plan to do so. I will carefully and fully weigh all factors – environmental, World Heritage Status at the Giant's Causeway, economic benefits and others – in making the decision.

## Chief Executives' Salaries

**Mrs D Kelly** asked the Minister of the Environment to detail the annual salary of the Chief Executive(s) of (i) the 26 local councils; (ii) the Local Government Staff Commission; (iii) the NI Housing Executive; (iv) the Northern Ireland Local Government Association; and (v) ARC 21.

**(AQW 2352/11-15)**

**Mr Attwood:** The table below provides the current salary band range for the Chief Executives of (i) all 26 District Councils, (ii) the Local Government Staff Commission, (iii) the NI Housing Executive (iv) the Northern Ireland Local Government Association and (v) ARC21.

Salary Band Range	Number	Council/Body
£105,001-125,000K	1	Belfast
£100,001-105,000K	1	NI Housing Executive
£90,089-100,000K	5	Ards, Lisburn, Newry & Mourne, N Down, LGSC
£80,089-90,088K	12	Antrim, Armagh, Ballymena Ballymoney, Castlereagh, Coleraine, Craigavon, Derry*, Down, Newtownabbey, Omagh, ARC21
£72,828-80,088K	10	Banbridge, Carrickfergus, Cookstown, Dungannon & S Tyrone*, Fermanagh, Larne, Limavady, Magherafelt, Moyle, Strabane,
£62,000-72,827K	1	NILGA

\* Due to temporary acting up arrangement

## Illegal Fuel

**Lord Morrow** asked the Minister of the Environment how much has been spent, in each of the last five years, on clearing damage to the environment caused by by-products, leakages and spillages from illegal fuel laundering plants.

**(AQW 2378/11-15)**

**Mr Attwood:** The power to remove illegally deposited waste and to recover related costs currently lies with District Councils under Article 28 of the Waste and Contaminated Land (Northern Ireland) Order 1997. Section 4 of the Waste and Contaminated Land (Amendment) Act (Northern Ireland) 2011, when



commenced, will extend this power to the Department of the Environment. The majority of the clean up burden has fallen on a few District Councils by virtue of their location. Newry and Mourne alone has spent £70,000 in the last year, and £135,000 over the last four years.

The Northern Ireland Environments Agency's Water Management Unit has been involved in clean-up where incidents of fuel laundering have impacted on a waterway. The cost over the past 5 years is £17,466 which includes analytical and salary costs.

## Enforcement Notices

**Mrs D Kelly** asked the Minister of the Environment to detail the number of Enforcement Notices imposed on owners of (i) derelict land; and (ii) building sites in each of the last five years, broken down by (a) local council area; and (b) the reason for imposing an Enforcement Notice.

**(AQW 2379/11-15)**

**Mr Attwood:** Information is not recorded on the Departments database in such a way as to enable Enforcement Notices imposed on owners of (i) derelict land; and (ii) building sites to be identified. To obtain the information in the format requested a manual search of case files in each of the Area Offices would need to be carried out. A manual check of Notices would also need to be carried out to identify the Notice Type and provide (b) the reason for imposing an Enforcement Notice. However, I have asked officials to determine how to have this information collated in future.

The number of enforcement notices issued in each of the last five years broken down by local Council Area is set out in the table below.

Notices broken down by Council Area

Local Council Area	2006/07	2007/08	2008/09	2009/10	2010/11
Antrim	6	4	5	16	10
Ards	4	3	1	0	1
Armagh	12	2	15	45	32
Ballymena	0	3	2	11	6
Ballymoney	2	4	6	7	3
Banbridge	9	3	8	19	11
Belfast	3	12	32	28	13
Carrickfergus	0	0	1	5	0
Castlereagh	4	7	5	4	4
Coleraine	11	4	8	19	8
Cookstown	12	14	21	23	15
Craigavon	7	0	4	13	22
Derry	8	6	5	13	8
Downpatrick	0	2	4	0	6
Dungannon	15	31	21	27	12
Fermanagh	9	20	18	22	21
Larne	2	0	0	1	3
Limavady	5	8	2	5	1

Local Council Area	2006/07	2007/08	2008/09	2009/10	2010/11
Lisburn	1	4	1	0	2
Magherafelt	2	4	7	15	3
Moyle	2	1	2	9	3
Newry and Mourne	37	14	21	64	9
Newtownabbey	4	3	9	4	2
North Down	2	2	0	0	0
Omagh	28	19	22	17	16
Strabane	13	14	14	21	5

## Brownfield Sites

**Mr Easton** asked the Minister of the Environment what areas of land in North Down are currently designated as brownfield sites.

**(AQW 2430/11-15)**

**Mr Attwood:** The Regional Development Strategy for Northern Ireland 2025 (RDS), published in September 2001, recognised the need to promote more housing within existing urban areas, or existing urban footprints. The aim was to achieve more sustainable forms of development by setting a regional target for the share of urban housing to be provided within urban limits. In effect, it involves recycling land and buildings that have had a previous use, and making use of other suitable sites in order to reduce the need for Greenfield land.

Some of this development will take place on sites that have been zoned specifically for housing, and also on other sites that cannot be precisely predicted locationally, but which occur as a result of 'windfall' development. Windfall development therefore consists of potential future housing development on land not zoned for housing within existing urban footprints.

Much of this windfall development takes place on 'brownfield' sites, and development plans such as BMAP include an 'allowance' for windfall which is in addition to specific sites zoned, both inside and outside urban footprints. This allowance was based on a detailed urban capacity study of all 6 District Council areas in BMAP.

Development plans do not 'designate' land as 'brownfield', rather, through the process laid out in Planning Policy Statement (PPS) 12: Housing in Settlements, urban capacity studies are carried out which inform 'zonings' for residential use within a Plan area.

While BMAP has not designated specific areas as 'brownfield' sites, the Plan aims to achieve revitalised and compact urban areas by accommodating as much housing as possible within existing urban areas.

## Northern Ireland Environment Agency

**Mr Agnew** asked the Minister of the Environment, given that the Northern Ireland Environment Agency has recommended that, 'a precautionary approach be taken by attaching a condition to any licence issued that no petroleum production operations or activities should be undertaken within or in close proximity to an Area of Special Scientific Interest', to define 'close proximity'.

**(AQW 2458/11-15)**

**Mr Attwood:** The reference to 'close proximity' was made in the context of NIEA responding to a Petroleum Licence consultation from DETI for an area of land that included a number of Areas of Special Scientific Interest (ASSIs).

All public bodies have legal obligations to protect ASSIs under the Environment Order which includes, in Article 40, a requirement on public bodies to give notice of proposed operations to the Department, even if the operations will not take place on land included in an ASSI.

Given the varied nature of proposed operations and the range of sensitivity of features within ASSIs there is no single definition of 'close proximity'.

In practice, in considering if the proximity of proposed operations or activities are likely to have a significant impact on ASSI features, NIEA considers if the proposed operations or activities are within, adjacent, close to, are hydrologically connected to, or if emissions are likely to reach an ASSI.

## Petroleum Licence

**Mr Agnew** asked the Minister of the Environment whether any surveys have been carried out to determine whether the area for which Infastrata PLC and eCORP Oil and Gas UK Ltd have been granted a Petroleum Licence contains species protected by law or contains habitats, species, earth science and landscape interests which are also afforded protection.

**(AQW 2461/11-15)**

**Mr Attwood:** In consideration of the application for a Petroleum Licence from these companies, DETI consulted NIEA in relation to potential impacts on natural heritage interests. NIEA provided detailed information and advised DETI on its legal obligations to protect designated sites and protected species.

In relation to the specific question whether '...any surveys have been carried out' it is the developers, and not the Department's, responsibility to do this should they be seeking permission to carry out additional exploration activity. NIEA is currently considering a proposal from the developer, through DETI, to carry out a seismic survey across the area. NIEA is not aware, at this stage, of any other survey work that may have been, or is being, carried out by the developers.

## Anti-drink-driving Campaign

**Mr Campbell** asked the Minister of the Environment what changes will be made this year to the Christmas and New Year anti-drink-driving campaign.

**(AQW 2473/11-15)**

**Mr Attwood:** Anti Drink Drive Campaign

Traditionally, the launch of the PSNI Christmas Anti Drink Drive operation will take place towards the end of November and will be supported as usual by the Department.

The Christmas/New Year anti drink drive television campaign 'Hit Home' will be on air from the last week in November and throughout December.

The 'Hit Home' campaign reinforces the message "NEVER EVER DRINK AND DRIVE". The advert emphasises the impairing effects of alcohol on driving – even from the first drink. The message is designed to increase further the unacceptability of driving after one or two drinks, especially for younger males. The campaign features ordinary people who warn: 'Every drink increases your risk of crashing'.

On Monday 26 September I announced proposals for a comprehensive package of measures to tackle drink driving including the introduction of new, lower drink drive limits and new graduated fixed penalties. Subject to Executive Committee agreement, the Department intends to have the drink drive legislation ready for public consultation by March 2012.

That said, the aim of this current campaign is also to reinforce the unacceptability of consuming any alcohol when intending to drive, which is already supportive of potential new legislation introducing the lowering of the blood alcohol limits.

Coca Cola Designated Driver Initiative

This will be the fifth year of the Coca Cola 'designated driver' initiative. It will launch towards the end of November and once again the Department and PSNI will be supporting this initiative. The scheme, which will be operational in many venues across Northern Ireland, offers three free soft drinks to designated drivers during the festive season.

Any other activity over the Christmas period, such as press or radio, will be used as an opportunity to reinforce the drink drive message ahead of any new legislation.

## **Independent Environmental Protection Agency**

**Mr Frew** asked the Minister of the Environment (i) for his assessment of how the establishment of an independent environmental protection agency would provide greater protection for the environment compared to the existing bodies; and (ii) how he would ensure that it would not create additional costs and red tape for farmers.

**(AQW 2510/11-15)**

**Mr Attwood:** The issue of who manages our environment and their scope of responsibility is important not only for us but for generations to come so it is crucial that we get it right. I have therefore moved this important issue up the environmental agenda and encouraged early debate.

The purpose of the recent Environmental Governance discussion document was to test the water to establish firmly and directly what the community, stakeholders and others believe is best in going forward and to gauge if there is an appetite for structural reform leading to a truly independent environment agency - 83% of respondents to the initial discussion document exercise indicated support for the creation of an independent Environment Agency. I am also aware, however, that the Ulster Farmers' Union has indicated its opposition to the creation of an independent agency claiming that it will only lead to additional cost and more red tape for farmers.

In moving this issue forward it will be necessary to carry out a much more detailed consideration, taking into account the views of key interests and all of the relevant issues, including for example the impact on farmers, to ensure that any final proposals for the creation of an independent environment agency are robust, deliverable and most importantly will deliver improved and more efficient levels of environmental protection.

An important element of any future work programme will be to complete a robust and fully costed business case. The business case will be essential to support final proposals to establish an independent environment agency.

There will also be a full public consultation on any final proposals.

## **Hydraulic Fracturing**

**Mr Agnew** asked the Minister of the Environment for his assessment of the report 'Shale Gas: A Provisional Assessment of Climate Change and Environmental impacts' by The Tyndall Centre, University of Manchester, which states that, given the potential for hazardous chemicals to enter water through the extraction process, hydraulic fracturing must be subject to more thorough research prior to any expansion of the industry being considered.

**(AQW 2519/11-15)**

**Mr Attwood:** Hydraulic fracturing (Fracking) operations while new to Northern Ireland are quite common throughout the world. My officials within the Department are supplementing their current knowledge of the process with emerging research, and by studying case studies from other parts of the world. They will also liaise with their counterparts in other Environment Agencies in countries where fracking is currently taking place. This will include all reports on the subject, including the one mentioned by the member.

The Northern Ireland Environment Agency will require any company proposing to use a fracking process, depending on the exact details of the operation, to apply for a consent to discharge, under the Water

(Northern Ireland) Order, and a licence to abstract under the Abstraction and Impoundment (Licensing) Regulations (Northern Ireland) 2006.

Other permissions and assessments may be required from the Department depending upon the activities proposed by the company and their exact location in relation to sensitive environmental receptors and designated sites.

## Marine Conservation Zones

**Mr D McIlveen** asked the Minister of the Environment what steps have been taken to ensure that the Marine Conservation Zones are in place by 2012.

**(AQW 2582/11-15)**

**Mr Attwood:** In relation to marine nature conservation, the Department's priority is to complete the designation of marine Special Areas of Conservation for sites of European importance under the Habitats Directive by 2012.

In parallel, the Department is bringing forward a Marine Bill which includes powers for the designation of Marine Conservation Zones (MCZs). As stated in my earlier response to you (AQW 2515/11-15), I am committed to take forward the Marine Bill as soon as possible.

It is intended that MCZs will complement the existing designation and protection measures for European marine sites and form part of the UK's overall network of Marine Protected Areas.

## Tackling Violence at Home Action Plan

**Mr McKay** asked the Minister of the Environment whether his Department has implemented the action in the Tackling Violence at Home Action Plan which states that Departments must explore the implementation of domestic violence workplace policies with private and public sector employers; and if his Department will meet the target implementation date of December 2011.

**(AQW 2608/11-15)**

**Mr Attwood:** The implementation of the Tackling Violence at Home Action Plan is being led by the Department of Health, Social Services and Public Safety. Only those Departments who directly provide a service to victims of domestic violence are involved in its implementation. DHSSPS has confirmed that the reference to all Departments in the document relates only to these Departments.

While this Department is not directly involved in the Action Plan, the NICS wide Workplace Policy for Domestic Violence and Abuse applies to all DOE staff. This policy explains how help and support can be provided for individuals experiencing domestic violence, how to identify domestic violence, the role of the line manager and available support services.

## Environmental Public Information

**Mr D McIlveen** asked the Minister of the Environment what plans he has to (i) eliminate jargon from his Departments environmental public information; and (ii) make environmental legislation more accessible to the farming community.

**(AQW 2623/11-15)**

**Mr Attwood:** Clear and unambiguous guidance for industry is important and the Department has signed up to the Code of Practice on Guidance on Regulations introduced by the Northern Ireland Executive and NI Assembly (July 2010). This requires Departments to prepare guidance in clear language appropriate to the intended audience and avoid unnecessary acronyms and jargon.

The Northern Ireland Environment Agency has achieved the Crystal Mark for plain English on their web site and the Department is reviewing the rest of the web content to achieve the Crystal Mark for the Department as a whole.

Through its Better Regulation Programme, the Northern Ireland Environment Agency is helping the farming sector to comply with their environmental obligations by giving clear guidance and information that is specific to their needs. This is available on the NetRegs website. The Agency has also developed an e-learning tool “Learn about Agricultural Waste” which was reviewed by the Ulster Farmers’ Union before it was published.

The Department has also developed, with input from key stakeholders including the Ulster Farmers’ Union, the Environmental Better Regulation White Paper which looks at ways to reduce the regulatory burden on businesses generally while ensuring that the environment is protected or enhanced. The White Paper proposes simpler, clearer, more effective and flexible environmental legislation. A consultation exercise on the proposals in the White Paper ended on 30 September 2011. I will be considering the way forward in the light of the responses received to the consultation exercise.

## Waste Management Schemes

**Mrs D Kelly** asked the Minister of the Environment how much has been spent on preparing contracts for the waste management schemes for (i) SWaMP2008; (ii) Arc 21; and (iii) the North West Region Waste Management Group.

**(AQW 2858/11-15)**

**Mr Attwood:** Since commencement of their respective procurements, spend by each of the Waste Management Groups has been as set out in the table below.

### RESIDUAL WASTE INFRASTRUCTURE CUMULATIVE REVENUE PLUS CAPITAL SPEND TO TO DATE (30 SEPT 11)

	<b>arc21</b>	<b>SWaMP</b>	<b>NWRWMG</b>	<b>Total</b>
Cumulative Spend to 31 Mar 11	2,836,000	2,548,000	2,086,000	7,470,000
Additional Financial Year 11/12 spend to 30 Sept 11	50,000	320,000	310,000	680,000
	<b>2,886,000</b>	<b>2,868,000</b>	<b>2,396,000</b>	<b>8,150,000</b>

Clearly, the scale of expenditure involved and the degree of risk associated with waste infrastructure projects in general increases the onus on all stakeholders to monitor progress on the Waste Infrastructure Programme closely, and to ensure that the quantum and types of facilities procured are both appropriate to Northern Ireland’s needs and represent the best interests of the councils which will be financially liable for them. I can assure you that I am taking a strong interest in the Programme, and that should any element of it give me cause for concern, I will have no hesitation in intervening as necessary.

## Department of Finance and Personnel

### Civil Servants: Secondments

**Mr McGlone** asked the Minister of Finance and Personnel (i) how many civil servants have been allowed to go on secondment to the private sector in the past two years; (ii) at what grade the civil servants were; and (iii) how they competed for the job.

**(AQW 1766/11-15)**

**Mr Wilson (The Minister of Finance and Personnel):** Outward secondment is an integral part of the HR policies of the Northern Ireland Civil Service (NICS). There is scope to second civil servants to a range of organisations, including to private sector organisations, using NICS secondment arrangements and through the Northern Ireland Interchange Scheme, of which the NICS is a partner. Secondments can be arranged in a variety of ways. They may be advertised to staff through the HRConnect portal which



provides details of the opportunity and eligibility criteria or other requirements, following which the host organisation will select a candidate deemed most suitable. Specific opportunities may be circulated only to a particular cadre of staff. Departments may post individual staff, subject to their agreement, on secondment to organisations with which they have a working relationship and where secondment provides benefits.

The tables provided set out the number and grades of civil servants who took up secondment opportunities to a wide range of organisations, including to the private sector, in the years April 2009 to March 2010, April 2010 to March 2011 and in the period April 2011 to August 2011. The tables also indicate how the secondment positions were filled.

## SECONDMENT OF NI CIVIL SERVANTS

**TABLE 1**

	<b>Number and Grades of NI Civil Servants Seconded 2009/2010</b>								
Host	AA	AO	EO2	EO1	SO	DP	G7	G6	SCS
Private	0	1	1	0	2	1	0	0	0
Public	0	1	5	0	2	***2	*1	*1	*1
Voluntary	0	8	3	3	1	0	0	0	0
Social Economy	0	0	0	0	0	0	0	0	0
EU	0	0	0	0	0	0	2	0	0

**TABLE 2**

	<b>Number and Grades of NI Civil Servants Seconded 2010/2011</b>								
Host	AA	AO	EO2	EO1	SO	DP	G7	G6	SCS
Private	0	0	0	0	0	0	0	0	0
Public	0	0	1	***2	2	***11	*2	0	0
Voluntary	0	18	4	0	0	*3	0	0	0
Social Economy	0	0	0	0	1	0	0	0	0
EU	0	0	0	0	0	*1	0	0	0

**TABLE 3**

	<b>Number and Grades of NI Civil Servants Seconded 2011/2012 ( up to 31 August 2011)</b>								
Host	AA	AO	EO2	EO1	SO	DP	G7	G6	SCS
Private	0	0	0	0	0	0	0	0	*1
Public	0	***2	*7	0	*3	***7	***3	0	**2
Voluntary	0	***6	*1	0	0	*2	0	0	0
Social Economy	0	0	0	0	0	0	0	0	0
EU	0	0	0	0	0	0	0	0	0

\* Secondments arranged by means of direct posting.

\*\* Secondments arranged following circulation of an opportunity to staff only at SCS level.

\*\*\* Secondments arranged via mix of direct posting and through advertising on the HRConnect Portal.

All other Secondments listed were advertised via the HRConnect Portal. Applications made by staff were considered by the host organisation who selected a candidate based on his/her suitability against the requirements for the secondment position.

### **Civil Service: Surplus Posts**

**Mr Dallat** asked the Minister of Finance and Personnel to detail the (i) number; and (ii) location of surplus posts in the Northern Ireland Civil Service at (a) Administrative Assistant; (b) Administrative Officer; (c) Executive Officer II; (d) Executive Officer I; and (e) Staff Officer; and (f) Deputy Principal grades, in each Government Department.

**(AQW 2375/11-15)**

**Mr Wilson:** The information requested is set out in the attached table.

**AQW 2375/11 - LOCATION & NUMBER (FTE)\* OF SURPLUS POSTS IN THE NICS AT AO, E02, E01, SO & DP - 23/9/11**

	AA	Location	AO	Location	E011	Location	E01	Location	SO	Location	DP	Location
DARD	1	Stormont	1	Stormont	0		0		0		1	Ballymena
DCAL	0		0		1	Belfast	0		0		0	
DE	0		0		0		0		0		0	
DEL	0		0		0		0		0		0	
DETI	0		0		0		0		0		0	
DFF	0		1	Belfast	0		0	Belfast	2	Belfast	1	Belfast
DHSSPS	0		0		0		0		0		0	
DOE	1	Coleraine	0		2	Belfast	0		0		0	
DOJ	0		0		0		0		0		0	
DRD	0		0		0		0		1	Belfast	0	
DSD	4	2 Belfast	4	2 Belfast	0		3	Belfast	4	Belfast	0	
		1 Londonderry		1 Coleraine								
		1 Ballymena		1 Banbridge								
OFMDFM	0		0		0		0		0		0	
PPS	0		0		0		0		0		0	
<b>Total</b>	<b>6</b>		<b>6</b>		<b>3</b>		<b>3</b>		<b>7</b>		<b>2</b>	

\* FTE – Full-time Equivalent

## Review into Special Advisers

**Mr Allister** asked the Minister of Finance and Personnel to detail (i) the outcome of his review into Special Advisers; (ii) when it will be published; (iii) what recommendation it made; and (iv) when these recommendations will be implemented.

**(AQW 2401/11-15)**

**Mr Wilson:** I have arranged for a copy of the review report to be placed in the Assembly library. The review was implemented for all future appointments from 6th September 2011.

## Civil Service

**Mr McDevitt** asked the Minister of Finance and Personnel how much the NI Civil Service has spent on secure data and document storage in each of the last ten years.

**(AQW 2639/11-15)**

**Mr Wilson:** DFP has been responsible for managing the NI Civil Service secure data and document storage since April 2007. The amount spent in this area in each of the last four years is as follows:

2007/08	£3,738,845
2008/09	£618,260
2009/10	£509,700
2010/11	£1,844,065

Information prior to 2007/08 would be held by individual departments. These figures do not include the cost of securely storing data relating to corporate or departmental applications, e.g. HR Connect, Account NI, and APHIS.

## Public Consultations

**Mr Nesbitt** asked the Minister of Finance and Personnel to detail the (i) number; and (ii) cost of public consultations initiated by his Department since May 2007.

**(AQW 2680/11-15)**

**Mr Wilson:** The number of public consultations initiated by my Department since May 2007 was thirty at a total cost of £58,499.

## Chairpersons of Public Bodies and Publicly Owned Companies

**Mr Beggs** asked the Minister of Finance and Personnel what role his Department has in approving the remuneration levels of Chairpersons of public bodies and publicly owned companies.

**(AQW 2742/11-15)**

**Mr Wilson:** Individual departments are responsible for determining whether remuneration should be paid to Chairpersons of the public bodies and the publicly owned companies they sponsor. Individual departments are also responsible for the level or rate at which any remuneration is set.

For certain public bodies and public corporations, DFP has agreed delegations with individual departments that specify those that require DFP approval.

In these cases, a business case must be prepared by the sponsoring Department and submitted to DFP for consideration and approval. Such business cases must be submitted in advance of establishing the relevant body and in support of any subsequent proposals to amend remuneration levels. Business cases must be prepared in accordance with the Northern Ireland Guide to Economic Appraisal.

## Air Passenger Duty

**Mr Eastwood** asked the Minister of Finance and Personnel when the power to set the level of Air Passenger Duty will be devolved; and whether, upon devolution of these powers, he will immediately propose to reduce the duty to a level similar to that which is levied on the rest of this island.

**(AQW 2754/11-15)**

**Mr Wilson:** The devolution of Air Passenger Duty will require primary legislation and the exact timescale for devolution will therefore depend heavily on the time taken for the legislative and parliamentary process for that. The Government and the Executive will work together to ensure that this happens as soon as possible.

After devolution the level of APD charged will be a matter for the Executive to agree. The First and acting deputy First Minister have indicated that they will bring proposals to the Executive to reduce APD for direct long haul flights to at least the level in the Republic of Ireland.

## Checkmate Securities Limited

**Mr Allister** asked the Minister of Finance and Personnel (i) for his assessment of the impact of the liquidation of Checkmate Securities Limited on the security provision on the Stormont Estate; and (ii) whether its employees' Government contract jobs are secure.

**(AQW 2873/11-15)**

**Mr Wilson:** The Contract for the provision of Security Guarding Services on the Stormont Estate has been transferred to G4S Secure Solutions (UK) Ltd with effect from 1 October 2011. We would therefore expect no disruption to these services.

As the service has been transferred, the spirit of TUPE is being applied by G4S to protect the employment of all staff that have been directly employed and that are dedicated in the delivery of the security provision on the Stormont Estate.

## Victims of Domestic Violence

**Mr Storey** asked the Minister of Finance and Personnel what work place policies are in place to assist victims of domestic violence within his Department and its arm's-length bodies.

**(AQW 2892/11-15)**

**Mr Wilson:** My department has responsibility for human resource policies for the Northern Ireland Civil Service. In 2007 DFP implemented a Domestic Violence and Abuse Policy. This policy applies to all departments and includes guidance for line managers in dealing with staff who may be victims of domestic violence as well as information on the help and support available to victims.

The department also has a Welfare Support Service whose remit extends to all departments and includes offering support and advice to those experiencing domestic violence. To complement this service, the Northern Ireland Civil Service also has an Employee Assistance Programme in place which is an independent confidential counselling service available 24 hours a day, 7 days a week.

Detail of DFP's arms length bodies can be found at: <http://www.dfpni.gov.uk/bodies-which-dfp-has-degree-of-responsibility.pdf>. It should be noted that in any of these bodies which employ staff, the staff are seconded from the Civil Service and are therefore covered by the provisions outlined above.

## Housing Executive: Vacant Properties

**Mr Campbell** asked the Minister of Finance and Personnel to provide an estimate of the number of vacant Housing Executive properties in each district that will be subject to rates under the scheme introduced for vacant properties from 1 October 2011.

**(AQW 2950/11-15)**

**Mr Wilson:** The Northern Ireland Housing Executive (NIHE) currently pays rates on all properties, whether occupied or not, under provisions in Article 21 of the Rates (Northern Ireland) Order 1977. The introduction of rating of empty homes on 1 October 2011 will not therefore impact on NIHE.

## Vacant Properties

**Mr Campbell** asked the Minister of Finance and Personnel what action is being taken to ensure that owners of private and public vacant properties are aware that their properties will be subject to rates under the scheme introduced for vacant properties from 1 October 2011.

**(AQW 2951/11-15)**

**Mr Wilson:** The policy of rating empty homes (REH) was subject to a full consultation process. It was originally proposed to introduce the rating of empty homes in June 2010. However, the introduction was delayed until 1 October 2011 to give people with empty homes 15 months in which to prepare for the change.

Land & Property Services (LPS), with input from Rating Policy Division, has taken a number of actions to ensure that property owners were aware of and prepared for this change. These included: -

- producing a Rating of Empty Homes Fact Sheet providing details on the reform and any exclusions available;
- press releases were issued to the general public in June 2010 and February 2011 to increase awareness of the introduction of Rating of Empty Homes;
- mailshot to all vacant properties in February 2011;
- including information in the 'Guide to Rates' Leaflet which issued with rates bills in April 2011;
- updating NI Direct and LPS websites;
- producing Landlord Fact Sheet and issuing with letters to known landlords;
- issuing letters to identified owners asking that they confirm accuracy of information and advising that they would receive a bill for rates from 1 October 2011; and
- issuing REH Fact Sheet to a wide range of interested parties including community groups, District Councils, and MLAs together with groups and individuals who responded to the initial consultation process.

## Bodies Set Up as a Result of Devolution

**Mr Allister** asked the Minister of Finance and Personnel to provide a breakdown of the cost, since 2007, of all bodies set up as a result of devolution.

**(AQW 2960/11-15)**

**Mr Wilson:** In answering this question it has been assumed that the question is referring to the establishment of North South bodies. If this assumption is incorrect perhaps the member can provide clarification.

The annual cost to the Northern Ireland Assembly of providing funding to these bodies is included in the departmental Resource Accounts that are laid in the Assembly each year.

The accounts of each North South body are also laid in the Assembly.

## Pension Reforms

**Mr Agnew** asked the Minister of Finance and Personnel why, under the pension reforms, prison officers will be required to work until they are aged 66.

**(AQW 2988/11-15)**



**Mr Wilson:** Pension arrangements for the Northern Ireland public service schemes are a devolved matter. The Northern Ireland Executive will in due course decide if these reform measures should be implemented for Northern Ireland public service pension schemes.

## Corporation Tax

**Mr Agnew** asked the Minister of Finance and Personnel to detail any measures his Department is considering which would mitigate the costs of 'behavioural effects' which would occur if corporation tax was lowered.

**(AQW 2989/11-15)**

**Mr Wilson:** There are a range of options to mitigate the behavioural costs of corporation tax reduction such as profit shifting. These include using the mechanisms that are already within the UK tax system for profits earned by UK companies from their overseas operations or linking the profits on which Corporation Tax might be paid to the economic activity that actually takes place within Northern Ireland in terms of either employment and/or output. However, we need to explore the feasibility and merits of such approaches with the Treasury and HMRC – who are responsible for managing the tax regime in the UK – before we are in a position to comment further.

The Government consultation on Rebalancing the Northern Ireland Economy closed in July and I wrote to the Exchequer Secretary at that time to indicate that we want to move this work to the next stage as quickly as possible. This, by necessity, will need to involve a consideration of the measures that could be put in place to mitigate against profit shifting and the impact this would have in relation to costs.

The Exchequer Secretary wrote to the First and deputy First Ministers on 30th September to indicate that the Government is establishing a Working Group to take the Corporation Tax and wider rebalancing work forward. While this is welcome, I am disappointed at the suggestion that a decision will be put off until next year and I will be pressing for the further work needed to inform this to be completed as a matter of urgency.

## Civil Service: Equal Pay Settlement

**Mr Allister** asked the Minister of Finance and Personnel (i) why; and (ii) how it was possible to make lump sum payments, net of tax and National Insurance contributions, to the beneficiaries of the Civil Service Equal Pay settlement, but not to the beneficiaries of the Part-Time Reserve Gratuity Scheme.

**(AQW 3019/11-15)**

**Mr Wilson:** The NICS Equal Pay lump sum payments were paid to staff net of tax and National Insurance contributions to avoid the very significant administrative effort of around 16,000 individual tax calculations. A central agreement was reached with HM Revenue and Customs who analysed a sample of NICS staff and determined an average taxation figure which was then paid to HMRC based on the lump sum payments made.

The Part-Time Reserve Gratuity Scheme is a matter for the Department of Justice.

## Civil Service: Childcare Voucher Scheme

**Mr Beggs** asked the Minister of Finance and Personnel (i) how many Civil Servants in each Department have availed of the Child Care Voucher Scheme; and (ii) to detail the advantages of the Scheme to employees and employers.

**(AQW 3030/11-15)**

**Mr Wilson:** The table below shows the number of staff in each department who were participating in the Child Care Voucher Scheme on 1 September 2011.

Department	Number of staff
OFMdFM	11

Department	Number of staff
DARD	73
DCAL	11
DE	18
DEL	26
DETI	22
DFP	141
DHSSPS	28
DOE	83
DOJ	98
DRD	39
DSD	87
PPS	24
<b>Total</b>	<b>661</b>

The Salary Sacrifice Childcare Voucher Scheme allows parents to give up or sacrifice part of their normal salary in return for vouchers that can be used to pay for childcare. Savings can accrue as the salary that is given up in this way is exempt from income tax or National Insurance contributions (NICs) subject to certain limits. As an employer, the Northern Ireland Civil Service also benefits through the reduction in employer's National Insurance contributions. It also is in line with the Service's commitment to the concept of good work-life balance for staff. It must be recognised however that the scheme is not suitable for everyone. To be eligible the parents or guardians must use registered childcare and in some cases the vouchers adversely affect entitlement to benefits and tax credits. Parents and guardians are therefore urged to thoroughly investigate the full implications of the scheme before joining. To assist staff my Department recently organised a series of road shows in NICS buildings to explain the scheme.

## Department of Health, Social Services and Public Safety

### Bangor Hospital: Diabetes Clinic

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) why, when it was known that the consultant at Bangor Hospital's Diabetes Clinic was due to retire, the service was discontinued on a temporary basis; (ii) at what stage is the recruitment process for a replacement consultant; and (iii) when the clinic is due to reopen.

**(AQW 2845/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The provision of outpatient clinics is an operational matter for Health and Social Services Trusts. However, the South Eastern Trust has advised as follows:

- (i) In addition to the Bangor Community Hospital outpatients clinic the retiring consultant was substantially involved in the Trust's Acute Admissions Unit. When a consultant retires or leaves the organisation, a review is undertaken of the continuing need for the particular sub-speciality in the context of changing demands and priorities. This, and decisions on priorities for replacement, took some time to complete.
- (ii) The Trust is conducting interviews this month for a consultant; and

- (iii) A date for resuming the clinic has not yet been determined as it will be dependent on when the successful candidate can take up the post.

## Supplier Invoices

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2122/11-15, how many of the 20,539 invoices paid late by the (i) Health and Social Care Trusts; and (ii) Health and Social Care Board were paid more than 10 days late.

**(AQW 2857/11-15)**

**Mr Poots:** It is not possible to provide this information exactly without an extensive manual exercise. However, based on a high level analysis, the indicative number of invoices paid more than 10 days late was as follows:

	<b>Cumulative total invoices paid late from AQW 2122/11-15</b>	<b>Invoices paid more than 10 days late</b>
Belfast Trust	8,063	6,316
Northern Trust	2,304	1,559
Southern Trust	4,024	2,879
S/E Trust	3,835	3,014
Western Trust	1,254	889
NIAS Trust	184	113
HSC Board	875	654
<b>Total</b>	<b>20,539</b>	<b>15,424</b>

## Supplier Invoices

**Mr McClarty** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2122/11-15, other than the 20,539 invoices paid late by the Health and Social Care Trusts and the Health and Social Care Board, how many invoices, at 31 July 2011, were (i) overdue; and (ii) of these, how many were overdue by more than 10 days.

**(AQW 2866/11-15)**

**Mr Poots:** It is not possible to provide this information, as this would require an extensive manual exercise to review all invoices, which could only be carried out at a disproportionate cost.

## Physiotherapy Appointments

**Mr McDevitt** asked the Minister of Health, Social Services and Public Safety, for each of the last five years, to detail (i) the number of people awaiting appointments with physiotherapists for more than nine weeks; and (ii) the average waiting time for physiotherapy appointments, broken down by Health and Social Care Trust area.

**(AQW 2876/11-15)**

**Mr Poots:** Information on the number of people awaiting appointments with physiotherapists for more than nine weeks and average waiting times, for each of the last five years are not available.

Figures which are available relate only to month end counts of people awaiting an appointment with a physiotherapist for more than nine weeks. These are detailed in Table (a) for your information.

Table (a) below details the number of people awaiting an appointment with a physiotherapist for more than nine weeks at the end of March each year from 2008 to 2011, and for month end August 2011, which are the latest available monthly figures.

Table (a) Number of people awaiting an appointment with a physiotherapist for more than nine weeks<sup>1</sup>

Year End Position	Belfast HSC Trust	Northern HSC Trust	South Eastern HSC Trust	Southern HSC Trust	Western HSC Trust	Northern Ireland
Mar 08*	393	396	124	297	209	1,419
Mar 09	68	59	275	221	93	716
Mar 10	0	0	0	0	0	0
Mar 11	379	0	0	0	32	411
Aug 11	1,731	87	248	1,156	421	3,643

\* Numbers relate to 13 weeks as this was the target for the end of March 2008. 1 Figures detailed in reply to this question were provided on request by the HSCB, and have not been validated by the DHSSPS.

It is apparent from the figures provided by the HSCB that the number of people waiting for more than nine weeks at the end of March each year (411 for March 2011) is significantly less than the number of people waiting for more than nine weeks throughout the year (3,643 for August 2011). This difference may reflect Trusts efforts to clear outstanding waits at the end of March, which is a key end of year reporting period.

The PHA in conjunction with the HSCB is leading a process of engagement with all HSC Trusts across Northern Ireland to establish the reasons for all waits in excess of the nine week target and to agree recovery plans.

## Prescriptions

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety to detail (i) how many prescriptions have been dispensed in each of the last three years; and (ii) the administrative cost of dispensing these prescriptions.

**(AQW 2887/11-15)**

### Mr Poots:

- (i) The number of prescription forms dispensed and presented for payment by community pharmacists within each of the last three financial years are shown in table 1 below. The figures shown are presented by the financial year in which the prescription was paid to the pharmacist; it should be noted that there may be a time lag where prescriptions have been dispensed by the community pharmacist in a particular year but paid the following year. The count includes prescription forms issued by all types of prescribers including doctors, nurses and dentists, and also includes prescriptions issued and dispensed by pharmacists under the minor ailments scheme.

**TABLE 1: THE NUMBER OF PRESCRIPTION FORMS DISPENSED AND PRESENTED FOR PAYMENT BY COMMUNITY PHARMACISTS WITHIN EACH OF THE LAST THREE FINANCIAL YEARS.**

Financial Year	2008/09	2009/10	2010/11
Number of prescription forms (millions)	17.8	19.1	20.3

**Source:** FPS, Information and Registration Unit, Business Services Organisation.

- (ii) The administrative cost of dispensing for each of the last three years is shown in table 2 below. The table details the BSO administrative costs related to the enforcement of prescription charges and the delivery of pre payment certificates. Included in the figures are:
- (ii) the pre-payment certificate sales fees paid to pharmacists; point of dispensing check fees paid to pharmacists; BSO administration costs for pre-payment certificates; and counter fraud unit

administration costs. The figures exclude BSO costs in relation to the processing and calculation of the monthly payments for pharmacies.

**TABLE 2: THE ADMINISTRATIVE COST OF DISPENSING BY COMMUNITY PHARMACISTS FOR EACH OF THE LAST THREE FINANCIAL YEARS.**

Financial Year	2008/09	2009/10	2010/11
BSO Administrative Costs	£1.02m	£0.9m	£0

**Source:** FPS, Information and Registration Unit, Business Services Organisation.

**Notes:**

1. Prescription charges were reduced from £6.85 per item to £3 per item from January 2009. Prescription charges were removed from April 2010 onwards, and there are therefore no related administration costs for BSO in relation to the enforcement of charges for 2010/11.

### **Unison Strike on 5 October 2011**

**Mr Ross** asked the Minister of Health, Social Services and Public Safety which services in each Health and Social Care Trust area were cancelled or negatively impacted upon by Unison's industrial action on 5 October 2011.

**(AQW 2898/11-15)**

**Mr Poots:** The strike action staged by UNISON on Wednesday 5 October had an effect on services across all HSC Trusts including the Northern Ireland Ambulance Service. The main impact was the cancellation of non-critical clinical activity and the consequent further delay that will be caused to patients and clients waiting to be seen for treatment and care. However, the vast majority of services continued to function, albeit with reduced cover in some areas. Most importantly, the most vulnerable patients and clients, including those in residential care and who receive care in their own homes, were not put at risk. I have been informed by Health and Social Care Trusts that hospitals cancelled approximately 2,224 outpatient appointments and 177 inpatient admissions were cancelled across all sites in Northern Ireland as a consequence of Unison's one day strike.

### **Podiatry: Treatment for People with Diabetes**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety which hospitals or clinics offer Health Service podiatry treatment for people with diabetes.

**(AQW 2936/11-15)**

**Mr Poots:** I am advised by the Health and Social Care Trusts that podiatry services for people with diabetes are provided in the following hospitals:

**South Eastern HSC Trust** – Ulster Hospital; Downe Hospital; Lagan Valley Hospital; Ards Community Hospital and Bangor Community Hospital.

**Belfast HSC Trust:** City Hospital; Royal Victoria Hospital, Mater Hospital.

**Northern HSC Trust:** Antrim Area Hospital; Causeway Hospital; Whiteabbey Hospital; Mid Ulster Hospital; Braid Valley Hospital.

**Western HSC Trust:** Altnagelvin Hospital; Erne Hospital; Tyrone County Hospital; Roe Valley Hospital.

**Southern HSC Trust:** Armagh Community Hospital; South Tyrone Hospital; Craigavon Area Hospital; Daisy Hill Hospital.

In addition podiatry services for people with diabetes are also provided in a wide range of community facilities such as health centres and GP surgeries as well as to nursing and residential homes and via domiciliary visits.

Podiatry in acute based care is mainly comprised of a high risk caseload including diabetes, renal and vascular patients and those at greatest risk of foot ulceration, infection or limb loss.

### **Podiatry: Appointments**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what action is being taken to reduce waiting times for podiatry appointments for people with diabetes.

**(AQW 2937/11-15)**

**Mr Poots:** The Public Health Agency has worked with Trusts to develop regionally consistent access criteria for Allied Health Professional (AHP) services, including podiatry. Access to podiatry services is based on clinical need – factors considered include pain, foot and leg pathologies and systemic diseases.

A number of actions are being developed to ensure that resources are used as effectively as possible and thereby to help manage waiting times. The PHA is leading a process to agree consistent care pathways that will ensure patients are managed by the appropriate skilled clinician, thereby reducing inappropriate referrals. Efforts have also been made to enhance skills mix across AHP services to help ensure that patients who do not need the skills of a professional are managed by an assistant. In addition, patients are regularly re-assessed to ensure that resources are targeted at patients with greatest clinical need.

### **Podiatry: Appointments**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the average waiting time for a podiatry appointment for people with diabetes in each of the last three years.

**(AQW 2938/11-15)**

**Mr Poots:** Information on average waiting times for podiatry appointments for people with diabetes is not available.

Figures are available, however, on completed waiting times for all persons attending their first appointment with a chiropodist/ podiatrist. These indicate for the quarter ending 30 June 2011, that 8,050 people attended their first appointment with a community chiropodist/ podiatrist, of which 8018 (99.6%) had waited less than three months from referral to first appointment, 17 (0.2%) had waited between three and six months, and 15 (0.2%) had waited six months or more.

### **Generic Drugs**

**Mr McCartney** asked the Minister of Health, Social Services and Public Safety whether his Department has identified the savings that could be made if community pharmacists were able to switch to generic drugs when dispensing.

**(AQW 2969/11-15)**

**Mr Poots:** It is estimated that the maximum optimal level of achievement possible for generic dispensing is approximately 70%. In Northern Ireland a generic dispensing rate of 62.2% was achieved in 2010-11. Generic substitution, whereby a pharmacist may substitute a generic product if one is available, in place of a branded product named on a prescription, may have a part to play in increasing the use of generics in Northern Ireland and delivering any associated savings. I have not ruled out taking steps to introduce generic substitution but I have no immediate plans to do so.

If I decide that generic substitution arrangements should be introduced in Northern Ireland it will of course be necessary to consult on any such proposals. Any new arrangements would also need to ensure that specific branded medicines continue to be dispensed in certain circumstances where it is clinically appropriate to do so.



## Podiatry: Services

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety how many patients accessed podiatry services in 20011, broken down by age.

**(AQW 2976/11-15)**

**Mr Poots:** Information is not available on the number of patients who accessed podiatry services in 2011, broken down by age.

Figures are available, however, on the number of people attending their first appointment with a chiropodist/podiatrist. These are detailed in the table below for your information. From 1 January 2011 to 30 June 2011, 16,092 people attended their first appointment with a community chiropodist/podiatrist. Information for quarters ending 30 September 2011 and 31 December 2011 is not yet available.

### NUMBER OF PEOPLE ATTENDING THEIR FIRST APPOINTMENT WITH A CHIROPODIST/ PODIATRIST DURING QUARTER ENDING

31 March 2011	30 June 2011
8,042	8,050

**Source:** Community Information CP3 Return

## Podiatry: Services

**Mr McGimpsey** asked the Minister of Health, Social Services and Public Safety to detail the average waiting time for access to podiatry services, broken down by Health and Social Care Trust.

**(AQW 2978/11-15)**

**Mr Poots:** Information on average waiting times for access to podiatry services is not available.

However, figures are available on waiting times, by aggregated time bands, from the date of referral to treatment for podiatry. Figures at 31 August 2011 are detailed in the table below for your information.

HSC Trust	Waiting time from referral to treatment for Podiatry (by weeks waiting) <sup>1</sup>					Total
	0-3	>3 to 6	>6 to 9	> 9 to 13	> 13	
Belfast	436	308	133	0	0	877
Northern	612	244	77	0	0	933
South Eastern	302	222	63	5	0	592
Southern	260	243	80	8	0	591
Western	268	197	50	2	0	517
<b>Northern Ireland</b>	<b>1,878</b>	<b>1,214</b>	<b>403</b>	<b>15</b>	<b>0</b>	<b>3,510</b>

1 Figures detailed in reply to this question were provided on request by the HSCB, and have not been validated by the DHSSPS.

## Dependency on Fossil Fuels

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety what steps he intends to take to reduce dependency on fossil fuels in the Health Service during this mandate.

**(AQW 2983/11-15)**

**Mr Poots:** My Department will be contributing to the DETI Sustainable Energy Action Plan which includes growth of the renewal energy market from which the Health Service can procure a greater

proportion of their energy requirements from renewable sources together with investment by the Health Service in onsite renewal energy technologies such as wind power, biomass, ground source heating and cooling and solar technology.

### **Unison Strike on 5 October 2011**

**Mr Weir** asked the Minister of Health, Social Services and Public Safety (i) to detail the number of missed appointments as a result of Unison's one-day strike on Wednesday 5 October 2011; and (ii) how long it will take to catch up on the missed appointments.

**(AQW 3008/11-15)**

**Mr Poots:** I have been informed by Health and Social Care Trusts that hospitals cancelled approximately 2,224 outpatient appointments across all sites in Northern Ireland as a consequence of Unison's one day strike on Wednesday 5 October 2011.

Patients are currently being provided with new appointments, some of whom have already been seen. The majority of patients will be seen before the end of November 2011, although a number of patients may not be seen within this timescale.

### **Ambulances: Battenberg Livery**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety to detail (i) the cost of equipping ambulances with the Battenberg livery; (ii) whether it is considered value for money; and (iii) if it is applied for public safety reasons why fire and rescue vehicles, apart from fire engines, are not equipped with similar livery.

**(AQW 3021/11-15)**

**Mr Poots:** I can advise that the supply and fitting of Battenburg livery on each new build ambulance costs £1,634 plus VAT. The livery is included in the overall vehicle tender process carried out by the Business Services Organisation's Procurement and Logistics Service on behalf of the Northern Ireland Ambulance Service (NIAS) to ensure best value for money.

The livery ensures the high visibility of its vehicles in both daylight and in the path of headlights, thereby reducing the likelihood of road accidents where conspicuousness of the A&E vehicle is a factor. It also distinctively marks it as an emergency ambulance.

Unlike high-visibility PSNI and NIAS vehicles and Northern Ireland Fire and Rescue Service (NIFRS) fire appliances, NIFRS white emergency response vehicles are not in a "sole response" role. Battenburg livery is not fitted to these vehicles because of the potential for misidentification, which could jeopardise the health and safety of personnel.

### **Rainbow Project**

**Mr Allister** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 2638/11-15, to detail the schedule of activities which the Department agreed with the Rainbow Project upon which the funding granted by the Department can be spent.

**(AQW 3022/11-15)**

**Mr Poots:** The schedule of activities agreed between my Department and the Rainbow Project through the award of grant funding towards the organisation's central administrative costs covers the following services in support of the Sexual Health Promotion Strategy and Action Plan:

- the development and dissemination of information resources which include resources for health professionals;
- the facilitation of support services and groups;
- production and distribution of safer sex packs;
- holding Genito-Urinary testing clinics;

- the delivery of personal development courses and training; and
- carrying out research.

### Prisoners: Prescriptions

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to detail the number of prisoners who are currently being prescribed sedatives, tranquillisers or anti-depressants; and what this figure represents as a percentage of the prison population.

**(AQW 3026/11-15)**

**Mr Poots:** It is assumed that that the question refers to the prescription of medicines in the following chapters of the British National Formulary;

Chapter 4.1 (hypnotics, anxiolytics and barbiturates); and

Chapter 4.3 (antidepressant drugs).

Information on the number of prisoners prescribed these drugs is contained in the table below.

	hypnotics, anxiolytics & barbiturates	antidepressant drugs
Number of prisoners prescribed:	248	982
Percentage of total prison population:	13.92%	55.11%

### Air Ambulance Provision

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety for an update on the provision of an air ambulance.

**(AQW 3038/11-15)**

**Mr Poots:** The HSC Board is currently undertaking a feasibility study for a helicopter emergency medical service for Northern Ireland which is expected to report shortly. While investment in the development, improvement and consolidation of the Northern Ireland Ambulance Service (NIAS) to improve its response to emergency life threatening calls will remain the priority, I am happy to explore the potential added value that aero medical support could provide to existing ambulance services. I await the outcome of the feasibility study.

### Energy Costs: Assistance Following Operations

**Mr Nesbitt** asked the Minister of Health, Social Services and Public Safety what provisions are in place to help people who have undergone operations and as a result incur extra energy costs once they return home; and what action he intends to take to improve provisions in this area.

**(AQW 3040/11-15)**

**Mr Poots:** There is no generic scheme to assist with extra energy costs in these circumstances. There are some circumstances where assistance with extra electricity costs is provided, for example for those with long-term medical conditions such as cystic fibrosis and chronic obstructive pulmonary disease who have been prescribed oxygen concentrator devices for home use, and for home haemodialysis patients, due to the electricity usage associated with this type of dialysis.

People with long term conditions may qualify for additional benefits to help with energy costs. The DSD Warm Homes scheme can provide assistance to people on qualifying benefits for energy checks and a range of measures to promote general energy efficiency.

## Dermatology Consultants

**Mr Swann** asked the Minister of Health, Social Services and Public Safety to detail (i) the number of dermatology consultants appointed to the Northern Health and Social Care Trust in the last year; (ii) the commencement date for each consultant; and (iii) the hospital where each consultant is based.  
(AQW 3069/11-15)

**Mr Poots:** The information requested is given in the table below.

Dermatology Consultants appointed within the Northern Health and Social Care Trust since October 2010 by Hospital

Grade	HC	WTE	Date Commenced	Hospital Based
Consultant Dermatologist	1	0.60	15/8/11	Antrim Area
Consultant Dermatologist	1	0.60	7/10/11	Antrim Area
Consultant Dermatologist	1	1.00	25/7/11	Causeway

**Source:** Northern Health and Social Care Trust

**Notes:**

1. HC = Headcount
2. WTE = Whole-time Equivalent

## Community Pharmacy and Hospital-based Pharmacy

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how much his Department has spent on (i) community pharmacy; and (ii) hospital-based pharmacy in each of the last five years.

(AQW 3077/11-15)

**Mr Poots:** Expenditure on community pharmacy in each of the last five years is set out in the table below.

	2006/07 £m	2007/08 £m	2008/09 £m	2009/10 £m	2010/11 £m
Community Pharmacy	404.5	426.9	445.0	473.6	492.3

Hospital-based pharmacy expenditure for the last three years is set out in the table below.

	2006/07 £m	2007/08 £m	2008/09 £m	2009/10 £m	2010/11 £m
Hospital-based Pharmacy			149.6	160.8	175.9

**Note:** Expenditure for 2006/07 and 2007/08 relates to pre-RPA legacy trusts and could only be provided at disproportionate cost.

## Fire and Rescue Service: Hoax Calls

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety how much his Department has spent in each of the last three years on public information films and other media to discourage hoax calls to the Fire and Rescue Service.

(AQW 3083/11-15)

**Mr Poots:** The Northern Ireland Fire and Rescue Service (NIFRS) is responsible for raising public awareness of fire safety issues. NIFRS expenditure on media advertising to discourage false alarm malicious ‘hoax’ calls in the last three years is set out in the table.

Year	2008/09	2009/10	2010/11
Expenditure	£9,000.00	£46,006.42	£34,373.70

### Intermediate Care: Beds

**Mr Girvan** asked the Minister of Health, Social Services and Public Safety to detail the number of intermediate care beds within both the statutory and private sector in the Northern Health and Social Care Trust area.

**(AQW 3096/11-15)**

**Mr Poots:** At 11 October 2011, there were 242 intermediate care beds in the Northern Health and Social Care Trust. Of these beds, 235 were in the statutory sector and 7 were in the private sector.

At 11 October 2011, no one was waiting for an intermediate care bed in the Northern Health and Social Care Trust.

### Intermediate Care: Internal Review of Provision

**Mr Girvan** asked the Minister of Health, Social Services and Public Safety when the internal review of intermediate care provision in the Northern Health and Social Care Trust will be completed and published.

**(AQW 3100/11-15)**

**Mr Poots:** An independent review of intermediate care beds, commissioned by Health and Social Care Board, was undertaken during 2010 and made recommendations for a restructuring of inpatient intermediate care beds, including a significant reduction from the current locations and the concentration of the services on fewer sites to improve clinical and therapeutic support.

The Northern Trust is currently considering these recommendations, and a range of related matters, to ensure that high quality care is provided. Proposals for change will be submitted formally to the Trust Board no later than February 2012.

### Intermediate Care: Beds

**Mr Girvan** asked the Minister of Health, Social Services and Public Safety how many people are waiting for an intermediate care bed in the Northern Health and Social Care Trust area.

**(AQW 3102/11-15)**

**Mr Poots:** At 11 October 2011, there were 242 intermediate care beds in the Northern Health and Social Care Trust. Of these beds, 235 were in the statutory sector and 7 were in the private sector.

At 11 October 2011, no one was waiting for an intermediate care bed in the Northern Health and Social Care Trust.

### Voice of Young People in Care

**Mr Frew** asked the Minister of Health, Social Services and Public Safety what services the Voice of Young People in Care provides in the Northern Health and Social Care Trust area.

**(AQW 3107/11-15)**

**Mr Poots:** The Voice of Young People in Care provides advocacy, mentoring and participation services for young people in the Northern Health and Social Care Trust care area.

## Plan for Rare Diseases

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether his Department has had any discussions with the Department of Health in the Republic of Ireland about collaborating on the development and implementation of a plan for rare diseases.

**(AQW 3108/11-15)**

**Mr Poots:** I can confirm that the Chief Medical Officer, Dr Michael McBride, met Dr Tony Holohan, his Republic of Ireland counterpart, together with their senior medical colleagues, in February 2011 and discussed, among other things, each jurisdiction's rare disease plan. It was agreed that, whilst each jurisdiction was developing its own plan, it would be beneficial to share work undertaken to date.

My Department is currently participating in work being lead by the Department of Health in England to develop a UK Plan for Rare Diseases.

## Allied Health Professionals: Postgraduate Certificate in Prescribing

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety to detail (i) how many (a) physiotherapists; (b) podiatrists; and (c) radiographers successfully completed the Post Graduate Certificate in Prescribing for Allied Health Professionals at the University of Ulster in 2010; and (ii) how many are currently engaged in supplementary prescribing in each Health and Social Care Trust area.

**(AQW 3109/11-15)**

**Mr Poots:** Eleven students successfully completed the Post Graduate Certificate in Prescribing for Allied Health Professionals (AHP's) at the University of Ulster in 2010:

- (a) Physiotherapists – 6
- (b) Podiatrists – 2
- (c) Therapeutic Radiographers – 3.

Currently, the Public Health Agency is working with Allied Health Professionals across the HSC to implement supplementary prescribing.

## Protect Life Strategy

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety (i) for an update on his Department's review of the Protect Life Strategy, including when it will be published; (ii) to detail the strengths and weaknesses of the current Protect Life Strategy; and (iii) whether he intends to make the revised Strategy available for public consultation.

**(AQW 3112/11-15)**

**Mr Poots:**

- (i) The Protect Life Strategy is currently being refreshed in light of the findings of the Health Committee Inquiry into the Prevention of Suicide and Self Harm, the findings from a review of international evidence and best practice, and feedback from a major workshop in September which had widespread community sector and Health and Social Care participation. The "refreshed strategy" is due for publication later this year.
- (ii) The review of Protect Life has indicated that its key strength has been the commitment and ownership of stakeholders in the community, voluntary and statutory sectors, and by families bereaved by suicide, in the implementation of the strategy. The main weakness has been the reliance on the achievement of the 15% reduction target as the primary gauge of the impact of the strategy since its publication in 2006. The NI Audit Office has acknowledged that the suicide rate alone is "an unreliable indicator of health patterns". Independent evaluation of Protect Life is being commissioned. This will provide a more comprehensive assessment of the impact of Protect Life.
- (iii) I do not intend to make the "refreshed" strategy available for public consultation. The Protect Life Strategy was developed following very widespread public consultation and the "refresh" is being



overseen by the cross-sectoral Suicide Strategy Implementation Body. The “refreshed” strategy will have a two-year lifespan. New suicide prevention policy will be developed for 2013 and that will be subject to public consultation. In the meantime, I intend to seek the endorsement of the Health Committee and Executive for the “refreshed” strategy.

### Daisy Hill Hospital, Newry

**Mr Brady** asked the Minister of Health, Social Services and Public Safety to outline the ten year plan for maternity services and the Labour Ward in the Daisy Hill Hospital, Newry.

**(AQW 3175/11-15)**

**Mr Poots:** My Department has not formulated a 10 year plan for maternity services. On 28 September, I launched a public consultation on a draft Maternity Strategy for Northern Ireland. The draft Strategy aims to provide women, professionals, policy makers and commissioners with a clear pathway for maternity services in Northern Ireland, from pre-conceptual care through to postnatal care.

Whenever the final document is published in 2012, I expect commissioners to take account of it when planning the shape of maternity services over the next 5 years .

The consultation closes on 23 December; I would urge anyone with an interest in maternity services to respond to the consultation.

### Unison Strike on 5 October 2011

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety for his assessment of (i) the display of coffins outside health facilities during the Unison strike on 5 October 2011; and (ii) the response of a senior Unison official who described such a display as ‘trivial’.

**(AQW 3184/11-15)**

**Mr Poots:** I understand the reasons to use the imagery of coffins in industrial action and acknowledge that the use of cardboard replicas is common practice in the trade union movement. However, I find the use of a real coffin to be in extremely poor taste and insensitive to patients with life-threatening illnesses or those who were visiting such patients. Clearly, on this occasion UNISON guidelines were broken which state that, ‘It is an offence to use threatening, abusive or insulting words or behaviour or display any insulting leaflets, placards, posters or other material.’ Immediately following the strike action, my Department contacted UNISON on this matter.

### Neurology: Appointments

**Mr Durkan** asked the Minister of Health, Social Services and Public Safety to detail the current waiting time for an appointment with a neurologist for patients in the Western Health and Social Care Trust.

**(AQW 3307/11-15)**

**Mr Poots:** The waiting time position for a first outpatient appointment with a neurologist at the Western Health and Social Care Trust, at 30th June 2011, the most recent period for which official statistics are available, is outlined in the table below.

#### NUMBER OF PATIENTS WAITING, AND LENGTH OF TIME WAITING (IN WEEKS), FOR A FIRST OUTPATIENT APPOINTMENT WITH A NEUROLOGIST AT THE WESTERN HSC TRUST: 30TH JUNE 2011

Specialty	Waiting time (in weeks)						Total Waiting
	0 - 6	>6 - 9	>9 - 13	>13 - 21	>21 - 26	>26	
Neurology	284	81	124	246	147	560	1,442

**Source:** Departmental Return CH3

## Department of Justice

### Chairperson or Chief Executive: Arm's-length Bodies

**Mr Beggs** asked the Minister of Justice to detail the daily rate paid by his Department to each Chairperson or Chief Executive of each of its arm's-length bodies; and how this rate was determined and approved.

**(AQW 2768/11-15)**

**Mr Ford (The Minister of Justice ):** The following DOJ arm's length bodies have Chairpersons and/or Chief Executives who are paid daily rates. Pay costs are subject to approval by the Department of Finance and Personnel (DFP) through the pay remit process, where applicable.

Arm's length body	Chairperson Daily Rate	Chief Executive Daily Rate	Comments
Northern Ireland Police Fund	£125	Annual salary, no daily rate applicable	Daily rate set and approved by the DOJ and DFP.
Northern Ireland Legal Services Commission	£454	Annual salary, no daily rate applicable	Daily rate takes account of rates provided by Ministry of Justice.
Northern Ireland Law Commission	£681	Annual salary, no daily rate applicable	Chairperson is required to be a high court judge who works one day a week for the Law commission, on loan from the NI Courts Service.

### Prison Service: Luxury Furnishings for Marian Price

**Mr Givan** asked the Minister of Justice for his assessment of the impact on public confidence in the Prison Service resulting from the expenditure on luxury furnishings for Marian Price.

**(AQW 2821/11-15)**

**Mr Ford:** Given the unique circumstances of the custody of Ms McGlinchey (née Price), the Governor (as part of his duty of care) was content that the refurbishment was necessary and proportionate and the furnishings were in no sense "luxury". The expenditure was necessary to provide accommodation and a regime comparable to that available for female prisoners in Ash House at Hydebank Wood.

### Maghaberry Prison

**Mr Givan** asked the Minister of Justice how many cells are unavailable for use as a result of Marian Price being held at Maghaberry Prison.

**(AQW 2822/11-15)**

**Mr Ford:** There are currently 14 cells not available for use by male prisoners in Maghaberry Prison.

### Maghaberry Prison

**Mr Givan** asked the Minister of Justice what criteria were used to authorise expenditure of £2257 for changes to the accommodation and furnishings to facilitate Marian Price in Maghaberry Prison; and who authorised this expenditure.

**(AQW 2823/11-15)**

**Mr Ford:** The criteria used to authorise expenditure were to provide accommodation and a regime comparable to that available for female prisoners in Ash House at Hydebank Wood. The expenditure was authorised by the Governor in charge of Maghaberry and supported by the Director General of the Northern Ireland Prison Service.

## Sentencing

**Lord Morrow** asked the Minister of Justice whether he intends to amend legislation to allow previous convictions, secured against a defendant in the rest of the UK or the Republic of Ireland, to be taken into account when sentencing someone convicted of a crime in Northern Ireland.

**(AQW 2832/11-15)**

**Mr Ford:** Legislation to allow previous convictions to be taken into account when sentencing for crimes committed in Northern Ireland is already in existence and covers convictions in the rest of the UK, the Republic of Ireland and other EU Member States.

## Grants

**Mr Weir** asked the Minister of Justice to detail the grants which have been awarded by his Department, in each of the last three years, to organisations other than the Prison Service and the Probation Service, which aim to prevent people from repeat offending.

**(AQW 2852/11-15)**

**Mr Ford:** All grants paid for by the Department of Justice are registered on the Government Funders' Database, which is available at <http://govfundingdbni.nics.gov.uk/gfdpublic/Home.aspx>.

All grants awarded by my Department directly or indirectly relate to reducing offending and reoffending, in line with the Department's mission statement.

## Legal Aid

**Lord Morrow** asked the Minister of Justice to detail the (i) number; and (ii) cost of cases in which legal aid was granted in each of the last five years.

**(AQW 2899/11-15)**

**Mr Ford:** Table A below provides details of the number of acts of assistance that were granted for each of the last five financial years and Table B details the payments made during the same period.

**TABLE A – YEAR IN WHICH ACTS OF ASSISTANCE TO INDIVIDUALS WERE AUTHORISED**

	2006/07	2007/08	2008/09	2009/10	2010/11
Legal Advice and Assistance (LAA)	29,848	27,504	31,313	32,908	40,287
Advice by Way of Representation (ABWOR)	3,681	3,110	3,614	3,601	3,719
Children Order	4,644	4,665	5,517	6,446	7,593
Civil	6,197	6,170	7,142	8,311	9,040
Criminal	32,986	32,868	30,612	33,355	38,437

For Criminal and Civil Legal Aid the above figures are based on certificates granted. For ABWOR and Children Order the figures are based on applications granted. For LAA this is based on the number of applications received. The figures in the above table do not align with the number of cases, as there may be more than one certificate or application in respect of an individual case. They do, however, provide an indication of the change in demand for legal aid over the period.

**TABLE B – EXPENDITURE (£M)**

	2006/07	2007/08	2008/09	2009/10	2010/11
Legal Advice and Assistance	3.2	2.6	3.6	3.5	5.2
Advice by Way of Representation	1.4	1.7	1.6	1.8	1.9
Children Order	4.6	4.0	5.2	5.5	8.0
Civil	18.5	19.2	22.1	26.1	27.4
Criminal	41.7	44.5	50.6	60.0	50.8

The above table shows total legal aid expenditure over the past five years, as it is not possible to provide a breakdown on a case by case basis, except at disproportionate cost.

### Prison Officers: Sick Leave

**Lord Morrow** asked the Minister of Justice how many prison officers are currently on sick leave as a result of incidents or assaults involving prisoners, broken down by prison facility.

**(AQW 2900/11-15)**

**Mr Ford:** At 6 October 2011, the number of prison officers currently on sick leave due to incidents or assaults involving prisoners is as follows:

Prison Establishment	Number of officers on sickness absence
Maghaberry	18
Magilligan	Nil
Hydebank	12
Prisoner Escorting and Court Custody Service	3
<b>Total</b>	<b>33</b>

### Republican Separated Prisoners

**Lord Morrow** asked the Minister of Justice to list the demands made by separated republican prisoners since May 2010 including those which were met and those refused.

**(AQW 2902/11-15)**

**Mr Ford:** The demands made by Republican Separated prisoners since May 2010 have focussed on:

- No Full Body Searching (refused)
- No searching of prisoners on the landing (met)
- Free flow movement, that is, to be unlocked for the full day with complete free access to all House facilities and regime areas regardless of staffing levels or shortages (**met in part, further progress not possible while protest action continues**).

### Crown Court Juries

**Lord Morrow** asked the Minister of Justice how many crown court juries had to be discharged during a hearing in each of the last three years, broken down by court division.

**(AQW 2903/11-15)**

**Mr Ford:** The table below sets out the number of cases where it has been specifically recorded that a jury was discharged during a trial as a result of an issue arising with one or more of the jury members including, for example, illness or conflict of interest.

	2008	2009	2010
<b>Division</b>			
Antrim	0	3	1
Belfast	1	2	1
Londonderry	1	0	0
<b>Total</b>	<b>2</b>	<b>5</b>	<b>2</b>

There may be other cases where a jury was discharged during a trial due to a combination of factors, including where an issue arose with a jury member, but a specific reason has not been recorded.

### Separated Prisoners

**Lord Morrow** asked the Minister of Justice to detail the terms contained within the compact for separated prisoners and any different arrangements for female separated prisoners.

**(AQW 2956/11-15)**

**Mr Ford:** The current compact for separated male prisoners was last reviewed in 2006. A copy has been placed in the Assembly Library. A draft compact for separated female prisoners has also been prepared however this has not yet been finalised. Both compacts will be subject to a further review after the publication of the final report by the Prison Review Team before being finalised.

There is unlikely to be any significant difference between the final published versions of the male and female compacts.

### Suspended Sentences

**Lord Morrow** asked the Minister of Justice whether senior judiciary have issued a direction that a fine penalty should accompany any suspended sentence.

**(AQW 2957/11-15)**

**Mr Ford:** The issuing of Directions to the judiciary is a matter for the Lord Chief Justice. Having consulted with the Lord Chief Justice's Office I am informed that there is no judicial direction that refers to the imposition of a fine alongside a suspended sentence.

### Prisoners: Average Annual Cost

**Mr Hilditch** asked the Minister of Justice why the average cost of keeping a prisoner is £73,762 a year.

**(AQW 2965/11-15)**

**Mr Ford:** The Cost per Prisoner Place is calculated by dividing the annual Operating Expenditure (excluding non-standard costs) by the average total available number of places, defined as Certified Normal Accommodation (CNA).

The table below sets out the figures used to calculate the 2010-11 cost per prisoner place of £73,762, which was lower than the established target of £76,500.

	2010-11
Staff Costs (£k)	91,154

	<b>2010-11</b>
Net Running Costs (£k)	25,704
Depreciation (£k)	13,333
Operating Expenditure (£k)	130,191
Prisoner places (CNA)	1,765
<b>Cost per Prisoner Place (£)</b>	<b>73,762</b>

## Prisons: Visitors

**Lord Morrow** asked the Minister of Justice how many prison visitors have been convicted of attempting to smuggle in banned substances to prisoners in each of the last five years, broken down by prison facility.

**(AQW 3009/11-15)**

**Mr Ford:** The information is not available in the form requested. Not all prison visitors arrested for attempting to smuggle in banned substances to prisoners will have been prosecuted. Visitors may have been cautioned, proceeded against by summons or charged for offences under the Misuse of Drugs Act. These prosecutions, if they arose, could not necessarily be linked specifically to attempts to smuggle banned substances into prison. The process of prosecution cuts across PSNI, the Courts and the Public Prosecution Service, the Northern Ireland Prison Service does not hold information on the number, if any, of actual convictions.

The table below shows the number of individuals arrested on suspicion of attempting to smuggle in banned substances to prisoners in each of the last five years.

	<b>Maghaberry</b>	<b>Magilligan</b>	<b>Hydebank Wood</b>
2007/08	27	3	An <b>estimated</b> 14 arrests were made between 2008/09 and 2011/12
2008/09	32	4	
2009/10	37	3	
2010/11	31	8	
2011/12 (half year)	10	-	

## Prison Service: Accommodation and Facilities for Marion McGlinchey

**Lord Morrow** asked the Minister of Justice whether the Prison Service sought guidance from the Northern Ireland Prisoner Ombudsman on the accommodation and facilities to be provided for Marion McGlinchey.

**(AQW 3011/11-15)**

**Mr Ford:** The advice of the Northern Ireland Prisoner Ombudsman was not sought on the accommodation and facilities provided for Marion McGlinchey

## Loyalist Separated Prisoners

**Lord Morrow** asked the Minister of Justice how many loyalist separated prisoners are currently refusing to conform to prison rules or the terms of the required compact because of alleged grievances.

**(AQW 3012/11-15)**

**Mr Ford:** There are currently no loyalist separated prisoners refusing to conform to prison rules or the required terms of the compact.



## Prisoners: Drug Tests

**Mrs D Kelly** asked the Minister of Justice how many (i) random; and (ii) routine drug tests were carried out on prisoners in each of the last three years; and how many and what percentage of each type of test produced a positive result.

**(AQW 3028/11-15)**

**Mr Ford:** Figures for random and routine tests are set out in the table below together with the percentage failures (Positive Tests).

Type of Test	2008		2009		2010	
	Tested	Fail	Tested	Failed	Tested	Failed
Random	820	66 (8.04%)	797	73 (9.15%)	876	58 (6.62%)
Routine	4607	590 (12.8%)	4648	559 (12.02%)	2836	325 (11.45%)
<b>Totals</b>	<b>5427</b>	<b>656</b>	<b>5445</b>	<b>632</b>	<b>3712</b>	<b>383</b>

## Desertcreat: Training College

**Mr McGlone** asked the Minister of Justice how many jobs are expected to be created in the design and build of the training college at Desertcreat; and how many will be created for staffing and servicing the college.

**(AQW 3036/11-15)**

**Mr Ford:** My Department estimates that throughout the life of the construction project there will be a requirement for between 1,500 and 1,700 construction jobs. It is estimated that there will be approximately 450-500 jobs staffing and servicing the college when operational, but it is not yet known how many of these will be new posts and how many will be existing jobs relocated.

## Desertcreat Training College

**Mr Weir** asked the Minister of Justice to provide a breakdown of each Department's projected capital spend for the Desertcreat Training College.

**(AQW 3057/11-15)**

**Mr Ford:** The breakdown of each Service's projected capital spend for the Desertcreat Training College is as follows:

Capital Spend	£'000's
PSNI	100,194
NIFRS	28,932
NIPS	9,616
Total	138,742

## Desertcreat Training College

**Mr McGlone** asked the Minister of Justice to detail the timeframe for the tender process for the new Desertcreat Training College, Cookstown.

**(AQW 3104/11-15)**

**Mr Ford:** The tender process for the new Desertcreat Training College in Cookstown is currently planned to run to the following timescales:

Date	Milestone
Mid November 2011	Contractor Information Day
Early January 2012	Publish the Office Journal of the European Union notice (Pre-Qualification Questionnaire stage)
Early May 2012	Issue Invitation To Tender to shortlist
January 2013	Award contract & issue the Office Journal of the European Union contract award notice

## Maximum Fines

**Lord Morrow** asked the Minister of Justice to detail the maximum fine which can be imposed by courts at each level of the standard scale.

**(AQW 3106/11-15)**

**Mr Ford:** The maximum fines that can be imposed by courts at each level of the standard scale are:

Level on the scale	Amount of Fine
1	£200
2	£500
3	£1,000
4	£2,500
5	£5,000

## Legal Aid: Liam Adams

**Lord Morrow** asked the Minister of Justice whether Liam Adams has been granted any legal aid from Northern Ireland for his extradition procedures or any of the substantive matters for which his extradition is sought; and if so, how much.

**(AQW 3129/11-15)**

**Mr Ford:** To date, no application has been submitted to the Northern Ireland Legal Services Commission on behalf of Mr Adams in relation to the charges for which his extradition to Northern Ireland is being sought, and no costs have been incurred by the legal aid fund in respect of him and his alleged involvement in this matter.

## Perjury Under Affidavit

**Lord Morrow** asked the Minister of Justice how many convictions have been secured for (i) perjury under affidavit; and (ii) perjury in the witness box in each of the last five years, broken down by court division; and what were the sentencing outcomes in these cases.

**(AQW 3130/11-15)**

**Mr Ford:** There are no specific offences for “perjury under affidavit” and “perjury in the witness box” and conviction data sets do not contain background information to aid identification. Therefore, it is possible only to provide conviction statistics for those offences which, in their definition, refer to “perjury”, under the Perjury (Northern Ireland) Order 1979. These cover:

- Perjury
- Tendering false statement in evidence
- Furnishing false statement

- Perjury by witness
- Conspiracy to commit perjury by witness
- Incitement to commit perjury
- Perjury by interpreter

The table below gives the number convicted and sentencing details by court division for the calendar years 2004 to 2008 (the latest year for which figures are currently available). Data for 2004 to 2006 should not be directly compared with data from 2007 to 2008 as the data sets are sourced from different systems. Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

#### NUMBER OF CONVICTIONS AND SENTENCING DETAILS FOR PERJURY BY COURT DIVISION 2004-2008

Year	Offence	Number convicted	Sentence
2004		0	
2005		0	
2006		0	
2007			
Belfast	Furnishing false statement	1	3 months' imprisonment, wholly suspended for 18 months
Total		1	
2008			
Fermanagh and Tyrone	Perjury by witness	1	Community service order (100 Hours)
<b>Total</b>		<b>1</b>	

### Community Safety Strategy

**Mr D McIlveen** asked the Minister of Justice when the Community Safety Strategy will be introduced; and what steps he is taking to ensure that it is introduced as quickly as possible.

**(AQW 3158/11-15)**

**Mr Ford:** I have previously announced my intention to publish the Community Safety Strategy by December 2011. Officials are currently engaged with key stakeholders, including relevant Government Departments, to develop final proposals for the Strategy, which will also be subject to the Justice Committee's consideration and the Executive's approval.

### Victims of Trafficking and Prostitution

**Mr D McIlveen** asked the Minister of Justice what plans he has to provide a support network for the victims of trafficking and prostitution, given the language difficulties that are experienced by the many victims who are Chinese or Eastern European, and that the grassroots support organisations are experiencing a reduction in funding.

**(AQW 3161/11-15)**

**Mr Ford:** My Department funds a comprehensive care and support package for all adult victims of human trafficking which includes safe accommodation, access to translation services, healthcare, counselling, and other necessary advice. DHSSPS also provides care and support to children.

In January 2011 DoJ published a research paper which investigated the issues for women in Northern Ireland involved in prostitution. Based on that research a multi-agency approach is being taken to assessing what needs to be done to provide support to women involved in prostitution.

## Wheel Clamping

**Mr McDevitt** asked the Minister of Justice whether he has any plans to introduce legislation which would ban wheel clamping on private land.

**(AQW 3179/11-15)**

**Mr Ford:** I currently have no plans to introduce legislation to ban wheel clamping on private land in Northern Ireland.

I intend, however, to include the issue in a forthcoming consultation on the future regulation of the private security industry here. To inform this consultation I have recently commissioned research to seek to identify how prevalent the practice is, what purpose it serves, evidence of the harm it causes and an appraisal of any benefits.

I will wish to analyse both the findings of the research and the outcome of the consultation before deciding whether to bring forward proposals to ban wheel clamping on private land here.

## Convictions for Cannabis Cultivation

**Lord Morrow** asked the Minister of Justice how many convictions have been secured for cannabis cultivation in each of the last five years, broken down by court division; and of these how many were on a (i) minor scale; and (ii) major scale.

**(AQW 3192/11-15)**

**Mr Ford:** Cannabis cultivation may be prosecuted under Section 6(2) of the Misuse of Drugs Act 1971 and/or Articles 3 and 9(1) of the Criminal Attempts and Conspiracy (NI) Order 1983. The data sets do not contain background information to aid identification of varying scales of cannabis cultivation.

The table below gives the number convicted by court division for the calendar years 2004 to 2008 (the latest year for which figures are currently available). Data for 2004 to 2006 should not be directly compared with data from 2007 to 2008 as the data sets are sourced from different systems. Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

Number of people convicted for cannabis cultivation by court division 2004-2008

Court division	Year				
	2004	2005	2006	2007	2008
Antrim	2	2	1	15	7
Ards	1	2	4	5	16
Armagh and South Down	0	0	3	7	7
Belfast	5	6	5	12	9
Craigavon and Lisburn	0	0	1	0	5
Fermanagh and Tyrone	5	3	1	3	9
Londonderry	2	2	3	4	3
<b>Total</b>	<b>15</b>	<b>15</b>	<b>18</b>	<b>46</b>	<b>56</b>

## Illegal Parades

**Mr Cree** asked the Minister of Justice to list the locations of the nine illegal parades which have taken place over the last two years.

**(AQW 3224/11-15)**

**Mr Ford:** I can advise that since July 2009 Police Service of Northern Ireland records show that illegal Republican parades have taken place in: Stoneyford; Ormeau Avenue, Belfast; Mullaghbawn; Galbally; Rosslea; Armagh and Londonderry. There have also been two illegal parades in Lurgan.

## Department for Regional Development

### Coleraine to Londonderry Track Relay

**Mr McQuillan** asked the Minister for Regional Development when the economic appraisal for the Coleraine to Londonderry track relay will be finalised and approved.

**(AQW 2349/11-15)**

**Mr Kennedy (The Minister for Regional Development):** The economic appraisal for the relay of the Coleraine to Londonderry track was approved by the Department of Finance and Personnel on 10 October 2011. My Department will issue a letter of offer to give Translink the approval to proceed with the project.

### Mayfield Link Road, Mallusk

**Mr A Maginness** asked the Minister for Regional Development, pursuant to AQW 2587/11-15, (i) to provide an update on the progress on the adoption of the Mayfield Link Road, Mallusk; (ii) if this work has not yet been completed, what action he plans to take to ensure that the problems of winter 2010/11 are not repeated; and (iii) what discussions have taken place between his Department and Translink to ensure that the Metro bus service continues to operate on this road during the winter.

**(AQW 2747/11-15)**

**Mr Kennedy:** My Department's Roads Service has been in contact with the developer, Fraser Homes NI Ltd, to pursue outstanding issues which have, to date, prevented the adoption of Mayfield Link Road, Mallusk. The developer has confirmed that these outstanding issues are currently being addressed to enable the road to be offered for adoption. Once this work is complete, Roads Service will set the formal adoption process in motion, which is estimated to take only 2-3 days to complete.

However, I can inform the Member that the Mayfield Link Road has been assessed, in anticipation of the adoption, and has been included in the forthcoming winter maintenance gritting schedule.

Translink and Roads Service are currently in discussions to achieve a solution to the problem of bus service access to this area in the event of severe weather disruption. The safety of passengers and staff, and indeed, other road users and pedestrians remains a paramount consideration in deciding appropriate service arrangements during adverse weather conditions.

### Proposed Capital Spend Projects

**Mr McGlone** asked the Minister for Regional Development to detail his Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project.

**(AQW 2758/11-15)**

**Mr Kennedy:** My Department has a number of projects in progress or under development during 2011-12.

The following table lists those projects that have a projected cost greater than £5m and provides details of the budgeted spend for those projects during 2011-12 and the estimated completion date.

	<b>2011-12 Spend £m</b>	<b>Total Cost £m</b>	<b>Scheduled Year of Completion</b>
<b>Public Transport</b>			
New Trains 2	50.6	114.0	2012
Adelaide Train Maintenance Facility	16.8	27.8	2012
New Trains 2 Platform Extension	4.5	7.9	2012
Class 3000 Overhaul	1.9	13.7	2015
Coleraine to Londonderry Track Safety Improvement Works	3.4	7.7	2012
Coleraine to Londonderry Track Renewal	3.0	26.7	2013 (Phase1)
Metro/Goldline Fleet Replacement	9.2	15.0	2012
Building Services Upgrade Programme	0.5	5.5	2016
<b>Roads Service</b>			
A32 Cherrymount Link	3.6	13.0	2013
A32 Shannaragh	2.1	7.5	2013
A5 Western Transport Corridor	15.0	650 - 850	2016
A8 Belfast to Larne	2.5	110 - 120	2016

Note that the total Roads and Transport Capital Budget for 2011-12 of £263.8m is larger than the total of specified projects due to the number of projects under £5m not included in the above list. Roads Service spends two thirds of their capital budget on Structural Maintenance and Capital Improvements Schemes including expenditure on Minor Highways improvements, Bridge Strengthening, Cycling Measures, Pedestrian Measures etc. Indeed the Structural maintenance Budget alone is £67.5m for 2011-12. The several hundreds of individual schemes being undertaken mean that it is not possible to specify these individually. However, a list of these projects broken down by council area can be found at: [http://www.drdni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtyperesults.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drdni.gov.uk/index/freedom_of_information/customer_information/cinformationtyperesults.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

In addition, DRD provides funding for NIW's capital works programme which currently includes around thirty projects with total costs greater than £5m. The majority of projects are due for completion during the current, "PC10" planning period.

<b>Programme/Project</b>	<b>2011-12 Spend (£m)</b>
Water Infrastructure	56
Water Non-infrastructure	23
Sewerage Infrastructure	34
Sewerage Non-infrastructure	76

It should be noted that all figures reflect current plans and may be subject to change.



## Winter Weather: Clearing Snow and Ice from Roads and Pavements

**Mr Weir** asked the Minister for Regional Development for an update on any arrangements or agreements between his Department, Roads Service and local Councils in relation to clearing snow and ice from roads and pavements during this coming winter.

**(AQW 2769/11-15)**

**Mr Kennedy:** My Department's Roads Service held a series of meetings with Northern Ireland Local Government Association (NILGA) and Society of Local Authority Chief Executives (SOLACE) representatives throughout the summer. The aim of these meetings was to establish a consensus on a number of points of principle that could be used as a starting point for negotiations between Roads Service and Councils regarding the removal of snow and ice from busy town centre footways, during prolonged periods of wintry weather.

I am pleased with the progress made in this area and that a number of key principles have been agreed by Roads Service, NILGA and SOLACE for the provision of this very important service.

It was intended that these points would form the basis of a draft agreement, which could be amended at local level, to take account of local Council preferences relating to specific schedules of footways, call-out procedures, or salt delivery arrangements.

Roads Service officials will now be approaching all Councils with a view to developing the local agreements mentioned above and, perhaps most importantly, to take account of the resources available to each Council.

I believe this approach will offer both organisations the opportunity to demonstrate a joined-up response to provide this valuable service to local ratepayers.

## Motorway Speed Limit

**Mr Hamilton** asked the Minister for Regional Development whether the Department for Transport's proposals to increase the motorway speed limit to 80mph will automatically apply to Northern Ireland.

**(AQW 2774/11-15)**

**Mr Kennedy:** My Department has powers to set speed limits under Article 38 of Part IV of The Road Traffic Regulation (Northern Ireland) Order 1997. The Department for Transport's proposal to increase speed limits on motorways to 80 mph will be subject to public consultation and, if approved, will only apply to motorways in England and Wales.

There is a commitment contained within the Northern Ireland Road Safety Strategy to 2020, published earlier this year, for the Department to review the speed limits of the upper tier rural road network within five years.

## Disposal of Surplus Property

**Mr Easton** asked the Minister for Regional Development whether NI Water is bound by the same arrangements as other non-departmental public bodies regarding the disposal of surplus property; and to outline these arrangements.

**(AQW 2782/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water (NIW) that its arrangements for the disposal of surplus property are based on provision contained in the Water and Sewerage Services (Northern Ireland) Order 2006. Under this provision the disposal of land or property by NIW is subject to the consent of my Department or in accordance with a general authorisation given by my Department. In addition, NIW is subject to conditions of appointment relating to such disposal and in certain circumstances the prior written consent of the Northern Ireland Authority for Utility Regulation is required.

A general authorisation was issued by my Department in March 2007 authorising NIW to dispose of land or property subject to the following conditions:

- (i) before disposal of land or property, the company shall offer the opportunity to acquire the land to the persons from whom the land was acquired by the company or its predecessors in title (either compulsorily or at a time when the company or its predecessor was authorised to acquire the land compulsorily). The company shall afford the opportunity in accordance with the procedures set out in the Valuation and Lands Agency guidance on “Disposal of Surplus Public Sector Property in Northern Ireland” published in July 2005 (revised March 2010);
- (ii) the company has complied with such of the conditions of its appointment under Chapter 1 of Part III of the Water and Sewerage Services Northern Ireland) Order 2006 as relate to the disposal of land;
- (iii) before disposal of land situated within a National Park, area of outstanding natural beauty, or special scientific interest, the company shall:
  - (a) consult the Department of the Environment;
  - (b) enter into such agreements under Article 9 of the Nature Conservation and Amenity Land (Northern Ireland) Order 1985 or Article 34 of the Environment (Northern Ireland) 2002 as the Department of the Environment may request; and
  - (c) enter into such covenants under Article 217(6) as the Department for Regional Development may determine.

### Dropped Kerb Schemes

**Mr Easton** asked the Minister for Regional Development what dropped kerb schemes are planned for the Bangor area for the next two financial years.

**(AQW 2783/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 1815/11-15.

### Traffic Volume Figures

**Mr Allister** asked the Minister for Regional Development to detail the most up-to-date traffic volume figures for the (i) A5; (ii) A2; and (iii) A26 north of Glarryford.

**(AQW 2789/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it collects data from approximately 300 automatic traffic counting sites located throughout the Northern Ireland road network.

Details of the Annual Average Daily Traffic (AADT) traffic flow information, recorded at various locations on the A5; A2 and A26 north of Glarryford are provided in the table below:

Road	Census Point No	Location	AADT (7 day)	Year
A5	390	Londonderry – Strabane at New Buildings	11,428	2011
A5	391	Victoria Road, Londonderry at Bolies	17,452	2010
A5	608	Ballygawley – Aughnacloy (South of A4 Junction)	6,503	2009
A5	610	Omagh – Ballygawley, South of B122 (past Junction of U1306)	11,624	2010
A5	623	Sion Mills – Strabane, at Ballyfatten	14,063	2011
A5	626	Omagh – Newtownstewart, at Conneywarren	13,722	2011
A5	644	Omagh Throughpass (West of Dublin Road at Academy)	21,595	2010

<b>Road</b>	<b>Census Point No</b>	<b>Location</b>	<b>AADT (7 day)</b>	<b>Year</b>
A5	645	Omagh By-Pass, at footbridge	21,181	2011
A5	648	Strabane By-Pass (Barnhill Road, West of Derry Road)	14,299	2010
A5	649	Omagh By-Pass, at Gortrush	17,024	2011
A5	652	Aughnacloy – Monaghan (North of river Blackwater)	7,813	2010
A5	653	Ballygawley – Omagh (North of Ballygawley Roundabout)	9,192	2011
A5	657	Newtownstewart By-Pass (West of Plumbridge Road, opposite lay-by)	9,574	2011
A5	659	Strabane By-Pass Stage 2	15,492	2009
A5	660	Omagh – Ballygawley, South of Crevenagh Road Roundabout	15,311	2011
A5	663	Victoria Road, Strabane	10,944	2011
A2	117	Whitehead – Carrickfergus	6,929	2009
A2	118	Carrickfergus – Belfast	24,756	2011
A2	119	Larne – Ballygalley, at Blackcave Tunnel	3,072	2011
A2	209	Sydenham By-Pass, at George Best City Airport	57,030	2010
A2	210	Shore Road, Belfast at Shore Crescent	14,439	2011
A2	301	Limavady – Londonderry, at Greysteel	13,969	2011
A2	302	Limavady – Londonderry, at Roe Bridge	9,507	2010
A2	305	Limavady – Magilligan, South of B201	1,755	2010
A2	311	Coleraine – Portstewart, North of B185	7,098	2010
A2	312	Portrush – Portstewart, at Portrush	5,382	2011
A2	319	Cushendall – Cushendun, South of B92	2,223	2011
A2	327	Bushmills – Ballycastle, at Bushmills	3,843	2009
A2	332	Limavady – Magilligan, North of B69	2,915	2010
A2	350	Craigavon Bridge, Londonderry (upper deck)	24,154	2011
A2	351	Craigavon Bridge, Londonderry (lower deck)	15,141	2010
A2	354	Strand Road, Londonderry	34,874	2011
A2	356	Queens's Quay, Londonderry	21,226	2011
A2	368	Foyle Embankment, between Foyleside and Bus Station	23,748	2010
A2	370	Culmore Road, Londonderry, at St. Peters Church	25,044	2010
A2	371	Culmore Road, Londonderry, at Heathfield	17,038	2011
A2	373	Limavady Road, Londonderry, at Gransha	27,530	2011

Road	Census Point No	Location	AADT (7 day)	Year
A2	374	Limavady Road, Londonderry, at Caw Brae	12,587	2011
A2	376	A2 Ballykelly Road, Limavady	15,247	2011
A2	381	Buncranna Road, Londonderry, at Pennyburn	16,196	2011
A2	383	Buncranna rod, Londonderry, at Whitehouse	19,845	2011
A2	392	Duke Street, Londonderry	24,121	2011
A2	394	Limavady By-Pass, Limavady	12,163	2010
A2	421	Warrenpoint Road, Newry	13,650	2010
A2	422	Newcastle – Annalong, at Bloody Bridge	5,454	2011
A2	443	Rostrevor Road, Warrenpoint, Co. Down	11,939	2010
A2	501	Hollywood By-Pass, East of Belfast Road	44,835	2011
A2	502	Belfast – Bangor, at Cultra, East of Folk Museum	35,482	2010
A2	505	Belfast – Bangor, at Springhill	21,912	2011
A2	506	Bangor Ring Road, at Clondeboye	20,230	2008
A2	510	Donaghadee – Millisle, at Ballyvester	5,126	2011
A2	516	Dundrum – Clough	12,362	2011
A2	793	Shore Road, South of Jordanstown Road	30,594	2010
A2	903	Belfast Road, Bangor, at Coach Hill Bend	15,262	2010
A2	905	Belfast Road, Bangor, Before Springhill Junction	10,762	2011
A2	907	Belfast Road, Bangor, Bangor side of Ballyrobert Road Junction	14,225	2011
A2	908	Belfast Road, Bangor, Belfast side of Ballyrobert Road Junction	16,445	2011
A2	910	Bangor Road Cultra, before Whinney Hill	18,627	2010
A2	915	Bangor Road, West of Ballymoney Road at Devil's Elbow	17,072	2011
A26	113	Ballymena – Ballymoney, North of M2	20,134	2011
A26	310	Coleraine – Ballymoney, South East of Ring Road	16,206	2011
A26	316	Ballymoney By-Pass, East of Ballybogey road	17,384	2011
A26	317	Ballymoney – Ballymena, South East of Ballymoney	14,678	2011

### Chairperson or Chief Executive: Arm's-length Bodies

**Mr Beggs** asked the Minister for Regional Development to detail the daily rate paid by his Department to each Chairperson or Chief Executive of each of its arm's-length bodies; and how this rate was determined and approved.

**(AQW 2797/11-15)**

**Mr Kennedy:** Information relating to the daily rate for the Chief Executives and Chairpersons of the Department's Arm's Length Bodies are not available, however details of their annual remuneration and how this is determined and approved is contained within the tables below.

<b>ALB:</b>	<b>Northern Ireland Transport Holding Company</b>
Chief Executive's Annual Remuneration:	£197,886 per annum.
How Rate Is Determined:	The NITHC Board conducted a benchmarking exercise to justify the remuneration package and recommended the level of remuneration.
How Rate Is Approved:	The rate is approved by the NITHC Group Remuneration and Pensions Committee and, subsequently, noted by the DRD Minister after consultation with DFP.
Chairperson's Annual Remuneration:	£38,688 per annum, based on approximately two-to-three days per week.
How Rate Is Determined:	The level of remuneration of the Chairman of NITHC has remained unchanged for a number of years and follows DFP Pay and Grading Advice.
How Rate Is Approved:	NITHC have been informed of the latest DFP advice that annual and daily rates payable to chairmen (and members) of public bodies will not be increased for 2010 and 2011.

<b>ALB:</b>	<b>Northern Ireland Water</b>
Chief Executive's Annual Remuneration:	£130,000 per annum.
How Rate Is Determined:	NI Water Board made recommendations to the Department on the level of remuneration for the interim Chief Executive in January 2011.  NI Water's governance arrangements, which came into effect on 1 April 2007, require the approval of the Shareholder and DFP to the remuneration of all Directors of the Board.
How Rate Is Approved:	The Minister and DFP approved the level of remuneration.
Chairperson's Annual Remuneration:	£40,000 for three-to-four days per month.  Additional per diem allowance of £1,000 up to a maximum of £45,000.

<b>ALB:</b>	<b>Northern Ireland Water</b>
How Rate Is Determined:	<p>The level of remuneration for the Chair of NI Water was set in October 2006 at £40,000 per annum with provision of an additional per diem allowance of £1,000, capped at a maximum of £45,000.</p> <p>The Department appointed recruitment consultants to assist with the initial appointments process to shadow Water Service Board. They benchmarked the remuneration package against other NI public sector bodies, GB water companies and Scottish Water and made recommendations. The remuneration package has not been reviewed since then.</p>
How Rate Is Approved:	The remuneration was approved by the Minister who consulted with Ministerial colleagues in the context of the Good Government arrangements which were overseen by the Secretary of State.

## Victims of Domestic Violence

**Mr Storey** asked the Minister for Regional Development what work place policies are in place to assist victims of domestic violence within his Department and its arm's-length bodies.

**(AQW 2835/11-15)**

**Mr Kennedy:** Staff within my Department are covered by the NICS-wide policy on Domestic Violence and Abuse contained in the NICS HR Handbook. This sets out the workplace support measures available to any civil servant who may be affected by domestic violence and provides contact points in relevant outside organisations which can offer advice and assistance in this area.

I am advised that Northern Ireland Water operates a similar policy to provide appropriate support to any of its employees who may be experiencing domestic violence. Within Translink, staff in this category may liaise directly with the Company's Welfare Officer and the services of the Company's Doctor and Occupational Health Advisors can be called upon in situations where more specialised assistance is required.

## Gritting of Roads and Pavements

**Mr Beggs** asked the Minister for Regional Development to list the local councils which entered into a formal arrangement with Roads Service on the gritting of roads and pavements during the (i) 2010/11; and (ii) 2011/12 winter periods.[R]

**(AQW 2838/11-15)**

**Mr Kennedy:** My Department's Roads Service has confirmed that the following Councils entered into formal agreement for the removal of ice and snow from town centre footways during the 2010/11 winter period:

- Belfast City Council;
- Ballymena Borough Council;
- Limavady Borough Council;
- Craigavon Borough Council; and
- Banbridge District Council.



In preparation for the imminent winter period 2011/12, the Member will be aware that my Department's Roads Service held a series of meetings with Northern Ireland Local Government Association (NILGA) and Society of Local Authority Chief Executives (SOLACE) representatives throughout the summer. The aim of these meetings was to establish a consensus on a number of points of principle that could be used as a basis for negotiations between Roads Service and Councils, relating to the removal of snow and ice from busy town centre footways, during prolonged periods of wintry weather.

I am pleased with the progress made to date and can confirm that a number of key principles have recently been agreed by Roads Service, NILGA and SOLACE. Roads Service officials are currently in the process of approaching all Councils, with a view to developing local agreements with each of them.

## **A5 Route**

**Mr Allister** asked the Minister for Regional Development for his assessment of the impact of the recession on the use of the A5 route by heavy vehicles; and to detail the average daily traffic volumes on this route in 2006 and 2011.

**(AQW 2840/11-15)**

**Mr Kennedy:** My Department's Road Service has advised me that while it is accepted that the number of heavy goods vehicles has decreased in recent years, current forecasts indicate that traffic volumes will rise over the coming years.

This issue was raised at the A5WTC Public Inquiry hearings, held in May and June 2011. At the hearings it was demonstrated that the short term reduction in traffic volumes has no significant impact on the project benefits and economics, which are measured and assessed over the longer term.

Traffic volumes at various locations along the existing A5 are enclosed. The 2006 volumes, as well as the most recent available data, are included.

## **Errors in Statements or Answers**

**Mr Campbell** asked the Minister for Regional Development, since coming to office, how many (i) statements he has made to the Assembly; and (ii) of his answers to Members' questions have had to be corrected because of errors in his original statements or answers.

**(AQW 2844/11-15)**

**Mr Kennedy:** Since taking up office, I have made two oral statements to the Assembly.

No answers to Members questions have had to be corrected as a result of errors in my statements or in my subsequent responses to questions.

## **Residents' Parking Schemes**

**Mr Campbell** asked the Minister for Regional Development for an update on the residents parking schemes in urban areas outside Belfast that have been proposed to Roads Service in the last three years.

**(AQW 2883/11-15)**

**Mr Kennedy:** My Department's Roads Service has received applications for residents' parking schemes in respect of streets in Antrim, Ballymena, Bangor, Carrickfergus, Enniskillen, Hollywood, Lisburn, Londonderry and Omagh, in addition to applications for schemes in Belfast, in the last 3 years.

Local consultation exercises have been successfully completed on proposals for schemes in the Bogside area of Londonderry and in Antrim and details are being finalised in preparation for the necessary legislative procedures. The other schemes are at a less advanced stage of development.

## NI Water: Water Leakage

**Mr Agnew** asked the Minister for Regional Development to detail the total rate of water leakage from NI Water in each of the last five years.

**(AQW 2885/11-15)**

**Mr Kennedy:** I have been advised by Northern Ireland Water that the leakage figures included in the table below are not measured direct but are calculated based on a recognised water industry methodology.

Year	Estimated Losses (Mega litres per day)
2006/07	168
2007/08	157
2008/09 (1)	181
2009/10	187 (2)
2010/11	177 (2)

- (1) Revised methodology used to produce the leakage figures for 2008/09 onwards and previous leakage figures cannot be directly compared to 2008/09 or subsequent years.
- (2) Includes the impact of the extreme cold weather conditions experienced over the past two winters.

## Coast Road at Black Arch, County Antrim

**Mr Hilditch** asked the Minister for Regional Development whether there are plans to extend the lighting along the Coast Road at Black Arch, County Antrim to meet the existing lights on the Larne side of the road.

**(AQW 2904/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that the existing lighting on the Coast Road at the Black Arch, was installed in March 2010, in agreement with Larne Borough Council. The lighting was extended to the end of the 30 mph speed limit at that time. There are currently no plans to extend the street lighting any further as the criteria for the provision of street lighting in rural areas is not met.

## Larne: New Lighting Schemes Planned

**Mr Hilditch** asked the Minister for Regional Development to detail any new lighting schemes planned for Larne over the next four years.

**(AQW 2905/11-15)**

**Mr Kennedy:** I would remind the Member that information on completed and proposed roads schemes for the current financial year can be found in Roads Service's Spring and Autumn Reports to Councils. These reports can be accessed from my Department's internet site at the following web address:

[http://www.drndni.gov.uk/index/freedom\\_of\\_information/customer\\_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils](http://www.drndni.gov.uk/index/freedom_of_information/customer_information/cinformationtype-results.htm?signpost=Customer+information&informationType=Roads+Service+reports+to+councils)

I can advise that the detailed budget for subsequent years has not yet been finalised and it is therefore not possible to provide details of future works programmes at this time.

## Bridges: Naming Policy

**Mr Easton** asked the Minister for Regional Development to outline his Department's policy for naming bridges.

**(AQW 2912/11-15)**

**Mr Kennedy:** I can advise the Member that my Department has no policy on the naming of bridges.

## Dropped Kerb Schemes

**Mr Easton** asked the Minister for Regional Development what dropped kerb schemes are planned for the Groomsport area for the next two financial years.

**(AQW 2913/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 1815/11-15.

## Kilmaine Road, Bangor

**Mr Easton** asked the Minister for Regional Development whether there are any plans to resurface the Kilmaine Road, Bangor.

**(AQW 2914/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that, when a footway reconstruction scheme was carried out on Kilmaine Road, Bangor earlier this year, the new kerbline was set at a level to allow for resurfacing of the carriageway at a future date. This is normal Roads Service practice.

Kilmaine Road is not included in Roads Service's current resurfacing programme, as other schemes have a greater priority. However, a resurfacing scheme on this road will be considered should additional funding become available.

## Traffic Flow: Donaghadee

**Mr Easton** asked the Minister for Regional Development what plans he has to improve the flow of traffic through Donaghadee.

**(AQW 2943/11-15)**

**Mr Kennedy:** The Member will recall that parking and traffic flow were some of the issues that I discussed with him and Donaghadee Commerce and Development Group at our meeting on 20 September 2011. At that meeting, I advised that no commitments could be given regarding the provision of a car park or a detailed traffic study of Donaghadee.

There are major constraints on current and future funding and in these circumstances, Roads Service is unable to confirm any future plans for improvements to traffic flow in Donaghadee.

## Motorway Speed Limit

**Mr Ross** asked the Minister for Regional Development (i) for his assessment of the proposal by the UK Government to increase the speed limit on motorways; and (ii) whether he has had any discussions with Ministers in the UK Government in relation to the proposal.

**(AQW 2952/11-15)**

**Mr Kennedy:** My Department has powers to set speed limits under Article 38 of Part IV of The Road Traffic Regulation (Northern Ireland) Order 1997.

However, I can advise the Member that I had no advance notice of the Transport Secretary's announcement of a proposal to change the speed limit on motorways and high class dual carriageways. Roads Service is aware that this proposal has been under consideration within the Department for Transport for some time.

The Department for Transport's proposal to increase speed limits on motorways to 80 mph will be subject to public consultation and, if approved, will only apply to motorways and high class dual carriageways in England and Wales.

I will therefore await the release of the consultation document before I consider its applicability to roads in Northern Ireland.

## A5 Western Transport Corridor Project

**Mr Buchanan** asked the Minister for Regional Development to detail the proposed financial contribution to the A5 Western Transport Corridor project from the Government of the Republic of Ireland for each year of construction.

**(AQW 3133/11-15)**

**Mr Kennedy:** As the Member will be aware, the Irish Government has committed £400 million towards the provision of dual carriageways on the A5 Western Transport Corridor and the A8 Belfast – Larne route. For practical reasons, payments from the Irish Government will be made against milestones identified on the A5, which have been agreed by the North South Ministerial Council.

The anticipated financial profile for the Irish Government's contribution is shown in the table below:

Financial Year	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16
Anticipated Irish Govt. Contribution (£m)	8	0	14	0	10	250	118

## Winter Weather: Footpaths

**Mr P Ramsey** asked the Minister for Regional Development to outline the arrangements, agreed or otherwise, between his Department, Roads Service, NILGA and local Councils, for dealing with the removal of snow and ice from footpaths over the winter period.

**(AQO 546/11-15)**

**Mr Kennedy:** As the Member is aware, there is no legal responsibility for either Councils or Roads Service to treat footpaths with salt or grit during adverse weather. However, my Department's Roads Service has held a series of meetings with representatives of NILGA and the Society of Local Authority Chief Executive's (SOLACE) throughout the summer months. I personally attended the first of these meetings, after which Roads Service's Chief Executive continued the negotiations on my behalf.

The aim of these meetings was to establish a consensus on a number of points of principle that could be used as a basis for negotiations between Roads Service and Councils, relating to the removal of snow and ice from busy town centre footways during prolonged periods of wintry weather. I am pleased that agreement has been reached, demonstrating a willingness to provide this valuable service to local ratepayers.

Roads Service has now incorporated these agreed points of principle into a draft agreement, which can be amended to take account of local Council preferences.

Roads Service officials are now approaching all councils, with a view to having these agreements in place for this coming winter season. However, it should be stressed that under these agreements, efforts will be focussed on the busiest town centre footways, as it would not be feasible to treat footways on a widespread basis.

In relation to the provision made in the 2011/2012 budget to deal with the impact of the anticipated severe winter weather, Roads Service does earmark significant funds to provide a salting service with the aim of helping main road traffic to move safely and freely in wintry conditions.

Turning to water, NI Water (NIW) is implementing the recommendations of the Review of last winter's water supply emergency and its 2011/12 budget incorporates costs for improving preparedness for this winter. Through a range of measures, NIW will be better prepared to handle the effects of severe weather conditions.

## Translink: Redundancies

**Ms Gildernew** asked the Minister for Regional Development what possible redundancies, voluntary or otherwise, are being considered for Translink staff over the next five years and what effect this will have on service levels, particularly on rural routes.

**(AQO 554/11-15)**

**Mr Kennedy:** Translink is expected to operate commercially but receives substantial levels of public funding and is working within a difficult economic environment. The level of revenue funding provided to Translink over the budget period up to end of 2014/15 has been notified by my department. This could be subject to change depending on in year monitoring rounds.

Each year my department agrees a plan with Translink which sets out how it aims to meet its financial targets taking account of: cost pressures such as fuel and wages; passenger estimates; departmental funding and school transport income. Normally the focus will be on the first year of the plan. Thus it was agreed that fares should not increase in Translink this year but that measures to improve the cost effectiveness of bus services should be taken forward. This was subject to local consultations and discussions with the Regional Development Committee and has been largely implemented. The rural bus network remains in place.

Translink estimated at that time that up to 70 jobs could be lost. This is an operational matter for Translink to manage. I understand that Translink hopes to make the changes through voluntary redundancy and part-time working changes. I welcome this approach and understand a significant number of full time bus drivers have agreed to convert to part-time/ term time position with a small number taking voluntary redundancy. At this stage it is not clear that any compulsory redundancies will be required

In terms of future years no final decisions have been made by Translink on services but I am committed to continuing to support rural services by direct assistance to Translink and through support from the Rural Transport fund.

## A6: Dungiven Bypass

**Mr Ó hÓisín** asked the Minister for Regional Development when he expects the decoupling process to be completed on the Dungiven Bypass element of the A6 upgrade.

**(AQO 553/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it expects to publish an Environmental Statement, draft Direction Order and draft Vesting Order later this year for the 30 kilometre dual carriageway from Londonderry to Dungiven, including a dual carriageway bypass of Dungiven.

Publication of these Orders will invite formal comment and objection, which will most likely lead to a Public Inquiry in the Spring of 2012 and examine the case for and against the scheme.

Roads Service has advised that there is no merit at this stage in 'decoupling' the Dungiven Bypass element of the overall project. If deemed necessary, this could be done at a later date and I do intend to keep this issue under review.

Given the reduction of two-fifths in the Executive's overall capital funding, the funds currently allocated to my Department in the 2011-2015 budget would not allow construction of the Londonderry to Dungiven dual carriageway, or Dungiven Bypass, to commence before the 2014-2015 financial year, at the earliest.

## EWAY Rapid Transit Scheme

**Mr Copeland** asked the Minister for Regional Development for an update on the Belfast Rapid Transit EWAY route plan.

**(AQO 555/11-15)**

**Mr Kennedy:** As part of the Outline Business Case for Belfast Rapid Transit, my Department has carried out route assessments on a number of route options. Last Wednesday, I launched a 12-week public consultation on the emerging preferred route options. In East Belfast the emerging preferred route option will start from a new park and ride site near Quarry Corner and run on-street along Upper Newtownards Road, through Dundonald Village to Holywood Arches and then via Albertbridge Road and East Bridge Street to the city centre.

As part of the ongoing route assessment process, my Department will also consider the 'next best' option for East Belfast which will run on-street on Upper Newtownards Road from near Quarry Corner to Holywood Arches and then via the Newtownards Road (lower section) and Bridge End to the city centre.

## **A2: Carrickfergus Castle to Station Road**

**Mr Beggs** asked the Minister for Regional Development for his assessment of the average journey times and traffic speeds during the morning peak travel period on the A2 from Carrickfergus Castle to the Station Road junction.

**(AQO 556/11-15)**

**Mr Kennedy:** Firstly, I wish to acknowledge the numerous representations made by members of Carrickfergus Borough Council and elected representatives, such as Mr Beggs, and appreciate their ongoing interest in this matter.

My Department's Roads Service has advised that based on the measurements taken along this stretch of the A2 route, the average journey time is approximately 18 minutes with the average speed being 9.2 mph, during the morning peak time.

While I acknowledge the benefits of the proposed A2 scheme, which have justified its advancement in the programme to date, the postponement of the Scheme will unfortunately mean that the bottleneck between Jordanstown and Seapark, as identified by the Belfast Metropolitan Transport Plan, will remain until such times as highway improvements can be constructed.

You will appreciate that a reduction of two fifths in the Executive's overall capital funding from the Treasury over the 2011-15 period, has meant that there are now funding constraints in relation to strategic road schemes.

Unfortunately, when competing priorities for the maintenance, management and development of the transport network are taken into consideration, I am unable to progress plans to start construction on this scheme until 2014/15 at the earliest.

The Executive has signalled its intent to explore additional revenue raising methods. If over the course of the budget period additional funding does become available to my Department, I will endeavour to allocate funding to schemes such as the A2 Shore Road Greenisland.

## **Roads: Gritting**

**Mrs D Kelly** asked the Minister for Regional Development for an update on the preparations that have been made by Roads Service to deal with any adverse road conditions over the winter period, including the plans that are in place to ensure effective road gritting.

**(AQO 557/11-15)**

**Mr Kennedy:** Prior to the start of each winter service season, Roads Service carries out a significant amount of pre-planning to ensure a state of readiness for the coming winter. As well as a number of routine pre-season checks, planning includes ensuring that adequate staffing arrangements are in place, including training for new staff where required, all winter service equipment is in working order and there is an adequate stock of salt. Salt barns, which are strategically placed in depots throughout Northern Ireland, are filled to capacity prior to the start of the winter period.

Roads Service normally holds sufficient stocks of salt in these barns to provide the winter service programme for a full season, without the need to restock. However, following last year's severe weather,



Roads Service has advised that it has reviewed these levels and increased stocks significantly, so as to be best placed to deal with any potential prolonged spells of wintry weather. It also has arrangements in place to supplement stocks of salt during the winter period, if necessary.

While Roads Service targets the limited resources available for winter service on the busier main through routes, salt bins or grit piles may be provided for use by the public, on a self help basis, on other routes adopted or maintained by Roads Service, which do not qualify for inclusion onto the gritting schedule. Roads Service currently provides approximately 4,200 salt bins and almost 40,000 grit piles on public roads.

Roads Service also commits significant resources to its winter service programme and every night, from the end of October until the middle of next April, Roads Service will have over 300 people on standby ready to salt main roads, helping drivers across Northern Ireland to cope with the wintry conditions.

## **Residents' Parking Schemes**

**Mr A Maskey** asked the Minister for Regional Development for an update on residents' parking schemes.

**(AQO 558/11-15)**

**Mr Kennedy:** My Department's Roads Service has advised that it is currently finalising a review of the economic appraisal that was used to calculate the permit charge. The new appraisal will identify a more up to date permit charge. At present, schemes are not being actively progressed until this work is complete.

The Member will be aware that despite considerable effort and a significant commitment of resources by Roads Service, attempts at implementing schemes in Belfast have so far been unsuccessful. This was mainly due to an inability to obtain the required levels of support from local residents.

Whilst acknowledging the potential value of resident's parking schemes, I must consider the justification for continuing to pursue such work, bearing in mind the time, effort and resource expended to date in trying to introduce them.

I intend to reassess my Department's commitment to implementing such schemes, when I receive the revised economic appraisal.

## **Department for Social Development**

### **Civil Servants**

**Mr Weir** asked the Minister for Social Development how many civil servants employed by his Department, who are members of the Civil Service Pension Scheme, will be transferred to Londonderry; and how many will be relocated elsewhere within his Department.

**(AQW 2739/11-15)**

**Mr McCausland (The Minister for Social Development):** The state pension function of the Department, currently based in Belfast, will be relocating to Londonderry in the spring of 2012 to create a new single Northern Ireland Pension Centre. 87 posts will therefore relocate to Londonderry.

Staff currently working in the State Pension Branch have been asked if they wish to move with the work and five members of staff have said they do. Those staff who have chosen not to relocate with their posts will be redeployed in line with the relevant Northern Ireland Civil Service policies. Additionally, the Department has an agreed strategy for filling the relocated posts in Londonderry that are not being filled by current State Pension staff volunteering to transfer.

Until the process of identifying staff for all the relocated posts is complete, it will not be possible to identify what proportion of the staff involved are members of the Northern Ireland Principal Civil Service Pension Scheme.

### Proposed Capital Spend Projects

**Mr McGlone** asked the Minister for Social Development to detail his Department's proposed capital spend projects for this financial year, including the projected timescales and the costs for each project. **(AQW 2811/11-15)**

**Mr McCausland:** The capital projects planned for this financial year by my Department are detailed in the following tables numbered 1 to 4:

**TABLE 1 - SOCIAL SECURITY AGENCY**

<b>Project</b>	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
Medical Support Services Building Works Ballymena and Londonderry Medical Examination Centres	457	457	Completed
Medical Support Services IT system costs Medical Examination Centres	913	913	Completed
Building works Carlisle House, Londonderry- Relocation of State pension	350	350	March 2012
Internal IT Software Development	100	100	March 2012
Central Payment System project	88	88	November 2011
Andersonstown Jobs and Benefits Office Computer expenditure	48	48	March 2012

**TABLE 2 - URBAN REGENERATION GROUP**

	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
UK City of Culture applications, Londonderry	1,500	1,500	2011-12
Berthing at Lisahally, Londonderry	400	400	2011-12
Tourism promotion in conjunction with Department of Enterprise, Trade and Investment, Londonderry	1,000	1,000	2011-12
ReStore Pilot Phase 1, Londonderry	266	266	2011-12
Queens Quay Phase 1 in conjunction with Department for Regional Development, Londonderry	256	256	2011-12
Spencer Road in conjunction with Department for Regional Development, Londonderry	184	184	2011-12

	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
Foyle Street in conjunction with Department for Regional Development, Londonderry	225	225	2011-12
Strand Rd Link / Police Court St in conjunction with Department for Regional Development, Londonderry	150	150	2011-12
Queens Quay Phase 2, Londonderry	400	400	2011-12
Baronet Street, Londonderry	131	131	2011-12
Artillery Street, Londonderry	103	103	2011-12
Spencer Road, Londonderry	42	42	2011-12
City of Culture Projects under Consideration (detail to be finalised), Londonderry	343	343	2011-12
Fort George decontamination, Londonderry	4,700	200	2013-14
Urban Development Grant Projects under Consideration (detail to be finalised), Londonderry	345	345	2011-12
Strabane Bridge, Strabane	2,466	500	2012-13
Temporary Path Harbour Square, Londonderry	6	6	2011-12
Limavady Market Street in conjunction with Department for Regional Development, Limavady.	210	210	2011-12
Fountain Multi Use Games Area, Londonderry	250	250	2011-12
Blackburn Path, Limavady.	137	25	2011-12
River Roe Riverside Walkway in conjunction with Department of Agriculture & Regional Development, Limavady	125	125	2011-12
Caw Nelson Drive Action Group, Londonderry.	50	50	2011-12
Neighbourhood Renewal Projects under Consideration (detail to be finalised), Londonderry.	50	50	2011-12
Coleraine Rural and Urban Network, Coleraine	1,500	98	2011-12
East Belfast Community Development Agency, Belfast	1,500	225	2012-13
Holywell Trust, Londonderry	1,500	82	2012-13

	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
Ards Development Bureau & Community Network, Newtownards	1,100	742	2011-12
Culturlann McAdam OFiaich, Belfast	225	225	2011-12
St Joseph's Boys High School, Newry - Refurbishment of Community Pitch	230	230	2011-12
Lurgan - Department for Regional Development Roads - Lurgantarry/Kilwilkie	220	220	2011-12
Portadown – Northern Ireland Housing Executive - Environmental Improvements	40	40	2011-12
Lurgan - Northern Ireland Housing Executive - Oakfield Terrace Car Parking	25	25	2011-12
Lurgan - Northern Ireland Housing Executive Kilwilkie Additional Car Parking	25	25	2011-12
St Marys Youth Club, Portadown - Phase 2	350	100	2012-13
Newry - Carnagat Kickabout Area	75	75	2011-12
Brownlow Northern Ireland Housing Executive - Drumellan Children & Young People's Centre	119	119	2011-12
Lurgan - St Mary's High School - A Community Learning Room	58	58	2011-12
Mullaghmore Eco Facility - Capital Element	125	125	2011-12
Omagh Neighbourhood Renewal Area Gallows Hill - Upgrade Of Play Facilities and Entrance Features	42	42	2011-12
Dungannon & Coalisland Capital Programme of works 10/11	90	90	2011-12
Mountcairn, Coalisland Multi Use Games Area	95	15	2012-13
Lighting Canal Towpath, Coalisland	57	57	2011-12
Kilmacormick Resource Centre Extension, Enniskillen	120	10	2012-13
Gardners Hall Refurbishment & Fit Out, Dungannon	186	186	2011-12
Coalisland Enhancing Employment Prospects – Continuation	77	38	2012-13

	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
Enniskillen Neighbourhood Renewal Area Environmental Improvement Capital Works 11/12 (Inishkeen)	200	100	2012-13
Omagh Riverside Development - Strathroy Bridges	495	400	2012-13
Carrickfergus Town Centre Public Realm	1,717	200	2012-13
Ballycastle Trails Environmental Improvement scheme	60	60	2011-12
Antrim Environmental Improvement - High Street	1,600	100	2012-13
Linenhall St Service Yard and Car Park, Ballymoney - Adoption costs	40	40	2011-12
Lurgan/Portadown Public Art	30	30	2011-12
Kilkeel - Revitalisation Project	150	75	2012-13
Newtownards - Conway Square Public Realm	650	650	2011-12
Downpatrick - Revitalisation Project	150	75	2012-13
Enniskillen Public Realm	5,603	50	2013-14
Armagh - Druid's Villas Car Parking	135	80	2011-12
Brownlow - St Anthony's Centre Refurbishment	348	343	2011-12
Lurgan - Clan Na Gael - Multi Use Games Area and Pitch Refurbishment	527	12	2011-12
CKS Community Centre, Omagh	476	326	2011-12
Dungannon Youth Resource Centre - Refurbishment Works Programme (stage 2)	338	218	2011-12
Larne ReStore Project	126	126	2011-12
Portrush Station Square Public Realm	1,015	1,015	2011-12
Newry - Monaghan St / Hill St Public Realm	1,621	1,371	2012-13
Lurgan Public Realm Phase 2	1,789	225	2013-14
Lurgan ReStore	82	82	2011-12
Banbridge - Rathfriland St Public Realm	408	14	2013-14
Lisburn Public Realm	2,438	35	2013-14

	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
Armagh City Centre Revitalisation Project	115	68	2012-13
19-21 High St, Lurgan	274	191	2012-13
Dungannon Public Realm Phase 1	2,300	1,095	2013-14
Enniskillen Neighbourhood Renewal Area Estate Markers Project	19	19	2011-12
Girdwood Park, Belfast – Infrastructure Costs For A Community Hub (to be built by Belfast City Council subject to securing funding from Special European Union Programmes Body)	1,000	500	2012-13
Internal Fit Out Of The SS Nomadic, Belfast	1,000	1,000	2011-12
Belfast Streets Ahead Phase 1	24,000	2,200	2011-12
Belfast Streets Ahead Phase 2 (Design)	1,000	500	2012-13
Skainos Capital Build, Belfast	5,270	3,000	2013-14
Templemore School Provision of Civic Hub, Belfast	750	500	2012-13
Trustees of St Malachy's Youth Club, Belfast Provision of Youth Club	758	150	2013-14
Belfast City Council - Springfield Road Play park, Belfast	592	35	2011-12
Lenadoon Community Forum Sports Pavilion/Changing Facilities, Belfast	20	20	2011-12
Connswater Community Greenway, Belfast	3,209	10	2014-15
Woodvale Park, Belfast Railings etc	1,000	500	2012-13
An Sportlann, Belfast Professional and Technical Costs	24	24	2011-12
Cromac Regeneration Refurbishment, Belfast	200	200	2011-12
Gleanne Boxing Club, Belfast Purchase Of New Premises	100	100	2011-12
Lower Ormeau Residents Action Group Sports Hall Refit, Belfast	50	50	2011-12
Short Strand, Belfast Water babies	30	30	2011-12
Sussex Place, Belfast, refurbishment of building	210	10	2012-13



	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
Albertbridge Road (269-273 & 279-283), Belfast, Property Acquisition	755	755	2011-12
Castlereagh Street Gateway, Belfast, Property Acquisition	400	400	2011-12
Alexandra Bar, Belfast, Property Acquisition	200	200	2011-12
Ex Services Club 89/91 Shankill Rd, Belfast, Property Acquisition	175	175	2011-12
3 Stormont Lane, Belfast, Property Acquisition	105	105	2011-12
70 Beersbridge Road, Belfast, Property Acquisition	300	70	2012-13
Cityeast (Additional Land), Belfast, Land Acquisition	35	35	2011-12
14 York Road, Belfast, Land Acquisition	30	30	2011-12
Land At Rear Of 141-145 Shankill Road, Belfast, Land Acquisition	5	5	2011-12
Cliftonville Circus, Belfast Public Realm Environmental Improvement Scheme	313	300	2011-12
Gransha Shops, Belfast Public Realm Environmental Improvement Scheme	252	242	2011-12
Suffolk Road Shops, Belfast Public Realm Environmental Improvement Scheme	136	129	2011-12
Albertbridge/Templemore, Belfast Junction Public Realm Environmental Improvement Scheme	965	40	2013-14
Clifton Street Gateway, Belfast Public Realm Environmental Improvement Scheme	2,444	30	2013-14
Albertbridge Road, Belfast Tree Planting Scheme	150	150	2011-12
Ballysillan Park, Belfast Tree Planting	120	120	2011-12
Colin Gateway, Belfast	3,109	1,169	2013-14
Andersonstown Road, Belfast Public Realm Environmental Improvement Scheme	1,664	725	2013-14

	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
Conway Street, Belfast Public Realm Environmental Improvement Scheme	375	351	2011-12
Ravenhill/Short Strand, Belfast Gateway Public Realm Environmental Improvement Scheme	928	278	2012-13
Newtownards Road, Belfast Public Realm Environmental Improvement Scheme	1,655	184	2011-12
Andersonstown Roundabout, Belfast Public Realm Environmental Improvement Scheme	750	175	2012-13
Ardoyne Shops Junction, Belfast	800	100	2012-13
Carr's Glen Link, Belfast Public Realm Environmental Improvement Scheme	60	60	2011-12
Scheme Complete -Ormeau Road Widening, Belfast	6	6	Completed
Public Realm Environmental Improvement Scheme at Crumlin Road Courthouse, Belfast	188	188	2011-12
Tree Planting Scheme at Whiterock Road, Belfast	175	175	2011-12
Infill tree planting at Agnes and Northumberland Street, Belfast	90	90	2011-12
Public Realm Environmental Improvement Scheme at 519 Falls Road, Belfast (Old Barracks Site)	40	40	2011-12
Laser Prototypes Whiterock Business Park, Belfast	140	45	2012-13
John Donaghy; Donegall Road, Belfast	42	42	2011-12
Elmoreton Ltd; 12-20 Donegall Road, Belfast	114	32	2012-13
SP Graham; Ligoneil Rd, Belfast	53	14	2012-13
Rathcoole Filling Station; 42 Doagh Rd, Belfast	121	121	2011-12
Habitat for Humanity; Madrid Street, Belfast	42	42	2011-12
Fitzroy Developments; 120, Ormeau Road, Belfast	40	40	2011-12

	<b>Total Cost £(k)</b>	<b>2011/12 Cost £(k)</b>	<b>Due for Completion</b>
Fullarmoon Ltd; Shankill Road, Belfast	967	162	2012-13
Iontaobhas na Gaelscolaíochta (InaG); Falls/Broadway, Belfast	316	90	2012-13
A Steele; Shaftesbury Square, Belfast	796	66	2013-14
Colinward Pharmacy; Antrim Road, Belfast	234	66	2012-13
D McSherry; Suffolk Rd, Belfast	454	45	2014-15
Pinnacle Properties; 62 Templemore Avenue	143	42	2012-13
R&K Matthews; Beersbridge Rd, Belfast	184	30	2012-13
Granite Properties; Springfield Road, Belfast	197	22	2013-14
HHD Solicitors; Oldpark Rd, Belfast	145	18	2012-13
Bryson Street Surgery, Belfast	201	18	2014-15
Nigel Barr; Woodstock Road, Belfast	31	12	2012-13
JGB Developments; Derrycoole Way, Newtownabbey	81	10	2013-14

Table 3 below details the Social Housing Development Programme for 2011/12 and includes an estimated total Housing Association Grant figure for each scheme along with time scales.

In order to secure delivery of the target number of housing starts (1400) for year ending 31 March 2012, the gross Social Housing Development Programme includes an element of over-programming. The current Programme currently contains 140 schemes and 2143 units from which the 1400 target starts will be drawn. This level of over-programming is necessary to compensate for scheme losses or slippages that occur during the course of the year, for example where associations are unable to acquire sites; secure planning or comply with procurement requirements within set timeframes.

The budget allocation for the delivery of the Social Housing Development Programme in 2011/12 is £144.3m. Approximately £60m of this budget represents prior year commitment, i.e. where schemes started in a previous Programme Year are expected to complete during 2011/12 and claim a final grant payment. Housing Association Grant for approved schemes is generally payable in three stages; i.e. Site Acquisition; Onsite start and finally Completion of works. Typically, where a new build scheme starts on site during 2011/12, an association would typically claim and receive grant for acquisition and onsite costs (on average 80% of the total grant payable).

**TABLE 3 – HOUSING: SOCIAL HOUSING DEVELOPMENT PROGRAMME**

	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Due for Completion</b>
<b>East Antrim</b>			
Ards Drive, Monkstown	607	12	01/12/2012

	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Due for Completion</b>
Eden, Phase 3B, Carrickfergus	1,047	22	01/06/2013
Sunnylands / Sunnylands Grove, Carrickfergus	633	10	01/03/2013
<b>North Antrim</b>			
Brookfield Gardens, Ahoghill	746	9	01/02/2012
Brook Street Library Site, Ahoghill (Surplus Site)	348	6	01/12/2012
Church Brae, Rathlin Island	459	10	01/12/2012
27 - 33 Queen Street, Ballymena	1,045	15	01/09/2013
Tobar Park, Cullybackey	1,210	17	01/03/2013
St Patrick's Barracks, Ballymena (Surplus Site)	1,199	47	01/11/2012
Kintyre Park, Ballymena	1,434	16	01/03/2013
PSNI Site, Ferniskey Road, Kells (Surplus Site)	314	6	01/05/2013
Fenton Park, Cloughmills	314	6	01/07/2013
<b>South Antrim</b>			
Glenavy Road, Crumlin	5,161	55	01/09/2013
PSNI Site, Templepatrick (Surplus Site)	277	5	01/03/2013
Belfast/Antrim (Muckamore Reprovision)	1,793	20	01/03/2013
Norfolk Court, Antrim	1,076	12	01/03/2013
<b>East Belfast</b>			
Clara Street, Belfast	1,201	18	01/03/2013
Ballymacarrett Library Site, Templemore	316	5	01/10/2012
Mountpottinger PSNI, Belfast (Surplus Site)	571	10	01/03/2013
Strand Church / Strandburn Crescent, Belfast	455	5	01/01/2013
68 Lower Braniel Road, Castlereagh	1,386	15	01/09/2013
15/19 Ballygowan Road, Castlereagh	3,001	31	01/03/2014
Clonaver Crescent South, Belfast (Surplus Site)	393	6	01/12/2011
188-190 Lower Braniel Road, Castlereagh	652	11	01/12/2012

	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Due for Completion</b>
Brandon Parade, Belfast	151	2	01/09/2012
91-97 Inverary Avenue, Belfast	994	14	01/02/2013
<b>North Belfast</b>			
Rush Park, Newtownabbey	1,076	17	01/07/2012
Tiger's Bay / Limestone Road,	649	10	01/03/2013
2 Allworthy Avenue, Belfast	163	3	01/03/2013
17 Brucevale Park, Belfast	788	12	01/03/2013
1-3 Eia Street, Belfast	788	12	01/03/2013
Mountcollyer Rehabs, Belfast	370	5	01/12/2012
Thompson House, Belfast	2,111	21	01/10/2012
Parkside URA, Limestone Road Belfast	2,143	36	01/10/2013
Coulters Site Antrim Road, Belfast	686	10	01/01/2013
Longlands Park / Arthur Road,	711	15	01/06/2013
140 -142 Clifton Park Avenue / 35 Clifton Crescent, Belfast	410	7	01/10/2012
Queen Victoria Gardens, Belfast	1,350	24	01/04/2014
<b>South Belfast</b>			
Oar Building, Annadale Embankment, Belfast	778	12	01/03/2012
Farnham Street, Belfast	101	1	01/11/2012
North Rugby Club, Belfast Phase 4	903	13	01/02/2013
Fold Buy Backs Belfast & South East	258	3	01/10/2011
Village Phase 1, Belfast	2,530	37	01/09/2013
Rosetta Cottages, Belfast (Surplus Site)	198	2	01/02/2013
Annadale Avenue, Belfast	1,539	14	01/07/2013
<b>West Belfast</b>			
Lenadoon Flats, Belfast	1,265	20	01/03/2013
Andersonstown Social Security Office	1,666	25	01/09/2014
Forthriver Road, Belfast	1,470	16	01/01/2013
Andersonstown Library Site, Belfast	275	4	01/06/2013
Colin Glen, Belfast	4,745	66	01/09/2013
Donegall Road, Belfast	781	12	01/03/2013

	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Due for Completion</b>
West Belfast ESPs Phase 2	252	3	01/12/2011
West Belfast ESPs	532	6	01/12/2011
Jasmine Way, Twinbrook	1,718	23	01/08/2013
Mitchells GAA, Poleglass	4,018	67	01/03/2014
Ross Street Flats, Belfast	925	13	01/05/2013
Arundel Replacement, Belfast	530	8	01/03/2013
Peters Hill, Belfast. MAH Resettlement (Oldstone)	1,153	15	01/03/2013
131 Upper Springfield Road, Belfast	137	2	01/07/2013
Mill Court Phase 2, Falls Road, Belfast	2,153	15	01/09/2013
Cupar Street Site, St Galls Phase 3, Belfast	700	10	01/02/2013
Ballygomartin Road / Somerdale, Belfast	2,583	40	01/09/2013
Lower Shankill Transfer, Belfast	1,649	24	01/09/2013
167 Andersonstown Road, Belfast	721	11	01/02/2013
Blackmountain Bungalows Phase 2A, Belfast	243	2	01/04/2012
West Belfast Learning (Dympna House Reprovision, Belfast)	2,689	30	01/03/2013
Distillery Street, Belfast	1,310	18	01/06/2013
Good Shepherd Road, Poleglass (Surplus Site)	1,674	23	01/09/2013
Devonshire Tradas Phase 3, Belfast	727	11	01/01/2013
<b>North Down</b>			
Bloomfield Road / South Circular Road, Bangor	3,728	43	01/05/2013
Clifton Special Care School, Old Belfast Road, Bangor	3,565	53	01/03/2014
Primacy Road, Bangor	918	13	01/04/2013
<b>South Down</b>			
St Patricks Road Raholp, Downpatrick	480	8	01/12/2012
Dundrine Road, Castlewellan	1,005	18	01/06/2013
Fold Buy Backs Belfast & South East	258	1	01/10/2011



	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Due for Completion</b>
Newtown Villas, Rostrevor	203	2	01/07/2012
Longstone Road, Annalong	347	6	01/12/2012
Glen View, Rathfriland	127	2	01/08/2012
2 & 4 Donard Street, Newcastle (Surplus Site)	985	18	01/01/2013
14 and 15 Malone Court, Downpatrick	470	8	01/03/2012
19 Downpatrick Road, Crossgar	1,046	10	01/11/2012
South Area Older People (Kilkeel)	1,252	12	01/04/2013
Newry Street, Kilkeel (Former Hospital Site)	446	8	01/01/2013
Ballynoe Road (Ballyvange Community Centre, Downpatrick	773	14	01/05/2013
Upper Dromore Road, Warrenpoint	1,133	20	01/08/2013
Warrenpoint Road, Rostrevor	1,005	18	01/06/2013
Fermanagh South Tyrone			
Aghagay Meadows, Newtownbutler	271	3	01/10/2011
Cloneen, Dungannon	3,638	48	01/02/2013
3a The Square Brick Row, Moy	510	7	01/03/2013
Ballaghmore Heights Backlands,	1,330	16	01/08/2013
Roskeen Road, Moygashel	385	8	01/11/2012
<b>Foyle</b>			
Culdaff Gardens, Londonderry	1,293	22	01/09/2014
Circular Road Phase 2, Londonderry	2,628	41	01/06/2013
Westbank Acquisitions Phase 18E	437	5	01/10/2011
Marian Hall, Londonderry (ALP)	2,026	28	01/05/2013
Rathmore Road, Derry	1,012	16	01/03/2013
Londonderry/Derry Learning Disability	896	10	01/03/2013
<b>Lagan Valley</b>			
254 Kingsway, Dunmurry	2,099	27	01/09/2013
Causeway End Road, Lisburn	1,326	20	01/03/2013
Hillhall Road Primary School, Lisburn (Surplus Site)	1,432	19	01/12/2012
190 Longstone Street, Lisburn	787	9	01/03/2013

	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Due for Completion</b>
Crossbill Place, Pond Park (infill), Lisburn	674	11	01/11/2012
169 Banbridge Road, Kinallen	240	4	01/11/2011
Dundrod Drive, Old Warren, Lisburn	2,072	31	01/08/2013
East Londonderry			
Hass Road, Dungiven	433	10	01/04/2013
Tamlough Park, Ballykelly	804	13	01/03/2014
Mullaghacall Road, Portstewart	95	1	01/10/2012
Parker Avenue, Portrush	83	1	01/07/2013
Lerwill House, Coleraine	1,041	14	01/11/2012
Mid Ulster			
Shanoch Close, Coalisland	349	4	01/10/2011
Craigmore Road, Magherafelt	962	22	01/08/2013
Carn View, Swatragh	311	8	01/03/2013
Loy Street, Cookstown	1,898	30	01/03/2013
Gulladuff, Maghera	283	6	01/07/2013
<b>Newry and Mourne</b>			
Father Cullen Park, Bessbrook, Newry	4,494	62	01/01/2014
School Road (MOD/PSNI site) Forkhill	790	10	01/03/2013
Rathkellan Park, Crossmaglen	100	1	01/11/2012
Rectory Close, Loughgall	313	6	01/11/2012
Win Business Park, Murphy Crescent	943	18	01/11/2013
Cathedral View, Newry	125	2	01/11/2012
Canal Street, Phase 4, Newry	506	10	01/11/2013
St Bridgets Park, Culloville	131	4	01/09/2012
Ardmore Road, Phase 1, Armagh	1,627	26	01/09/2013
Calmor View, Newry	343	6	01/10/2012
Connaught House, Newry	238	3	01/10/2012
Coolmillish Road, Markethill	528	8	01/12/2012
Springhill Drive, Newry	360	6	01/01/2013
Ardcane Park, Newry	360	6	01/12/2012
Millview, Richill, Armagh	330	6	01/12/2012

	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Due for Completion</b>
Killin Street, Newry	2,160	36	01/08/2013
Strangford			
Loch Cuan, Newtownards	3,048	34	01/03/2014
Killard Special School, Newtownards	2,605	40	01/09/2013
2-4 Londonderry Avenue, Comber	457	8	01/03/2013
41 Movilla Street, Newtownards	1,051	12	01/09/2012
Sloane Crescent, Killyleagh	291	6	01/01/2013
Grahamsbridge Road, Castlereagh	189	1	01/07/2012
Queens Park, Saintfield	105	1	01/07/2012
Killynure Road, Carryduff	1,963	30	01/02/2014
Glenbrook Road, Newtownards	483	7	01/03/2013
10a Belfast Road, Saintfield	192	3	01/12/2012

Table 4 below provides a list of other Housing Capital schemes (by ward) programmed for 2011/12 subject to finance being available.

**TABLE 4 – HOUSING: OTHER SCHEMES**

	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Start Date -(schemes take 12-18 months)</b>
<b>East Belfast</b>			
Clarawood/Edenvale	285	24	01/09/2011
Lendrick/Parker	1,160	58	01/01/2012
Fermanagh & South Tyrone			
Various locations Fermanagh District	503	39	16/01/2012
Lagan Valley			
Avonmore Park, Lisburn	40	7	11/04/2011
Mid Ulster			
Main St/39 Alexander, Magherafelt	120	6	09/01/2012
Newry & Armagh			
Bessbrook/Mullaghbawn	259	27	16/01/2012
Alexander Estate, Armagh	767	39	14/11/2011
North Belfast			
(NB) Mt Vernon/Ross	454	138	01/03/2012
Monkscoole House	3,240	72	19/03/2012

	<b>Total Cost £(k)</b>	<b>Number of Units</b>	<b>Start Date -(schemes take 12-18 months)</b>
<b>South Belfast</b>			
Torr Way/Annadale	360	37	01/01/2012
Upper Bann			
Edenderry Gardens/Golf Terrace, Banbridge	363	31	16/01/2012

### **Annadale Flats, Belfast**

**Mr McGimpsey** asked the Minister for Social Development what plans he has to allocate funding in the 2011-2015 budget period for investment in the communal areas, bathrooms and pitched roofs of Annadale Flats, Belfast.

**(AQW 2882/11-15)**

**Mr McCausland:** There are plans to upgrade the communal areas in each of the medium rise flats as part of a fire safety scheme that is currently being piloted elsewhere. Until that pilot can be evaluated, it is not possible to say when the work will begin, but I will be happy to advise the member on this once a date to start work is agreed.

In respect of the roofing issue, two of the blocks have already had a pitched roof installed and the Housing Executive remains committed to rolling this out to each of the remaining flats in due course. However there is no confirmed start date for this at this stage.

### **Housing Executive: Properties in East Londonderry**

**Mr McQuillan** asked the Minister for Social Development to detail (i) how many Housing Executive properties in the East Londonderry constituency are without (a) central heating; and (b) double glazed windows; and (ii) what plans he has to upgrade these properties.

**(AQW 2890/11-15)**

**Mr McCausland:** The information is not available in the format requested as the Housing Executive does not routinely collate information by Parliamentary constituency. However, the Housing Executive's Coleraine and Limavady District offices fall within the East Londonderry constituency. The position for each District Office area is as follows:-

Limavady District: -

Nine dwellings have partial heating and these properties will be reviewed with the intention of arranging up-grading to full central heating during 2012/13. Approximately 63% of Housing Executive dwellings in this District have some form of double glazing (partial or full). During this financial year 104 dwellings will have double glazing installed and the remainder will be addressed in line with the Housing Executive's policy to have double glazing installed in all of its properties by 2021.

Coleraine District: -

12 dwellings are without central heating. Two heating schemes are underway to change the existing heating systems to gas or oil for 123 dwellings at a cost of £335k and a further similar scheme is programmed for 155 dwellings in 2012/13. Approximately 54% of Housing Executive dwellings in this District have some form of double glazing (partial or full). There are no window replacement schemes programmed for this financial year and the remainder will be addressed in line with the Housing Executive's policy to have double glazing installed in all of its properties by 2021.

## Welfare Reform Bill

**Mrs D Kelly** asked the Minister for Social Development for his assessment of the impact of the Welfare Reform Bill on disadvantaged people, in particular, the number of people on benefits who are likely to be impacted by future changes.

**(AQW 2926/11-15)**

**Mr McCausland:** In order to assess the potential impact of the proposed Welfare Reforms, an Equality Impact Assessment (EQIA) was issued for public consultation on 5 September 2011.

At the moment, given the information and data systems available, we are unable to accurately quantify the number of people affected by the various reforms and the information within the EQIA represents our best estimate.

Following an analysis of any responses received to the EQIA consultation we will provide a departmental response and give further consideration to Equality issues as the Regulations supporting the Welfare Reform Bill are brought forward.

## Welfare Reform Bill

**Mrs D Kelly** asked the Minister for Social Development for an update on his discussions with Ministers at Westminster in relation to the Welfare Reform Bill, including the progress made on ensuring maximum flexibility when implementing future changes, and the timing of those changes.

**(AQW 2927/11-15)**

**Mr McCausland:** As a result of the various discussions that I have had with Westminster Ministers, including Lord Freud, the Minister of State responsible for Welfare Reform, I can assure Members that they are only too aware of the difficulties and challenges which we face, and which are unique to Northern Ireland.

I will continue to ensure that full account is taken of the particular circumstances that exist in Northern Ireland and that operational flexibilities and safeguards within the social security regime will be applied where necessary in the implementation of all of the welfare reform proposals, although I have to stress that this can only be done in line with the principle of parity.

## Community Workers: Funding

**Mr Easton** asked the Minister for Social Development what action he intends to take to ensure that community workers who are paid as part of the Small Pockets of Deprivation or Neighbourhood Renewal schemes do not have to wait unduly to be informed of whether funding is to be continued.

**(AQW 3000/11-15)**

**Mr McCausland:** I have committed funding to the Neighbourhood Renewal and Small Pockets of Deprivation (SPOD) Programmes until 31 March 2015. Applications for funding, or continuation funding, for all Neighbourhood Renewal and SPOD projects, including those involving salary costs for community workers, are subjected to an assessment process to ensure that they meet the needs of the area and offer value for money.

Where community associations can demonstrate that their projects are working well, producing results and providing value for money they have been offered funding for up to 4 years from April 2011.

Where the Department considers that improvements can be made, such as achieving better impacts, reducing costs and introducing collaborative working, it has issued transitional contracts for shorter periods. Groups that respond positively to the opportunity to make improvements will receive greater security in the form of a further 3 year contract. Whilst my Department strives to make decisions on a timely basis, the pace of the assessment process is ultimately determined by the speed by which the applicant can provide the relevant information required.

## **Jobseeker's Allowance**

**Mrs D Kelly** asked the Minister for Social Development to detail the number of people who have moved from claiming other benefits to claiming Jobseeker's Allowance in each of the last 18 months, broken down by (i) gender; and (ii) the type of benefits they previously claimed.

**(AQW 3024/11-15)**

**Mr McCausland:** The information requested is set out in the table below. The figures quoted show the number of people claiming Jobseeker's Allowance since January 2010 who claimed another benefit at some stage in the 6 weeks prior to claiming Jobseeker's Allowance.



**JOBSEEKER'S ALLOWANCE NEW CLAIMS WITH PREVIOUS BENEFIT CLAIMS WITHIN 6 WEEKS**

Start date of JSA claim	Previous benefit type												Total		
	Employment and Support Allowance and Incapacity Benefit			Income support			Other benefit								
	Gender		Total	Gender		Total	Gender		Total	Gender		Total			
	F	M		F	M		F	M		F	M				
Jan-10	64	182	246	64	74	138	22	15	37	150	271	421			
Feb-10	42	122	164	43	63	106	22	15	37	107	200	307			
Mar-10	42	117	159	45	49	94	30	24	54	117	190	307			
Apr-10	38	92	130	42	50	92	32	10	42	112	152	264			
May-10	46	89	135	40	46	86	15	16	31	101	151	252			
Jun-10	64	130	194	51	53	104	19	18	37	134	201	335			
Jul-10	58	111	169	63	57	120	34	14	48	155	182	337			
Aug-10	53	113	166	38	43	81	31	19	50	122	175	297			
Sep-10	59	117	176	53	41	94	26	23	49	138	181	319			
Oct-10	50	126	176	37	52	89	20	9	29	107	187	294			
Nov-10	46	150	196	57	49	106	37	16	53	140	215	355			
Dec-10	41	118	159	36	43	79	29	11	40	106	172	278			
Jan-11	84	162	246	69	49	118	41	20	61	194	231	425			
Feb-11	50	144	194	68	41	109	33	13	46	151	198	349			
Mar-11	49	131	180	71	33	104	36	23	59	156	187	343			
Apr-11	51	81	132	62	46	108	34	10	44	147	137	284			

Start date of JSA claim	Previous benefit type												Total
	Employment and Support Allowance and Incapacity Benefit			Income support			Other benefit						
	Gender			Gender			Gender						
	F	M	Total	F	M	Total	F	M	Total	F	M	Total	
May-11	59	111	170	62	36	98	34	21	55	155	168	323	
Jun-11	76	110	186	77	40	117	35	21	56	188	171	359	
Jul-11	64	98	162	64	28	92	39	14	53	167	140	307	
Aug-11	22	45	67	20	15	35	21	10	31	63	70	133	
Total	1,058	2,349	3,407	1,062	908	1,970	590	322	912	2,710	3,579	6,289	

## Jobseeker's Allowance

**Mrs D Kelly** asked the Minister for Social Development to detail the number of new claimants for Jobseeker's Allowance in each month in the last 18 months, broken down by gender.

**(AQW 3025/11-15)**

**Mr McCausland:** The information requested is set out in the table below. The figures quoted show the number of people who successfully claimed Jobseeker's Allowance in each month since March 2010. Due to system configuration these figures are rounded to the nearest five.

Month	Male	Female	Total
March 2010	5,305	2,105	7,405
April 2010	4,305	1,850	6,155
May 2010	6,450	2,490	8,940
June 2010	5,560	2,465	8,025
July 2010	5,795	3,370	9,165
August 2010	6,915	3,690	10,605
September 2010	6,130	3,080	9,210
October 2010	7,550	3,295	10,845
November 2010	5,990	2,275	8,265
December 2010	5,460	1,975	7,430
January 2011	6,490	2,850	9,345
February 2011	6,150	2,790	8,940
March 2011	5,565	2,560	8,130
April 2011	6,235	2,685	8,920
May 2011	5,040	2,125	7,170
June 2011	5,725	2,785	8,505
July 2011	7,145	4,440	11,585
August 2011	6,070	3,420	9,490

## Claiming Benefits and Working

**Mrs D Kelly** asked the Minister for Social Development to detail the number of people who are currently claiming benefits and working (i) full-time; or (ii) part-time.

**(AQW 3027/11-15)**

**Mr McCausland:** My Department only holds information on individual work patterns where it relates to the entitlement of the claim. The table below outlines the number of customers who have part time working hours recorded against their claim. Customers who work full time do not qualify for receipt of these benefits.

Benefit	Number of customers declaring part-time work
Income Support	1,893
Jobseekers Allowance	3,003

Benefit	Number of customers declaring part-time work
Employment & Support Allowance	986
Carers Allowance	4,879

## Riots: Short Strand Area, Belfast

**Mr Copeland** asked the Minister for Social Development to detail (i) what steps he has taken to establish the cost of repairing the damage to properties, as a result of the riots in the Short Strand area of Belfast in June 2011, owned by (a) private home-owners; (b) Habinteg Housing Association; (c) Connswater Housing Association; and (d) the Northern Ireland Housing Executive; and (ii) what level of financial reimbursement has been offered by his Department to those affected.

**(AQW 3033/11-15)**

**Mr McCausland:** My officials have met regularly with the Housing Executive, the Housing Associations and the Interface Residents Initiative in an effort to establish the full extent of the work needed in the area. The final costs have not yet been ascertained however the Housing Executive maintenance costs for cleaning up following the violence currently stand at £6,580.

The cost of enhancing the security of the roofs of Housing Executive properties in Thistle Court and the Newtownards Road is estimated at £56,000 and will be undertaken in the coming weeks.

Habinteg Housing Association has already spent over £17,500 on adaptations (including the conversion of a number of properties from oil to gas heating) and the cleanup of their properties in Duke Street following the violence. They have also recently agreed to replace the roof tiles on their homes along the interface with metallic, fire resistant tiles. This work will involve the replacement of 11 roofs and is expected to cost in excess of £60,000 alone.

Connswater Housing Association has already spent between £1,250-£1,400 replacing panes of lexon glass in a number of their properties. They met with their tenants last week to discuss a variety of options to help better protect their homes on the Newtownards Road. Following that meeting they have agreed to carry out further work to safeguard these homes/tenants but the cost of that work recently agreed is not known yet.

The Hate Incidents Practical Actions Scheme is jointly supported by the Community Safety Unit, the Department of Justice, the PSNI and the Housing Executive and it is through this scheme that private home owners can be supported. I understand that whilst there are only 2 private home owners affected, they should be afforded the same level of protection for their homes that social tenants can receive.

This is not about resources, this is about the measures that are needed to protect those tenants who have a right to feel safe and secure in their homes.

## Housing Executive: Housing Portfolio

**Mr Copeland** asked the Minister for Social Development to detail (i) the total housing portfolio of the Northern Ireland Housing Executive; (ii) how many of these properties meet (a) the Decent Homes Standard; and (ii) the Decent Homes Plus Standard; and (iii) the total expected cost of upgrading the entire stock to (a) the Decent Homes Standard; and (b) the Decent Homes Plus Standard.

**(AQW 3034/11-15)**

**Mr McCausland:** The Northern Ireland Housing Executive's total housing portfolio is 89,984 properties. Savills 2009 Stock Condition survey stated that only 17% of stock failed to meet the Decent Homes Standard with the majority, 74,687 properties, meeting the standard. As yet the Decent Homes Plus Standard has not been introduced to the Housing Executive but their revised Maintenance Investment Strategy recommends its introduction. The total expected cost of upgrading the Housing Executive's

entire stock to Decent Homes Standard by 2021 is expected to be £733million, whilst the cost of upgrading its entire stock to Decent Homes Plus by 2021 is estimated to be £945million.

## Energy Efficiency Measures

**Mr Flanagan** asked the Minister for Social Development whether her Department has any plans to introduce an area-based approach in the implementation of energy efficiency measures to increase economies of scale and to maximise the number of households which would benefit from such measures.

**(AQW 3097/11-15)**

**Mr McCausland:** I have asked officials to review our approach to delivering energy efficiency improvements to fuel poor homes in Northern Ireland. I recognise the benefits of an area based approach and this will be an option for delivery of energy efficiency improvements in the future.

## Employment and Support Allowance

**Mrs D Kelly** asked the Minister for Social Development why, when completing a COA1 Form, claimants of Employment and Support Allowance who are moving in with their parents have to supply details of their parent's gross income.

**(AQW 3116/11-15)**

**Mr McCausland:** Claimants of Employment and Support Allowance who are moving in with their parents are not required to supply details of their parent's gross income as this has no impact on their assessment. Form COA1 is a generic form issued to customers, who are in receipt of a social security benefit, when they report a change of address. It covers all possible scenarios and seeks to obtain all of the information necessary to ensure the customer receives their correct entitlement of Social Security benefit. I have asked my officials to undertake a review of the form to ensure customers are only asked to provide the information relevant to their circumstances.

## Welfare Reform

**Mr McElduff** asked the Minister for Social Development if he has met with Westminster Ministers to explain the adverse impact of the implementation of Welfare Reform.

**(AQO 559/11-15)**

**Mr McCausland:** I have discussed the issue of Welfare Reform with various Government Ministers, including the Secretary of State, the Rt Hon Owen Patterson, MP. Further, my officials are in regular contact with Government officials about this and other relevant issues, on an almost weekly basis. I can assure Members that DWP Ministers in Westminster are only too aware of the difficulties and challenges which we face, and which are unique to Northern Ireland.

The Coalition Government has made it clear that its proposals for reforming the welfare system are intended to improve work incentives, simplify the benefits system and tackle administrative complexity, and I am sure that no one would argue with those worthy aspirations.

For those people on Universal Credit, the Coalition Government has stated that there will be no losers at the point of change.

Other aspects of Welfare Reform will involve a fundamental review of how we ensure that the limited monies which are available are directed to those who are most in need, and most vulnerable – the need to make savings is a fact of economic life, whether we like it or not. However, there are mechanisms in place designed to ensure that those who are most in need, or most vulnerable are identified and protected.

I will continue to ensure that full account is taken of the particular circumstances that exist in Northern Ireland and that operational flexibilities and safeguards within the social security regime will be applied where necessary in the implementation of all of the welfare reform proposals, although I have to stress that this can only be done in line with the principle of parity.

Finally, on 5 September, an Equality Impact Assessment was issued for public consultation; the responses to this consultation will help us to assess the impact of the Welfare Reforms.

### **Discretionary Housing Payments**

**Mr Campbell** asked the Minister for Social Development what was the average annual amount paid in discretionary housing payments to claimants in 2010.

**(AQW 3138/11-15)**

**Mr McCausland:** During the financial year 2010/11 Discretionary Housing payments totalling £1,056,751 were awarded to 5001 Housing Benefit claimants. This equates to an average annual amount paid to each claimant of £211.

### **Betting, Gaming, Lotteries and Amusement (Northern Ireland) Order 1985**

**Mr Beggs** asked the Minister for Social Development whether he intends to introduce legislation amending or replacing the Betting, Gaming, Lotteries and Amusement (Northern Ireland) Order 1985 to allow residents to enter UK wide competitions and prize draws, without an element of skill, that are not considered lotteries or betting.

**(AQW 3171/11-15)**

**Mr McCausland:** A major consultation on proposals for reform of the gambling legislation was carried out by my predecessor earlier this year. The consultation sought views on a change in the law to enable people in Northern Ireland to participate in prize competitions and free draws on the same basis as those in the rest of the UK. I am currently giving detailed consideration to the many complex issues raised in the consultation and the views expressed. I will make an announcement on the way forward for the gambling review in due course.

### **Gambling: Legislation**

**Mr Beggs** asked the Minister for Social Development (i) when the consultation period on his Department's discussion paper on reviewing gambling law was completed; and (ii) why no legislation has been introduced to replace the Betting, Gaming, Lotteries and Amusement (Northern Ireland) order 1985.

**(AQW 3172/11-15)**

**Mr McCausland:** A major consultation on proposals for reform of the gambling law closed on 31 May 2011. Almost 240 responses were received to the consultation including the views of 44 organisations. I am currently giving detailed consideration to the many complex issues raised in the consultation and the views expressed. I will make an announcement on the way forward for the gambling review in due course.

### **Gambling: Legislation**

**Mr Beggs** asked the Minister for Social Development when legislation on gambling is going to be updated to bring Northern Ireland in line with developments introduced in the rest of the UK under the Gambling Act 2005.

**(AQW 3173/11-15)**

**Mr McCausland:** The regulation of gambling in Northern Ireland is a devolved matter. The Northern Ireland law has traditionally been more restrictive than the law in Great Britain. A major consultation on proposals for reform of the law closed on 31 May. I am currently giving detailed consideration to the many complex issues raised in the consultation and the views expressed. I will make an announcement on the way forward for the gambling review in due course.



## Community Heating Schemes

**Mr Dickson** asked the Minister for Social Development for his assessment of the advantages and the economic viability of community heating schemes and the bulk purchase of fuel.

**(AQW 3217/11-15)**

**Mr McCausland:** The Housing Executive has examined the potential for installing community heating in some areas, but concluded that it is not economically viable within existing housing estates due to the high number of house sales. To be economically successful it would require most, if not all, dwellings within an estate to take part in a scheme. Many home owners have installed their own individual boilers and, having made that investment, would not take part in a community scheme. Extending into adjacent areas to obtain the critical mass required to make a scheme successful would be prohibitively expensive in terms of the underground pipe network.

Community heating is best suited to new build situations and a recent example is the Woodbrook private housing development outside Lisburn.

The Housing Executive is developing an Energy Brokerage Scheme and plan to market test a scheme by the end of March 2012.

## October Monitoring Round

**Mr Weir** asked the Minister for Social Development to detail any financial pressures that have been identified by his Department in the October Monitoring Round.

**(AQW 3261/11-15)**

**Mr McCausland:** In the October Monitoring Round my Department made three essential capital bids, namely £10m for additional Co-ownership Housing funding; £4m for thermal improvements to Northern Ireland Housing Executive stock; and £1m for a number of important Neighbourhood Renewal projects. The overall outcome of the October Monitoring Round will be announced to the Assembly by the Finance Minister in due course.

## Ballymena Children's Home: Adjacent Land

**Mr Frew** asked the Minister for Social Development whether the Northern Health and Social Care Trust has declared an interest in purchasing any of the 80 acres of land adjacent to the Ballymena Children's Home.

**(AQW 3287/11-15)**

**Mr McCausland:** My Department is disposing of this 80 acre site in accordance with the DFP Procedures on 'Disposal of Surplus Publicly Sector Property in NI'. The first stage of this process involved the circulation of details of the surplus land to all relevant public bodies to establish whether they would have an interest in acquiring it. This clearing house arrangement is carried out by the Central Advisory Unit of Land and Property Services. I can confirm that the Northern Health and Social Care Trust were contacted as part of this trawl and that they did not declare an interest.

## Green New Deal

**Mr Agnew** asked the Minister for Social Development whether he has any plans to consolidate the Warm Homes Scheme and the Housing Executive's Energy Efficiency Scheme under the Green New Deal.

**(AQW 3303/11-15)**

**Mr McCausland:** My officials have just received the business case from the Green New Deal Group which will now be examined by the Cross Departmental Group which was set up to examine the potential of Green New Deal for Northern Ireland. The University of Ulster's recent publication "Defining Fuel Poverty in Northern Ireland" recommends improvements in targeting of resources and I have asked officials to re-examine how the Department delivers energy efficiency measures in the future

## Cotton Estate, North Down

**Mr Easton** asked the Minister for Social Development what maintenance schemes are planned for the Cotton Estate in North Down in each of the next three years.

**(AQW 3319/11-15)**

**Mr McCausland:** The details of works planned by the Housing Executive for the Cotton Estate, subject to funding, are as follows: -

2011/12	Replacement of all remaining solid fuel heating systems in 20 dwellings. The work is due to commence in January/February 2012 at an estimated cost of £160,000.
2012/13	Replacement of kitchens in 15 dwellings. The work is due to commence in April/May 2012 at an estimated cost of £78,000.
2013/14	No works programmed.

## Winter Fuel Payments

**Mr P Ramsey** asked the Minister for Social Development how many people received winter fuel payments in 2010/2011.

**(AQO 564/11-15)**

**Mr McCausland:** The number of Winter Fuel Payments made in 2010/11 to people in Northern Ireland was 317,145.

## Housing Executive: Hospital Estates, Lurgan

**Mr Moutray** asked the Minister for Social Development how many Housing Executive houses will benefit from the external maintenance works under way in the Hospital Estates, Lurgan.

**(AQO 566/11-15)**

**Mr McCausland:** The Housing Executive commenced an External Cyclical Maintenance scheme on 26 September 2011 in the Hospital Estates area in Lurgan at a cost of £410,000. The scheme includes work to 192 properties and 15 garages. The contract duration is 34 weeks.

## Universal Credit

**Mr Brady** asked the Minister for Social Development how many Social Security Offices are equipped to deal with the introduction of Universal Credit.

**(AQO 567/11-15)**

**Mr McCausland:** Until the Welfare Reform Bill is enacted we will not have a clear understanding of the impact of the introduction of Universal Credit.

The introduction of Universal Credit will entail the replacement of the existing working age social security benefits and tax credit regimes from October 2013.

Whilst it is too soon to assess in detail the organisational impacts of these changes, the Social Security Agency is working closely with colleagues from the Department for Work and Pensions, as well as those from Her Majesty's Revenue and Customs and other impacted Government departments, to ensure that appropriate arrangements are developed and put in place. This work will include consideration of customer, staff and organisational impacts.

I recognise that Welfare Reform presents many challenges and that aspects of the proposals being advanced will have a negative impact. However, it also presents opportunities for individuals and wider society by ensuring that work always pays.

## **Town Centre Regeneration: Newry and Armagh**

**Mr D Bradley** asked the Minister for Social Development how much funding will be allocated to town centre regeneration in the Newry and Armagh constituency.

**(AQO 568/11-15)**

**Mr McCausland:** The Newry and Armagh constituency has benefited considerably from town centre regeneration funding in recent years with Armagh having received in the region of £3.7 million towards a major public realm scheme completed in November 2009. A Revitalisation project is currently underway in Armagh, with £150,000 funding allocated to tackle dereliction and promote the city centre.

My Department has allocated funding of £1.6 million towards a £1.8 million public realm scheme for Monaghan Street and Hill Street, Newry which will commence in January 2012. Further public realm works to regenerate the area around the Town Hall and along the Quay with a contribution of £1.5 million from DSD are planned for 2012 and 2013, subject to funding being available and the necessary approvals.

## **Housing Executive: Job Losses**

**Mr Murphy** asked the Minister for Social Development how many jobs will be lost within the Housing Executive as a result of the review of the organisation.

**(AQO 569/11-15)**

**Mr McCausland:** It is not possible to define the number of job losses within the Housing Executive as a result of the proposals recommended by PricewaterhouseCoopers (PwC) in the "Strategic Review of Options for the Future Service Delivery of the NIHE report" as no detailed design work has taken place. PwC have made a number of high-level assumptions around the projected size of a proposed new model and these assumptions do envisage an opportunity to reduce the number of posts. However, PwC have stated that this is based on the working assumption that a reduction in the number of posts could be achieved through natural wastage and that no compulsory redundancies would be required. These assumptions and series of recommendations are currently being discussed with key stakeholders within the Housing sector and will be reviewed again within the detailed design phase before I make any decisions on the specific way forward. This review is therefore on-going and any staffing reductions highlighted in recent press reports relate to the potential level of staff reductions needed if a 5% reduction in running costs is required per year over the next three years.

## **Living Over the Shop Scheme**

**Ms Boyle** asked the Minister for Social Development why funding for the Living Over The Shops scheme is no longer available.

**(AQO 570/11-15)**

**Mr McCausland:** Funding for the Living Over the Shops Initiative has not ended; indeed £500,000 was allocated this year to continue the scheme. This is the same budget that was available last year.

The Living Over the Shops Initiative has played an important role in the regeneration of many towns and cities. Rather than end this initiative, I have asked my Department to see how this work can be mainstreamed into the wider responsibility my Department has in respect of town and city centre regeneration.

## **Social Deprivation: Rathcoole**

**Ms P Bradley** asked the Minister for Social Development what work has been undertaken to address social deprivation in the Rathcoole Estate, Newtownabbey.

**(AQO 571/11-15)**

**Mr McCausland:** Rathcoole is designated as an area of multiple deprivation. DSD seeks to address social deprivation in the area by investing in the social housing stock of the estate and through support provided through the Neighbourhood Renewal Programme.

Over the past two years almost £1.1m has been invested locally.

This has included funding for:

- Grounds maintenance and resurfacing;
- Kitchen replacement to 103 dwellings;
- Heating change to 56 dwellings;
- Installation of public art sculptures;
- Establishment of a nurture unit in Rathcoole Primary School; and
- Employment of one teacher, one classroom assistant, two community-based workers and one part-time Neighbourhood Renewal Co-ordinator.

The Rathcoole Neighbourhood Renewal Partnership, which was established in 2006 draws together local community, elected and statutory representatives to address social deprivation through greater community cohesion and collaboration.

Through its Action Plan for the area, the Partnership identifies needs and issues of concern to local people and seeks to meet these by working with the local Council, statutory and community groups to improve local services.

## Social Housing

**Dr McDonnell** asked the Minister for Social Development how many social houses will be built in the next three years.

**(AQO 572/11-15)**

**Mr McCausland:** I am determined to increase not just the quantity but also the quality of our housing stock. In that respect I am reviewing all our budget lines to ensure the right balance has been struck between both.

Approximately 4,200 new social homes alongside 1275 new affordable homes are expected to begin in the three years from 2011/12 to 2013/14.

## Small Pockets of Deprivation

**Mr Easton** asked the Minister for Social Development for his assessment of the success of the Small Pockets of Deprivation programme.

**(AQO 573/11-15)**

**Mr McCausland:** I recognise that the activities funded by the SPOD programme are believed to have made a positive contribution to the areas and communities which have benefitted. However, it has proven difficult to gather clear evidence of the impact which the programme has made. Nevertheless, it is clear that the programme had been of greatest value where it had been able to assist work already taking place in the target areas and where relatively strong community based groups existed and were able to make good use of the funding opportunity. As the programme moves forward, I want to ensure that the funding is targeted on those issues in the SPOD areas where it can have the greatest impact.

# Revised Written Answers

This section contains the revised written answers to questions tabled by Members.

The content of the responses is as received at the time from the relevant Minister or representative of the Assembly Commission, and it has not been subject to the official reporting (Hansard) process or changed.





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# Revised Written Answers

## Agriculture and Rural Development

### Woodland Creation Targets

*In Bound Volume 65, page WA620, replace the answer to the question (AQW 1407/11-15) asked by Mrs D Kelly with:*

**Ms O'Neill:** The PSA woodland creation target during 2008/11 remained unchanged at 1650 hectares, however the actual output over the period was 754 hectares or less than 800 hectares referred to in your question.

The Forest Service Business Plan 2011/12 sets a woodland creation target of 200 hectares for the 2011/12 year. This is a realistic and achievable target, which reflects the recent uptake of woodland creation grants by landowners and is affordable given capital budgetary constraints. The Business Plan also identifies an associated target to develop proposals for new mechanisms to support woodland creation, in recognition that higher levels of planting will be required in future to achieve our long term aim.

The long-term aim, expressed in the Forestry Strategy (2006), seeks to increase woodland cover from 6% to 12% of land area over the next 50 years. The Strategy acknowledges, however, the strong tradition and desire that farmers have towards farming. This means that woodland expansion is likely to be slow in the early years of the 50 year period.

The 2011/12 Business Plan also includes a target to complete a report on woodland area and type in the north of Ireland and publish preliminary results. This will provide a more comprehensive assessment of the baseline woodland cover and type and help inform us about future woodland creation targets. In addition, I will be reviewing the effectiveness of the Strategy and the associated targets contained in the Business Plan.

## Justice

### Custodial Sentences

*In Bound Volume 66, page WA293, replace the answer to the question (AQW 2052/11-15) asked by Lord Morrow with:*

**Mr Ford:** There have been more than 5,200 custodial sentences handed down at the Magistrates' Court which have been appealed. A further breakdown in the form requested is not readily available and could only be provided at disproportionate cost.

Information on the outcome of all Magistrates' Court appeals is set out in Tables 1 to 3 below.

#### MAGISTRATES' COURT APPEALS AGAINST CONVICTION AND/OR SENTENCE

2008	Appeal Allowed – Order Reversed	Appeal Allowed – Order Varied	Appeal Dismissed	Appeal Abandoned/Withdrawn	Total
Antrim	50	319	94	55	518
Ards	17	168	57	113	355
Armagh and South Down	29	169	72	38	308
Belfast	47	178	58	76	359

<b>2008</b>	<b>Appeal Allowed – Order Reversed</b>	<b>Appeal Allowed – Order Varied</b>	<b>Appeal Dismissed</b>	<b>Appeal Abandoned/ Withdrawn</b>	<b>Total</b>
Craigavon	15	197	96	75	383
Fermanagh and Tyrone	95	243	160	151	649
Londonderry	11	94	28	49	182
<b>Total</b>	<b>264</b>	<b>1368</b>	<b>565</b>	<b>557</b>	<b>2754</b>

<b>2009</b>	<b>Appeal Allowed – Order Reversed</b>	<b>Appeal Allowed – Order Varied</b>	<b>Appeal Dismissed</b>	<b>Appeal Abandoned/ Withdrawn</b>	<b>Total</b>
Antrim	80	246	118	64	508
Ards	12	165	35	60	272
Armagh and South Down	25	203	69	75	372
Belfast	40	158	59	80	337
Craigavon	37	234	109	59	439
Fermanagh and Tyrone	29	249	200	175	653
Londonderry	12	71	123	77	283
<b>Total</b>	<b>235</b>	<b>1326</b>	<b>713</b>	<b>590</b>	<b>2864</b>

<b>2010</b>	<b>Appeal Allowed – Order Reversed</b>	<b>Appeal Allowed – Order Varied</b>	<b>Appeal Dismissed</b>	<b>Appeal Abandoned/ Withdrawn</b>	<b>Total</b>
Antrim	69	245	105	66	485
Ards	17	105	82	86	290
Armagh and South Down	34	203	53	42	332
Belfast	52	222	124	91	489
Craigavon	22	274	178	46	520
Fermanagh and Tyrone	67	349	248	179	843
Londonderry	2	51	77	58	188
<b>Total</b>	<b>263</b>	<b>1449</b>	<b>867</b>	<b>568</b>	<b>3147</b>

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## Regional Development

### **Double Yellow Lines on East Bridge Street, Enniskillen**

*In this Bound Volume, page WA252, replace the answer to the question (AQW 2830/11-15) asked by Mr Flanagan with:*

**Mr Kennedy:** My Department's Roads Service met with the Northern Ireland Court Service in March 2011 and was advised that double yellow lines were required as a security measure for the courthouse at East Bridge Street, Enniskillen.

On 12 April 2011, the Court Service undertook a hand delivered mail drop advising frontagers, directly affected by the scheme, of the details of the proposed waiting restrictions.

No traffic calming measures have been introduced at East Bridge Street, Enniskillen, and I can advise that the waiting restrictions extend for 60 metres on the northern side and 70 metres on the southern side of East Bridge Street, thereby removing 23 'one hour in any two hour' limited waiting parking spaces.



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# Northern Ireland Assembly

Monday 3 October 2011

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

- 2.1** The Speaker extended condolences, on behalf of the Assembly, to the family of Ms Norma Coulter and her colleagues in the Ulster Unionist Party, following her sudden death. Mr Danny Kennedy responded on behalf of the party.

## 3. Private Members' Business

### 3.1 Motion: Public Procurement

#### **Proposed:**

That this Assembly recognises the importance of ensuring that public money spent on supplies, services and construction works represents value for money and results in investment in society and the environment: and calls on the Minister of Finance and Personnel to forward the recommendations in the previous Committee for Finance and Personnel's report on its Inquiry into Public Procurement to the Executive for consideration.

*Ms J McCann*

*Mr M McLaughlin*

*Mr C Murphy*

### 3.2 Amendment

#### **Proposed:**

At end insert:

‘; and urges the revision of policy and practice on the use of social clauses in Government procurement, including the introduction of the social clause model developed by the Department for Social Development for housing and regeneration contracts.’

*Mr M Durkan*

*Mr D Bradley*

*Debate ensued.*

The Question being put, the Amendment was made without division.

The Question being put, the Motion, as amended, was carried without division.

### 3.3 Motion: Illegal Fuel Smuggling and Laundering

#### Proposed:

That this Assembly notes with concern the statistics which reveal that only four custodial sentences have been handed down to people involved in fuel smuggling or laundering in the past ten years; further notes that the estimated annual cost of these practices to the Exchequer is in excess of £200 million; and calls on the Minister of Justice to ensure that the next Justice Bill incorporates tougher sentences and penalties to deal with illegal operators.

*Mr W Irwin*

*Lord Morrow*

*Mr P Weir*

### 3.4 Amendment

#### Proposed:

At end insert:

‘; and urges the Minister to examine opportunities for further cross-border and inter-agency cooperation to identify and prosecute a greater number of offenders.’

*Mr C Eastwood*

*Mr D Bradley*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

*The debate was suspended for Question Time.*

## 4. Question Time

### 4.1 Enterprise, Trade and Investment

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

### 4.2 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

## 5. Private Members’ Business (Cont’d)

### 5.1 Motion: Illegal Fuel Smuggling and Laundering (Cont’d)

*Debate resumed on the Motion.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

## 6. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.05pm.*

**Mr William Hay**

**The Speaker**

3 October 2011

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 28 September - 3 October 2011**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - Council for the Curriculum, Examinations and Assessment - Disposal of Documents Schedule (PRONI)
  - Land and Property Services - Disposal of Paper Documents (PRONI)
5. Assembly Reports
6. Statutory Rules

(The Department identified after each rule is for reference purposes only)

  - S.R. 2011/328 The Motor Vehicles (Construction and Use) (Amendment No.3) Regulations (Northern Ireland) 2011 (DOE)
  - S.R. 2011/329 The Road Vehicles Lighting (Amendment No.3) Regulations (Northern Ireland) 2011 (DOE)
  - S.R. 2011/330 The Price Marking (Amendment) Order (Northern Ireland) 2011 (DETI)
  - S.R. 2011/336 The Route F1361 Hawthorn Walk (Footpath), Highfield Heights, Craigavon (Abandonment) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/337 The Orchard Drive, Portadown (Footway) (Abandonment) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/340 The Trunk Road T10 (Shannaragh Realignment) Order (Northern Ireland) 2011 (DRD)

**For Information Only:**

  - S.R. 2011/323 (C.24) The Civil Registration (2011 Act) (Commencement No.1) Order (Northern Ireland) 2011 (DFP)
  - S.R. 2011/333 The Cycle Routes (Amendment No.3) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/334 The Waiting Restrictions (Newry) (No.2) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/335 The Waiting Restrictions (Dungannon) (Amendment) Order (Northern Ireland) 2011 (DRD)

## 7. Written Ministerial Statements

## 8. Consultation Documents

- Guidance on Nuisance Parking and Abandoned Vehicles Legislation (DOE)
- Consultation Paper on Implementing EC Regulations 1071/2009, 1072/2009 & 1073/2009 on Road Transport Operations (DOE)

## 9. Departmental Publications

- Statistics of Scientific Procedures on Living Animals Northern Ireland 2010 (DHSSPS)
- Department for Work and Pensions - Lung Cancer in Coke Oven Workers (DSD)

## 10. Agency Publications

## 11. Westminster Publications

- Police Reform and Social Responsibility Act 2011

## 12. Miscellaneous Publications





# Northern Ireland Assembly

**Tuesday 4 October 2011**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 **Statement - North South Ministerial Council meeting in Health and Food Safety Sectoral Format**

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding the North South Ministerial Council meeting in Health and Food Safety sectoral format, held on 20 July 2011, following which he replied to questions.

### 2.2 **Legislative Consent Motion: London Olympic Games and Paralympic Games (Amendment) Bill Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions in the London Olympic Games and Paralympic Games (Amendment) Bill dealing with ticket touting.

*Minister of Justice*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

## 3. Private Members' Business

### 3.1 **Motion: Student Places at the University of Ulster's Magee Campus**

**Proposed:**

That this Assembly calls on the Minister for Employment and Learning to ensure the creation of 1000 extra student places at the University of Ulster's Magee Campus during the current Comprehensive Spending Review period in order to provide the key economic driver that is envisaged by the Ilex Regeneration Plan.

*Mr P Ramsey  
Mr M Durkan  
Mr C Eastwood*

*Debate ensued.*

*The Principal Deputy Speaker took the Chair.*

The Question being put, the Motion was negatived (Division 1).

*The sitting was suspended at 12.38pm.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 4. Question Time

### 4.1 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

### 4.2 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Alex Attwood.

*The Principal Deputy Speaker took the Chair.*

## 5. Private Members' Business (Cont'd)

### 5.1 Motion: Inadequate Weed Control by Roads Service Eastern Division

#### **Proposed:**

That this Assembly expresses concern at the failure of Roads Service Eastern Division to adequately control weeds on foot-ways and other public areas; and calls on the Minister for Regional Development to ensure that this problem is resolved without further delay.

*Mr J Spratt*

*Mr A Easton*

*Mr J Craig*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 6. Adjournment

Mr Mervyn Storey spoke to his topic on Executive Support for Rathlin Island.

#### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.08pm.*

**Mr William Hay**

**The Speaker**

4 October 2011

# Northern Ireland Assembly

4 October 2011

## Divisions

### Division No. 1

#### **Student Places at the University of Ulster's Magee Campus - Motion**

##### **Proposed:**

That this Assembly calls on the Minister for Employment and Learning to ensure the creation of 1000 extra student places at the University of Ulster's Magee Campus during the current Comprehensive Spending Review period in order to provide the key economic driver that is envisaged by the Ilex Regeneration Plan.

*Mr P Ramsey  
Mr M Durkan  
Mr C Eastwood*

The Question was put and the Assembly divided.

Ayes: 27  
Noes: 49

##### **Ayes**

*Ms M Anderson, Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr W Clarke, Mr Doherty, Mr Eastwood, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr McLaughlin, Mr McMullan, Mr A Maskey, Mr P Maskey, Mr Ó hOisín, Ms Ritchie, Mr Sheehan.*

*Tellers for the Ayes: Mr Eastwood and Mr McDevitt.*

##### **Noes**

*Mr S Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mr T Clarke, Mr Copeland, Mr Craig, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Dr Farry, Mr Ford, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lewis, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr Ross, Mr Swann, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Mr Buchanan and Mr B McCrea.*

*The following Member voted in both Lobbies and is therefore not counted in the result: Mr Agnew.*

The Motion was **negatived**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 4 October 2011**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports

6. Statutory Rules

(The department identified after each rule is for reference purposes only)

- S.R. 2011/344 The Hanover Glen, Bangor (Abandonment) Order (Northern Ireland) 2011 (DRD)
- S.R. 2011/345 The Former Road (including footpath) at the Westlink, Belfast (Abandonment) Order (Northern Ireland) 2011 (DRD)
- S.R. 2011/346 The Ballyblaugh Road, Newry (Abandonment) Order (Northern Ireland) 2011 (DRD)

### **For Information Only:**

- S.R. 2011/332 (C.25) The Dogs (Amendment) (2011 Act) (Commencement No.2) Order (Northern Ireland) 2011 (DARD)

7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly

Monday 10 October 2011

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

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement - North South Ministerial Council meeting in Education Sectoral Format

The Minister of Education, Mr John O'Dowd, made a statement regarding the North South Ministerial Council meeting in Education sectoral format, held on 21 September 2011, following which he replied to questions.

*The Speaker took the Chair.*

### 2.2 Statement - Londonderry to Coleraine Railway Line

The Minister for Regional Development, Mr Danny Kennedy, made a statement regarding the Londonderry to Coleraine Railway Line, following which he replied to questions.

## 3. Committee Business

### 3.1 Motion - Prayer of Annulment S.R. 2011/293

#### **Proposed:**

That the Housing Benefit (Amendment No.2) Regulations (Northern Ireland) 2011 (S.R. 2011/293) be annulled.

*Chairperson, Committee for Social Development*

*The Deputy Speaker (Mr Beggs) took the Chair.*

*Debate ensued.*

*The Speaker took the Chair.*

*The debate was suspended for Question Time.*

## 4. Speaker's Business

The Speaker made some remarks in relation to a serious challenge to the authority of the Chair.

## 5. Question Time

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

Questions were put to, and answered by, the First Minister, Rt Hon Peter Robinson. The junior Minister, Mr Jonathan Bell, also answered a number of questions.

## **5.2 Finance and Personnel**

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Sammy Wilson.

## **6. Committee Business (Cont'd)**

### **6.1 Motion - Prayer of Annulment S.R. 2011/293 (Cont'd)**

*Debate resumed on the Motion.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Question being put, the Motion was **negatived** (Division 1).

### **6.2 Motion - Review of the Initial Ministerial Provision - Minister of Justice**

#### **Proposed:**

That, pursuant to Standing Order 59(4)(b), this Assembly refers to the Assembly and Executive Review Committee the matter of a review of the Initial Ministerial Provision in relation to the Department of Justice; and agrees that the Committee should make recommendations relating to the provision that should exist from 1 May 2012.

*Chairperson, Committee for Assembly and Executive Review*

The Question being put, the Motion was carried without division.

## **7. Private Members' Business**

### **7.1 Motion - Safeguarding Water and Heating Supplies**

#### **Proposed:**

That this Assembly calls on the Minister for Social Development to put in place measures to safeguard water and heating supplies and repair services in anticipation of severe weather conditions; and to work closely with the Minister for Regional Development in preparation for the winter period.

*Mr F McCann*

*Mr S Lynch*

*Mr P Doherty*

*Debate ensued.*

The Question being put, the Motion was carried without division.

### **7.2 Motion - Dealing with the Past**

#### **Proposed:**

That this Assembly calls on the Secretary of State to convene talks between the political parties to broker an agreement on how to deal with the legacy of the past.

*Mr C Lyttle*

*Mr S Dickson*

*Mr T Lunn*

*Ms A Lo*



### 7.3 Amendment

**Proposed:****Leave out all after 'political parties' and insert:**

' and, working with the Irish Government, to identify and agree mechanisms to address the legacy of the past informed by the needs and requirements of victims; and to have regard to the views of the Commission for Victims and Survivors, the Consultative Group on the Past and others'.

*Mr C Eastwood*

*Mrs D Kelly*

*Mr A Maginness*

*Mr C McDevitt*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Amendment fell (Division 2).

The Question being put, the Motion was carried without division.

## 8. Adjournment

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.52pm.*

**Mr William Hay**

**The Speaker**

10 October 2011

# Northern Ireland Assembly

10 October 2011

Divisions

Division No. 1

**Prayer of Annulment S.R. 2011/293 - Motion**

**Proposed:**

That the Housing Benefit (Amendment No.2) Regulations (Northern Ireland) 2011 (S.R. 2011/293) be annulled.

*Chairperson, Committee for Social Development*

The Question was put and the Assembly divided.

Ayes: 34

Noes: 55

**Ayes**

*Ms M Anderson, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Doherty, Mr Durkan, Mr Flanagan, Ms Gildernew, Mr G Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mrs McKeivitt, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr Sheehan.*

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

**Noes**

*Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Irwin, Mr Kinahan, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Rt Hon P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr T Clarke and Mr Spratt.*

The Motion was **negatived**.

# Northern Ireland Assembly

10 October 2011

Divisions

Division No. 2

**Dealing with the Past - Amendment**

**Proposed:**

**Leave out all after 'political parties' and insert:**

' and, working with the Irish Government, to identify and agree mechanisms to address the legacy of the past informed by the needs and requirements of victims; and to have regard to the views of the Commission for Victims and Survivors, the Consultative Group on the Past and others'.

*Mr C Eastwood*

*Mrs D Kelly*

*Mr A Maginness*

*Mr C McDevitt*

The Question was put and the Assembly divided.

Ayes: 41

Noes: 42

**Ayes**

*Ms M Anderson, Mr Attwood, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mrs Cochrane, Mr Dickson, Mr Doherty, Mr Durkan, Dr Farry, Mr Flanagan, Mr Ford, Ms Gildernew, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mrs McKevitt, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr P Maskey, Mr Murphy, Ms Ní Chuilín, Mr O'Dowd, Mrs O'Neill, Ms S Ramsey, Ms Ritchie, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr D Bradley and Mr Durkan.*

**Noes**

*Mr Allister, Mr S Anderson, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Craig, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Hussey, Mr Irwin, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Rt Hon P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Irwin and Mr Nesbitt.*

The Amendment **fell**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 5 - 10 October 2011**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - The Northern Ireland Practice and Education Council for Nursing and Midwifery Accounts for the year ended 31 March 2011 (NIAO)
  - Loughs Agency Annual Report & Accounts 2008 (Loughs Agency)
  - Loughs Agency Annual Report & Accounts 2009 (Loughs Agency)
  - Report on an unannounced short follow-up inspection of Hydebank Wood Young Offenders Centre 21-25 March 2011 (DOJ)
  - Report on an unannounced short follow-up inspection of Hydebank Wood Women's Prison 21-25 March 2011 (DOJ)
5. Assembly Reports
6. Statutory Rules

(The Department identified after each rule is for reference purposes only)

  - S.R. 2011/331 The Weights and Measures (Packages Goods) Regulations (Northern Ireland) 2011 (DETI)
  - S.R. 2011/338 The Housing Executive (Indemnities for Members and Officers) Order (Northern Ireland) 2011 (DSD)
  - S.R. 2011/339 The Homeless Persons Advice and Assistance Regulations (Northern Ireland) 2011 (DSD)
  - S.R. 2011/341 The Dogwood Walk Footpath, Route F1386, Craigavon (Abandonment) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/342 The Old Mill Heights, Millbrook, Larne (Abandonment) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/343 The Footpath between Ballymacash Road and Prince William Road, Lisburn (Abandonment) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/349 Cattle Identification (Notification of Births, Deaths and Movements) (Amendment) Regulations (Northern Ireland) 2011 (DARD)
  - S.R. 2011/351 The Seed Potatoes (Amendment) Regulations (Northern Ireland) 2011 (DARD)

- S.R. 2011/352 The Plant Health (Amendment No.3) Order (Northern Ireland) 2011 (DARD)
- S.R. 2011/356 The Social Security (Disability Living Allowance, Attendance Allowance and Carer's Allowance) (Miscellaneous Amendments) Regulations (Northern Ireland) 2011 (DSD)
- S.R. 2011/357 The Social Security (Miscellaneous Amendments No.2) Regulations (Northern Ireland) 2011 (DSD)

## 7. Written Ministerial Statements

## 8. Consultation Documents

- Further Public Consultation on Revised Proposals for the Introduction of Changes to Animal Disease Compensation Arrangements for Bovine Tuberculosis and Brucellosis (DARD)
- Consultation on the Zoonoses (Fees) (Amendment) Regulations (Northern Ireland) 2012 (DARD)

## 9. Departmental Publications

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications





# Northern Ireland Assembly

**Tuesday 11 October 2011**

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Executive Committee Business

### 2.1 Statement - North South Ministerial Council meeting in Institutional Format

The acting deputy First Minister, Mr John O'Dowd, made a statement regarding the North South Ministerial Council meeting in Institutional format, held on 3 October 2011, following which he replied to questions.

## 3. Private Members' Business

### 3.1 Motion - Review of Home to School Transport Policy

#### **Proposed:**

That this Assembly notes the importance of an effective home to school transport policy; believes that the current policy is out-dated; and calls on the Minister of Education to initiate an overarching review of the policy to ensure that home to school transport is provided in the most cost effective, efficient and safe manner.

*Mr D McNarry*

*Mrs J Dobson*

*Mr R Hussey*

*The Deputy Speaker (Mr Dallat) took the Chair.*

### 3.2 Amendment

#### **Proposed:**

Leave out all after 'Education' and insert:

'to work with the Minister for Regional Development to create an holistic and sustainable school transport policy which will ensure that school transport is provided in the most cost effective, efficient and safe manner.'

*Mr S Agnew*

*Debate ensued.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

*The sitting was suspended at 12.18pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.*

## 4. Question Time

### 4.1 Health, Social Services and Public Safety

Questions were put to, and answered by, the Minister of Health, Social Services and Public Safety, Mr Edwin Poots.

### 4.2 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

## 5. Private Members' Business (Cont'd)

### 5.1 Motion - United Assembly Against Terrorism

#### **Proposed:**

That this Assembly stands united against continued dissident republican attacks on the PSNI; condemns any attempts on the lives of officers; and fully supports the Chief Constable and the PSNI officers in dealing with this growing threat.

*Mr I McCrea*

*Mr J Craig*

*Mr R Newton*

### 5.2 Amendment

#### **Proposed:**

Leave out all after 'continued' and insert:

'attacks on the PSNI and the wider community; condemns any attempts on the lives of officers; and fully supports the Chief Constable and the PSNI officers in dealing with this threat in a way that gives primacy to community policing, is human rights compliant and engenders greater confidence throughout the whole community.'

*Mr G Kelly*

*Mr P Sheehan*

*Ms C Ruane*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

## 6. Adjournment

Mr Chris Lyttle spoke to his topic on illegally displayed flags and emblems in East Belfast.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.08pm.*

**Mr William Hay**

**The Speaker**

11 October 2011

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 11 October 2011**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
5. Assembly Reports
6. Statutory Rules  
(The department identified after each rule is for reference purposes only)  
**For Information Only:**
  - S.R. 2011/354 The Prohibition of Traffic (Thorndale Avenue, Belfast) Order (Northern Ireland) 2011 (DRD)
7. Written Ministerial Statements
8. Consultation Documents
  - Consultation on Proposed Changes to GCSEs (DE)
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly

Monday 17 October 2011

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Matter of the Day

### 2.1 Handling of the Pat Finucane Case

The Speaker reminded Members of the standards of debate expected in the House, including courtesy, good temper and moderation of language.

Mr Gerry Kelly made a statement, under Standing Order 24, in relation to the handling of the Pat Finucane Case. Party representatives were also called to speak on the matter.

## 3. Executive Committee Business

### 3.1 Legislative Consent Motion: Legal Aid, Sentencing and Punishment of Offenders Bill

#### **Proposed:**

That this Assembly endorses the principle of the extension to Northern Ireland of the provisions dealing with information about financial resources contained in clauses 21 and 32 of the Legal Aid, Sentencing and Punishment of Offenders Bill as introduced in the House of Commons on 21 June 2011; and agrees that the UK Parliament should consider amendments to the Bill to provide for equivalent arrangements in relation to the Northern Ireland Legal Services Commission.

*Minister of Justice*

The Question being put, the Motion was **carried** without division.

## 4. Private Members' Business

### 4.1 Motion: Development of an All-Ireland Job Creation Strategy

#### **Proposed:**

That this Assembly calls for the development of an All-Ireland job creation strategy under the auspices of the North-South Ministerial Council to focus on areas of high unemployment across the island.

*Mr P Flanagan*

*Mr D McKay*

*Ms S Ramsey*

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Question being put, the Motion was **negatived** (Division 1).

#### **4.2 Motion: Rural Schools**

##### **Proposed:**

That this Assembly expresses concern at the potential impact of the statement by the Minister of Education on 26 September 2011, particularly on the future of smaller rural schools; notes that schools are at the heart of rural communities; further notes the particular access requirements of rural communities to education; and calls on the Minister of Education to ensure that decisions on the future of rural schools are fully measured against rural standards and proofing.

*Mr C McDevitt*

*Mr D Bradley*

*Mr J Byrne*

*The Principal Deputy Speaker (Mr Molloy) took the Chair.*

#### **4.3 Amendment 1**

##### **Proposed:**

After second 'education;' insert:

'believes that shared and integrated education could provide alternatives to school closures;'

*Mr T Lunn*

*Mr C Lyttle*

*Ms A Lo*

*Mr S Dickson*

#### **4.4 Amendment 2:**

##### **Proposed:**

At end insert:

'and that there is equity of treatment between the controlled and maintained sectors.'

*Mr M Storey*

*Miss M McIlveen*

*Mr J Craig*

*Mrs B Hale*

*Debate ensued.*

*The debate was suspended for Question Time.*

## **5. Question Time**

### **5.1 Regional Development**

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

### **5.2 Social Development**

Questions were put to, and answered by, the Minister for Social Development, Mr Nelson McCausland.



## 6. Private Members' Business

### 6.1 Motion: Rural Schools (Cont'd)

*Debate resumed on the Motion.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

Amendment No. 1 being put, the Amendment **fell** without division.

Amendment No. 2 being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

## 7. Adjournment

### **Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.55pm.*

**Mr William Hay**

**The Speaker**

17 October 2011

# Northern Ireland Assembly

17 October 2011

Divisions

Division No. 1

## **Development of an All-Ireland Job Creation Strategy - Motion**

### **Proposed:**

That this Assembly calls for the development of an All-Ireland job creation strategy under the auspices of the North-South Ministerial Council to focus on areas of high unemployment across the island.

*Mr P Flanagan*

*Mr D McKay*

*Ms S Ramsey*

The Question was put and the Assembly divided.

Ayes: 41

Noes: 48

### **Ayes**

*Mr Agnew, Ms M Anderson, Mr Attwood, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mrs Cochrane, Mr Doherty, Mr Durkan, Mr Eastwood, Dr Farry, Mr Flanagan, Mrs D Kelly, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McGlone, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr A Maskey, Mr P Maskey, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ritchie, Mr Sheehan.*

*Tellers for the Ayes: Mr Flanagan and Mr Lynch.*

### **Noes**

*Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr Campbell, Mr T Clarke, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lewis, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McNarry, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Rt Hon P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr Givan and Mr Moutray.*

The Motion was **negatived**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 12 - 17 October 2011**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - Principal Civil Service Pension Scheme (Amendment) Scheme (Northern Ireland) 2011 (DFP)
  - Records Retention and Disposal Policy and Schedule - Paper Records in SIB (PRONI)
  - North Eastern Education and Library Board Annual Report and Accounts 2009/2010 (DE)
  - An Inspection of Prisoner Resettlement by the Northern Ireland Prison Service (DOJ)
  - Roads Service Annual Report and Accounts 2010-11 (DRD)
  - The Northern Ireland Assembly Members' Pension Fund Annual Report and Accounts 2010-11
  - Youth Justice Agency Business Plan 2011-2012 (DOJ)
  - South Eastern Education and Library Board Annual Report and Accounts 2009-2010 (DE)
5. Assembly Reports
6. Statutory Rules

(The Department identified after each rule is for reference purposes only)

  - S.R. 2011/347 The Registration of Deeds (Fees) Order (Northern Ireland) 2011 (DFP)
  - S.R. 2011/348 Land Registry (Fees) Order (Northern Ireland) 2011 (DFP)
  - S.R. 2011/350 The Agency Workers Regulations (Northern Ireland) 2011 (DEL)

**For Information Only:**

  - S.R. 2011/353 The Cycle Routes (Amendment No.4) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/355 The Parking Places (Disabled Persons' Vehicles) (Amendment No.9) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/358 The Extinguishment of Right to Use Vehicles on Roads (Strabane) Order (Northern Ireland) 2011 (DRD)
  - S.R. 2011/359 The Prohibition of Traffic (Avoniel, Belfast) Order (Northern Ireland) 2011 (DRD)

## 7. Written Ministerial Statements

## 8. Consultation Documents

- Belfast Rapid Transit - Public Consultation on Route Options and Integrated Impact Assessment and Draft Equality Impact Assessment (DRD)
- Social Investment Fund Consultation Document and Questionnaire (OFMDFM)
- Draft Local Government Pension Scheme (Amendment) Regulations (Northern Ireland) 2012 (DOE)
- District Councillors' Allowances and Multiple Mandates (DOE)

## 9. Departmental Publications

- Discussion Paper on the Review of the Financial Process in Northern Ireland (DFP)

## 10. Agency Publications

## 11. Westminster Publications

## 12. Miscellaneous Publications

# Northern Ireland Assembly

Tuesday 18 October 2011

*The Assembly met at 10.30am, the Deputy Speaker (Mr Dallat) in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Private Members' Business

### 2.1 Motion - Anti-Social Behaviour

#### **Proposed:**

That this Assembly recognises the severe anxiety that anti-social behaviour is causing people living in our cities, towns and villages; and calls on the Minister of Justice to increase police powers to deal with the problem.

*Mr D McIlveen*

*Mr G Dunne*

### 2.2 Amendment

#### **Proposed:**

Leave out all after 'villages;' and insert:

';and calls on the Minister of Justice to delegate greater resources and responsibility to the Community Safety Partnerships and the District Policing Partnerships to tackle the issue by working with local government and the community and voluntary sector to bring about local solutions; and further calls for a review of police powers to deal with this problem.'

*Mr R Beggs*

*Mr B McCrea*

*Debate ensued.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

### 2.3 Motion: Crown Estate along the Coastline

#### **Proposed:**

That this Assembly calls on the Executive to consider the role of the Crown Estate along our coastline with a view to maximising any possible financial return to the Executive.

*Mr O McMullan*

*Mr C Boylan*

*Mr W Clarke*

*Mr F Molloy*

## 2.4 Amendment

### Proposed:

Leave out all after 'Assembly' and insert:

'notes Schedule 3 Paragraph 5 of the Northern Ireland Act 1998 which declares the foreshore, sea bed and subsoil and their natural resources a reserved matter; and calls on the Executive to open negotiations with the Treasury in order to maximise any possible financial return from the Crown Estate to the Executive.'

*Mr D Bradley*

*Mr A Maginness*

*Mr A McDonnell*

*Debate ensued.*

*The sitting was suspended at 12.32pm.*

*The sitting resumed at 2.00pm, with the Speaker in the Chair.*

## 3. Question Time

### 3.1 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

### 3.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

## 4. Question for Urgent Oral Answer

### 4.1 Slurry Spreading

The Minister of the Environment, Mr Alex Attwood, replied to a Question for Urgent Oral Answer, tabled by Mr Thomas Buchanan.

*The Deputy Speaker (Mr Beggs) took the Chair.*

## 5. Private Members' Business (Cont'd)

### 5.1 Motion: Crown Estate along the Coastline (Cont'd)

*Debate resumed on the Motion.*

The Question being put, the Amendment fell (Division 1).

The Question being put, the Motion was **negatived** (Division 2).



## 6. Adjournment

Mr Danny Kinahan spoke to his topic on the Pollution of the Sixmilewater River.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.35pm.*

**Mr William Hay**

**The Speaker**

18 October 2011

# Northern Ireland Assembly

18 October 2011

## Divisions

### Division No. 1

#### **Crown Estate along the Coastline - Amendment**

##### **Proposed:**

Leave out all after 'Assembly' and insert:

'notes Schedule 3 Paragraph 5 of the Northern Ireland Act 1998 which declares the foreshore, sea bed and subsoil and their natural resources a reserved matter; and calls on the Executive to open negotiations with the Treasury in order to maximise any possible financial return from the Crown Estate to the Executive.'

*Mr D Bradley*

*Mr A Maginness*

*Mr A McDonnell*

The Question was put and the Assembly divided.

Ayes: 32

Noes: 51

##### **Ayes**

*Mr Agnew, Ms M Anderson, Mr Attwood, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Doherty, Mr Durkan, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr P Maskey, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr D Bradley and Mr A Maginness.*

##### **Noes**

*Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr T Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Kinahan, Ms Lewis, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr D McIlveen and Mr Spratt.*

The Amendment **fell**.

# Northern Ireland Assembly

18 October 2011

Divisions

Division No. 2

## **Crown Estate Along the Coastline - Motion**

### **Proposed:**

That this Assembly calls on the Executive to consider the role of the Crown Estate along our coastline with a view to maximising any possible financial return to the Executive.

*Mr O McMullan*

*Mr C Boylan*

*Mr W Clarke*

*Mr F Molloy*

The Question was put and the Assembly divided.

Ayes: 32

Noes: 51

### **Ayes**

*Mr Agnew, Ms M Anderson, Mr Attwood, Mr D Bradley, Mr Brady, Mr Byrne, Mr W Clarke, Mr Doherty, Mr Durkan, Mr Flanagan, Ms Gildernew, Mrs D Kelly, Mr Lynch, Mr F McCann, Ms J McCann, Mr McCartney, Mr McDevitt, Dr McDonnell, Mr McElduff, Mr McGlone, Mr McKay, Mr McLaughlin, Mr McMullan, Mr A Maginness, Mr P Maskey, Mr Molloy, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr W Clarke and Mr McMullan.*

### **Noes**

*Mr Allister, Mr S Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mr T Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Dr Farry, Mr Ford, Mrs Foster, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Hussey, Mr Kinahan, Ms Lewis, Ms Lo, Mr Lunn, Mr McCallister, Mr McCarthy, Mr McCausland, Mr McClarty, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wells.*

*Tellers for the Noes: Mr D McIlveen and Mr Spratt.*

The Motion was **negatived**.

# Northern Ireland Assembly

## **Papers Presented to the Assembly on 18 October 2011**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
  - Attorney General for Northern Ireland First Annual Report 2010-11 (OFMDFM)
5. Assembly Reports
6. Statutory Rules

(The department identified after each rule is for reference purposes only)

**For Information Only:**
7. Written Ministerial Statements
  - The Spreading of Slurry under the Nitrates Action Programme (DOE)
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications